



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

October 14, 2022

Board Policy EL-7 Communication and Support to the Board
The BAOs shall inform and support the Board in its work.

Page		<u>CEO BULLETIN & NEWSLETTERS</u>
		CEO Bulletin: None
3		October 2022 Water Tracker
		<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
		BMR/IBMR Weekly Reports: None.
6		Memo from David Cahen, Risk Manager, to the Board of Directors, dated 10/06/22, regarding Risk Communication.
		<u>INCOMING BOARD CORRESPONDENCE</u>
21		Board Correspondence Weekly Report: 10/13/22
22		Email from Connie De La Cruz, to the Board of Directors, dated 10/06/22, regarding Valley Water Claim (C-22-0181).
25		Email from Davinder Gupta, to the Board of Directors, dated 10/08/22, regarding Homeless Activity along Upper Penitencia Creek (C-22-0182).
		<u>OUTGOING BOARD CORRESPONDENCE</u>
28		Email from Director LeZotte, to David Epstein, dated 10/05/22, regarding Fluoridation of your Drinking Water.
30		Email from Director Hsueh, to Rick Challman, dated 10/05/22, regarding Water Violation.
32		Email from Chair Pro Tem Varela, to Dhruv Khanna, dated 10/11/22, regarding Farmlands, Range Lands, and Fallow Lands in Santa Clara County in Ground Water Recharge.

Board correspondence has been removed from the online posting of the Non-Agenda to protect personal contact information. Lengthy reports/attachments may also be removed due to file size limitations. Copies of board correspondence and/or reports/attachments are available by submitting a public records request to publicrecords@valleywater.org.

CEO BULLETIN

Outlook as of October 1, 2022

Based on continued drought conditions across California, imported water allocations remain low. The State Water Project allocation is at 5% of contract amount and the Central Valley Project allocation is zero. Both the State Water Project and U.S. Bureau of Reclamation have allocated Valley Water with emergency public health and safety water supplies. Santa Clara County continues to be in a water shortage emergency. Due to severe drought and increased reliance on imported water in the next 10 years while Anderson Reservoir storage is unavailable, meeting the Board of Directors call for 15% water use reduction relative to 2019 is essential. Valley Water Board of Directors approved an ordinance to enforce water waste restrictions on May 24, 2022, and passed an amendment on September 13, 2022, banning irrigation of commercial, industrial, and institutional non-functional turf.

Weather

- Rainfall in San José:
 - » Month of September, City of San José = 0.51 inches
- Rainfall year total = 0.51 inches or 184% of average to date (rainfall year is July 1 to June 30)
- San José average daily high temperature was 84.4 degrees Fahrenheit in September, which is higher than the five-year average for September (82.4 degrees Fahrenheit)

Local Reservoirs

- Total October 1 storage = 28,469 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Current storage as % of unrestricted capacity	17%	33%
Current storage as % of restricted capacity ⁽¹⁾	45%	42%
Current storage as % of the 20-year average for October 1	40%	82%

(1) Per the Federal Energy Regulatory Commission's order, the capacity of Anderson Reservoir was restricted to the deadpool storage of about 3,050 acre-feet. The total restricted capacity for all ten reservoirs is 62,592 acre-feet.

- No imported water delivered into Calero Reservoir during September 2022
- Total estimated releases to streams (local and imported water) during September were 3,860 acre-feet (based on preliminary hydrologic data)

Treated Water

- Below average demands of 9,060 acre-feet delivered in September
- This total is 83% of the five-year average for the month of September
- Year-to-date deliveries are 71,380 acre-feet or 90% of the five-year average

Groundwater

- Groundwater levels are stabilizing or increasing in some areas because of recent increases in managed recharge (made possible by emergency imported water supplies) and ongoing water conservation by the community. Water levels in the majority of wells are currently higher than September 2021, however water levels in some areas remain lower than last year. The end of 2022 groundwater storage is projected to be in low Stage 1 (Normal) of the Water Shortage Contingency Plan. Valley Water continues to plan for dry and rapidly evolving conditions

