



SANTA CLARA VALLEY WATER DISTRICT

NON-AGENDA

November 26, 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>
	BMR/IBMR Weekly Reports: None
3	Memo from Ryan McCarter, Deputy Operating Officer, to Melanie Richardson, CEO, dated 11/24/25, providing a response to BMR R-25-0010
4	Memo from Sheryl Higa, Risk Manager, to the board, dated 11/24/25, sharing Risk Management Unit communication.
10	Memo from Lisa Bankosh, Assistant Officer, to Melanie Richardson, CEO, dated 11/09/25, providing the Fiscal Year 2024 Annual Report of Valley Water rental property income and expenses.
	<u>INCOMING BOARD CORRESPONDENCE</u>
16	Board Correspondence Weekly Report: 11/26/25
17	Letter from Judy Chamberlin & Virginia Holtz, League of Women Voters to Director Beall, dated 11/20/25, thanking him and Mike Potter for their presentation about Valley Water. C-25-0194
	<u>OUTGOING BOARD CORRESPONDENCE</u>
19	Email from Director Hsueh to Dr. Young, dated 11/19/25, responding to their inquiry regarding Valley Water's drinking water fluoridation practices.
21	Email from Director Beall to Kristina and Chris Rodgers, dated 11/21/25, responding to their inquiry about their storm drain system.
37	Email from Director Beall to Malcolm Bordelon, dated 11/21/25, responding to their email regarding the encampment activity under the Graystone Lane Bridge at Alamitos Creek.

BOARD MEMBER REQUESTS and Informational Items



MEMORANDUM

FC 14 (03-11-25)
Page 1 of 1

TO: Melanie Richardson, P.E.
Interim Chief Executive Officer

FROM: Ryan McCarter, P.E.
Deputy Operating Officer

SUBJECT: Response to Board Member Request (BMR)
R-25-0010

DATE: November 24, 2025

At the October 14, 2025 Board meeting, staff presented an Update on the Pacheco Reservoir Expansion Project (Project or PREP) Close-Out, under Agenda Item #25-0808. During the discussion, Directors Beall and Eisenberg requested a breakdown of PREP costs to date and copies of all project consultant agreements. This request was recorded as Board Member Request (BMR) R-25-0010.

On November 21, 2025, staff submitted a response to BMR R-25-0010. The response indicates that as of October 20, 2025, the total Project expenditures stand at approximately \$102,788,151. This total cost to date is the sum of labor (\$20,903,521) and non-labor costs (\$81,884,631). The response includes a spreadsheet providing a summary of expenditures for the Project. The spreadsheet also lists specific non-labor payments and expenditures to provide a clear understanding of costs across functional areas such as regulatory compliance, engineering and environmental services, legal services, public outreach services, and real estate acquisition/services. In addition, staff provided a link for the directors to access copies of all consultant agreements executed for the Project as well as task orders that were issued under on-call agreements to support the Project.

The BMR response is now complete.

DocuSigned by:

8BA1DCE0E8B6474...

Ryan McCarter, P.E.
Deputy Operating Officer
Dam Safety & Capital Delivery Division

11/24/2025
Date

cc: R. Chan, A. Garcia, C. Kwok-Smith



MEMORANDUM

FC 14 (03-11-25)
Page 1 of 1

TO: Board of Directors

FROM: Sheryl Higa

SUBJECT: Risk Management Unit Communication

DATE: November 24, 2025

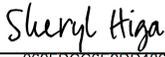
The purpose of this memorandum is to provide you with a copy of the recent Risk Management staff's communication with parties/individuals that have filed a claim against Valley Water.

Please find the following:

- 1) October 31, 2025 – Receipt of Claim to David Kang obo Willow Neighborhood Association and Forest Management (District 5).
Claim can be found here: <https://s3.us-west-1.amazonaws.com/valleywater.org.us-west-1/s3fs-public/103025%20Willow%20NA%20Claim.pdf>
- 2) November 13, 2025 - Notice of Recommended Claim Denial to Joshua Safran, Esq. (Strategy Law, LLP) obo First Community Housing and Betty Anne Gardens, L.P. prepared by the Office of District Counsel.
- 3) November 13, 2025 – Receipt of Claim to James Osiakowski.

