



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

November 14, 2025

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
	<u>BOARD MEMBER REQUESTS & INFORMATIONAL ITEMS</u>
3	BMR/IBMR Weekly Reports: 11/12/25
4	Memo from Marta Lugo, Deputy Administrative Officer, to Rachael Gibson, Chief of External Affairs, providing a federal government recap: October 18-31, 2025
	<u>INCOMING BOARD CORRESPONDENCE</u>
8	Board Correspondence Weekly Report: 11/12/25
10	Email from Kristina & Chris Rodgers to Director Beall and the board, dated 11/05/25, seeking assistance with a flooding problem on their property. C-25-0186
28	Email from German Scipioni to Aden Kassaye (copied to Director Ballard, dated 11/06/25, regarding the dangerous condition of the bank along Guadalupe River Creek and the threat to their properties. C-25-0187
33	Email from Malcolm Bordelon to the Director Beall and the board, dated 11/06/25, regarding an encampment under the Graystone Lane bridge. C-25-0188
35	Email from Edward Turner to Director Eisenberg, dated 11/06/25, thanking her for her email and agreeing to meet with her to review the site at risk of wildfire. C-25-0189
41	Email from Walter Young to Director Hsueh, dated 11/10/25, regarding fluoride in drinking water. C-25-0190
42	Email from Alice Bautista to Director Hsueh, dated 11/10/25, reporting an area in Cupertino that requires cleaning due to sediment and debris buildup. C-25-0191
	<u>OUTGOING BOARD CORRESPONDENCE</u>
45	Email from Director Eisenberg to Edward and Rowena Turner, dated 11/05/25, responding to their inquiry about a property that is a fire hazard.
49	Email from Director Ballard to German Scipioni, dated 11/07/25, responding to their inquiry about the conditions along the bank.

BOARD MEMBER REQUESTS and Informational Items

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
R-25-0010	10/14/25	Beall Eisenberg	Chan	Garcia Mccarter	At the 10/14/25 board meeting, Directors Beall and Eisenberg requested a breakdown of Pacheco costs to-date and copies of consultant agreements.	11/04/25	11/21/2025	11/04/25 Information Only: Signed memo received from staff requesting an extension for the due date from 11/04/2025 to 11/21/2025. Check the attachment for the extension memo.

TO: Rachael Gibson, Chief of External Affairs**FROM:** Marta Lugo, Deputy
Administrative Officer**SUBJECT:** Federal Government Recap:
October 18-31, 2025**DATE:** November 10, 2025

In an effort to keep senior staff apprised of the changing federal landscape in 2025, the Office of Government Relations prepares regular communications that summarize key actions and issues that impact Valley Water. Given the importance of many of these actions to Valley Water funding and operations, particularly during the ongoing federal government shutdown, staff will also share these updates with the Board on a biweekly basis or as needed. The enclosed document includes the summary of major relevant federal information from October 18-31, 2025.



Marta Lugo, Deputy Administrative Officer
Offices of Government Relations and REDI

FEDERAL RECAP: October 18-31, 2025

Government Shutdown

As of November 5, the government shutdown officially became the longest on record, surpassing the previous record set during President Donald Trump's first term in 2019. Millions of Americans across the nation are feeling the impacts, whether from the pause in food assistance, cancellation of Head Start programming, or from delays in air travel. Meanwhile, on November 1, millions of Americans learned about their rising insurance premiums under the Affordable Care Act (ACA).

Negotiations between Democratic and Republican leaders have not proven very fruitful. Senate Democrats want a deal to extend the ACA subsidies, while Republicans want to reopen the government before any such deal is considered.

Meanwhile, various unions and trade groups have made public calls for Congress to end the shutdown. The largest union of federal workers, the American Federal of Government Employees (AFGE), called on Congress to pass a clean Continuing Resolution to end the shutdown. AFGE represents more than 800,000 federal and D.C. government workers, roughly 670,000 of which have been furloughed during the shutdown. Just last week, Airlines for America, the airline industry's main trade group in Washington, made a similar plea to Congress. Transportation Secretary Sean Duffy announced that 40 major airports across the nation would face 10% flight reductions for safety reasons, as flight traffic controllers and other critical staff impacted by the shutdown have been furloughed. (Note: The two airports in the Bay Area impacted by this announcement are San Francisco International and Oakland International.)

Pause in Army Corps Projects

The Office of Management and Budget (OMB) announced in October that it was pausing \$11B in U.S. Army Corps of Engineers project funding in blue states and is under review for cancellation. While no official list has been published, the administration declared that the impacted projects would be in New York and California. In response, the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works sent letters to OMB requesting information on the pause, including any official list of affected projects, and expressing opposition to any cancellation of congressionally authorized projects.

Furloughs at Environmental Protection Agency (EPA)

So far, more than 4,000 of EPA's roughly 15,000 workers have been furloughed during the shutdown. Staff affected by the latest furloughs included a large percentage of staffers in EPA's air and water offices, except for those working on permitting. Staff has heard that the Office of Water, however, remains fully staffed and operational to this point but may start furloughing employees after this week. EPA has been implementing its shutdown plans piece by piece, and it asserts that once the plans are in full effect, nearly 90% of the agency's workforce will be furloughed. EPA told 27 employees that they would be laid off, but any further terminations have been paused due to a court injunction.

Reductions in Force at Interior, Commerce Detailed

In response to a temporary restraining order (TRO) issued by a District Court judge last month, several federal agencies submitted their detailed plans for Reductions in Force (RIFs) during the shutdown, specifically RIFs in areas covered by certain labor unions (the plaintiffs). Agencies responding in this court filing include the Department of the Interior (which houses the Bureau of Reclamation and the Fish and Wildlife Service) and the Department of Commerce (which houses the National Marine Fisheries Service).

The planned layoffs at Interior covered by this order include the following of interest to Valley Water.

- Interior: The department identified 2,050 employees that would be affected by the RIFs, although the department made clear that these RIF decisions predated the shutdown and have now been paused as a result of the TRO.
- Bureau of Reclamation: 7 employees at the Office of the Regional Director, CA-Great Basin Region; 2 employees at the Office of the Area Manager, Central CA Area Office; and 1 employee at the Central Valley Operations Office.
- Fish and Wildlife Service: 143 total employees, including 35 at the Migratory Bird Program
- Office of the Secretary: 770 employees, including 17 at the Office of Grants Management

Prop. 50 Leaves Santa Clara Delegation Largely Unchanged

The **congressional districts in Santa Clara County remain largely unchanged** in the wake of the passage of Proposition 50. In our county, the main changes involve certain blocks in San Jose, but this does not change which of our projects are represented by which Member of Congress.

California Republicans filed a federal lawsuit Wednesday to block the new congressional map. The complaint was filed in the U.S. District Court for the Central District of California. Interestingly enough, Republicans have redrawn maps this year at Trump's urging in Texas, Missouri, and North Carolina.

INCOMING BOARD CORRESPONDENCE

Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-25-0186	11/05/25	11/05/25	Cc: Beall	KRISTINA RODGERS	Email from Kristina & Chris Rodgers to Director Beall and the board, dated 11/05/25, seeking assistance with a flooding problem on their property.	Noted and Filed	Hakes	Infante Bourgeois	11/13/25	-	n/a	11/19/25
C-25-0188	11/06/25	11/06/25	Cc: Beall	MALCOLM BERDELON	Email from Malcolm Bordelon to the Director Beall and the board, dated 11/06/25, regarding an encampment under the Graystone Lane bridge.C-25-0188	Refer to Staff	Hakes	Bilski Codianne	11/14/25	-	n/a	11/20/25
C-25-0190	11/10/25	11/10/25	Hsueh	WALTER YOUNG	Email from Walter Young to Director Hsueh, dated 11/10/25, regarding fluoride in drinking water. C-25-0190	Refer to Staff	Baker	Bogale	11/18/25	-	n/a	11/24/25
C-25-0191	11/10/25	11/10/25	Hsueh	ALICE BAUTISTA	Email from Alice Bautista	Refer to Staff	Hakes	Codianne	11/18/25	-	n/a	11/24/25

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
					to Director Hsueh, dated 11/10/25, Reporting an area in Cupertino that requires cleaning due to sediment and debris buildup. C-25-0190							

Adelina Del Real

From: Kristina Contreras [REDACTED]
Sent: Wednesday, November 5, 2025 8:44 AM
To: Board of Directors; Jim Beall; district10@sanjoseca.gov
Cc: Christopher Rodgers
Subject: Fwd: Storm Drain 433527/3578 needs Service

Follow Up Flag: Follow up
Flag Status: Flagged

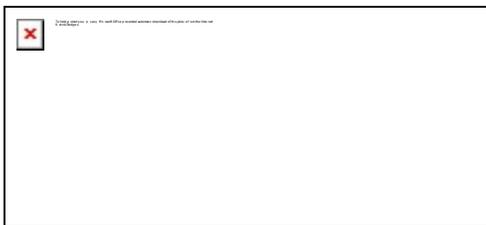
*** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. ***

Hi Jim and George,

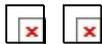
We are seeking your assistance with a flooding problem on our property. We have been flooding since we purchased our property in 2023 and are unable to get answers from the City of San Jose, San Jose Water Works and Valley Water. We have a storm drain which was installed by the builder in the 60's which is documented in all data for the Tract as well as in title reports and easements. In order to resolve our flooding issues, we need to understand when the last time the storm drain was serviced/maintained to ensure we do not flood our property or the adjacent neighbors. With the forecasted rain this is becoming an urgent issue as we have been very patient in contacting the city and water works department for almost a year. Please see email correspondence below.

