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>> Mayor Reed: I'd like to call this meeting to order. This is a joint meeting San José city council, Santa Clara Valley Water District, board. We'd like to first start out with figuring out if we have a quorum, pretty sure we do, just looking around the room. We'll start with roll call.

>> Councilmember Constant, Councilmember Kalra, Councilmember Liccardo, Councilmember Chu, Councilmember Campos, Councilmember Oliverio, Councilmember Herrera, Councilmember Rocha, Councilmember Pyle, Vice Mayor Nguyen, Mayor Reed. We have a quorum for the city.

>> Mayor Reed: Well, that's good. How about the water board?

>> Michele, would you do the roll call?

>> Director Estremera, Director Hsueh, Director Keegan, director Santos, Director Schmidt, Chair LeZotte. We have a quorum for the district.

>> Mayor Reed: Thank you, and I welcome everybody to I don't know what number this is in the series of joint meetings we've had with the city and the water district. We recognized quite a few years ago that there's a huge amount of overlap in interest between the Water District and the city. We want to make sure that we're working together and our staffs are working together on all these mutual problems so we have a pretty interesting agenda this afternoon because there's no shortage of things that we have problems to solve together so I want to welcome everybody and I thank my council colleagues for being here and board members for being here as well.

>> Board Member LeZotte: Thank you, Mayor Reed and so many of my colleagues. I want to thank you for hosting this joint study session. Very pleased to introduce two new colleagues who joined the board on Friday, actually, Nai Hsueh and Barbara Keegan. This is their first meeting, so please join me in welcoming them. [applause]

>> Board Member LeZotte: So it was a wise decision of the prior council which I was on and the board to launch these annual meetings that we've had for the past 12 years. It's always a pleasure to meet our partners face to face and collaborate on future successes. Today we're going to discuss three important topics: South San Francisco Bay shoreline study, water supply and infrastructure investments, homelessness and illegal encampments. Discussions on these topics may trigger future agenda and topics. The district implements its goals through direct action, partnerships and advocacy. This past year the board decided that it needs to heighten its role in advocacy. Of particular interest to me are land uses proposed near waterways. Development needs to increase not lessen the flood safety of the community. Needs to impose not lessen the quality of riparian corridors and it needs to be built in a water wise manner. I want you to know that our board has asked our staff to monitor proposed land uses with these thoughts in mind and increase our advocacy. As you think about future agendas these topics may merit future involvement. Our partnerships have also highlighted the ability of our two agencies and these partnerships may also be topics of future agendas. I wanted to highlight just a few before I get started today. Our District is unique in the nation because we participate in FEMA's community rating program, this is important not only to the Water District but to also your constituents. Through our participation, CRS communities in Santa Clara County can use our points to reduce flood insurance rates by at least 10%. City action he to reduce flood exposure can further this rate reduction. Quarterly, the mayor myself representing the district, Silicon Valley leadership group save the bay coastal conservancy and the Hewlett foundation have gotten together to ensure we keep the shoreline effort on track and solicit funding. Approximately twice a year we meet with Senator Feinstein to update her on our progress and efforts. We also meet with the senator as I'm sure you do on our trips back to Washington. Our continued focus will be needed. The passage of safe clean water recently helped to provide some of the local funds needed to complete this project. And finally the district looks forward to timely completion of the seismic retrofit for Anderson and other dams made possible by the permit streamlining efforts of the valley habitat plan permit. We believe that the city shares our understanding of how important the plan is to achieve shared economic Public Safety and conservation goals for the city and the larger region. We trust that the city will continue to support its local partners in completing this progress. And now I believe I'm supposed to turn it over to the City Manager Deb Figone.

>> City Manager Figone: Thank you, chairwoman LeZotte. I'm pleased to be here for this very important policy discussion on how the city and the district will continue to work together to focus and leverage our resources in a partnership way in order to meet our mutual future challenges. Today's study session will contribute to strengthening that partnership as chairwoman LeZotte indicated there are three main topics which I will not go over again but from a staff perspective what I would say is that our success at staff really does depend greatly on your communication as a council and as a board. And as we go forward working together having an understanding and respect for the roles, goals and efforts of each agency in service to our community is very, very important. So your feedback today as a council and a board does set the tone. It does help to reinforce the direction that will allow the ongoing staff cooperation to be very, very successful as we move forward. So I do look forward to hearing today's discussions and let me just say I do need to step out, just before 3:00. And so Ed Shikada Assistant City Manager will step in for me. And sings I won't be here at the end let me just thank all the staff who are involved in getting us to today. As I worked with them over the years I'm continually impressed by their professionalism and how well they work together. With that I'll turn it over to the manager, beau Goldie.

>> Thank you, Debra. I wanted to thank City Manager Debra Figone and Mayor Reed and the council and the City for hosting this meeting today. These meetings have been going on since 2002, I've been involved in every one of these things, and they are very, very valuable not only for our agencies working together but for the community that we actually serve. So this is our eighth annual joint study session. Since 2002 these study sessions have focused on policy and the challenges issues facing our community. One of our early study sessions launched the idea of an advanced water recycle treatment facility, and today we're in partnership with the City of San José to deliver on that and we anticipate that that's going to be operational later on this -- summer of '13. These session also better help us understand the needs for short term and long term strategies and for further coordination as we serve our communities. We will hear more about the proposed project and the strategies today. Together, we have worked to solve complicated problems and provide needed projects and services which are of value to the community. We are thankful that the voters approved the safe clean water measure by 74% and we appreciate the city council support and endorsement of that measure. With this program the district will be in better position to be able to repair our aging infrastructure and advance some of the programs that we have to deliver to the community. The voters approved a number of critical infrastructure

projects and programs that we are committed to providing in an efficient transparent way. The Water District conducts long-range planning and has a systematic internal audit program so that we can ensure we are using the resources of the public wisely in providing the water supply, flood protection and stream stewardship. I look forward to today's discussion. We expect to learn a lot of new -- we expect to receive a lot of new information which will build on our past action he and prepare us to address some of the challenges we have in the future. Thank you very much. Turn it back over to Mayor Reed.

>> Mayor Reed: Now get into some of the individual topics. Before we do that I'd just like to let the public know that if you wish to speak we don't have speaker cards, we have speaker sheets and you should fill them out and submit them so we'll take those up as we go along. The first area to discuss is the south San Francisco Bay shoreline study. I think Melanie Richardson is going to lead that.

>> Good afternoon, Mayor Reed and councilmembers, chair LeZotte and district board members. I'm Melanie Richardson. I'm a deputy operating officer at the water district and I'm joined by my colleague Ken Davies with the City's environmental services division. We're going to provide you an overview of the south San Francisco Bay shoreline project. Go to the next one please. So the south San Francisco Bay shoreline project is a project to protect the shoreline in Santa Clara County from tidal flooding and sea level rise and to provide ecosystem restoration. It is currently a federal and local sponsored project, with the federal sponsor being the U.S. army corps of engineers. And the two nonfederal sponsors are the Water District and the state coastal conservancy. In addition we have a few key stakeholders including the City of San José and the United States fish and wildlife service. Currently we are in the planning phase and during this planning phase there's a 50-50 cost share between the federal sponsor, the army corps of engineers and the other 50% is shared by the district and the U.S. coastal conservancy. What this project originally looked at protecting the entire shoreline in Santa Clara County from tidal flooding and sea level rise. And back in 1992 when this was first looked at, the federal government determined that there was not enough economic benefit to justify a federal interest in the project. And the reason it's so important to get the federal government involved in these projects is they're very significantly expensive projects. This entire project is in the hundreds of millions of dollars to complete. So it's important that we get the federal government involved. Since 1992, however, there were two key things that happened that changed that

scenario. The first was a major purchase of salt ponds back in 2003 by the federal government, the state government and private interests for \$100 million, for the purposes of restoration, and then secondly there's been key companies that have located in this area since that have added to the economic benefit. In particular, Google, Yahoo, Cisco and Intel are among those companies. In 2005 a new study was embarked upon to consider the true value of development in the area. The potential of sea level rise. And the ecosystem restoration potential. And the federal government did determine back in 2005 that the economic benefits were significantly increased and there was a significantly more potential for ecosystem restoration. However by 2010 the study was still dragging on, we were behind schedule, behind budget so our board made a decision in early 2011 to just refocus the study to one single area to get a portion of the project moving. Next slide. The refocus study is what we're going to be focusing on today. What we did was took a look at one economic impact area. It's called economic impact area 11. TTY's area really between the Guadalupe river and Alviso slough and Coyote creek. This is the area we are now determining if the federal government now has an interest in protecting against flooding and doing ecosystem restoration. The reason this area was selected was it has the highest economic benefit of all the areas along the shoreline and includes some really key facilities. Such as the San José-Santa Clara water pollution control plant. Of course the Silicon Valley advanced water purification center, the Don Edwards educational center, the entire community of Alviso, 2200 residences and 500 housing units. Next one. So staff has been diligently working to identify alternatives to protect from flooding and the alternatives that you see on this picture are the three that will be carried forward into the feasibility study and draft EIR. On the Alviso community side there's three alternatives have been identified. The Alviso north alternative which is shown in green. Alviso railroad spur alternative shown in purple and the Alviso South alternative shown in yellow. On the water pollution control plant side we've actually been able to narrow it down to one alternative that follows the existing pond A-18 levee alignment. So this project essentially what it does is will construct a levee that will provide a 100 year tidal flood protection and tie into the existing Guadalupe river and Coyote creek levels which currently already provide a 100 year flood protection from river flooding. In addition this is going to account for 50 years of sea level rise. That is built into this project. So essentially we'll be protecting against sea level rise until the year 2067. This will also allow for ecosystem restoration benefits. Currently there are levees as part of the salt ponds that are existing but they are not recognized by FEMA as engineered levees so until we get the new levee built we don't have the capability to restore ecosystem by breaching the levees in this area. So this project will