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
September 2022 managed recharge estimate	7,700	1,100	1,600
YTD managed recharge estimate	41,200	8,900	15,100
YTD managed recharge as % of 5-year average	112%	76%	106%
August 2022 pumping estimate	6,800	1,000	4,700
YTD pumping estimate	47,100	7,800	24,000
YTD pumping as % of 5-year average	103%	103%	90%
Current index well groundwater levels compared to September 2021	21 Feet Higher	Same Level	3 Feet Lower

All volumes are in acre-feet. All data is for 2022 except where noted. YTD = Year-to-Date

continued on back ►

Imported Water

- In September, the State Water Project operated Banks pumping plant with an average daily production of 1,670 acre-feet, resulting in a total export of 48,427 acre-feet from the delta
- In September, the Central Valley Project operated Jones pumping plant with an average daily production of 4,767 acre-feet, resulting in a total export of 138,254 acre-feet from the delta
- There were no interruptions to delta pumping operations, due to water quality or otherwise, during the month of September

WY 2022 Imported Water Allocations	Allocation	Allocation (acre-feet)	Additional Allocation
State Water Project	5%	5,000	Additional allocation of human health and safety water secured
Central Valley Project	-	-	Public health and safety water only
State-wide Reservoir Storage	Capacity	Current Storage (acre-feet)	Average for Date (as of 9/30/22)
Shasta Reservoir	33%	1,515,671	60%
Oroville Reservoir	35%	1,233,768	64%
San Luis Reservoir	29%	584,037	67%
Semitropic Groundwater Bank	Capacity	Current Storage (acre-feet)	Date of Data
	80%	278,495	8/31/22
Estimated SFPUC Deliveries	August (acre-feet)	2022 Total to Date (acre-feet)	Five-year annual average (acre-feet)
	4,594	30,882	48,700

Conserved Water

- Saved 76,584 acre-feet in FY21 through Valley Water's long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030 and 110,000 acre-feet by 2040
- On June 9, 2021, the Board called for a 15% reduction in water use compared to 2019 and for retailers, cities, and the County to implement local water restrictions. On May 24, 2022, the Board approved an ordinance to enforce outdoor water waste restrictions against runoff, midday watering, and watering after rainfall, and a limit of two days a week of watering for non-functional turf. On September 13, 2022, the ordinance was amended to include the State's ban against watering commercial, industrial, and institutional non-functional turf as an enforceable restriction
- The water savings achieved are shown in the table below

Baseline Year	Santa Clara County	
	2019	2020
August 2022 Savings	16%	17%
Cumulative*	5%	10%

*Cumulative for 2019 baseline begins in June 2021 and for 2020 baseline begins in July 2021

Recycled Water

- Estimated September 2022 production = 1,924 acre-feet
- Estimated year-to-date through September = 13,819 acre-feet or 102% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.7 billion gallons (5,150 acre-feet) of purified water in 2021. Since the beginning of 2022, about 3,850 acre-feet of purified water has been produced. The purified water is blended with existing tertiary treated recycled water for South Bay Water Recycling Program customers

Alternative Sources

- As of December 10, 2019, Valley Water's wastewater contract right from Palo Alto/Mountain View remains at 11,200 acre-feet/year

CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email info@valleywater.org or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



FOLLOW US



BOARD MEMBER REQUESTS and Informational Items



MEMORANDUM

FC 14 (02-08-19)

TO: Board of Directors

FROM: David Cahen
Risk Manager

SUBJECT: Risk Management Communication

DATE: October 6, 2022

The purpose of this memorandum is to provide you a with copy of recent Risk Management staff's communication with parties/individuals that have filed a claim against Valley Water.

Please find the following:

- 1) September 20, 2022 – Letter to Cecilia Marosi acknowledging receipt of claim.
- 2) October 6, 2022 – Letter to Diana Reyes acknowledging receipt of claim.

For additional information, please contact me at 408-630-2213.

DocuSigned by:

David Cahen
Risk Manager



Clean Water • Healthy Environment • Flood Protection

September 20, 2022

Cecilia Marosi
10981 Barranca Drive
Cupertino, CA 95014

Re: Receipt of Potential Claim – L2120026

Dear Ms. Marosi:

We received your claim regarding fence damage resulting from the fire fighters gaining excess to extinguish the homeless encampment fires behind your property located at 1020 S. 12th Street in San Jose.