We would really appreciate your assistance in this matter.

Thank you,
Kristina & Chris Rodgers



KRISTINA RODGERS, REALTOR®
Coldwell Banker Residential Brokerage
CalRE #02006011
1712 Meridian Ave, Ste C
San Jose, CA 95125
[REDACTED]
kristina.rodgers@cbtnorcal.com



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contractor sales associates, not employees. Owned by a subsidiary of NRT LLC.



----- Forwarded message -----

From: **Kristina Contreras** [REDACTED]

Date: Wed, Nov 5, 2025 at 8:06 AM

Subject: Re: Storm Drain 433527/3578 needs Service

To: Chris Rodgers [REDACTED]

Cc: Gouthier, Oksan <Oksan.Gouthier@sanjoseca.gov>, Nicole Dunbar <nicole.dunbar@sjwater.com>, Russell Hayes <Russell.Hayes@sjwater.com>, Tran, Binh T (DOT) <binht.tran@sanjoseca.gov>, Patel, Arpit <Arpit.Patel@sanjoseca.gov>, Blach, Ryan <Ryan.Blach@sanjoseca.gov>, CPRU-Dropbox <cpru@valleywater.org>, Revino, Vincent <Vincent.Revino@sanjoseca.gov>, Virden, Ryan <ryan.virden@sanjoseca.gov>, Dispatch, Streets <Streets.Dispatch@sanjoseca.gov>, Huynh, Khanh <khanh.huynh@sanjoseca.gov>

Hi Oksan,

Any updates confirming the ownership and connectivity details of the assets mentioned? These were all installed by the builder when the development was built in Tract No. 2729, Almaden Villa Unit No. 2. and are acknowledged in historical records with the city and official Title Reports.

- * Storm Manhole 433527 (Located in PSE in northeast corner of 1203 Rockhaven Drive)
- * Storm Gravity Main 85455
- * Storm Discharge 3578 (Located in PSE at 6815 Hampton Dr; Concrete headwall structure; 3*4 in diameter; 4.04 ft below the Grate; RCP: Outfall recorded from DOT; INC0132987)

The rain is coming and we'd like to understand ownership and maintenance responsibilities of these storm drains. We have a lot of documentation that has been provided to us over the last year, we are happy to meet in person to discuss if that's easier.

Thank you,
Kristina



KRISTINA RODGERS, REALTOR®
Coldwell Banker Residential Brokerage
CalRE #02006011
1712 Meridian Ave, Ste C
San Jose, CA 95125
[REDACTED]
kristina.rodgers@cbnorcal.com



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On Wed, Oct 29, 2025 at 3:04 PM Chris Rodgers [REDACTED] wrote:
Hi there. I just wanted to follow up on next steps and timing. Thank you.

-Chris and Kristina Rodgers

On Tue, Oct 21, 2025 at 11:50 AM Chris Rodgers [REDACTED] > wrote:
Hi Oksan and Ryan,

Thank you for sending a crew to clean/inspect the drain and for your detailed email. Is it possible to share any other video or pics you obtained?

We understand your findings that Inlet/Discharge 3578 appears to be an infiltration structure, not connected to the City's storm system, and not City-maintained, and that ownership/connectivity are still being confirmed. For clarity, we have not spoken with anyone at Public Works. Our references to PW assets came solely from the City's Public Works Utility Viewer (GIS map), which listed the features we cited in Kristina's email.

Storm Drain systems (including pipe, catch basin and percolation pit) were installed by the Builder when the development was built. The storm drain easement runs down all of Rockhaven Drive (Castle Rock to Hampton) as shown in the Plat Maps previously sent. If the easement isn't with the City of San Jose/San Jose Waterworks/Valley Water then **who is it with and who is responsible for maintaining this system that spans over 7 homes?** Due to the rolling hills this system is crucial to our ability to direct water away from our home without impacting any of our adjacent neighbors.

Please keep us posted once DOT and PW confirm:
Ownership/maintenance responsibility for Manhole 433527, Main 85455, and Discharge 3578;
Whether any part of this system connects to the public storm network.

We'll hold design decisions until we have that confirmation. Thanks again for the coordination.

Chris & Kristina Rodgers
[REDACTED]

On Fri, Oct 17, 2025, 2:00 PM Gouthier, Oksan <Oksan.Gouthier@sanjoseca.gov> wrote:

Hi Kristina,

Thank you for your email and for providing detailed information regarding the storm drain concerns near 1203 Rockhaven Drive and 6815 Hampton Drive.

We have reviewed the information and conducted a site investigation at Storm Discharge 3578. Based on our findings:

- **Inlet 3578 (the structure at street level)**, which is marked as an open pipe on the GIS map, does not appear to be connected to the City's storm drain system. It consists of a concrete box with gravel at the bottom, which functions as an infiltration system, allowing stormwater to percolate into the ground rather than connecting to the City's public storm drain network. This type of private drainage structure is typically designed to manage runoff onsite and is not maintained by the City.
- The GIS records you referenced show that this feature was added recently on **09/18/2025**, which does not necessarily indicate a change in ownership or confirmation of system connection.

At this time, we still need to confirm the ownership and connectivity details of this, and the other assets mentioned. To help clarify the matter, could you please let us know who at the Department of Public Works (PW) informed you that these assets are City-owned? This will help us coordinate internally and ensure accurate information is shared.

We understand your concerns, and we want to assist in identifying the appropriate party for the resolution. Once we receive confirmation or clarification from PW, we will follow up with next steps.

Thank you again,

Oksan Gouthier

Associate Engineer, | Department of Transportation

City of San José

[1404 Mabury Road](#)

[San José, CA 95133](#)

Office: 408-794-1959

www.sanjoseca.gov



From: Kristina Contreras [REDACTED]
Sent: Monday, October 13, 2025 1:10 PM
To: Chris Rodgers [REDACTED]
Cc: Nicole Dunbar <nicole.dunbar@sjwater.com>; Russell Hayes <Russell.Hayes@sjwater.com>; Tran, Binh T (DOT) <binht.tran@sanjoseca.gov>; Gouthier, Oksan <Oksan.Gouthier@sanjoseca.gov>; Patel, Arpit <Arpit.Patel@sanjoseca.gov>; Blach, Ryan <Ryan.Blach@sanjoseca.gov>; CPRU-Dropbox <cpru@valleywater.org>; Revino, Vincent <Vincent.Revino@sanjoseca.gov>; Virden, Ryan <ryan.virden@sanjoseca.gov>; Dispatch, Streets <Streets.Dispatch@sanjoseca.gov>
Subject: Re: Storm Drain 433527/3578 needs Service

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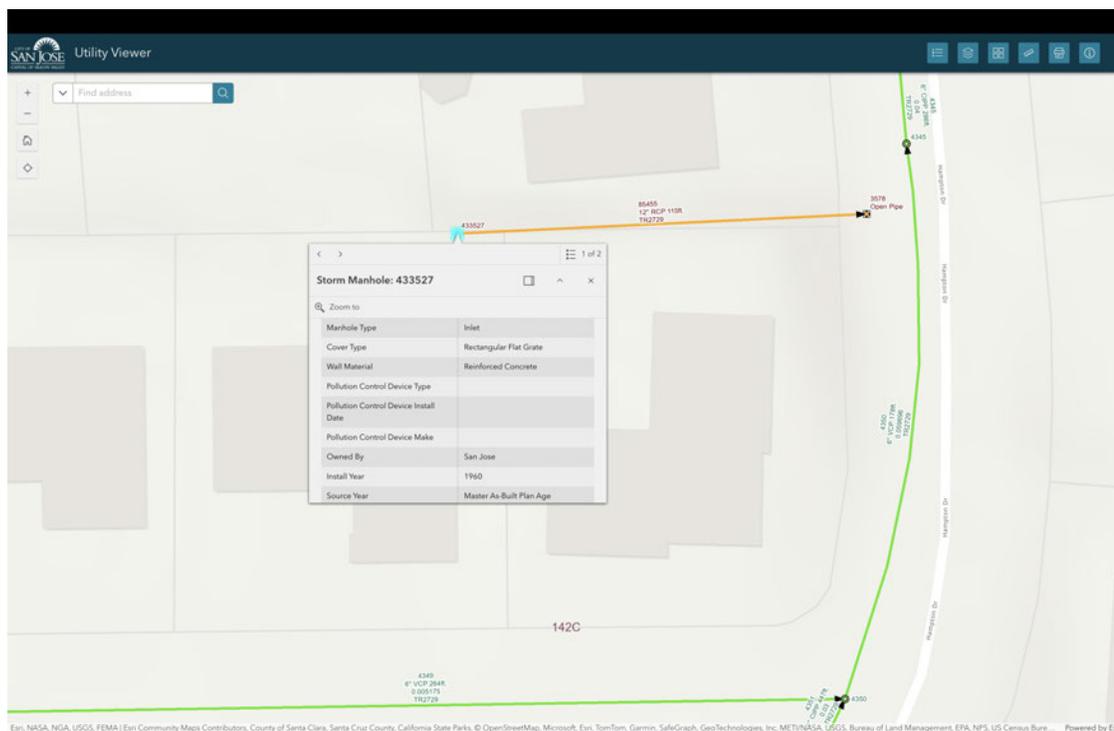
Hi Oksan & Ryan,