allow us to breach those levees and bring back increased habitat connectivity, recovery of endangered species, fisheries habitat, water quality improvements et cetera. The first step will be to get the levee and then we'll move forward with the ecosystem benefits. In addition there are recreation benefits associated with this project. We'll be able to complete the bay trail spine shown in green and complete other trails and add interpretive features and public access and educational opportunities in this area. So last summer, the agencies got together all the key decision making agencies including both the district and city and came up with a locally preferred levee alignment which will be carried forward into the environmental document, and it's as shown the Alviso north alignment and then the existing alignment that runs long pond 18 along the water pollution control plant side. The primary reasons that this alignment was selected on the Alviso side, this alignment was strongly preferred by the Alviso community. It's the alignment that's the farthest away from the community and the one that I'd say was unanimous by that community as the one they wanted. It's located along the existing levee so it essentially does not change the current management of the new Chicago marsh. It is consistent with the salt pond programmatic EIS-EIR. No changes are necessary to the San José's railroad spur, the Don Edwards center won't require any additional floodproofing or relocation and it has the least utility impacts and the least real estate impacts which means it has a lower cost because of that. On the water pollution control plant side the reason we were able to select one alternative moving forward is all the local agencies and resource agencies agreed on this one alternative. It's located along the existing levee and it is in alignment that the city has for their water pollution control plant. So originally when this joint project was envisioned it included additional fill material that you see kind of in the middle section of this slide shown here. That allowed for transition and sort of additional habitat restoration. However, adding that fill in the middle of the levee alignment about doubles the cost of the project. So last summer, the non-federal sponsors made a decision to do this project in two phases. And as part of the joint project with the army Corps engineers just provide a levee for flood protection and then later come back and do just a local-only project that fills in that additional levee material. The primary reason is the local agencies felt that was a more cost-efficient way to get the project done and felt it was easier for the federal government to move through the process if we sort of broke it up into those two pieces. So the locally preferred alignment cost that we're looking at now looks like about 95 to \$100 million. And hence why it's important for the federal government to be involved in this project. The non-federal cost share is currently estimated between 33 and 35 million and the federal cost million at 62 to 65 million. Of that nonfederal cost share shown there about half of that is included in our safe, clean water

measure that recently passed in November. The other half we're still work on how to get ahold of that other half. This kind of illustrates the importance of having the federal government involved in the project because of the high cost. So the schedule that we're on currently, last summer we held the decision making conference which came up with the locally preferred alignment. December 28th we're releasing the internal draft of the feasibility report and EIS-EIR. In April of this year we plan to release the public draft of the EIS-EIR so you'll probably all be seeing that soon with a public meeting held in May. And then a really key milestone in any core project is the final chief's report which occurs next March of 2014, that's the point in the study where the federal government determines if they have an interest and what percentage of the cost they'll share in. So that's a key decision point for this project. And after that, of course, we still have to go through the authorization process and getting funding for the project and we project that construction if we stay on this schedule will begin in 2017. Of course the caveat here is this is all dependent upon continued federal funding. As all of you know it's an annual process to go through and get the federal funding so every year we're relying on receiving the federal funding to keep this project on track. Right now for example with the federal government not having a budget we're in a continuing resolution period. The district and the coastal conservancy are putting up all the funding during the six month period to keep this project on track. So we're hoping in March when the federal government gets a budget that we'll be able to get back on track and maintain the schedule. One of the key advantages I just want to note we have is, we have a very strong supporter in senator Feinstein. She's been an extremely strong supporter of this project and we hope we can continue to rely on that in the coming years. So a couple of the funding and policy issues that we have, the nonfederal sponsors meaning the district and the coastal conservancies must cover any cost above or beyond what's identified as the corps' least cost alternative. So if we select a locally preferred alternative that's slightly more expensive than the least cost alternative we're responsible for the difference. The good news with this project is, we're sure that we're either going to be very close to the least cost or we may be the least cost. We don't expect to have a large differential in this project based on what we know today. The anticipated construction, once again, depending on federal funding, will again in 2017. There are anticipated changes to plant operations that are going to begin in 2018 that has a little bit of a timing issue if we begin that alignment that you saw that runs along the plant's existing levees that staff from the city and district will continue to work on that and we think that we can work that timing issue out. And then of course as we move forward past

construction we will need to figure out levee ownership, operations and maintenance and right-of-way issues between the city and the district. So with that I will stand for questions.

>> Mayor Reed: Questions now or do you want to wait until Ken has made his presentation? They are not leaving. If you have a question for Melanie, you can give that now.

>> Councilmember Kalra: Thank you for your presentation. This is a presentation that we rely so much on staff and your expertise to guide us, and we all know how important this issue is, both with climate change as well as just having a bay that we surround so many vital assets around, the rise, if sea level rise has been an issue that a lot of the regional agencies that a lot of us sit on have started to become a bigger and bigger focus so I do appreciate the presentation. I have one question regarding the last slide. You indicate that the nonfederal sponsors, must cover cost above or beyond core least cost alternative. Looking at the time line is that in April or 2013 that's when -- is that when you get the report back from the corps as to what -- if there's a delta there or if the selected route or alternative is the equivalent of the low-cost alternative?

>> Yes, that would occur where the final chief's report to the assistant secretary of the army. In March of 2013 we'll know what the corps has determined as their least expensive alternative compared to the local alternative is.

>> Councilmember Kalra: During the one year period I'm hoping there is some opportunity to continue to work with the corps, being in alignment so to speak as to what the low cost alternative so at least it's very clear so when the decision making does occur it is very clear that every opportunity was taken to match the thoughts of the corps as to what the low-cost alternative is.

>> Absolutely in fact we are doing that now. That's why we know now that we're going to be very close, if not -- if we don't have the low-cost alternative.

>> Councilmember Kalra: Thank you.

>> Mayor Reed: Councilmember Liccardo.

>> Councilmember Liccardo: Thank you, mayor. Thank you for your report. I know last year the leadership group launched what many other regional partners an effort to look to the private sector for assistance and I'm just wondering does that specifically help us get to our one-third match or is that an entirely separate endeavor focused on sea level rise in other parts of the county?

>> No, that is specifically targeted at that remaining nonfederal cost share. Remember I said safe clean water would pick up about half of that.

>> Councilmember Liccardo: Right.

>> That's targeted to pick up the other half.

>> Councilmember Liccardo: We have got a 16 to \$17 million nut to crack locally?

>> Correct.

>> Councilmember Liccardo: Thank you.

>> Mayor Reed: Board members? Councilmembers have all kinds of questions. Councilmember Chu, Councilmember Rocha.

>> Councilmember Chu: Thank you, mayor. Thank you for focusing on my area, the most important area in the City of San José and the Bay Area. Question is do we have any parallel effort in the city around us or county around us like in Alameda, do we have a counterpart in Alameda County that's also addressing this issue and then the question is how can -- when can we get my neighbor Santa Clara, Sunnyvale, or up to Palo Alto also involved? Is there an accurate time line?

>> I can start with the part in our county, and then I was going to ask Mr. John Bourgeois to take over. In our county we do have additional moneys in safe clean water now to do a feasibility study for the entire shoreline. So in addition to funding this EIA 11 design and construction, it has money set aside to do the feasibility planning for Santa Clara County. But I was going to ask John Bourgeois from the coastal conservancy about other counties outside Santa Clara.

>> John Bourgeois (inaudible)

>> Mayor Reed: I'll need you to get a little closer to the microphone -- it will take a second for it to come on. There you go.

>> John Bourgeois, state coastal conservancy. Melanie is absolutely right. So I'm the executive project manager for the South Bay Salt Pond restoration project, which is one of the largest restoration projects in the United States is and it spans all three counties. We are working with all three counties. They are all members of our project management team. I know a restoration project may not seem the right place to do flood control planning, but we are working closely with Alameda County. Alameda County has chosen specifically to not work with the corps of engineers. There's pluses and minuses of moving forward with this core shoreline study so they've opted as a county to not do that but they are moving forward with flood control projects and we are closely making sure that everything's tying in at the county line and as well we are working with some of the local municipalities and organizations like the mosquito creek JPA in San Mateo County. There are efforts, parallel efforts going on in all three adjacent counties.

>> Councilmember Chu: Thank you John, welcome to San José.

>> Mayor Reed: Councilmember Rocha.

>> Councilmember Rocha: Thank you mayor, thank you for the presentation as well. Slide 11 and 12 prompted me to ask the question, generally I have in my mind what a traditional levee looks like and then went to slide 12. Would you explain what that levee would look today, better understand what the levee would look like?

>> I'm also going to ask staff to come up and address this question, please.

>> So a couple of things to touch on. So the traditional levee is going to look like you would normally expect, a trapezoidal engineered levee with steep slopes. However when you are talking about trying to account for sea level rise and increase the longevity of that levee as well as provide some habitat benefits, what we're talking about is kind of your traditional levee, but then having a much more gradual slope on the bay side, we're talking 30 to one, 50 to one, 100 to one slopes. So we're going to have your traditional three to one steep sided trapezoidal levee as kind of the core and then a broad terrace out to the bay side. That's a little bit different of a look from the traditional levee. There's flood risk management benefits as well as habitat benefits. I could go into both of those, but that's what it would look like.

>> Councilmember Rocha: That's generally what I was looking for. So the project cost, maybe I'm incorrect here, is \$100 million?

>> For the total project.

>> And if we added in this ecotone it would cost about another \$100 million. It almost doubles the project cost.