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

Signed by:


069F0CC8E9DD486...
Sheryl Higa
Risk Manager
Risk Management Unit



October 31, 2025

Forest Management
3141 Stevens Creek Blvd. #274
San Jose, CA 95117

Re: Receipt of Claim

To Whom It May Concern:

We received a claim filed by Mr. David Kang on behalf of the Willow Neighborhood Association. The claim alleges property damage (1183-1191 Buttercup Terrace) related to the El Camino Storm Drain debris blockage.

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 shiga@valleywater.org.

Sincerely,

Signed by:

A handwritten signature in black ink that reads "Sheryl Higa".

069FDCC6E9DD486...

Sheryl Higa
Risk Manager
Risk Management Unit

Copy: Willow Neighborhood Association c/o David Kang davidk@tryforest.com





November 13, 2025

Via Certified Mail
jsafran@strategylaw.com

Joshua Safran, Esq.
Strategy Law, LLP
One Almaden Boulevard, Suite 700
San Jose, CA 95113

Re: Claim of Strategy Law, LLP – Claim No. L2450025

Dear Mr. Safran:

On August 13, 2025, Valley Water received your claim submitted on behalf of First Community Housing, a California nonprofit corporation, and Betty Anne Gardens, L.P., a California limited partnership, in which you allege damages to real property, personal property, and persons, proximately caused by Valley Water's tortious acts and omissions.

Your claim has been carefully reviewed pursuant to the California Government Claims Act (Gov. Code §§ 810 et seq.). Under the Act, a public entity is not liable for an injury except as otherwise provided by statute. (Gov. Code § 815, subd. (a)). Further, a public entity is not liable for injury caused by its failure to inspect any property other than its own property. (Gov. Code § 818.6).

Valley Water does not own, control, or maintain the reach of Penitencia Creek adjacent to Betty Anne Gardens. Valley Water requires a right-of-way and cooperative agreement with landowners to access the area and implement flood protection measures or clear debris. Absent such an agreement, the landowner is responsible for maintaining the area or clearing debris from the creek at that location, not Valley Water. Accordingly, Valley Water staff will respectfully request that the Board of Directors deny your claim in its entirety.

This item is scheduled to be heard during the November 25, 2025, Board meeting which begins at 1:00 pm. You have the right to appear before the Board or attend by Zoom to contest our recommendation. In the event of a Board meeting date change, I will provide you with advance notice. You can also monitor the Board meeting schedule and associated agenda items at: <https://scvwd.legistar.com/Calendar.aspx>.

If you have any questions, please contact me at (408) 630-2326.

Sincerely,

A handwritten signature in black ink that reads "Omar El-Qoulaq".

Omar El-Qoulaq
Assistant District Counsel
Office of the District Counsel





November 13, 2025

James Osiakowski
1203 Sommerset Court
Roseville, CA 95661

Re: Receipt of Claim – L2560006

Dear Mr. Osiakowski:

We received your claim on November 12, 2025 regarding damage to your 2024 GMC Sierra truck, allegedly caused by a Valley Water employee backing into your vehicle while driving Valley Water vehicle. This incident occurred at the Happy Hound restaurant located at 15899 Los Gatos Blvd in Los Gatos.

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 shiga@valleywater.org.