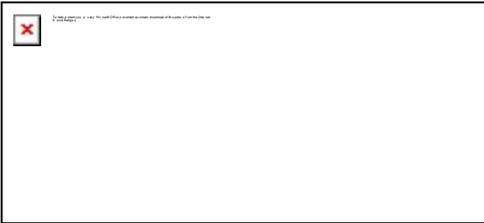
According to the San Jose Department of Public Works, the storm drains in question are owned by the City of San Jose. We need to have the following Storm Drains looked at:

- * Storm Manhole 433527 (Located in PSE in northeast corner of [REDACTED])
- * Storm Gravity Main 85455
- * Storm Discharge 3578 (Located in PSE at 6815 Hampton Dr; Concrete headwall structure; 3*4 in diameter; 4.04 ft below the Grate; RCP: Outfall recorded from DOT; INC0132987)

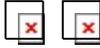
Please provide a direct contact so we may have these storm drains serviced or checked to ensure they are properly maintained and functioning. We appreciate your quick response so we can avoid flooding again. We have been trying to address this since March 2025 and have been flooding since 2023. We sincerely thank you for your guidance in the matter.

Attached are the photos from the Utility Viewer on the Public Works Department:





KRISTINA RODGERS, REALTOR®
 Coldwell Banker Residential Brokerage
 CalRE #02006011
[1712 Meridian Ave, Ste C](https://www.coldwellbanker.com/1712-Meridian-Ave-Ste-C-San-Jose-CA-95125)
[San Jose, CA 95125](https://www.coldwellbanker.com/1712-Meridian-Ave-Ste-C-San-Jose-CA-95125)
 [REDACTED]
kristina.rodgers@cbnorcal.com



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On Mon, Oct 13, 2025 at 10:46 AM Chris Rodgers [REDACTED] wrote:
 Following up seeking a response here on the backyard storm drain ownership. See email string below.

The rain is coming and we had to sandbag our garage (again this season) in hopes to prevent flooding of our property.

-Chris and Kristina Rodgers

On Wed, Sep 3, 2025 at 9:35 AM Chris Rodgers [REDACTED] wrote:
 Hi All,

I'm following up on the email I sent below last Wednesday.

Can someone confirm who is responsible and what the next steps are?

-Chris and Kristina

On Wed, Aug 27, 2025 at 5:10 PM Chris Rodgers [REDACTED] wrote:
 w/Land survey

On Wed, Aug 27, 2025 at 5:09 PM Chris Rodgers [REDACTED] wrote:
 Nicole, Russell, and City of San Jose,

We reached out to Valley Water. They determined the easement belongs to the San Jose Water Company (formerly San Jose Water Works). response attached.

We need verification this is operating as intended and a confirmation it's operational from it's owner. All data points to this being owned by San Jose Water Company.

When we divert the runoff water that has been causing flooding into the catch basin, we need to ensure not to flood our neighbor below sharing the same path. Or our property if it backs up. Or damage any properties/utilities. Here are four additional data points for your escalation, with documentation attached.

1/ The Storm Drain is described in Parcel 2 of our title report. <Prelim Package.pdf>, screen shot:

Parcel 2:

An Easement appurtenant to said Lot 222 for Storm drain purposes over, in and along the Northern 10.00 feet of Lots 223 through 228 of Tract 2729, and the Southern 10.00 feet of Lot 236 of Tract 2729.

Assessor's Parcel Numbers(s): 581-19-036

2/ The color coded map I've attached, describes the easement outlined in Parcel 2 <Color Coded Easement.pdf>

3/ The item in question is the catch basin on our property that connects to the Storm drain. Titled <1965 Storm Drain Handnotes.pdf>

4/ We have also attached the land survey designating the exact location of where the storm drain connects to the catch basin <Land Survey with catch basin.pdf>

We appreciate your attention to this matter as we would really like to avoid a third straight year of flooding.

-Chris and Kristina Rodgers

On Wed, Jul 16, 2025 at 1:30 PM Nicole Dunbar <nicole.dunbar@sjwater.com> wrote:

Hi Kristina –

I'm afraid I don't know who to contact at Valley Water as our roles don't overlap but here's their website that I hope you'll find helpful:

<https://www.valleywater.org/>

Regards,

Nicole

Nicole Dunbar, P.E. | Director of Engineering, Water Services | San Jose Water Company | [1265 South Bascom Ave. | San Jose, CA 95128](https://www.valleywater.org/)

Email: nicole.dunbar@sjwater.com | Tel: +1 408 279-7862

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From: Kristina Contreras [REDACTED]
Sent: Tuesday, July 15, 2025 6:07 PM
To: Nicole Dunbar <nicole.dunbar@sjwater.com>
Cc: Russell Hayes <Russell.Hayes@sjwater.com>; Christopher Rodgers [REDACTED]
Subject: Re: Storm Drain needs Service

⚠ WARNING: This email originated from outside the organization. Be extra cautious with attachments and links in this email. ⚠

Hi Nicole,

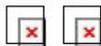
Would you please direct me to the appropriate person at Valley Water? This has been quite a goose chase back and forth with all parties and still no resolution. I appreciate any help or guidance you may provide.

Thank you,

Kristina



KRISTINA RODGERS, REALTOR®
Coldwell Banker Residential Brokerage
CalRE #02006011
[1712 Meridian Ave, Ste C](#)
[San Jose, CA 95125](#)
[REDACTED]
kristina.rodgers@cbnorcal.com



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On Tue, Jul 15, 2025 at 4:44 PM Nicole Dunbar <nicole.dunbar@sjwater.com> wrote:

Hi Kristina and Chris –

I'm so sorry to hear about the flooding issued you've experienced which sounds frustrating. I've looked at our facilities in the area and do not see any facilities matching this description so hopefully Valley Water can help you out.

Regards,

Nicole

Nicole Dunbar, P.E. | Director of Engineering, Water Services | San Jose Water Company | [1265 South Bascom Ave. | San Jose, CA 95128](https://www.sjwater.com)
Email: nicole.dunbar@sjwater.com | Tel: +1 408 279-7862

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From: Kristina Contreras [REDACTED]
Sent: Tuesday, July 15, 2025 2:39 PM
To: Russell Hayes <Russell.Hayes@sjwater.com>; Nicole Dunbar <nicole.dunbar@sjwater.com>
Cc: Christopher Rodgers <gigaflop@gmail.com>
Subject: Fwd: Storm Drain needs Service

 **WARNING:** This email originated from outside the organization. Be extra cautious with attachments and links in this email. 

Hi Russel and Nicole,

Binh Tran from the city of San Jose suggested we reach out to you regarding a storm drain catch basin that is located in our backyard.

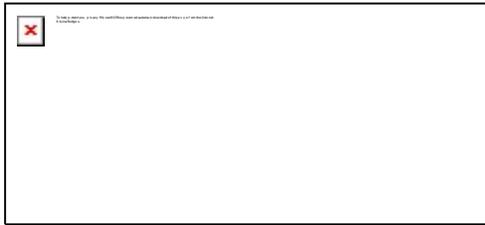
We are having issues with backyard flooding at [REDACTED] and [REDACTED] in San Jose 95120. Our street has a city easement for a storm drain that runs across 8 homes. The storm drain catch basin is located at [REDACTED] Here is a photo:



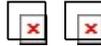
We are looking to confirm that the catch basin storm drain is operational so we can correct flooding on our property.

The city has confirmed that this water system belongs to San Jose Water Works or Valley Water. Attached are the documents the city used to determine that the water system belongs to the water company. Correspondence with the city is also in the body of this email below my signature.