>> Which -- if I could just add to that. Which is why we as the local sponsors decided to pull that out. The corps of engineers, when they're estimating, that is a lot of dirt. Right, we're talking millions of cubic yards of material that need to be -- and they're estimating process, they have to assume kind of a worst-case scenario. So that means paying for the dirt, hauling it in. However the coastal conservancy and the fish and wildlife service, we have been working with the private sector quite closely, and we have opportunities to get dirt. We've worked out with the regulatory agency procedures to get clean dirt delivered in place for almost no cost. Basically if it's cheaper to

bring it to us than a landfill they're going to bring it to pickups we've worked out the network with the private sector, a lot of dirt being sent to landfills and we need it. So we've worked out this procedure, I think it's a really good opportunity for fish and wildlife service and the restoration project and also we hope to have that opportunity to work with the city of San José because pond A-18 is on city of San José property, I think the same opportunity exists to receive that dirt for free. And dramatically decrease the cost which is why we wanted that segment of the project kind of put on the locals. Because we think we can deliver it at almost no cost.

>> Councilmember Rocha: Thank you. Last question, what's the shelf life of a levee built like this, how long do we expect it to last?

>> Well it's 50 years for engineered levee itself but once you start adding in -- I don't think anyone's constructed levees quite like this but it definitely adds, every engineer that I've talked to in the design phase of this has talked about dramatically increasing the life span of a levee by having this huge buffering capacity for having all the wind waves coming from the bay it completely reduces the long term O&M.

>> Mayor Reed: Yes, board member Keegan.

>> Board Member Keegan: Melanie, can you tell me how the locally integrated local alternative would be integrated with the bay trail?

>> Maybe I should bring up a chair. So I should just say the South Bay salt pond restoration project, we have three main goals. We have habitat restoration, flood protection, as well as public access. So those are our three goals moving forward. And part of our goal from the beginning -- so this area with the levee and the shoreline study is a small subset of our project. So we have public access enhancement goals. And so a lot of those levees as Melanie said that are existing around salt ponds they're nonengineered levees, basically piles of dirt. Some of them have been used as trails, the refuge has public access on certain number of these trails. As we start to restore them we are going to be taking away some of those trails that go way out into the bay. So we have to compensate for that somehow. So by doing that we want to be sure we complete the bay trail spine through this

section. It's been a huge goal for ABAG and the bay trails folks for a number of years to complete the bay trail spine through this area. So we have submitted a whole series of how to phase the removal of certain trails and the addition of other trails, with -- what's Melanie showed you was kind of the end point. I mean we're talk ten, 20 years down the road is when we get to that point. Yeah, this is what it would look like that's up there now. The green would be the quote unquote bay trail spine but if you notice red trails also they're ancillary kind of secondary trails. We have heard concern when we brought this out to public meetings from folks and you're probably going ohear some today about the compatibility of having the bay trail spine right next to sensitive habitats as well as you've got the environmental education center you've got sensitive users you've got school kids you've got bird watchers and the compatibility of having commuters and bicyclists with those uses. So it's a very valid concern. And so what we're planning to do is we want to complete this red trail along highway 237. And that would be a paved trail whereas the green trail would be kind of a gravel more of a rustic rural you know less intensively used type of trail. Whereas we want to hopefully keep the commuters along the 237 corridor on a nice paved trail. So that's kind of how we're trying to deal with these tradeoffs between public access and wildlife impacts.

>> Board Member Keegan: Thank you.

>> Mayor Reed: Okay, I think -- Ken did you have anything to add?

>> No, mayor just here for questions regarding the treatment plant if anyone has any --

>> Mayor Reed: Okay, any additional questions before we move on to the next topic? We had some requests from the public to speak on this item, I think didn't we board member? Just one John bourgeois. Oh, that guy. Okay. Okay, you had your two minutes. [Laughter]

>> Mayor Reed: And I think that was it. Anybody else? I didn't have any other sheets on that. So I guess we'll turn to the next topic. Moving along right on time a little bit ahead of time, that's always good. And that we'd like to introduce Jim Fiedler, the first presenter on the long term water supply.

>> Thank you, Mr. Mayor, chair LeZotte, members of the board and council. Jim Fiedler, chief operating officer for the water district. I'm here with Jeff Provenzano, we'll be here to talk about the second topic, water supply and infrastructure investments. A topic that I think the council recently had some discussion on in June and also in September. So the topic, we have broken it down this way. Reviewing with you just an overview of our water utility near term investment planning, our path towards sustainability to support not only San José but the entire Santa Clara County, and that includes conservation, imported water and recycled water, and then discussing with you our wholesale water rates forecasting and setting process. So you think with a reliable water supply for San José and Santa Clara County we break it down in a couple of areas. First off, replenishing our groundwater basin, a very unique resource we have for Santa Clara County. We do so through both local water that we conserve locally through our reservoirs and also importing water that we can recharge into our groundwater basin. We construct, maintain and repair infrastructure, dams, treatment plants and pipelines that really convey that water throughout the county. We work to maximizing efficient water use, both through conservation and through recycling, and many of these services that I described here and will be described in this presentation are paid for by water charges that are collected from water retailers and also from individual well owners. So today we serve in Santa Clara County over 1.8 million, 15 cities, 13 retailers, over 4700 direct well owners who pay a groundwater production charge to us for the water that we replenish into the groundwater basin. We support farms and ranches, particularly in south county, and it combines over 120 billion gallons annually served throughout Santa Clara County. And then we do this through a conference of water management system. This is a map of Santa Clara County. It does not describe the highway infrastructure, rather, it is a water infrastructure that we manage. You can see some of the features of that ten reservoirs, over close to 400 acres of recharge ponds, 140 miles of large diameter, when I mean large diameter, 30 inch to 96 inch diameter pipelines, three water treatment plants, two of which are located in the City of San José, and three pump stations to convey that water throughout the county to provide uninterrupted service for the citizens. And then part of our effort is really managing the groundwater basin as depicted in this graphic here. This is a that shows the history of basically groundwater usage in Santa Clara County and the history of our water agency. The blue line on the graph shows an actual groundwater wells water service elevation historically over time. The red line at the top is really the land surface, and as many of you are aware, land surface in San José subsided by 13 feet between 19 -- what 13 and

1970 due to overpumping of the groundwater basin. What you see in that green line on the chart shows the growth in Santa Clara County, the population growth. So what you see is a history of water elevation in our county. You see in the late 1920s we had a drought period an overdraft of the groundwater basin and that subsidence was occurring. The (inaudible) was formed at that time, constructed local reservoirs which are still in use today that help rebound that groundwater table where you see it rising back up to above the 50 line on the chart. And these are elevations below sea level. Then you see postwar boom in Santa Clara County, the continued use of the groundwater table as a major source of water supply, and you'll see not until the 1960s where that table was very low and that contributed to that land surface subsidence that I mentioned. We brought in imported water both Hetch-Hetchy and also the state water project in the 1960s and it allowed us to help rebound that basin in better basin management. Then you see in the late 1980s we had another drought period and we saw some of the groundwater basen continuing to be overdrafted. We brought in the Central Valley project deliveries of the federal water project that allowed us to better manage the basin. And where we stand here today is a very healthy basin that provides for the treatment, conveyance and storage of water. Right now we estimate that we have over 300,000 acre foot of groundwater that's available to us that's about a year's supply of water supply that's stored in our groundwater. So let's look at our near term capital plan that really looks towards how can we make sure that we're doing our best to provide the continuing of that water service. So what you see illustrated on this chart is simply the financial cost or investment that we have placed over the years in our water utility. We estimate over \$4 billion in assets that are used daily to provide that water service. We also have a five year capital investment program of over \$600 million. I'll describe some of those key features in a sec, but that just gives you an idea of the type of continued investment paid for largely through our groundwater charges and our Tudor water charges. And then we have annually \$150 million of O&M. Also water purchases that we purchase from the state and federal government to provide that service 24 hours, seven days a week. An idea for one of our key facilities that benefits the region, particularly San José, is Anderson dam. This is our largest facility in Santa Clara County. It can provide over 90,000 acre foot of water in storage, primarily through local runoff. We can also store Central Valley project water in there. This is the facility that's going to be going through major seismic retrofit work over the next few years. We've determined that in a maximum threat of an earthquake we could see some subsidence or shifting of that dam. So we are operating that reservoir today at a lower elevation in conformance with division of safety of dam requirements and we're actively pursuing a plan that will retrofit this

facility and hope to have that retrofit continued by 2018. This next slide is an aerial view of our Rincon all water treatment plant located in Los Gatos. This also serves the western side of San José through San José water company. This was a plant that was built in 1967. This is a facility that our board recently approved a planning study on in June of this year to allow us to retrofit this facility. And so in our next five years we will also be spending dollars to help retrofit and rebuild this facility to increase its size in terms of peaking capacity and also provide for reliable water supply, also converting this system to ozone like we do for ozone disinfection as we do at our Penitencia and Santa Teresa water treatment plants. And then we're excited about the progress we're make on our advance water purification center. This was a project that was done in partnership with the city and also with City of Santa Clara. We call it the Silicon Valley advanced water purification center. As Beau mentioned at the start of his remark, this facility is under construction today and adjoining the wastewater treatment plant in Alviso. When it's completed in June of this year this will be able to treat to an advanced treatment 10 million gallons of day of water that will then be introduced into the South Bay water recycling system to improve the water quality for the nonpotable customers for South Bay water recycling. And then very importantly it's going oprovide a showcase for the technology that could be used in the future with this same technology to use this and recharge our groundwater basin and provide this water as a potable water supply for Santa Clara County. So moving ahead our path towards sustainability. So I give the next five years of what we are proposing to do. We'll certainly be recognized that the key to our sustained reliability of water supply involves investing locally and regionally in water infrastructure. Much of the infrastructure I described to you was built ten, 20, 30, 40, 50 years ago or more. And we're very fortunate with the foresight that was used by the boards at those times and councils to help provide the leadership. Our job today is to make sure those facilities continue to provide that same level of service. We need to make sure we can use those facilities to provide for that reliable water supply that many of us in fact often time take for granted. We just turn the tap on the water comes out we don't know where it comes from we're very gratified it's there and we're also gratified that when it leaves us it goes to a wastewater treatment plant and it's disposed of appropriately. The key feature of our future is restoring the delta ecosystem. That's what you'll hear about and I think you already are aware of in your package 40% of our supplies flow through the delta that meet our daily needs in Santa Clara County, and it's a great effort underway, a habitat conservation plan called the bay delta conservation plan that looks for a way to help restore delta ecosystem and also provide reliable water supply for those that rely upon the delta which is much of California including San José. For our water