We are currently investigating the claim and will notify you of our findings.

If you have any questions, please don't hesitate to contact me at (408) 630-2213 or at dcahen@valleywater.org

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "David Cahen".

David Cahen
Risk Manager





CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT California Government Code Sections 900 and following

Page 1 of 2

CEO
District Counsel
Risk Management (Org)
District 6

Clerk of the Board's Date Stamp

The completed form can be mailed, sent electronically For SCVWD Use Only or hand delivered. Mail or deliver to:	
Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118 Or submit the completed form electronically to: E-mail: Other: ___ COB	Date Received: 9/20/22
	ROUTING
	Via U.S. Mail: <input type="checkbox"/>
	GEO: <input type="checkbox"/>
	Hand Delivered: <input type="checkbox"/>
Risk Management clerk of the board <input checked="" type="checkbox"/> clerkoftheboard@valleywater.org	
BOD (District #): <input type="checkbox"/>	

With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.

Name of Claimant: Cecilia Marosi			
Address of Claimant: 10981 Barranca Dr.		City: Cupertino	State: CA
Mailing Address to Which Notices Should be Sent if Different From Above:		City:	State:
Home Phone Number: 650-823-2772		Cell Phone Number:	Work Phone Number:
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: ___ Relationship to the minor:	
Date and time of incident or loss: 5/14/22 and 9/21	Location of incident or loss (address): 1020 S 12 th St. San Jose, CA 95112		Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report #: <input type="checkbox"/> No (Unknown)

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (*Please attach additional sheets if necessary*): Fires have been started several times by homeless people living in an encampment directly behind the property.



CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT
California Government Code Sections 900 and following

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In detail, describe the damage or injury *(Please attach additional sheets if necessary)*:

Each fire started by the homeless living in the encampment, results in the fire fighters breaking down the fence in order to gain access to the flames. Wood boards with nails sticking out are always left on the ground which is dangerous for the tenants. Especially, for the children living on the property.

List Name(s) and contact information of any witness(es) or District employee involved (if any):

Matthew Hop 650-690-5503

DAMAGES CLAIMED: Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000?
Court Jurisdiction: (Check One)

☒

Yes
Limited Civil

☐

No
Unlimited Civil

ITEMS	CLAIM AMOUNT
1. Labor for both incidences.	\$ 274.00
2. Material for both incidences.	\$ 528.00
3.	\$
4.	\$
TOTAL AMOUNT	\$

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550) I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge,

except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this

19th day of

September, ²⁰22



Claimant's signature

Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
- (2) If written notice is not given of a denial of claim in accordance with **Section 913**, within two years from the accrual of the cause of action.

Michele King

From: Clerk of the Board
Sent: Monday, September 19, 2022 9:50 PM
To: Michele King
Subject: FW: Claim form.
Attachments: Santa Clara Valley Water District Form .pdf

Follow Up Flag: FollowUp
Flag Status: Flagged

Michelle Critchlow, Executive Assistant to
Michele King, Clerk of the Board
Office of the Clerk of the Board
Tel. (408) 630-2883 / Cell. (408) 394-2970



Clean Water • Healthy Environment • Flood Protection
5750 Almaden Expressway, San Jose CA 95118
www.valleywater.org

From: Cecilia Marosi <cmarosi@sj4rent.org>
Sent: Monday, September 19, 2022 2:05 PM
To: Clerk of the Board <clerkoftheboard@valleywater.org>
Subject: Claim form.

*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Hello there,

Below is the completed claim form for my property at 1020 S 12th St., in San Jose. I have also attached pictures.

Thanks so much!

Cecilia Marosi









650-823-2772



Clean Water • Healthy Environment • Flood Protection

October 6, 2022

Diana G. Reyes
1840 S. 7th Street #24
San Jose, CA 95112

Re: Receipt of Claim – L223002

Dear Ms. Reyes:

We received your claim related to the vehicle incident that occurred on September 28, 2022.

We will investigate the claim and notify you of our findings.