Sincerely,

DocuSigned by:


Lilian Dennis obo
Sheryl Higa
Risk Manager
Risk Management Unit





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

<p>The completed form can be mailed, sent electronically or hand delivered. Mail or deliver to:</p> <p>Clerk of the Board Santa Clara Valley Water District-HQ 5700 Almaden Expressway San Jose, CA 95118</p> <p>Or submit the completed form electronically to: clerkoftheboard@valleywater.org</p>	Clerk of the Board's Date Stamp	
	For SCVWD Use Only	
	Date Received: 11/12/25	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"/> Email	<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: JAMES E OSIAKOWSKI		Email Address: JAMES.ATLASPAINTING@GMAIL.COM	
Address of Claimant: 1203 SOMMERSET CT.		City: ROSEVILLE	State: CA
		Zip: 95661	
Address to which Notices should be sent, if different from above: _____		City: _____	State: _____
		Zip: _____	
Home Phone Number: (408) 569-2764	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: APPROX 1:30 PM ON 11/4/25	Location of incident or loss (address): LOS GATOS BLVD HAPPY HOUND REST	Is there a police report? <input type="checkbox"/> Yes If Yes, Police Report Case #: _____ <input checked="" type="checkbox"/> No WITNESS	

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):

DRIVER OF VALLEY WATER BACKED INTO MY TRUCK & THEN SPEED OFF. WITNESS ATTEMPTED TO STOP DRIVER, BUT DRIVER IGNORED WITNESS & LEFT ANYWAYS.



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

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

FRONT DRIVER DOOR DENT ABOUT
5" CREASE & PAINT PEELED OFF.

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

JENNIFER, (408) 306-6295

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 No
 Limited Civil Unlimited Civil

ITEMS	CLAIM AMOUNT
1.	\$
2.	\$
3.	\$
4.	\$
TOTAL AMOUNT	
	\$ 1248.12

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 NOV, 2025

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.

Attachment 1

SUMMARY OF INCOME AND EXPENSES FOR FY2023 AND FY2024			
	FY2023	FY2024	DIFFERENCE
RESIDENTIAL PROPERTIES			
Total No. of Residential Rental Units	57	55	-2
Gross Income	\$ 1,906,269.57	\$ 1,889,558.13	\$ (16,711.44)
Expenses			
Possessory Use Tax (Santa Clara County)	\$ 68,882.70	\$ 120,682.84	\$ 51,800.14
Property Mgt. Fee (8% of Gross Income)	\$ 152,117.31	\$ 151,309.29	\$ (808.02)
Repairs, Maintenance and Services	\$ 220,033.61	\$ 284,757.55	\$ 64,723.94
Utilities	\$ 21,581.54	\$ 37,847.87	\$ 16,266.33
Total Expenses	\$ 462,615.16	\$ 594,597.55	\$ 131,982.39
Total Net Income for Residential Properties	\$ 1,443,654.41	\$ 1,294,960.58	\$ (148,693.83)
NON-RESIDENTIAL PROPERTIES			
Total No. of Non-Residential Rental Properties	63	70	7
Gross Income	\$ 314,724.32	\$ 286,881.18	\$ (27,843.14)
Total Expenses	\$ -	\$ -	\$ -
Total Net Income for Non-Residential Properties	\$ 314,724.32	\$ 286,881.18	\$ (27,843.14)
Total FY24 Net Income (Residential/Non-Residential Properties):			\$ 1,581,841.76



MEMORANDUM

FC 14 (03-11-25)
Page 1 of 2

TO: Melanie Richardson

FROM: Lisa Bankosh

SUBJECT: Fiscal Year 2025 Annual Report of Valley Water Rental Property Income and Expenses

DATE: November 13, 2025



The purpose of this memorandum is to report the Annual Net Income and Expenses related to Valley Water owned rental properties that are managed by the Valley Water Real Estate Services Unit. This annual report is provided to the Board in accordance with Valley Water Board Resolution 09-78.