supplies. This is a chart of a recently completed master plan of looking towards the future towards 2035 and how can we meet the long term needs of San José and Santa Clara County? You see the current mix of our supplies, you see where we're headed towards the future and some great opportunities that present themselves to us. First off, conservation. We hope to increase our conservation in Santa Clara County from 11% of our supplies to 18%. That's going from about 50,000 acre foot of conservation savings to as much as 100,000 acre feet annually. Looking to reduce our reliance on the delta going from 30 or close to 40% to around 32% of our own water needs, and then also relying more upon recycled water. Currently about 3% of our current needs are met countywide through recycling. We hope to get it closer to 10% by 2035. And so also, in North San José, as you're aware, that in addition to relying upon deliveries from the Water District through groundwater or through our treated water deliveries, San José relies on the Hetch-Hetchy system, originally constructed in 1951 as the photograph illustrates, they provide -- San Francisco Public Utilities Commission provides 14% county wide and 23% of your Muni water supplies. Jeff Provenciano is here, and he can describe that in greater detail. You're also known as what they call an interruptible customer which means that you could have a threat of that contract being severed in the not too distant future. And certainly securing that supply is not only important for you, San José, but certainly for our overall water reliability and water management in Santa Clara County. Continuing to promote conservation, what you see on that graph in the upper part of that screen is a green line showing the population growth county wide that's occurred over the last couple of decades here and then very interestingly enough you see that blue line which is the actual water use that's occurred during that same period. There was a time where within increased growth of population you would see a continued growth of water demand. But through efforts from the city and others and ourselves we've helped to really maintain that conservation ethic that exists in our county. So you see we're very pleased with the prospects and the continued commitment on our community to conserve water. So it's a great aspiration and a great commitment that's been made on the part of our citizens. You see on the lower part of that chart is the actual conservation savings that have been a part of our planning. We provide rebates and we also join with the city in terms of joining funds to help increase the number of low flow toilets and efficient washing machines and other programs that we use to really help citizens save their water. And so you see the savings that have actually occurred which are over 50,000 savings I mentioned with an ambitious goal of doubling that over the next 20 years. Also a point of just back on the delta issue, not only are we relying on the delta in our region, so too our neighbors to the north, Alameda County Water District in Fremont

that serves Union City and Newark and also zone 7 that serves Livermore and Amador valley, they have reliance on the delta supplies, as do we in Santa Clara County. And then looking for potable reuse, this is a -- you can think of a hydrologic cycle chart. We'll start at the lower part where it says wastewater treatment plant on the left side. And you see today in those purple arrows that depict some of the uses that are used for that water that comes out of your water pollution control plant, for both the industrial uses, cooling towers, agricultural uses and landscaping irrigation. And what you also see illustrated is the advanced water treatment facility under construction where part of that flow will be diverted and then ultimately we use the technology, we could use that same effort to recharge our groundwater basin, put it back in the water supply and continuing that cycle. That we're looking towards our future to improve our overall water reliability. And this is a chart that depicts some of the expectations we have for the growth of the use of recycled water for both nonpotable uses and also what we call potable reuse as I've already described. An ambitious goal of turning to 10% of our county wide needs met by recycled water which is a very ambitious goal our board has set for us. This is not done just with ourselves, we do it with collaboration. We recognize that the plant the South Bay water recycling was built and operated as a wastewater diversion due to issues that occurred in the '90s that the city experienced. It had been largely funded by sanitary ratepayers. The district has provided some funding through the form of -- we're provided with \$1 million a year as part of -- to help offset some of the costs that are associated by the operation but largely funded through sanitary ratepayers. However as your staff I think has made you aware that need for an increased diversion is uncertain. You're well below any flow cap issues, and so as a waste disposal issue, it's no longer a pressing matter. It's certainly one of a water supply need which is why we're very involved in working with your staff and collaborating on a master plan as we sort of recalibrate the future of South Bay Water Recycling and figure out what's the best use of that facility, not only for waste disposal, but importantly, for water supplies. That's an ongoing discussion we're doing at the staff level and certainly will bring back to our joint committee of water recycling that meets in April of this coming year. And then looking at now how do we pay for all these important elements? Our water weights forecasting effort. So as many of you do we follow a process, we bring back issues to our board of directors, investment needs that drive our short term and long term sustainability. Our board annually reviews and sets the water rates. We do that through a public hearing process, following prop 218 and getting stakeholder input, also from retailers such as your San José Muni that help inform our board before they make that decision. Typically the board opposite the public hearing basis through notice to owners in, water

charges in as they are review the budget in May of each year. This is a chart I think some of you saw at your recent discussion in June. This is a chart that depicts the actual and projected water rates in Santa Clara County. Let me start by the blue lines in the middle. The dashed blue lines is the groundwater charge to the left of 2013 are actual charges to the right of 2013 are projected charges. The charges to the right have not yet been approved by our board. They are part of our long term forecast. Of the dashed or the solid blue line in the middle is the treated water charge that we charge for customers of our water treatment plants and again, the municipal water system receives some of that water supply from our treatment plants as the San José water company. The lower lines on the page that lower dashed line is the charge that we charge in south county. Those customers from Morgan hill and Gilroy that pump from the groundwater basin have that charge. And then on the upper chart is the red line, and that is a charge that is paid to the San Francisco Public Utilities commission by those customers of the Hetch-Hetchy system that includes San José Muni. So put it in comparison. How do the rates the wholesale rates that we charge for water compare to some of our comparatives throughout the state? Our treated water charge currently is \$722 per acre foot, and that compares to metropolitan water district in Southern California, over \$900, zone 7 in Alameda County, that serves livermore and Pleasanton is over \$1,000. The San Francisco Public Utilities commission current charge for the water that they sell, treated water, is \$1276 an acre foot, and San Diego county water, that serves of course San Diego county, over \$1300 an acre foot. That's a wholesale rate. This chart depicts the retail rates. And what we have circled on there are the three retailers that serve the City of San José. At the top is San José water company and their charge is around 60, \$63. San José Muni you see towards the middle of the chart and Great Oaks water company you see depicted there and you can see the relationship between some of the other retailers some of which are in Santa Clara County and some of which are also serving in other parts of the state. So we made efforts over the years through the direction from our board and CEO to reduce some of our cost and provide some savings. We've limited a number of positions district wide over the last several years. We recently went through some contract renegotiations with our three bargain units and we estimate the savings is over \$11 million in the next three years during the termination of those contracts. We go through an extensive capital validation process to really look at projects in our capital program to make sure that they' re the most important ones that you continue and be reflected in our five year CIP, and then certainly be managed and attempted to improve our overtime usage and temporary staffing over the last several years. So in summary I've kind of given you an overview of the water utility enterprise of our

agency. We recognize the need to invest in our infrastructure and that investment is driving our future water rate increase projections. We recognize the importance of collaborating with the City of San José, to help achieve a balance in improvement and expansion of recycled water usage in Santa Clara County. We certainly look for cost control efforts that we've done in the past and also continuing moving forward. And that capital validation process is an important component to make sure we're doing things at the right time at the right cost. All that being said tap water still becomes a bargain relatively inexpensive for Santa Clara County in relationship to some of the costs that our citizens are paying. And again, it's an important responsibility that our board takes to make sure we manage that responsibility and do that faithfully. That concludes the presentation.

>> Mayor Reed: It's cheaper and tastes better too. In Washington, D.C, New York in the last couple of weeks I prefer Santa Clara Valley Water District water, thank you. Anything in addition to add, Jeff?

>> No, not at this time. Just here to answer questions if there are any.

>> Mayor Reed: Okay, we'll take some questions, Vice Mayor Nguyen.

>> Vice Mayor Nguyen: Thank you, thank you for presentation. Just a quick question. In regards to the path to sustainability, personally I believe that the increase of using recycled water is important. But more importantly I think conservation is just really critical in terms of you know how to sustain a water usage. Uncite in here that there's some coordinated efforts between the city, the county, and other efforts, locally, can you just talk a little bit about some of the things that have been done or some of the things that we will continue to do moving forward? I understand that maybe in the last year and a half or so we've seen sort of slogans on posters, I guess efforts regarding conserve 25%. But I haven't seen that lately and I don't know if that sort of program is still existing and what other efforts is the county doing? The Water District is doing sort of moving forward?

>> Great question. Yes, we continue to be committed to and our board is committed to seeding water 20 gallons, to help giving citizens in addition to going to our own Web page, valleywater.org, using rebates that we offer that allow them to really save water. In addition to the programs of rebates and conserving washing machines we do

home audits. We have turf rebates to allow people to really transfer their yards from a water-consuming usage in grass to more drought tolerant, with you Muni with San José water company to really build that connection because oftentimes the retailers have a much greater connection to their customers than we do. But it's been a great program. We continue to provide on the average I think five to \$6 million in our budget annually for water conservation.

>> Vice Mayor Nguyen: Great, thank you.

>> Mayor Reed: There are other questions or comments? Board chair.

>> Board Member LeZotte: Thank you mayor. Give Jeff a chance to speak. On slide 29, Jim talked about San José Muni as an interruptible customer and secure the supply or the future is a common goal. So I guess is the interruptible part the fact that the contracts are up in 2018 or -- and then how do we secure the supply for future?

>> That is correct. The City of San José, and Santa Clara are considered interruptible customers. We are not permanent customers with regards to receiving supply from SF PUC. They need to decide by the year 2018 if they will make the two cities permanent customers, how they would do that, until that time we are still considered interruptible.