Thank you,
Kristina & Chris Rodgers



KRISTINA RODGERS, REALTOR®
Coldwell Banker Residential Brokerage
CalRE #02006011
[1712 Meridian Ave, Ste C](#)
[San Jose, CA 95125](#)
[REDACTED]
kristina.rodgers@cbnorcal.com



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----- Forwarded message -----

From: **Tran, Binh T (DOT)** <binht.tran@sanjoseca.gov>
Date: Wed, Mar 26, 2025 at 11:06 AM
Subject: Re: Storm Drain needs Service
To: Chris Rodgers [REDACTED], Gouthier, Oksan <Oksan.Gouthier@sanjoseca.gov>
Cc: Kristina Contreras [REDACTED], Blach, Ryan <Ryan.Blach@sanjoseca.gov>, Patel, Arpit <Arpit.Patel@sanjoseca.gov>

Hi Chris,

You may want to try these two contacts below as we have been in coordination with them in past projects. I am not sure if they are the correct parties, but they might be able to forward your question to the right person.

Hope this helps.

Thanks,

- Russell.Hayes@sjwater.com
SJW Project Manager
- Nicole.Dunbar@sjwater.com
Director of Engineering

BINH TRAN, P.E. | DIVISION MANAGER

SEWER MAINTENANCE, DOT, CITY OF SAN JOSE

P: (408) 794-6457 | E: BINHT.TRAN@SANJOSECA.GOV

From: Chris Rodgers [REDACTED]
Sent: Wednesday, March 26, 2025 10:47 AM
To: Gouthier, Oksan <Oksan.Gouthier@sanjoseca.gov>
Cc: Kristina Contreras [REDACTED]; Blach, Ryan <Ryan.Blach@sanjoseca.gov>; Tran, Binh T (DOT) <binht.tran@sanjoseca.gov>; Patel, Arpit <Arpit.Patel@sanjoseca.gov>
Subject: Re: Storm Drain needs Service

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Who do you recommend we contact at San Jose Water Works or Valley Water?

We have spent countless hours on the phone with the city and San Jose Water Works, and have made no progress.

I'd appreciate a suggested contact or email alias to reach out to to avoid going back into the general phone queue.

-Chris Rodgers

On Tue, Mar 25, 2025, 9:48 AM Gouthier, Oksan <Oksan.Gouthier@sanjoseca.gov> wrote:

Hello Kristina,

We have reviewed the documents and consulted with our Real Estate department. There is no indication in the as-builts or other records that this is a City storm easement.

Based on the deed you provided, it appears to be a groundwater collection system granted to San Jose Water Works. There are several reasons why this does not meet the criteria for a City storm easement:

1. **No Recorded Easement for Storm Drainage:** Our records do not show any designated storm drain or drainage easement on the property.
2. **Absence in As-Built Plans:** There are no indications of storm drain infrastructure, such as manholes, City catch basins, or conveyance systems, in the available plans.
3. **Purpose Described in the Deed:** The language in the deed suggests the system is intended for groundwater collection rather than stormwater management.
4. **Maintenance and Jurisdiction:** The City typically maintains storm easements, yet this system appears to fall under the responsibility of San Jose Water Works as noted in the deed.

Given these findings, we recommend reaching out to **San Jose Water Works** or **Valley Water** for further clarification regarding this system.

Please let us know if you have any additional questions.

Best regards,

Oksan Gouthier

Associate Engineer
DOT Storm and Sanitary Sewer Engineering



From: Blach, Ryan <Ryan.Blach@sanjoseca.gov>
Sent: Friday, March 21, 2025 12:00 PM
To: Kristina Contreras [REDACTED]
Cc: Christopher Rodgers [REDACTED] Gouthier, Oksan <Oksan.Gouthier@sanjoseca.gov>
Subject: Re: Storm Drain needs Service

Hi Kristina,

I'm adding Oksan, the engineer who is looking into this matter to this email.

Respectfully,
Ryan Blach
Maintenance Supervisor
City of San Jose
Department of Transportation
408-794-6883 office

408-406-1008 cell

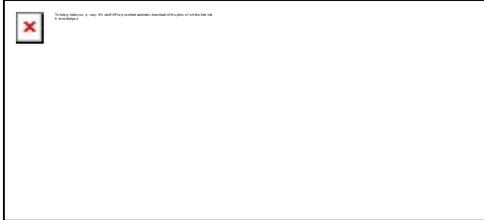
From: Kristina Contreras [REDACTED]
Sent: Friday, March 21, 2025 11:56 AM
To: Blach, Ryan <Ryan.Blach@sanjoseca.gov>
Cc: Christopher Rodgers [REDACTED]
Subject: Re: Storm Drain needs Service

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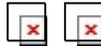
Hi Ryan,

Checking to see if engineering has any further updates.

Thanks,
Kristina



KRISTINA RODGERS, REALTOR®
Coldwell Banker Residential Brokerage
CalRE #02006011
[1712 Meridian Ave, Ste C](#)
[San Jose, CA 95125](#)
[REDACTED]
kristina.rodgers@cbnorcal.com



WIRE FRAUD IS REAL. Before wiring any money, call the intended recipient at a number you know is valid to confirm the instructions. Additionally, please note that the sender does not have authority to bind a party to a real estate contract via written or verbal communication. Real estate agents are independent contractor sales associates, not employees. Owned by a subsidiary of NRT LLC. 

On Fri, Mar 14, 2025 at 2:35 PM Blach, Ryan <Ryan.Blach@sanjoseca.gov> wrote:

Hi Kristina,

I just spoke with our engineering staff and they are still gathering information about this matter. I will reach out to you next week with more information.

Thank you for your patience.

Respectfully,
Ryan Blach

Maintenance Supervisor
City of San Jose
Department of Transportation
408-794-6883 office

408-406-1008 cell

From: Kristina Contreras [REDACTED]
Sent: Friday, March 14, 2025 1:04 PM
To: Blach, Ryan <Ryan.Blach@sanjoseca.gov>
Subject: Re: Storm Drain needs Service

[External Email. Do not open links or attachments from untrusted sources. [Learn more](#)]

You don't often get email from kristina.contreras@gmail.com. [Learn why this is important](#)

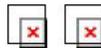
TGIF! Any updates?

Thank you,

Kristina



KRISTINA RODGERS, REALTOR®
Coldwell Banker Residential Brokerage
CalRE #02006011
[1712 Meridian Ave, Ste C](#)
[San Jose, CA 95125](#)
[REDACTED]
kristina.rodgers@cbnorcal.com



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On Wed, Mar 12, 2025 at 2:54 PM Kristina Contreras [REDACTED] wrote:

Thank you Ryan. This has been an ongoing mystery since we purchased the home...It was recorded with the county in 1965/1962, I believe by the builder. I've att

From: Ger Scipioni

Sent: Wednesday, November 5, 2025 9:59 PM

To: Aden Kassaye

Cc: Tony Estremera ; pw@sanjoseca.gov; esdinfo@sanjoseca.gov; Candice Kwok-Smith ; ContractAdministration ; Office of Communications ; [REDACTED] ; [REDACTED]

Subject: Re: Request for Assistance with Severe Bank Erosion Along Guadalupe River Creek

***** 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. *****

Aden,

Thank you for coming out today to view the dangerous condition of the bank and the threat to both properties on the bend. We look forward to escalating this to find a proper resolution.

I am also adding Shiloh to the thread, since Shiloh was elected to represent us at Valley Water.

Shiloh: We are raising concerns about the gross negligence of Valley Water to take action to protect life and property on our stretch of the Guadalupe. One property has lost 10 feet of bank in the past two years and is going to lose the fence this year. We will send a letter formally filing a complaint and noting other legal cases where water districts were held accountable and liable for failing to take action.

The home is only 20 feet away. When it rains, the water level rises 25 feet rapidly and rushes 20-30 mph taking a toll on the bank. It's unsafe. You are welcome to come visit.

Cheers,

German

On Oct 31, 2025, at 11:45 AM, City of San Jose Mayor's Office <mayor@sanjoseca.gov> wrote:

Hi Ger Scipioni,

Thanks for confirming. Wednesday, November 5 at 3:00 p.m. at [REDACTED] works for me. If anything comes up day-of, please call and email me at 408.535.4856 and Aden.Kassaye@sanjoseca.gov ,I have your cell as 408.476.2024.

Looking forward to meeting next week.

Take care,

Aden Kassaye

Office of Mayor Matt Mahan

Neighborhood Outreach Team

On Thu, 30 Oct at 9:12 PM , Ger Scipioni [REDACTED] wrote:

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Hi Aden,

Next Wednesday at 3:00 works for us. The address where we can meet is [REDACTED]
We'd prefer collaborative options before going to the next step. Thanks for taking the time!
My cell is below in case we need to coordinate.