During the 2025 fiscal year, Valley Water Real Estate staff managed a total of 128 residential and non-residential income-producing properties for a total net income of **\$2,182,739.48**. A breakdown of the income and expenses is shown below:

RESIDENTIAL PROPERTIES = 52	
Gross Income:	\$ 1,885,510.25
Less Expenses:	\$ 513,911.27
TOTAL NET INCOME:	\$ 1,371,598.98

NON-RESIDENTIAL PROPERTIES = 76	
Gross Income:	\$ 811,140.50
Less Expenses:	\$ 0*
TOTAL NET INCOME:	\$ 811,140.50

*Note: For Non-Residential properties, the tenants pay all expenses associated with the maintenance of the properties.

Attachment 1 is a summary of income and expenses for FY2024 and FY2025.

For further information, please contact Carlo Achdjian, Real Estate Services Unit Manager, at Ext. 4352.

DocuSigned by:

7428672C9563400...
 Lisa Bankosh
 Assistant Operating Officer
 Watershed Stewardship and Planning Division

cc: J. Bourgeois, C. Hakes, C. Achdjian, C. Herrera

Attachment 1: Summary of Income and Expenses for FY2024 and FY2025

Attachment 1

SUMMARY OF INCOME AND EXPENSES FOR FY2024 AND FY2025			
	FY2024	FY2025	DIFFERENCE
RESIDENTIAL PROPERTIES			
Total No. of Residential Rental Units	55	52	-3
Gross Income	\$ 1,889,558.13	\$ 1,885,510.25	\$ (4,047.88)
Expenses			
Possessory Use Tax (Santa Clara County)	\$ 120,682.84	\$ 124,141.86	\$ 3,459.02
Property Mgt. Fee (8% of Gross Income)	\$ 151,309.29	\$ 151,008.33	\$ (300.96)
Repairs, Maintenance and Services	\$ 284,757.55	\$ 203,618.28	\$ (81,139.27)
Utilities	\$ 37,847.87	\$ 35,142.80	\$ (2,705.07)
Total Expenses	\$ 594,597.55	\$ 513,911.27	\$ (80,686.28)
Total Net Income for Residential Properties	\$ 1,294,960.58	\$ 1,371,598.98	\$ 76,638.40
NON-RESIDENTIAL PROPERTIES			
Total No. of Non-Residential Rental Properties	70	76	6
Gross Income	\$ 286,881.18	\$ 811,140.50	\$ 524,259.32
Total Expenses	\$ -	\$ -	\$ -
Total Net Income for Non-Residential Properties	\$ 286,881.18	\$ 811,140.50	\$ 524,259.32
Total FY25 Net Income (Residential/Non-Residential Properties):			\$ 2,182,739.48

APPROVALS

DocuSigned by:

 5FE30CF587984BD
 11/19/2025
 Date
 Carlo Achdjian
 Unit Manager
 Real Estate Services Unit

DocuSigned by:

 C48ACDFFEDDE450
 11/20/2025
 Date
 John Bourgeois
 Deputy Administrative
 Watershed Stewardship and Planning
 Division

DocuSigned by:

 8942101CC55E441
 11/20/2025
 Date
 Christopher Hakes, P.E.
 Chief Operating Officer
 Watersheds

DocuSigned by:

 19ED38D5D7854BD
 11/21/2025
 Date
 Rita Chan
 Assistant Chief Executive Officer

Signed by:

 F08F305217A24A4...
 11/24/2025
 Date
 Melanie Richardson, P.E.
 Interim Chief Executive Officer

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-25-0193	11/17/25	11/17/25	All	JOHN KOLSKI	Email from John Kolski to the board, dated 11/17/25, inquiring about Valley Water and Cupertino's water service.C-25-0193	Refer to Staff	Taylor	Narayanan	11/25/25	-	n/a	12/01/25



LEAGUE of WOMEN VOTERS SAN JOSE/SANTA CLARA
P.O. Box 5374 San Jose, CA 95150
(408) 271-7163
www.lwvsjse.org
info@lwvsjse.org

*please forward to:
Mike Potter*

November 20, 2025

Director Jim Beall
District 4
Santa Clara Valley Water
5750 Almaden Expy
San Jose, CA 95118

Dear Mr. Beall,

Thank you and your assistant Mike Potter for your informative presentation on Santa Clara Valley Water. We appreciated hearing about plans to increase supplies through raising reservoir levels, updating reservoirs and pumping equipment, education, conservation, and the cleaning up of creeks and rivers.