>> Board Member LeZotte: So Jim is the Water District interruptible from that supply?

>> The district is not a customer of the San Francisco Public Utilities commission. We do not --

>> Board Member LeZotte: I'm sorry, I'm sorry we get Hetch-Hetchy water.

>> Talking about Hetch-Hetchy water. We do not directly receive Hetch-Hetchy, intertie, that's a provide water to them and likewise they provide water to us on an emergency basis.

>> Board Member LeZotte: Okay. And are the negotiations ongoing? What is the likelihood of your being able to secure permanent status?

>> Right now, we don't know. The -- all the agencies that receive water off the Tuolumne river which is where this water supply comes from will be getting together in the year 2015 to start divvying up who gets what portion of the water and the outcome of those discussions will decide, we'll have a big piece in playing in what our fate is on securing that permanent water supply.

>> Board Member LeZotte: Maybe if you had the 49ers it would make it easier.all right that's all the questions I had. Any other board members?

>> Mayor Reed: Councilmember Campos.

>> Councilmember Campos: Thank you, mayor. Just real quick. A couple of days ago, or actually, it was last week. Councilmember Rocha sponsored a town hall with the PUC here, and it was all centered around the proposed rate hikes that San José water is proposing. So I guess my question again this is foreign to me. Do we sell or do you sell water to San José water? And are these the rates that you would sell it to, and then is the proposed rate hike based off of these rates, what they're going to pay for it and then pass it on to the customer? Could you kind of explain to us? Because you know, from day, I've already gotten I'm sure my colleagues have already got you know almost 400 e-mails on folks that are very, very concerned.

>> Good question. We provide water to San José water company similar to the way we provide water to Muni and other customers. We do it one of two ways. One is through a treated water contract where we provide water pressurized water directly through turnouts to San José water company and to Muni and to other retail customers we call them. For the privilege of that they pay us \$722 an acre foot for that water supply. Similarly San José water company also pumps water from the groundwater basin. We have under our districtons benefit of the cost that we incur to recharge and manage the groundwater basin. So for every acre foot of groundwater that's pumped by San José water company and San José Muni they pay \$622 an acre foot for that water supply. You're

describing a meeting that was held last week concerning the proposed rates for the San José water company. Those cost that the they describe do not reflect the pass-through that they would then pass through our cost to their customers. As I understand it the costs for their rate projection that they're talking about are just for infrastructure cost to manage their portion of the supply picture and the delivery system. So to say another way, in other words, we charge to a turnout from that turnout location, in our pipe it goes into in this case San José water company piping system where they have pipes, pump stations, reservoirs that they manage the retail water system and it's my understanding that the cost recovery that they want to do through their three-year rate case with the public utilities commission is to recover the cost that they project they're going ohave to manage that infrastructure over the next three years and the difference that we have we're a public agency and so the rates that we entail elected our elected board of directors that go through a public hearing process and the investor-owned utilities work through the California Public Utilities commission to reviewed and approved by the PUC before they can had in fact pass those rates onto their customers.

>> Councilmember Campos: Okay, thank you.

>> Mayor Reed: Councilmember Campos. If you want information John tank is here from the water company. I can't see him at the moment.

>> Councilmember Campos: Mr. Tang if you would like to add anything thank you.

>> Thank you, Mayor Reed, councilmembers, members of the board, Jim is correct. We don't account for the rate increases, the Santa Clara Valley water rate cases in our generate case application. Whatever we do the current rates are we hold them steady for the projected usage that we're going ohave and then ultimately whatever the Santa Clara Valley Water District when if how they increase their rates that will be the a pass-through cost. So it's basically an incremental base. If they raise their rates 10%, typically our rates will go up about 4%, that's how that works.

>> Councilmember Campos: Nice tie, John.

>> Mayor Reed: Other questions or comments? I have one request from the public to speak, I think we'll take that now. Paul Campos.

>> Good afternoon, city council, officials, Water District, officials, staff, thank you for the opportunity to comment. My name is Paul Campos. I'm the senior vice president and general counsel for the building industry association of the Bay Area. And I'd like to speak with you briefly today about this issue of water supply, sustainability, quality, and its interaction with land use and smart growth. And one of the key intersections of these issues has been mentioned a couple of times today. And that's the Santa Clara Valley HCP. That is a planning effort that has a lot of very significant potential governments a lot of parties. Has already provided a lot of benefits to this agency, and others, based on its being in existence today. However, there is a part of the plan that VIA and others are adamantly opposed to and have very strong feelings about and that is so-called in-fill fee/nitrogen deposition fee on land use intensification in the jurisdictions within the plan area. And we would really hope that this agency will take to heart and consider a more broad-based equitable funding mechanism for the long term for mitigation of the keynote checker spot butterfly perhaps through rates paid by your retailers and wholesalers. We think that would be a more equitable distribution and you'd have customers of new development and existing residents, paying for really what is a region-wide impact. And one that does not consistently out the very type of development, infill densification and smart growth that is the very embodiment of SB 375 and the types of planning that for the last decade policy makers and advocates have been urging the building industry to undertake. We've taken that message to heart. We want to build infill. We want to build in downtown areas. But we think it sends the absolute wrong message to have as a funding mechanism this sort of in-fill tax. Now everyone I've spoken to about this in-fill fee says yes Paul I agree bad idea but it's such a small amount. Get over it just you know go along. And I've always sort of taken comfort in the notion that size doesn't matter. At least I hope. And so I don't think that that is a good argument for keeping this really flawed, in principle, funding mechanism. So I want to raise this issue now that you two agencies are here together, and let you know that BIA very much wants to support the HCP, cannot in its current form and hopes that there is some creative way that we can all get together to fund this, the impacts to the serpentine soils that has become such a lightning rod for the HCP. Thank you very much.

>> Mayor Reed: Thank you. That's the public comment on this item. Just want to add a couple of things. The HCP is not on our agenda today, it has not yet been approved by the council. I think the Water District has approved it.

>> Board Member LeZotte: We have.

>> Mayor Reed: And one of the open items the city council has is this nitrogen fee. I in addition to the way that's been contemplated. What I'd like to do is do a joint referral to our staffs to focus on that so that we have the policy discussion at whatever it is so that as the council takes up the HCP again and I'm not sure when that's going to be probably in January they will at least have an informed discussion on that. As I know our staff has thought about it. I don't know if your thought has thought about it but we should at least be able to answer that question one way or the other if we could.

>> Board Member LeZotte: Sure we'll take that as a referral from the chair and I know that our staff has talked about it and the board talked about it a little bit and we were aware that that was an issue for the council. So we'll take that as a referral.

>> Mayor Reed: That would be good and next year this time we'll be talking about how we're implementing the HCP I believe but we're not there yet. The city council, we have a matter on soon. But I'm not sure when we're going to take up the plan. So anything else some any other questions or comments in this topic area before we move often? I don't see anything. Shall we move on madam chair?

>> Board Member LeZotte: Yes.

>> Mayor Reed: Then we would move to homeless encampment topic. I think that's going to be led by Jackie Morales Ferrand with a little help from Chris Elias.

>> I want to thank you all again for having us come and talk to you again about homeless and illegal encampments and I want to apologize to some of you who have heard our presentation more than once but I know that we have some new faces with us today and so we want to make sure that everyone has all of the same information. So you're going to have to bear with us as we go through some of these issues again. So talking about homeless encampments we know impacts our community in a variety of ways. Because we haven't been able to conduct regular cleanups anymore, and we've had limited enforcement, the encampments are becoming more elaborate and entrenched. What we are seeing out in the field is now there are physical structures such as tree houses and tables and chairs it almost begins to look and feel like a real apartment. There are terraced gardens and in addition to the physical structures we are seeing we know there are new social structures that are being created that provide emotional support and safety to the members that are actually living there. But we also understand that encampments have a negative impact in our neighborhoods and in our communities. It creates a concern for safety. There's also environmental concerns which include the disposal of haz-mat materials like batteries and propane tanks, needles, there's human waste, with people living out there in the creeks we have people washing clothing and cooking items and it releases chemicals and detergents. There's damage to our creek banks because just as the sheer number of people that are beginning to live there now and that the structures that they're creating we are seeing massive erosion, and in addition to that, we're experience being wildlife poaching. And for the Water District, we know that there's a great concern about the monitoring impacts and that is having an impact on the mitigation projects that the Water District works so hard to come back in and to replant. And lastly the homeless residents that are living in these encampments face numerous challenges as well. It's unhealthy as we stated earlier and it's dangerous. As we enter the rainy season now we know that there will be camps that are flooded and each year somebody drowns in the creek. We know we can do better than this. But our challenges are numerous. So you can see from this map and the different colors we're illustrating the different ownership of the different multiple property sites and determining who owns which sites can be quite a bit of a challenge for us. And if we don't deal with the bigger problem the lack of affordable housing we're simply cleaning up the house and when we go to do the encampment cleanups we can see that residents are physically dragging their stuff up to the edges of the site. The site gets cleaned up and they come back down or they move elsewhere and we end up chasing the encampment. So a recent example of this is when CalTrain did an encampment cleanup near the Guadalupe and as a result of their sweep approximately 30 tents appeared