German

[REDACTED]

On Oct 28, 2025, at 11:11 AM, City of San Jose Mayor's Office <mayor@sanjoseca.gov> wrote:

Hi Ger Scipioni,

Hi Ger Scipioni,

I hope you're doing well! I'd be happy to set up a meeting. I'm available Monday at 11:00 a.m. or Wednesday at 3:00 p.m., whichever works best for you.

From what I understand, this stretch of Creek Drive falls under Valley Water's jurisdiction for creek and flood protection management. Property owners are generally responsible for maintaining the bank on their parcel, while Valley Water manages the broader waterway and can provide technical guidance or support through their bank stabilization rebate program.

I've included staff from the City's Public Works and Environmental Services departments in case there are any related City programs or next steps that may apply. I'm happy to connect directly with our departments on any questions or follow-up items that come out of this discussion.

Thank you all for your time and collaboration in supporting residents along Creek Drive.

Best regards,
Aden Kassaye

On Thu, 23 Oct at 7:17 PM , Ger Scipioni [REDACTED] wrote:

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You don't often get email from p [REDACTED]. [Learn why this is important](#)

Hi Aden, Mr Estremera, and all,

Can we schedule an online or site meeting for next week?

Cheers,

German

On Oct 10, 2025, at 10:12 AM, eric wick [REDACTED] wrote:

Dear Aden,

Thank you for your prompt response to our request for assistance regarding the ongoing land erosion issue near the Guadalupe River Creek in Willow Glen.

My neighbor, German, and I — along with several others in the area — are experiencing similar problems. Unfortunately, several of our neighbors have become discouraged after years of limited progress or support from city leadership. We're hoping to change that by working collaboratively toward a solution.

You are absolutely right that this has been a stressful and urgent situation. We've met with representatives from Valley Water on several occasions, only to learn that homeowners are expected to assume full financial responsibility for soil stabilization measures.

As mentioned in my original message to Mr. Estremera, preliminary cost estimates from licensed civil engineers — including multiple required permits (four in total) — suggest expenses could reach between **\$400,000 and \$500,000+**. This is well beyond the financial capacity of most affected homeowners. The \$150K grant offered by Valley Water is a kind gesture, yet not substantial enough to move the needle.

We would greatly appreciate your guidance on how we might partner with the City to identify possible next steps and explore any available programs or support for our neighborhood.

Would it be possible to schedule a **site visit** in the coming weeks to assess the area and discuss options in person?

Thank you again for your time and attention to this matter.

Warm regards,

Eric Wick

[REDACTED]

[REDACTED]

San Jose, CA 95125

From: City of San Jose Mayor's Office <mayor@sanjoseca.gov>

Date: October 8, 2025 at 3:20:17 PM PDT

To: [REDACTED]

Cc: testremera@valleywater.org, pw@sanjoseca.gov, esdinfo@sanjoseca.gov, ckwok-smith@valleywater.org, contractadministration@valleywater.org, info@valleywater.org

Subject: **Re: Re: Request for Assistance with Severe Bank Erosion Along Guadalupe River Creek**

Reply-To: City of San Jose Mayor's Office <mayor@sanjoseca.gov>

Hello Erica,

Thank you for reaching out to the Mayor's Office. My name is Aden Kassaye, and I'm part of the Mayor's Neighborhood Outreach Team.

We're so sorry to hear about the ongoing erosion concerns along Creek Drive, it's understandable how stressful this situation must be. I'm looping in our City and Valley Water partners, Public Works and Environmental Services so we can work together on possible next steps and identify available support for the affected properties.

Best regards,

Aden Kassaye
Office of Mayor Matt Mahan
Neighborhood Outreach Team

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This message is from outside the City email system. Do not open links or attachments from untrusted sources.

97855:2660666

From: [Malcolm Bordelon](#)
To: [Board of Directors](#); [Jim Beall](#); Olympia.william@sanjoseca.gov; [Councilmember George Casey](#); [Matthew Quevedo](#)
Cc: [Scott Sherwood](#); [Joe Del Rio](#)
Subject: Graystone Lane Bridge / Round 2
Date: Thursday, November 6, 2025 11:52:55 AM

***** 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. *****

My name is Malcolm Bordelon, a resident in the Graystone area, abutting the Alamitos Creek area of Valley Water district 4 (and a board member of the Graystone of Almaden HOA).

I am unsure who eventually responded to the original complaint about the homeless camp entrenched under the Graystone Lane bridge - so I thought best to include all on this email who may have had a hand in taking action to remove the encampment. (see map with red marker indicating camp site). Thank you by the way for your quick response to our neighborhood's concern!

- On or about Oct 10, 2025 officials removed several truck loads of items from under the bridge that had been used to establish the encampment. I believe the person (or people) who lived at the site was offered other housing options.

- By Oct 15 the same individual was spotted in the area and appeared to have returned to the site under the bridge.

Today, Nov 6th, we investigated and took photos to show he has returned and is accumulating items to re-establish his encampment.

This presence is a danger to our children who cross the bridge daily to and from school, a serious sanitation risk to our watershed and a risk to the public at large. As noted in our previous correspondence - Weather is getting cooler. In the past, fires have been started under the bridge.

We would request his removal and, if possible, a solution to keep him or others from returning. Perhaps some sort of physical barrier.

Thank you for your assistance with this matter.

~~~~~  
Malcolm M Bordelon



Thanks,

~~~~~  
Malcolm M Bordelon



From: [Ed Turner](#)
To: [Rebecca Eisenberg](#); [Board of Directors](#)
Cc: ["Rowena Turner"](#)
Subject: RE: Valley Water Maintains a Fire Trap
Date: Thursday, November 6, 2025 11:36:17 PM

***** 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. *****

Hi, Rebecca,

Thank you for your email. I've been traveling all week and only saw this today. It would be our pleasure to meet with you and review the site. I hope you have availability next week. I expect to be back in Monte Sereno Friday night. But we are planning to be out of the country starting Saturday, the 15th, through the end of the month.

I'm fairly confident that we could be available any day next week in the late afternoon, say 3:30 or 4:00. Rowena's schedule is somewhat unpredictable. She recently accepted a position as a substitute teacher working with developmentally disabled students around the County. Often, she doesn't know if she will have an assignment until the morning of the day of. But she is usually off by 3:00 or 3:30, and can meet afterward.

If there is a day and time that works for you, just let us know.

Just for clarity, I'd like to briefly outline our concerns. The primary concern is the risk of wildfires. Up until the most recent wildfire risk maps were done, we were at the border of the extreme risk area. The most recent maps moved that border back a bit. Regardless, the risk of fire is considerable, and we work to mitigate that risk on our property as do most of our neighbors.

In stark contrast is the Valley Water property where dead vegetation piles up, fallen limbs and branches are left to decay. To make matters worse, we know that people dump their yard waste there. We assume that most, if not all, of the property along the creek banks belongs to Valley Water. Further, we assume that all the property is maintained in similar fashion to that stretch along Stratford Court. If those assumptions are correct, then we believe that property exacerbates the risk of wildfires as it meanders through miles of mature residential neighborhoods.

We are not asking that this property be maintained in a "park-like" manner. We are merely asking that the property be maintained in a manner that significantly reduces the fuel load and the concomitant risk of fire. This is to protect the homes and lives of the people who live near this creek.

I know that if I maintained our property the way Valley Water maintains theirs, I would quickly get a visit from our local code enforcement officer with a demand to clean up the property or have the City do it with the bill attached as a lien against my home. Homeowners have an obligation to mitigate the

risk their property might pose to the surrounding neighborhood. Conservation aside, Valley Water should have a similar obligation.

Another concern is some of the trees you have on the Valley Water property. We are concerned about a very old, very large sycamore tree. One of your arborists looked at it and was concerned about all the dead vegetation building up around the base of the trunk. A number of years ago, some large branches from that tree fell and blocked the roadway. Three of us in the neighborhood got out our chainsaws and cut them up. Two of those neighbors have since passed away. And, at 78, my chainsaw wielding days are numbered. I'd like someone to evaluate the safety of that tree. A similar tree about 30 feet away came crashing down recently. We were told it was weakened from an insect infestation.

Our other concern is the rats. You gave quite a dissertation on the social value of rats. I've been fighting the rat problem for years. I had no idea until Ellen mentioned it that the source of that problem might be Valley Water. You can rest assured that we are not suffering from a declining rat population in our neighborhood. Just the other night, our son pointed out three of them on our back patio, their beady eyes glistening from the infrared of the security camera.