“Water for Today, Water for Tomorrow” gave us many ideas for League members and the Climate Change/Natural Resources Committee to work locally in 2026. We will be in touch with you.

Sincerely,

Judy Chamberlin and Virginia Holtz

Co-Chairs Climate Change Natural Resources Committee

and Trudy LaFrance

OUTGOING BOARD CORRESPONDENCE

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Emelia Lamas](#); [Aaron Baker](#); [Sam Bogale](#); [Queen Seastrunk](#)
Cc: [Board of Directors](#)
Subject: FW: Fluoridation
Date: Wednesday, November 19, 2025 5:14:28 PM
Attachments: [image001.png](#)

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Wednesday, November 19, 2025 5:12 PM
To: [REDACTED]
Subject: Re: Fluoridation

Sent on Behalf of Director Hsueh:

Dear Dr. Young,

Thank you for your email dated November 10, 2025, regarding Valley Water's drinking water fluoridation practices.

As a public water agency, Valley Water's core mission is to provide Silicon Valley with safe, clean water that supports a healthy life, environment, and economy. To fulfill this mission, Valley Water operates in compliance with all applicable federal and state regulations and ensures that the drinking water delivered to our community meets or exceeds all established safety standards.

Since 2016, Valley Water has supplemented the naturally occurring fluoride in the drinking water supplied to the eastern part of Santa Clara County to reach the optimal level of up to 0.7 parts per million, as recommended by the California State Water Resources Control Board's Division of Drinking Water (DDW) and the U.S. Department of Health and Human Services.

Looking ahead, Valley Water plans to add supplemental fluoride to the water supplied to the western portion of the county as part of the ongoing Rinconada Water Treatment Plant Reliability Improvement Project. This project is currently scheduled for completion by late 2029.

Thank you again for your interest in Valley Water's fluoridation program. We appreciate your engagement in learning about our efforts to ensure a safe and reliable drinking water supply for the community.

For additional information, we invite you to visit our Fluoridation webpage (<https://www.valleywater.org/your-water/water-quality/how-we-clean-your->

[water/fluoridation](#)).

If you have any other concerns or questions, please do not hesitate to contact Sam Bogale, Deputy Operating Officer of the Treated Water Division, at 408-630-3505 or sbogale@valleywater.org.

Sincerely,



Nai Hsueh
Director, District 5

C-25-0190

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

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Heather Williams](#); [Breanne Roderick](#); [John Bourgeois](#); [Christopher Hakes](#)
Cc: [Board of Directors](#)
Subject: FW: Storm Drain 433527/3578 needs Service
Date: Friday, November 21, 2025 8:23:57 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image008.png](#)
[image009.png](#)

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Friday, November 21, 2025 8:18 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Storm Drain 433527/3578 needs Service

Sent on Behalf of Director Beall:

Dear Kristina and Chris Rogers,

Thank you for your email and we are sorry to hear about the issue you're experiencing. We understand that it can be frustrating not getting a quick and clear response. I'd like to offer a bit of clarification regarding maintenance responsibilities.

Valley Water is generally responsible for major creeks, channels, and waterways within Santa Clara County. However, storm drain systems—such as those serving public streets, parking lots, or private developments—typically fall under the jurisdiction of the local city or the private property owner.

Based on the information you've provided, it appears that the drainage concern may rest with either the City or your property's drainage system. For your convenience, the City of San José's contact number for storm drain issues is (408) 794-1900.

If you have further question related to Valley Water, please contact Lisa Infante at lbankosh@valleywater.org.

Sincerely,



Jim Beall
Director, District 4

C-25-0186

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

*** 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

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.