overnight in a park near Hedding and spring we're just moving the problem. Our biggest challenge right now is identifying resources we need to fund this initiative. We're running out of money. In the short term we need more money to address the improved cleanup procedures that we've implemented we need more outreach and we'll talk about how outreach has been an effective and then once we actually clean up the encampment we need enforcement. The rangers have been a very effective tool in helping to keep the encampment sites cleaned. And lastly the housing costs are very high. And we have to figure out a housing solution that we can implement quickly and yet is cost-effective. So as we attempt to address these issues with the limited resources that we have, we continue to get pressure from the regulatory agencies this we have to protect the creek and we receive phone calls from the neighborhoods and businesses that we have to do more. On this slide can you see there was a survey conducted by San José State for the clean creek healthy communities grant and this was done before we started our phase 1 encampment cleanup. But you can see that homeless encampments reality affect how people feel and how they use the creeks and in this case it was one of the barriers that prevented people from enjoying the creeks. Now we're going to talk about the joint programs that the Water District and the city have implemented together and the first one is the memorandum of agreement which outlines how we work together. The original MOA how we do encampment cleanups. Annually over the last year we cleaned 96 encampments and that number has been greatly reduced because of our new approach. And we said we needed to do a new approach because we've just on an annual basis have been going back to the same encampments over and over again. So as a result we implemented our phase 1 approach. And part of the reason we did this was because of the legal requirements that we are -- we must do and so we suspended our cleanup activities from March to May, 2012. In June we implemented phase 1 which was designed to test our new protocols and procedures on how we were going to handle the sorting and storage process. We also decided to try some new ideas which included having a more intensive outreach program that would go out before we actually did the cleanups and we also tried -- we also decided to provide because we wanted to test the notion of what we often heard, is that people really want to live outside and they won't come in. So we wanted to see if that was true. The outreach workers were also used to belongings and taking it with them. And lastly, we piloted a park ranger program to see if enforcement was effective in keeping an area clean. So what was the results from phase 1 was that we did find that actually since the start of phase 1 we've conducted ten cleanups. Over 15 days. And we've removed a total of 137 tons of trash and debris. We've encountered 300 people and when we piloted the housing program we offered 55 people

housing, 30 of them accepted so what we learned was people do and will accept housing. In addition, the other thing that was really important was the park pilot program. And in that program, as a result of their diligent work, there was no major reencampment at the sites. So although people did try to reencamp, the park rangers were able to contain the size and to get the encampments removed very quickly so they were not allowed to grow to the stages we are seeing now. We have two more cleanups that we plan to do before the end of the year. So again the lessons learned is that working move forward with in work. We learned that we could be more efficient with our procedures. We were spending too much time sorting and documenting and now we're doing that on a limited basis. So far only one person has 23rd contacted us in regards of trying -- actually contacted us 90 days, 99% of the people don't request the items back. Again, the park ranger was very effective in keeping the areas clean. Working with surrounding communities and business is is potential opportunity for us. Many of the businesses are spending extra money on security and have major concern for engaged. That early outreach is also effective in the process. So what we found in the last encampment is that it looked much different when I looked at it two weeks earlier because people had actually begun to break down their encampments, some had 23rd sorted their belongings they had packed it up they had trash bags and that really makes the encampment cleanup go much more quickly when the homeless themselves are involved and we were able to get their involvements in the program I wanted to take this opportunity to thank all of our nonprofit outreach partners. First of all, EHC who responded very quickly and immediately to our request for help and really figured out our short term housing solution he and they are here today. The downtown streets team jumped in very quickly and they are here in the room today and we also have two new nonprofits that are working with us, envision shelter network and the Bill Wilson center who are providing outreach in this area. So in terms of our future direction and what we've been doing as a city is I'm happy, very happy to say that we have hired a project manager, Ray Branson who is with us today. He just started a week ago. And he has the responsibility of working and developing a strategic plan. He's going to coordinate it with both our internal and external stakeholders to develop our strategies to prevent reencampment and he is going to be working with destination home and our other housing providers to develop long term housing solutions. Working together, we can -- we want to establish a multiagency group. We are working with destination home to identify those agency groups and working with them. But again we want to implement a coherent plan together because we can leverage our resources by doing that. One of our goals is early next year to bid out the cleanup process. We'd also like to continue the ranger

program to establish and expand it because we believe that has been one of the most effective tools in preventing reencampment is to have eyes there engaged and ensuring that people do not resettle sites. And lastly we are going to be creating, conducting a homeless survey in January and the homeless survey is something we're required to do every two years by HUD but it's going to give us additional information regarding who is living in the encampments and what their needs are.

>> Thank you, Jackie for laying the foundation for the councilmembers on the board of directors. Good afternoon, Mayor Reed and councilmembers and good afternoon, chair LeZotte and board members. Chris Elias is my name. I work with Jackie with and concurrent with that is the list of the current action he that we at the Water District have taken as well. We continue to collaborate with the city on the phase 1 that Jackie spoke about earlier. And we continue to work with the joint trash team which is the JTT. This is monthly staff to staff efforts to coordinate on various cleanup efforts. And on our own we have initiated cleanup on our properties, by relying on the City's secondary employment to support us to pay for that and additionally we have experimented with something on our property. The homeless tend to favor areas that have dense vegetation to hide behind those. One of the things we have done is experimenting with lifting up the vegetation to create better line of sight for those using trails and to monitor those sites much more closely. And what we have noticed is that we are affecting this experiment last month and to date those sites have not been reencamped yet. Concurrent that not only lifting the vegetation but ensuring those sites are continuously monitored. We have employed our security staff to monitor those sites and we have noticed a great improvement. So going forward, for like Jackie said it, one of the things we have found from our collectively experiences doing something over and over and over again and monitoring new results compels us to kind of look at new strategies. So the strategies we're looking at collectively is to continue to engage our stakeholders in solutions. By this effort we're looking at not just us two agencies but also, looking at those other agencies that own land along the creek ways like the county, roads and airports, CalTrans, private property owners. School districts, making sure we widen the net on the circle of partnership and bringing those board to help with us in addressing this community challenge. We have agreed to create two-year action plan to keep our creeks clean by identifying and cleaning up encampment sites earlier in the year, evaluating and addressing factors that view but also tend to favor areas that provide them easy access to panhandling. Easy access to food, easy access to water. So one of the things we continue to cut off those

source he and turning those into much more proactive efforts to help us to address the challenge itself rather than every person or every community our endeavor that really means well. But make sure that they work with us to ensure that those things are properly channeled to the homeless group. Now we're look at developing agreements that leverage resource he and staff and increase coordination, again, working with the nonprofit sector and then working again amongst the various staff of those agencies with the social services agency as welcoming to our aid. We're looking at developing site specific deterrent plans to prevent reencampment. So one of the things we've spoken about again is to to look for ways to deploy more park rangers to deploy more volunteer group to be our eyes and ears and boots on the ground. Looking at other opportunities to work with those entities that supply us food or water to be sure that do continue to do so but channel their energy in a way that's much more proactive. And then making sure that you know in those areas where the homeless able to easily access the encampment sites with the motor homes or the U haul we send those off. Looking at increasing and disciplinary team and case management services. Again this is where we'll engage the mental health department, the bureau of alcohol prevention with the county again working with the city and other nonprofits to see if we can have a much more proactive and collective approach to this issue. And obviously we're relying on the city and the county housing for more housing options. But as you know, is not something that is within the jurisdiction of the Water District, we're unable ofund housing services but we rely on our partner agencies like the city and the county to take a lead at those. That's what Jackie spoke of earlier, destination home, great partners to work with to create a long term plan to end homelessness in our community. So other efforts we have piecemeal and focus just only on the cleanup and then when we cleanup again they come back. So how then do we move from the current cleanup efforts, that are similarly focused to more to cleaning up our creeks and parks? So the effort which is cleanups to clean creeks and parks. And all the strategies are outlined above will help our overall efforts to move in that direction, to ensure that no reencampment occurs once an area has been cleaned to ensure that homeless residents continue to get directed to housing and other services in the community. And in make sure then that our collective efforts once implementwe have a credible performance track system to report back to you how these investments that you have made or you are make in the community will continue to result in improvement in the quality of life for those who use our community assets like the trails and those types of businesses that locate near creeks. So today I will be looking to you for policy discussions, seeking your concurrence on this approach we're taking of moving from cleanups to clean creeks and parks, engaging the

broader community partners in common solutions, identifying diverse funding sources, and implementing ongoing communication and providing you a status update on moving again from cleanups to clean creeks and clean parks. And we believe we can do that if all this come together we will have a singular government that will provide a transparent service not community that would hopefully then provide a good return on community investments on this very particular endeavor. That concludes the presentation. Now we are open to receive questions or feedback from the governing bodies.

>> Mayor Reed: Thank you. Councilmember Liccardo.

>> Councilmember Liccardo: Thank you very much, mayor. Thank you for the presentation. I just want to thank all the people and the many partners who have been working on this very intractable challenge we've got. And we recognize it's not going to be simple but I think we're starting to really head in the right direction. I remember a couple of years ago when we first started talking about the pilot that we ultimately launched for the downtown streets team and I'm very grateful for directors Estremera and LeZotte and Santos for stepping in once the opportunity contribute to that effort and make it happen. And I'm grateful for the great partnership that we've had going forward. I actually came into this meeting a few days ago expecting we'd be hitting you guys up for money again and what I've been assured by our own staff is the Water District has actually been very collaborative already on many of these efforts so I thank you for that. I wanted to ask a bit about the pilot park range are program and what it takes. Jackie I'd heard rumors about another four park rangers, needing to reinstate that many in order to make this program effective. Is that what you heard?

>> That is accurately, the number we have heard for park rangers to do the work we're doing.

>> Councilmember Liccardo: That would include some mid year budgetary action on our part to be able to sort of build our half of the bridge?

>> Correct.

>> Councilmember Liccardo: Okay. And I appreciate that, Water District's willingness to explore that with us as well. And certainly I'll push hard I know as many of my colleagues will as well to ensure that the city is there to partner with the Water District on that effort. And with regard to the RFP that you mentioned for cleanups, could that -- is what's contemplated there could that be a nonprofit organization, or a for-profit?

>> It could be either one of those.

>> Councilmember Liccardo: Okay, great because I know we have a lot of great partners already working on that. And then with regard to the sorting and inventorying, I appreciate you may have found a simpler way to do it.

>> Yes, we have. We were being very laborious,.

>> Councilmember Constant: Very much quicker process in which to do that .