I'll just offer a couple of counterpoints on my personal experiences with the rats. Last September, we completed a project to tear down and rebuild our pool house. Why? Primarily because of the rats. Admittedly, it was an old building. The rats had gnawed holes in the walls that permitted them to get in. I tried trapping them. That worked for a while. But eventually, they figured out a way to spring the traps and get the cheese without being caught. They must have somehow passed that knowledge down to subsequent generations because traps haven't worked since. So, every few months, I would empty out the pool house and clean out the rats' nests. The rat poop was so thick, I had to take it out with a shovel. And it was on everything! I didn't even go in the building without a mask and gloves. And, within a few days, the rats would be back building more nests. Finally, I gave up. I tore down the building and rebuilt it. Cost? Over \$15,000. So, now the rats are gone. The building is sealed. I just have to be careful not to leave a door open.

Another one. Two years ago, my wife and I bought a new car – a Toyota Rav4. Last Spring, around March or April, the car began having electrical problems. Rats had gotten into the engine compartment and eaten through parts of the wiring harness. They had also gotten into the air ducts and set up housekeeping. It took 3 days for the dealer to get it all cleaned up. Cost? \$4,000.

So, just this calendar year, I've spent over \$19,000 dealing with problems at my home caused by rats. I wonder what I would find if I started talking with our neighbors about their rat problems? At the very least, one could argue that Valley Water has contributed to these problems. Does Valley Water feel any responsibility for any of this? Does Valley Water feel any obligation to try to mitigate these problems? At what point does Valley Water recognize a liability? We all remember Gene Hackman's wife. Elderly woman with dementia killed by a rat-borne virus. Could something like that happen here?

Rebecca, I apologize for making this so long. I intended to be short and too the point. Guess I got carried away. I want to thank you again for responding to my letter. Rowena and I truly appreciate the time and effort you are putting into this. I hope we can find ways to address these issues.

Best regards,

Ed

[REDACTED]

From: Rebecca Eisenberg <Reisenberg@valleywater.org>

Sent: Wednesday, November 5, 2025 7:50 PM

To: [REDACTED] Board of Directors <board@valleywater.org>

Cc: Rowena Turner <rowenat@speakeasy.net>

Subject: Re: Valley Water Maintains a Fire Trap

Hi Edward and Rowena,

I am so sorry that I missed your email from last week. Your situation definitely sounds frustrating. I heard back initially from staff, but I am scheduling a longer meeting to understand more what is happening with this property. Personally, I think that there is a difference between protecting natural habitat — which is essential both for ecosystem conservation and also for flood mitigation — and serving as a dumping ground for local refuse. I am confident that we can get all this straightened out.

Is there a time that is convenient for you for me to come by to see what you are talking about? I always enjoy site visits. I am happy to accommodate your schedule. The fastest way to reach me is by phone or text at 415-235-8078.

In the meantime, I did learn from staff what the protected animal is: the San Francisco Dusky-Footed Woodrat. I would not consider myself a member of the rat fan club, but apparently, this particular woodrat is unusually clean, and even more notably, it builds impressive structures out of discarded wildlife:

Also, I did some additional digging and found that woodrats play an important role in the ecosystem: <https://urbanedgewildlife.org/dusky-footed-woodrats-help-save-a-canyon/> . Often when one species is too plentiful, it is due to the elimination of habitat, and consequent decline in population, of its natural predators. In the case of woodrats, those predators are birds of prey like owls and eagles, and predatory mammals like coyotes and bobcats (which is one of countless reasons that these animals are protected too). Woodrats also perform services that help humans, like eating poison oak. Below are other ecological benefits, I discovered, that woodrats provide:

- **Food source:** Woodrats are an important prey item for many predators, including owls, bobcats, and snakes.
- **Seed dispersal:** As they cache and move seeds, they help disperse native plants throughout their environment.
- **Habitat creation:** Their large, abandoned nests, or "middens," provide shelter for a variety of other species, such as small mammals, reptiles, and invertebrates.
- **Soil enrichment:** Woodrats contribute to nutrient cycling and soil fertility through their waste, which contains nutrient-rich materials that can fertilize the soil.
- **Ecosystem indicators:** Because their populations are sensitive to environmental changes, woodrats can serve as indicators of ecosystem health.
- Of course, all that applies to the efforts that Valley Water is taking to protect the native habitat, and not the harm that others are doing by dumping garbage on the site. I agree with you that that is a big problem, and from what I have heard from staff, they agree.

So please let me know when might be a good time to speak by phone and/or ideally come by. I really appreciate your reaching out to me, and again I apologize for the delay in getting back to you.

With warmest regards,
Rebecca
415-235-8078

Rebecca Eisenberg, Esq.
Director, District 7
Santa Clara Valley Water District
www.valleywater.org
415-235-8078
reisenberg@valleywater.org

From: Ed Turner [REDACTED]
Sent: Wednesday, October 29, 2025 6:13 PM
To: Rebecca Eisenberg <Reisenberg@valleywater.org>; Board of Directors <board@valleywater.org>
Cc: Rowena Turner [REDACTED]
Subject: Valley Water Maintains a Fire Trap

***** 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. *****

To: Valley Water Board of Directors

Director Reisenberg

My wife and I have lived at [REDACTED] in Monte Sereno for almost 40 years. Stratford Court borders the Valley Water property containing San Tomas Aquino Creek and the surrounding banks. The border between Monte Sereno and Saratoga is also contained within this property. Our concern is that this property is a fire hazard and poses a threat to the surrounding neighborhood.

For years, people have used this property as a dumping ground. We have seen gardeners dump yard waste in this area. People will come during the night and dump logs and other debris. Once, I pulled a computer monitor from the creek bank and took it to the dump.

Our concern was heightened last Spring during the storms. Some large limbs fell from a tree on the property and blocked access to Stratford Court. My wife is a past Mayor of Monte Sereno and sponsor of the City's disaster planning efforts. She called the City Manager and the City quickly removed the limbs blocking the street.

But we noticed that the deadwood, fallen limbs, and leaves were thick in that area. We contacted Valley Water to notify them of the condition of their property and ask that it be cleaned. At first, Valley Water was responsive. They sent a truck to clean up the remains of the fallen tree and they also cleaned some of the debris from the creek bed. We appreciated that. We had also asked for a large sycamore tree to be evaluated. Limbs had fallen from this tree in the past, and the tree leans toward our property. A similar tree just a few feet away on our neighbors property fell recently due to an insect infestation. Valley Water sent an arborist to look at the tree and concluded that nothing should be done because the tree was "very old and very large".

Since last Spring, we have watched this area carefully. We can usually tell when fresh yard waste has been dumped in the area. And this happens frequently. We caught one gardener dumping in this area, and Valley Water sent someone to talk with him.

The problem is that the deadwood, leaves and other debris continue to pile up in this area, and it has become a fire hazard. Valley Water have told us that they will not clean up this area because their policy is to maintain it in its wild state. They say they are providing an environment for some species of rat and that allowing the logs and leaves to decay on the property promotes the growth of

insects that may become food for the birds.

We have reached an impasse with the Valley Water staff. We have told them that their priorities are terribly misplaced. Our cities and towns are working to mitigate the risk of wildfires and Valley Water are consciously creating a fire hazard along San Tomas Aquino Creek. And it appears that we may have also discovered the source of the rat infestation in this neighborhood. Valley Water is breeding them across the street.

We are asking that you prioritize the safety and welfare of our residents over providing comfortable habitat for rats. We are asking that you clean up the dead fuel along the San Tomas Aquino Creek corridor to mitigate the risk of wildfires and that you take action to prevent its accumulation in the future. We believe that Valley Water should demonstrate its concern for the people it serves by eliminating the fire hazard that it has allowed to develop and by eliminating the breeding ground for disease-carrying rats. As responsible leaders of our community and policy-makers for Valley Water, we hope that you will agree.

We eagerly await your response.

Edward and Rowena Turner

From: [Candice Kwok-Smith](#)
To: [Board of Directors](#)
Subject: FW: Fluoridation
Date: Monday, November 10, 2025 1:57:59 PM

Begin forwarded message:

From: Walter Young [REDACTED]
Date: November 10, 2025 at 11:44:56 AM PST
To: Nai Hsueh <NHsueh@valleywater.org>
Subject: Fluoridation

*** 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. ***

Director Hsueh,

I'm a resident of the District 5 water area, and recently, I have come to question the wisdom of adding fluoride to drinking water. As a PhD chemist, I am acutely aware of the risks of fluoride in high exposure levels to people working with fluoride salts and acids, however, I also understand that "the dose makes the poison". I am generally supportive of public health measures which have delivered massive improvements to the quality of life in the last 150 years (such as clean and reliable drinking water), but I feel that the risks associated with fluoridation have been underappreciated by those who have a narrow focus on dental health.

I wanted to know how you and others responsible for providing water to the area feel about this issue, and whether there have been any discussions about expanding or contracting the usage of fluoride in the coming years.