----- 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

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 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] Dr, San José, CA 95120

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 [REDACTED] Drive and [REDACTED]

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 <kristina.contreras@gmail.com>
Sent: Monday, October 13, 2025 1:10 PM
To: Chris Rodgers <gigaflop@gmail.com>
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 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)

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:

Thank you again for your assistance in this urgent matter.

Sincerely,
Kristina

KRISTINA RODGERS, REALTOR®
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[REDACTED]
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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 Easment.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.](https://www.sjwater.com) | San Jose, CA 95128

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

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recipient may have legal effects. Nothing in the body of this email is intended to be an electronic signature or is intended to create a binding contract.

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

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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

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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](#)
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 [REDACTED]
Subject: Fwd: Storm Drain needs Service

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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

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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

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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

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

TGIF! Any updates?

Thank you,

Kristina

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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 atta

From: [Candice Kwok-Smith](#) on behalf of [Board Correspondence](#)
To: [Mark Bilski](#); [Jennifer Codianne](#); [Shanika Richards](#); [Christopher Hakes](#)
Cc: [Board of Directors](#)
Subject: FW: Graystone Lane Bridge / Round 2
Date: Friday, November 21, 2025 8:24:36 AM
Attachments: [image001.png](#)

From: Candice Kwok-Smith **On Behalf Of** Board of Directors
Sent: Friday, November 21, 2025 8:21 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Graystone Lane Bridge / Round 2

Sent on Behalf of Director Beall:

Dear Malcolm Bordelon,

Thank you for reaching out to Valley Water concerning encampment activity under the Graystone Lane bridge at Alamitos Creek. In general, roadways and the land on which they lie are public rights-of-way that are owned and/or maintained by cities, Santa Clara County, or Caltrans. The land underneath the Graystone Lane bridge is under City of San José's jurisdiction.

Valley Water staff has been in contact with Beautify San José staff regarding the encampment you mentioned in your message, and we understand that they responded by conducting an abatement. The Valley Water-owned parcels along Alamitos Creek in this area are designated as Water Resources Protection Zones where camping is prohibited. If you observe encampment activity on Valley Water property, please submit a report via our online system: <https://access.valleywater.org/sl/>. For reference, this GIS map shows Valley Water-owned lands in green: <https://gis.valleywater.org/FeeEasement/>.

Valley Water owns and manages 333 miles of the more than 800 miles of creeks in Santa Clara County. We address encampments on our lands by performing large scale trash cleanups throughout jurisdictional areas countywide to prevent encampment-generated trash and debris from polluting the waterways. Valley Water crews conduct encampment abatements when necessary to respond to harmful operational, environmental, or safety impacts on our property. More information on Valley Water's efforts to address the impacts of encampments is available on our Good Neighbor Program webpage, including info about Valley Water's Water Resources Protection Zones Ordinance: <https://www.valleywater.org/project-updates/good-neighbor-program-valley-water-addressing-encampments-unsheltered-people>. I have also attached our Encampment Response Protocol FAQ.

Thanks again for your message. Please contact Assistant Operating Officer Mark Bilski at mbilski@valleywater.org with any follow-up information.

Sincerely,



Jim Beall
Director, District 4

C-25-0188

From: Malcolm Bordelon [REDACTED]
Sent: Thursday, November 6, 2025 11:53 AM
To: Board of Directors <board@valleywater.org>; Jim Beall <JBeall@valleywater.org>;
Olympia.william@sanjoseca.gov; Councilmember George Casey
<district10@sjdistrict10.org>; Matthew Quevedo <Matthew.quevedo@sanjoseca.gov>
Cc: Scott Sherwood [REDACTED]; Joe Del Rio
[REDACTED]
Subject: Graystone Lane Bridge / Round 2

***** 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

████████████████████  
████████████████████

~~~~~

<image001.jpg>

<image002.jpg>

<image003.jpg>

Thanks,

Ⓜ

~~~~~

Malcolm M Bordelon

████████████████████  
████████████████████

~~~~~