>> Councilmember Liccardo: Okay, great. I assume we're doing less inventorying and more just storing?

>> Correct. Gathering, right.

>> Councilmember Liccardo: I guess what I wanted to do is encourage maybe Water District to join us both in challenging us obviously to match what you're willing to do recognizing that there's been a real willingness on your end but also challenge the county with regard to coming up with the resource he of mental health and SO we know we need that health and then challenging the housing authority as well with section 8 vouchers I know we desperately need in order to move folks into housing. I know this will take the partnership of many agencies and I'm grateful we have the strong partnership already with the district.

>> Mayor Reed: Board member Santos.

>> Board Member Santos: Thanks, mayor, and madam chair. I was able to come to the meeting of the council a few months ago with our staff and of course yours and I heard the presentation and it was a very good one. And Sam's right, Councilmember Liccardo, we've come a long way but when you talk to the neighborhoods of course it's snoot fast enough. I understand that the housing is an issue. This is just a suggestion. I don't have all the answers, I wish I did. But you have the Agnews state hospital, the East Wing is still there, maybe 15 cities in the county can get together and talk about the use of that location for possible housing where people can maybe take care of themselves get volunteers, maybe address some issues that all of us can address. Also, I talked about the armies before as I said as a retired now fire captain at the time we had the armies take a look at the data. The more places they stayed some the housing, the less they located in Coyote or Guadalupe which we used to have major major fires and problems and we're still having those. But you know there's another issue that we need to address just as serious as all of them. There's 145 homeless in that river say Coyote and we have a flash flood, innocent people die. So this is a real serious issue other than burglaries and trash and dirtying the water and all those other issues, it is a real serious life-threatening issue. I don't have all the answers but I know like yourselves we have to get a lot of people come to the Water District complaining about the burglaries, the encampments the fires the trash and so on. There's some of the issues and I hope we get our staffs to explore some of those. Thank you.

>> Mayor Reed: Vice Mayor Nguyen.

>> Vice Mayor Nguyen: Thank you. First of all I wanted to echo Councilmember Liccardo's comments and thanks to staff from both the Water District, the city, the county and of course, all the nonprofit organizations. I think since the first cleanup, since May, we have come a long way. And I know that we have been receiving lots of e-mails and phone calls from residents who are just really keep on complaining about these issues but I think we've done really good work, especially in my council direct we have cleaned up several sites and we have received a lot of positive comments. I just wanted to share that with staff that your work has been really appreciated by a lot of the residents in my council district. I just wanted to ask the question in regards to Jeff Rosen the District Attorney's leather of December 7th. In his letter he urged the board and the council to consider the policies and practices he laid out I assume we are doing some of this carrying out some of the these policies,

in one, two if not all, and if we -- if we're not and we're sort of going in this path, how much more resources and funding is it going to take to do this? Because just from the policies that he's laying out I assume that it's going to take work from our police department and not just the park rangers. Can staff talk a little bit in terms of how we're going to respond to his letter? Because I think this is really important because there's a lot of illegal activities that are going on at these encampments. We have heard from a lot of residents who actually have been approached by some of these homeless individuals. And so as we're moving forward to doing the cleanup we can't ignore some of the illegal activities that are going on in these encampments.

>> Correct. I think part of the issue regarding the police activity is that it has been difficult to get the police as engaged in the issue overall because of the lack of police resources that remain in the city. So this tends to be an issue that they're not able to respond to in the time period that we would like. In addition, we've had -- it has not been as effective in the enforcement strategy with issuing a ticket, having somebody going to jail and then getting released then having something on their record which makes it even more difficult to house or to give them other options earlier. So in terms of how this is addressed here, it talks about repeat offenders and trying to deal with the repeat issue. And so we would certainly need to get some police report for this kind of activity, which on the rangers they have limited enforcement capacity. And they've certainly been able to be effective and, when the police are able to respond, on the ranger program that has been effective as well. But again, not having access to police resources is a big challenge for the program overall. And again, it's a bigger issue for the police department.

>> Vice Mayor Nguyen: Mayor, can I ask a follow-up question? I believe a representative from the District Attorney's office is here. Just what you just heard obviously we have very limited resource in terms of address some of the issues that the District Attorney laid out. Are there funding or resources that the District Attorney can you know, help out with some of the policies that Mr. Rosen laid out in his letter? What kind of efforts, what kind of other things that your office can do to help us as we're trying to address this issue?

>> Councilmember Nguyen first of all I'd like to introduce myself, to the mayor and to chairwoman LeZotte, members of the council and the board, I'm Nahal Iravani Sani. I'm a deputy District Attorney with the DA's

environmental protection unit we are very encouraged by the fact that this issue is being taken very seriously. As you know the pervasive problem at Coyote creek has been going on for far too long. I'm privy far back as the '80s and this issue has been really going on and I think it's the first time that we're actually seriously addressing it. We are encouraged by the dialogue and the communication that's taking place. But we're still not where we need to be. For a county and a city that prides itself on being very environmentally conscious and initiatives from promoting hybrid cars to banning plastic bags, to biking to work, the fact that this despicable condition by our creeks is taking place is really a shame. So in terms of what we can do together, we, some of the ideas or some of the policies that we're hoping that the board and city council end up enacting, are in our letter, are in terms of resources from us, we have an environmental investigator that would be possibly available to help with some of the cleanup effort. Leading those efforts, but of course, just one individual investigator, so cannot do it on his own. But of course we're willing to partner to the extent possible. One thing that's a pilot program that we've instituted is with the sheriff's office where some convicted individuals would be able to actually do their court mandated community service work through a cleanup program. So that's something where punishment fits the crime. It's not necessarily just encampers but other environmental crimes that take place in our kind ops park clean July but we really defer to you and we rely on you in coming up with policies where you're actually having patrol to this particular area and I am very cognizant of the fact that there's a lot of more serious crime taking place in our county. We have homicides taking place that we hear all too often about and perhaps it's easy to just put this aside and say we've got more serious crime in our county and city. But we do need a minimum number of police officers that are assigned, so that the encampers don't continually camp. Because we feel that as the chart showed, out of the 50 people that were given housing opportunity, I believe there was only 30 took it. So that other 25, these are what we refer to as squatters. They're not just homeless people that have no other options. These squatters need to -- I know that we can't cite and arrest our way out of this problem but the ones that are squatters need to be dealt with more permanently. And that's what where we need to be sure that there's patrol available to prevent them from reencamping in the first place.

>> Vice Mayor Nguyen: Thank you. I think Jackie has --

>> Mayor Reed: Jackie did you want to add to that?

>> Yes, I did. I just wanted to make sure that we are really clear when we were thinking of enforcement. We have always encouraged people when we see illegal activities that are occurring in the encampment like jeopardy to please contact the police, but we are not in support of criminalizing homelessness. The 25 people who did not select housing were not just squatters. Many of the people had mental health issues and so were not prepared nor able to take the offer of housing. We really need the county to step up with some mental health support and services that putting people into jail that have mental health issues, that have other concerns, is not going to resolve this issue. And so we really need to work together on solving the bigger picture.

>> And Mayor Reed and Vice Mayor Nguyen, I wanting to address policy directions, kind of more enforcement focused. The district we serve has no police powers so we rely on the law enforcement agencies for that participation as a one of the partners, this effort, and assistant D.A. Nahal Servani has been work very closely with us up to this point, kind of guiding us and has been very -- giving us very constructive input as we are having this all along. So that participation is truly welcome and we love to continue to have it. Something else I would also want to throw out here for your consideration is that we have issues although we talk about all these general issues in the community, our employees who are in the field every day also face very serious issue. They have noticed an increase in the level of aggravation as well as aggressiveness by some of the homeless folks who have been approaching them. We have situations in fact in our -- by our cafeteria where the homeless actually come to panhandle in our cafeteria at work. Similarly, the school is actually experiencing the same thing. The children in the nearby school can't use the trail for their P.E. exercises so we are having this community wide issue that continue to grow. And has been very cooperative working with us to look at all kinds of soft as well as hard options that we can implement. So welcome her participation and her team's efforts to help us move forward in addressing some of these community-wide challenges.

>> Thank you, Mr. Lee.

>> Mayor Reed: Board member Estremera has next.

>> Board Member Estremera: Thank you, Mr. Mayor. Whoops expertise some we're talking about agencies, we're talking about folks that have professional experiences that can be really helpful and can be leveraged in our endeavors. So I'd like to see us just formally invite the county to meet with us and become part of our collective efforts, you know we need help with message health social services especially housing. We got to solve some of these problems. And so I think we ought to just formally invite them to engage with us in our efforts, and just do it right away.

>> Mayor Reed: Councilmember Kalra.