Thanks,
Walter Young

Adelina Del Real

From: Candice Kwok-Smith
Sent: Monday, November 10, 2025 4:16 PM
To: Board of Directors
Subject: FW: Steven's Creek Cleanup

From: Alice Bautista [REDACTED]
Date: November 9, 2025 at 4:10:52 PM PST
To: Nai Hsueh <NHsueh@valleywater.org>
Subject: Steven's Creek Cleanup

*** 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 Nai,

I read your article in the Cupertino Courier regarding Valley Water's cleanup of our regional creeks and streams. This work is very important and it seems they have taken care of many of the issues.

There is one area in Cupertino that needs attention. It is located just under the Steven's Creek bridge on McClellan road adjacent to the parking lot near the Audubon Society building. It consists of a very large pile of branches, sediment and debris (including empty water bottles and cans). It occurred after a big storm in January/February of this year.

We contacted the Water Dept. several times but have had no response.

I bring this to your attention so it doesn't pose a problem as we near the rainy season.

I would appreciate your looking into this and getting it cleaned so it won't interfere with the flow of the creek.

Thank you for your attention to this matter.

I am a resident of the Scenic Circle neighborhood down stream from this obstruction.

Alice Bautista



OUTGOING BOARD CORRESPONDENCE

From: [Rebecca Eisenberg](#)
To: [Ed Turner](#); [Board of Directors](#)
Cc: [Rowena Turner](#)
Subject: Re: Valley Water Maintains a Fire Trap
Date: Wednesday, November 5, 2025 7:50:14 PM

Hi Edward and Rowena,

I am so sorry that I missed your email from last week. Your situation definitely sounds frustrating. I heard back initially from staff, but I am scheduling a longer meeting to understand more what is happening with this property. Personally, I think that there is a difference between protecting natural habitat — which is essential both for ecosystem conservation and also for flood mitigation — and serving as a dumping ground for local refuse. I am confident that we can get all this straightened out.

Is there a time that is convenient for you for me to come by to see what you are talking about? I always enjoy site visits. I am happy to accommodate your schedule. The fastest way to reach me is by phone or text at 415-235-8078.

In the meantime, I did learn from staff what the protected animal is: the San Francisco Dusky-Footed Woodrat. I would not consider myself a member of the rat fan club, but apparently, this particular woodrat is unusually clean, and even more notably, it builds impressive structures out of discarded wildlife:

Also, I did some additional digging and found that woodrats play an important role in the ecosystem: <https://urbanedgewildlife.org/dusky-footed-woodrats-help-save-a-canyon/> . Often when one species is too plentiful, it is due to the elimination of habitat, and consequent decline in population, of its natural predators. In the case of woodrats, those predators are birds of prey like owls and eagles, and predatory mammals like coyotes and bobcats (which is one of countless reasons that these animals are protected too). Woodrats also perform services that help humans, like eating poison oak. Below are other ecological benefits, I discovered, that woodrats provide:

Food source: Woodrats are an important prey item for many predators, including owls, bobcats, and snakes.

Seed dispersal: As they cache and move seeds, they help disperse native plants throughout their environment.

Habitat creation: Their large, abandoned nests, or "middens," provide shelter for a variety of other species, such as small mammals, reptiles, and invertebrates.

Soil enrichment: Woodrats contribute to nutrient cycling and soil fertility through their waste, which contains nutrient-rich materials that can fertilize the soil.

Ecosystem indicators: Because their populations are sensitive to environmental changes, woodrats can serve as indicators of ecosystem health.

Of course, all that applies to the efforts that Valley Water is taking to protect the native habitat, and not the harm that others are doing by dumping garbage on the site. I agree with you that that is a big problem, and from what I have heard from staff, they agree.

So please let me know when might be a good time to speak by phone and/or ideally come by. I really appreciate your reaching out to me, and again I apologize for the delay in getting back to you.

With warmest regards,
Rebecca
415-235-8078

Rebecca Eisenberg, Esq.
Director, District 7
Santa Clara Valley Water District
www.valleywater.org
415-235-8078
reisenberg@valleywater.org

From: Ed Turner [REDACTED]
Sent: Wednesday, October 29, 2025 6:13 PM
To: Rebecca Eisenberg <Reisenberg@valleywater.org>; Board of Directors <board@valleywater.org>
Cc: Rowena Turner [REDACTED]
Subject: Valley Water Maintains a Fire Trap

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To: Valley Water Board of Directors
Director Reisenberg

My wife and I have lived at [REDACTED] in Monte Sereno for almost 40 years. Stratford Court borders the Valley Water property containing San Tomas Aquino Creek and the surrounding

banks. The border between Monte Sereno and Saratoga is also contained within this property. Our concern is that this property is a fire hazard and poses a threat to the surrounding neighborhood.

For years, people have used this property as a dumping ground. We have seen gardeners dump yard waste in this area. People will come during the night and dump logs and other debris. Once, I pulled a computer monitor from the creek bank and took it to the dump.

Our concern was heightened last Spring during the storms. Some large limbs fell from a tree on the property and blocked access to Stratford Court. My wife is a past Mayor of Monte Sereno and sponsor of the City's disaster planning efforts. She called the City Manager and the City quickly removed the limbs blocking the street.

But we noticed that the deadwood, fallen limbs, and leaves were thick in that area. We contacted Valley Water to notify them of the condition of their property and ask that it be cleaned. At first, Valley Water was responsive. They sent a truck to clean up the remains of the fallen tree and they also cleaned some of the debris from the creek bed. We appreciated that. We had also asked for a large sycamore tree to be evaluated. Limbs had fallen from this tree in the past, and the tree leans toward our property. A similar tree just a few feet away on our neighbors property fell recently due to an insect infestation. Valley Water sent an arborist to look at the tree and concluded that nothing should be done because the tree was "very old and very large".

Since last Spring, we have watched this area carefully. We can usually tell when fresh yard waste has been dumped in the area. And this happens frequently. We caught one gardener dumping in this area, and Valley Water sent someone to talk with him.

The problem is that the deadwood, leaves and other debris continue to pile up in this area, and it has become a fire hazard. Valley Water have told us that they will not clean up this area because their policy is to maintain it in its wild state. They say they are providing an environment for some species of rat and that allowing the logs and leaves to decay on the property promotes the growth of insects that may become food for the birds.

We have reached an impasse with the Valley Water staff. We have told them that their priorities are terribly misplaced. Our cities and towns are working to mitigate the risk of wildfires and Valley Water are consciously creating a fire hazard along San Tomas Aquino Creek. And it appears that we may have also discovered the source of the rat infestation in this neighborhood. Valley Water is breeding them across the street.

We are asking that you prioritize the safety and welfare of our residents over providing comfortable habitat for rats. We are asking that you clean up the dead fuel along the San Tomas Aquino Creek corridor to mitigate the risk of wildfires and that you take action to prevent its accumulation in the future. We believe that Valley Water should demonstrate its concern for the people it serves by eliminating the fire hazard that it has allowed to develop and by eliminating the breeding ground for

disease-carrying rats. As responsible leaders of our community and policy-makers for Valley Water, we hope that you will agree.

We eagerly await your response.

Edward and Rowena Turner

From: [Candice Kwok-Smith](#)
To: [Jennifer Codianne](#)
Cc: [Board of Directors](#)
Subject: FW: Request for Assistance with Severe Bank Erosion Along Guadalupe River Creek
Date: Friday, November 7, 2025 3:04:22 PM

From: Shiloh Ballard <SBallard@valleywater.org>
Sent: Friday, November 7, 2025 1:04 PM
To: Candice Kwok-Smith <ckwok-smith@valleywater.org>; eric wick [REDACTED]
Ger Scipioni [REDACTED]; Kassaye, Aden <aden.kassaye@sanjoseca.gov>
Cc: pw@sanjoseca.gov; esdinfo@sanjoseca.gov; ContractAdministration
<ContractAdministration@valleywater.org>; Office of Communications <CRU@valleywater.org>;
Jennifer Codianne <JCodianne@valleywater.org>
Subject: Re: Request for Assistance with Severe Bank Erosion Along Guadalupe River Creek

Hi All,

First, I want to again acknowledge how frustrating this kind of situation is. It's something that comes up at the Water District frequently, hence the rebate program (which as I understand it is a relatively new solution and policy direction from the Board, predating me.)

I wanted to note a few things:

- As mentioned in an earlier email, I'm happy to come out and chat in person and think that would be better than email.
- I also want to make sure the right and left hands are in sync as we've all received multiple communications from different folks and it can get confusing. Ger and Eric, can you let us know who in the neighborhood is best to be coordinating through, a single point of contact?
- Aden, I'm hoping you're syncing up with staff at Valley Water so that you have full information of the history and policy around this type of issue for the Water District. And as I noted in my previous email, it might be good to pass this along to the councilmembers' office who represents this area.

Let me know if you'd like to have an in-person chat. I've cc'd Candice on our team here to help make that happen.

I also want to be sensitive to potentially raising expectations. The Water District is tasked with supplying water, providing flood protection, and keeping the streams healthy, all with public dollars. The Board plays the role of finding the balance and working through the tensions of individual property owners along creeks and the greater public good - stewarding those public dollars appropriately. In this case, the Board fairly recently grappled with this tension and established the rebate program.