If you have any questions, please don't hesitate to contact me at (408) 630-2213 or at dcahen@valleywater.org

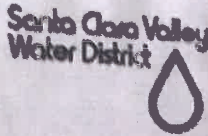
Sincerely,

DocuSigned by:

A blue ink handwritten signature that reads "David Cahen".

62E0EF69C39D435...
David Cahen
Risk Manager





CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT
California Government Code Sections 900 and following
Page 1 of 2

The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to: Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118 Or submit the completed form electronically to: clerkoftheboard@valleywater.org	Clerk of the Board's Date Stamp 10/05/22	
	For SCVWD Use Only	
	Date Received:	ROUTING
	<input type="checkbox"/> Via U.S. Mail:	<input checked="" type="checkbox"/> CEO:
	<input type="checkbox"/> Hand Delivered:	<input checked="" type="checkbox"/> District Counsel
	<input checked="" type="checkbox"/> E-mail: COB	<input checked="" type="checkbox"/> Risk Management
	<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> COB
		<input type="checkbox"/> BOD (District #):

With certain exceptions, claims for personal injury or property damage MUST be filed within six months of the incident giving rise to the claim. Claimant must complete each section. If information is unknown, write "unknown" in the appropriate box. Please use additional pages if necessary. Please attach itemized receipts, witness statements, photos and all other documentation that you believe will be helpful to process your claim. Claimant MUST sign and date the form; see last page.

Name of Claimant: Reyes Diana GURROLA			
Address of Claimant: 1840 S 7TH St #24		City: San Jose	State: CA
Mailing Address to Which Notices Should be Sent if Different From Above:		City:	State: Zip: 95112
Home Phone Number:	Cell Phone Number: 6408)514-7194	Work Phone Number: (408)969-9871	
Is this claim being filed on behalf of a minor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If so, please indicate minor's date of birth: Relationship to the minor:	
Date and time of incident or loss: 9/28/2022	Location of incident or loss (address): 807 Aldo Ave #103 Santa Clara, CA 95054	Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report #: <input checked="" type="checkbox"/> No	

Describe how the incident or loss happened, and the reason you believe the Santa Clara Valley Water District is responsible for your damages (Please attach additional sheets if necessary):

she was parking at the parking lot. all the sudden the white truck from the valley water district backing it up and hit my car. The damage at the front. (2) Headlamp, front bumper cover, driver fender. The car is at HT Body Shop. please contact shop owner for the repair. HT Body Shop, 820 Leo Ave #F, San Jose, CA 95112, 510-455-1494



CLAIM AGAINST THE SANTA CLARA VALLEY WATER DISTRICT
California Government Code Sections 900 and following
Page 2 of 2

In detail, describe the damage or injury (Please attach additional sheets if necessary):

- Front Bumper cover
- 2 Headlamp.
- Driver fender.

List Name(s) and contact information of any witness(es) or District employee involved (if any):

DAMAGES CLAIMED: Basis for computation of amounts claimed (include copies of bills, invoices, estimates, receipts, photos, police case # or other documentation.) Note: If your claim is more than \$10,000, you need not fill in an amount, but must state whether jurisdiction for the claim would be in the Limited Jurisdiction (up to \$25,000) or Unlimited jurisdiction of the Superior Court.

Is the amount of the claim under \$10,000?
Court Jurisdiction: (Check One)

☒ Yes
☐ Limited Civil

☐ No
☐ Unlimited Civil

ITEMS	CLAIM AMOUNT
1.	\$
2.	\$4,800.00
3.	\$
4.	\$
TOTAL AMOUNT	
	\$

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE OR FRAUDULENT CLAIM (Penal Code Section 72 and 550)
I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except to those matters stated upon information and belief and as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 10 day of 02, 2022 X Diana G Reyes
Claimant's signature

Government Code Section 945.6 provides that, with limited exceptions, any suit brought against a public entity must be commenced:

- (1) If written notice is given of a denial of claim in accordance with **Section 913**, not later than six months after the date such notice is personally delivered or deposited in the mail.
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HUNG THANH
AUTO BODY & REPAIR
CHUYÊN LÀM ĐỒNG
VÀ SỬA CHỮA CÁC LOẠI XE
Bryan Trinh
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San Jose, CA 95112
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