I look forward to hearing how you all would like to proceed.

Shiloh

From: eric wick [REDACTED]
Sent: Friday, November 7, 2025 10:27 AM
To: Ger Scipioni [REDACTED] Kassaye, Aden <aden.kassaye@sanjoseca.gov>
Cc: Tony Estremera <TEstremera@valleywater.org>; pw@sanjoseca.gov; esdinfo@sanjoseca.gov; Candice Kwok-Smith <ckwok-smith@valleywater.org>; ContractAdministration <ContractAdministration@valleywater.org>; Office of Communications <CRU@valleywater.org>; ballardshiloh@gmail.com
Subject: Re: Request for Assistance with Severe Bank Erosion Along Guadalupe River Creek

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Hi Aden and German,
We should loop in our next door neighbors, PJ and Pradeep, who live in the home on the corner of Creek Drive and Pine Ave in Willow Glen.

PJ and Pradeep have suffered the most severe bank erosion issues as their property is located directly beside a bend in the creek. They installed a patio deck several years ago which now has several feet of empty space in the substructure. Where there was previously soil to support the structure, there is now a void. This certainly creates a dangerous condition as the deck is no longer stable.

Hi PJ and Pradeep,
Please feel free to share your thoughts on this matter. I know you have become discouraged over the years as your attempts to get support from Valley Water have been unproductive, to say the least.

Thank you,

Eric Wick
[REDACTED]

On Thursday, November 6, 2025 at 11:06:03 AM PST, Kassaye, Aden <aden.kassaye@sanjoseca.gov> wrote:

Hi German,

It was a pleasure meeting you yesterday. Thank you again for taking the time to walk me through the conditions along the bank. I appreciate the context you shared and fully understand the seriousness and urgency of the situation.

I will be connecting with my supervisor to determine the appropriate point of contact and next steps. We also have a team meeting next week, and I plan to bring this forward for discussion. I will follow up with you afterward to go over next steps and share how we can best support efforts to address this.

Shiloh — thank you for being looped in. I appreciate your partnership and look forward to working together as we gather more information and identify possible paths forward.

Thank you again for your advocacy and for raising these concerns.

Take care,

Aden Kassaye

Council Community Relations

Office of Mayor Matt Mahan

e: Aden.Kassaye@sanjoseca.gov p: 408.535.4856

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From: Ger Scipioni [REDACTED]

Sent: Wednesday, November 5, 2025 9:58 PM

To: Kassaye, Aden <Aden.Kassaye@sanjoseca.gov>

Cc: testremera@valleywater.org <testremera@valleywater.org>; pw@sanjoseca.gov <pw@sanjoseca.gov>; esdinfo@sanjoseca.gov <esdinfo@sanjoseca.gov>; Kwok-Smith, Candice <ckwok-smith@valleywater.org>; contractadministration@valleywater.org <contractadministration@valleywater.org>; info@valleywater.org <info@valleywater.org>; [REDACTED] [REDACTED]
[REDACTED]

Subject: Re: Request for Assistance with Severe Bank Erosion Along Guadalupe River Creek

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From: Ger Scipioni

Sent: Wednesday, November 5, 2025 9:59 PM

To: Aden Kassaye

Cc: Tony Estremera ; pw@sanjoseca.gov; esdinfo@sanjoseca.gov; Candice Kwok-Smith ; ContractAdministration ; Office of Communications ; [REDACTED]
ballardshiloh@gmail.com

Subject: Re: Request for Assistance with Severe Bank Erosion Along Guadalupe River Creek

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Aden,

Thank you for coming out today to view the dangerous condition of the bank and the threat to both properties on the bend. We look forward to escalating this to find a proper resolution.

I am also adding Shiloh to the thread, since Shiloh was elected to represent us at Valley Water.

Shiloh: We are raising concerns about the gross negligence of Valley Water to take action to protect life and property on our stretch of the Guadalupe. One property has lost 10 feet of bank in the past two years and is going to lose the fence this year. We will send a letter formally filing a complaint and noting other legal cases where water districts were held accountable and liable for failing to take action.

The home is only 20 feet away. When it rains, the water level rises 25 feet rapidly and rushes 20-30 mph taking a toll on the bank. It's unsafe. You are welcome to come visit.

Cheers,

German

On Oct 31, 2025, at 11:45 AM, City of San Jose Mayor's Office <mayor@sanjoseca.gov> wrote:

Hi Ger Scipioni,

Thanks for confirming. Wednesday, November 5 at 3:00 p.m. at [REDACTED] works for me. If anything comes up day-of, please call and email me at 408.535.4856 and Aden.Kassaye@sanjoseca.gov ,I have your cell as 408.476.2024.

Looking forward to meeting next week.

Take care,

Aden Kassaye

Office of Mayor Matt Mahan

Neighborhood Outreach Team

On Thu, 30 Oct at 9:12 PM , Ger Scipioni [REDACTED] wrote:

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Hi Aden,

Next Wednesday at 3:00 works for us. The address where we can meet is [REDACTED]
We'd prefer collaborative options before going to the next step. Thanks for taking the time!
My cell is below in case we need to coordinate.

German

[REDACTED]

On Oct 28, 2025, at 11:11 AM, City of San Jose Mayor's Office <mayor@sanjoseca.gov> wrote:

Hi Ger Scipioni,

Hi Ger Scipioni,

I hope you're doing well! I'd be happy to set up a meeting. I'm available Monday at 11:00 a.m. or Wednesday at 3:00 p.m., whichever works best for you.

From what I understand, this stretch of Creek Drive falls under Valley Water's jurisdiction for creek and flood protection management. Property owners are generally responsible for maintaining the bank on their parcel, while Valley Water manages the broader waterway and can provide technical guidance or support through their bank stabilization rebate program.

I've included staff from the City's Public Works and Environmental Services departments in case there are any related City programs or next steps that may apply. I'm happy to connect directly with our departments on any questions or follow-up items that come out of this discussion.

Thank you all for your time and collaboration in supporting residents along Creek Drive.

Best regards,
Aden Kassaye

On Thu, 23 Oct at 7:17 PM , Ger Scipioni [REDACTED] wrote:

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You don't often get email from [REDACTED] [Learn why this is important](#)

Hi Aden, Mr Estremera, and all,

Can we schedule an online or site meeting for next week?

Cheers,

German

On Oct 10, 2025, at 10:12 AM, eric wick [REDACTED] > wrote:

Dear Aden,

Thank you for your prompt response to our request for assistance regarding the ongoing land erosion issue near the Guadalupe River Creek in Willow Glen.

My neighbor, German, and I — along with several others in the area — are experiencing similar problems. Unfortunately, several of our neighbors have become discouraged after years of limited progress or support from city leadership. We're hoping to change that by working collaboratively toward a solution.

You are absolutely right that this has been a stressful and urgent situation. We've met with representatives from Valley Water on several occasions, only to learn that homeowners are expected to assume full financial responsibility for soil stabilization measures.

As mentioned in my original message to Mr. Estremera, preliminary cost estimates from licensed civil engineers — including multiple required permits (four in total) — suggest expenses could reach between **\$400,000 and \$500,000+**. This is well beyond the financial capacity of most affected homeowners. The \$150K grant offered by Valley Water is a kind gesture, yet not substantial enough to move the needle.

We would greatly appreciate your guidance on how we might partner with the City to identify possible next steps and explore any available programs or support for our neighborhood.

Would it be possible to schedule a **site visit** in the coming weeks to assess the area and discuss options in person?

Thank you again for your time and attention to this matter.

Warm regards,

Eric Wick

[REDACTED]

[REDACTED]

San Jose, CA 95125

From: City of San Jose Mayor's Office <mayor@sanjoseca.gov>

Date: October 8, 2025 at 3:20:17 PM PDT

To: [REDACTED]

Cc: testremera@valleywater.org, pw@sanjoseca.gov, esdinfo@sanjoseca.gov, ckwok-smith@valleywater.org, contractadministration@valleywater.org, info@valleywater.org

Subject: **Re: Re: Request for Assistance with Severe Bank Erosion Along Guadalupe River Creek**

Reply-To: City of San Jose Mayor's Office <mayor@sanjoseca.gov>

Hello Erica,

Thank you for reaching out to the Mayor's Office. My name is Aden Kassaye, and I'm part of the Mayor's Neighborhood Outreach Team.

We're so sorry to hear about the ongoing erosion concerns along Creek Drive, it's understandable how stressful this situation must be. I'm looping in our City and Valley Water partners, Public Works and Environmental Services so we can work together on possible next steps and identify available support for the affected properties.

Best regards,

Aden Kassaye
Office of Mayor Matt Mahan
Neighborhood Outreach Team

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