>> Councilmember Kalra: Thank you, mayor, I certainly appreciate the partnerships with many agencies particularly the Water District and the city regards this very challenging issue. The reality is that this is a symptom of a much greater problem we have. We have a housing crisis and we live in one of the most expensive places in the nation and with the collapse of the economy especially with low wage workers, this is I guess you could say expected outcome of what's happened over the past few years. Now, we at the same time have to be concerned about both the environmental quality of the creeks and the integrity of the creeks, particularly when it comes to flood control, so that's something that we can't ignore. And of course, I think even more importantly, we have to and do need to be concerned about those that don't have a place to live, and the impact that has on surrounding neighborhoods. Now, I agree, wholeheartedly with director Estremera as well as Councilmember Liccardo who earlier stated that we do need to engage the county and the the Water District and the city are fully engaged and I do appreciate certainly the District Attorney's office also expressing their very clear interest in continuing the engagement process. However I do agree that criminalizing homelessness is not the solution but there are going to be occasions where there is criminal conduct occurring that need to be taken care of but I would suggest that most of those that are homeless that engage in an activity of -- criminal activity do have either mental health or substance abuse issues as well. That's clearly why formal manner because otherwise, Jackie as you stated we just will keep chasing the encampments around, somebody gets released and they go back to what they consider their home. So I do think it's encouraging that I believe that number that actually accepted housing seems like a relatively high number, a higher number that I would expect. That is a fairly good sign providing at the same time that made it seem like it could be quite a daunting experience for someone who all of a sudden have a roof over

their head unless they have those other services that are provided that can give them some sense of stability, other social services mental health services substance abuse and job training and what have you. It's really going to take a universal effort to deal with this problem because my understanding over the last eligible number of chronic homeless have doubled and so that tells you how serious this problem has become. So I think we need to approach this in a way that seeks to find solutions to the problems that are vexing I mean each individual is going to have different problems that they're going to be facing. So that's why I think it's really important the more partners we have at the table we can identify the problems for that particular individual to give them the greatest likelihood of not returning to a life of homelessness. So it's not a problem that's going ogo away but is something I think that we can collectively improve on the conditions both of the creeks the number of homeless the impacts on the neighborhoods and we can do it, we can only do it working together. But I think that this is a great conversation and I think that we certainly have benefited over this past year the challenges we've had this year we've benefited from this relationship being built and I think we have to stay focused on really not necessarily the symptoms but the underlying problems that are causing those out in the community to be homeless and I think that's where it really requires a collective effort.

>> Mayor Reed: Board chair LeZotte.

>> Board Member LeZotte: Thank you, mayor. I just wanted to make a couple of comments with regard to the county. When I became chair of this -- of the board one of my priorities was to attack the homeless issue and in fact in May we had a gathering of a lot of the homeless coordinators, the city housing department, I think the county was there, I think destination home, and a lot of the people in the Water District who were work on this issue. Because you know we saw it, thanks to the input of director Santos and Estremera as a really critical issue to the water supply and health of our creeks. And I recall part of the comments that I made at that time with regard to this was that like two days before I made my state of the district, board president of the board of supervisors said he was going to be all over this. Now this was going to be a priority for him. And so I guess my first question is, what exactly has the county been doing? And because I know they've been helping but I'd like to know to what extent. But we're talking about you know needing some enforcement activities to take place, and the D.A. has offered some suggestions but just suggestions and again I agree with Councilmember Kalra that I don't think we

need to criminalize homelessness nor dependency. Whether it's mental illness or are drug or substance abuse. I don't think that's the route to go. But by the same token if there's a criminal element that is preying upon some people that we need to address. There's a very large sheriff's department and I know some of these creeks are in the jurisdiction of the county. And even if we're talking about areas that aren't I'm sure there's some concept of mutual aid where we could get some funds or some sheriff officers to assist San José PD in this enforcement effort and in these cleanup efforts. So I guess I'd just like to have a sense of how the county's participating and also, offer some suggestions that we get more of them involved, whether it's the sheriff's department, mental health, not just housing. Hello Leslye.

>> Leslye Corsiglia: Hello, hi. Leslye Corsiglia director of housing. The city's been very much a partner in the overall issue of responding to homelessness and so in conjunction with destination home, board member -- all of a sudden I'm going o-- sorry, no no, well board member Gage was very involved but now board member Wasserman is involved and is on the leadership group for destination home. As far as encampments that's where we've been work with the county. They have been part of our interagency group that's meeting regularly. So it's the county VTA, also CalTrain has just joined us. So we're starting to grow. But I think the issues that you're raising today especially when you talk about the sheriff, as an asset, that's something that we need to explore, especially because we know that within our own police ranks we have -- we're right now trying to ramp up our staffing and we need to -- it may be a while before we would have sufficient staff to be able to assign to this effort. So I think that's a really good one and I echo other comments that have been made about mental health. So we're in the beginning stages. They're at the table and I'm hoping that we get some participation.

>> Board Member LeZotte: And one of the things that Jackie mentioned about and I want to thank city for giving us a disk of your meeting that you had recently because I took the opportunity of watching it. I'm sure my two new board members as well as some of the others took the opportunity to watch it. And Jackie you mentioned something there and I think here today, about the difficulty of placing some of these individuals who either have no mental history or have substance abuse or something like that, so when you're outreaching to find homes for these, there are other organizations who deal with not only homeless, finding them a home, but also dealing with their substance abuse like the Salvation Army. They have I think 100 beds over on Stockton and so they're

dealing with substance abuse but they also -- it's a 60-day in-house program. I know there's got to be other organizations offering something similar. So are those assets also being part of the solution?

>> Sure, those are all assets. We are following primarily a housing first model which basically says if you offer somebody housing and they're able to go into it then they're able to then settle, have a place to live and then they can begin to address their other issues such as substance abuse and their mental illness or whatever else's happening that's impacting their lives but that they need home to be stabilized first. And finding housing I have to thank EHC who has done a tremendous job in locating housing because of the multiple barriers, if you have a criminal history if you haven't been -- you don't have a reference because you've been out on the streets for several years, this is a very tight rental market so it makes it extremely challenging. It's even challenging to get into one of our affordable housing developments because our tenant screening processes are so restrictive. Then we also have some of the factors, some of the people that are there have sex abuse charges and so those are the people that nobody wants to have and there's nobody that wants to take them. And they're an even harder challenge. So when I'm talking about people who have mental illnesses I want you to imagine a woman who is sitting on the ground and all she's doing all day she has two pails and she is moving dirt from one pail to the other. To go to her and say I'm going to give you a house and she doesn't know you she's had no relationship she can't even communicate outside of herself. And to arrest her and to put her in jail is not a solution for her story. And so the types of people that we meet through this initiative range from a gamut and it includes work people who have jobs but simply can't afford to find anything. So we are going to have to come up with some creative solutions to these issues.

>> Mayor Reed: Councilmember Constant.

>> Councilmember Constant: I just want to thank the assistant D.A. for coming and Jeff Rosen for the letter he sent. And I think people are interpreting this as criminalizing homelessness. And I just wanted to make sure that I think almost everyone agrees we shouldn't criminalize homelessness but that doesn't mean being homeless gives you a license to commit crime in our creeks. And I think when I keep hearing such a heavy reluctance of, going anywhere in the law enforcement route, it worries me. Because the actions that happen in our creeks if regular

law abiding residents went and did the same thing they would be thrown in jail for doing it. And when you do things sometimes there are repercussions for the actions that we take. I say this with a lot of experience. I used to be part of the street crimes units spending a lot of time with the people and the issues in the creeks. Not all of them are drug dependent have mental illness. There are people who need to have that attention. So I want to go to the specific things that Jeff Rosen said in his letter. And if you look on the second page, I just want to see which of these bullet points are we doing? Are we obtaining identifying information from the folks in the creeks doing anything to determine who they are?

>> I do not believe, at the time that the lean cleanups occur people are gone for the most part. So if there's somebody who's there the police do have an opportunity to talk to them. And if they're not willing to leave then the police do find out who they are and if they have any kind of outstanding criminal warrant behind them, then the police do take action. So when people remain and they don't leave then yes, there's some interaction between the police and the people who are there.

>> Councilmember Constant: But we're not, so what I'm hearing is we're not identifying people unless there is a police purpose for doing so? Is that correct?

>> I'm sorry, I missed that.

>> Councilmember Constant: So what I'm hearing is, we're not identifying people unless there's a police purpose for doing so?

>> Well, we are when we do outreach we have -- the residents are surveyed for housing 1,000 which is our campaign to end homelessness and to find the most chronically homeless in the City of San José so we do find out some information about them.

>> Councilmember Constant: So the second one talks about admonishing documenting those comments are we doing that?

>> We are. When our outreach workers go out they do notify people that there is an encampment cleanup occurring. The 72-hour notice does notify everyone that they're trespassing but we do not document, and so we have a date that documents when the activities are being occurring but we are not creating a list of people who are living there.

>> Councilmember Constant: Okay, so that answers --

>> For enforcement purposes.

>> Councilmember Constant: I guess that answers my next question, we don't retain a master list of identifying offenders?

>> The outreach team we wouldn't consider it multiple offenders, we would consider it multiple times that we have encountered people who are living in the creeks.

>> Councilmember Constant: Well, I think what the District Attorney presents is a very logical and, really, what should be a best practice activity, if we're going to be out contacting folks who are doing things in the creek when we know we have so much negative impact to our creeks, in a number of ways, and negative impact to our residents who want to use the creeks for recreational purposes. And I think that it goes to a philosophy, are we just going to say, if you're homeless you can get away with anything you want in our creeks and there's no repercussions? I think Jeff does a good job here of saying these are practices and policies that make sense. Because there are issues, as minor as trespass, and as major as major hazardous waste dumps right in the middle of our creeks. And I get the feeling from all the times I've sat through these things, that we just say, well, that's okay, let's give them some alternatives and if they don't take it, that's fine, we'll blame it on mental illness or drug dependency. And I don't believe that's the case of every single person out in the creek. I think from my experience there's a lot of people out there that are out there because they take advantage of the laws. And I think as far as resources, we continue to hear over and over about our lack of resources in the city. And I'll just

point out that once again this would be a perfect opportunity for us to use our very highly qualified, very well trained police reserve unit, where they are sitting around asking the city what they can do to help and they continue to be told there's nothing we can do to have you help us, unless of course they are having a party like it was this past week where we had the Keith Kelly Christmas dance, where they allowed the reserves to patrol our city or when we have the Police and Fire Olympics or where we have the other type of union or social fraternal type organizations having events then we say we have this great qualified reserve unit. But we have nearly 100 people that we could be putting out creating teams that could go out there and do this type of work, partnering with our housing department, partnering with our rangers, we could have a program where, right now any one of our reserve officers could go out any time they want as long as they ride with a police officer. Even though state allows them to do patrol on their own, every jurisdiction around us, all the major cities in Southern California allow them to do it but we don't. But perhaps we could say well, maybe we'll let them go out with a park ranger and we create teams of park rangers and park rangers have the knowledge of where the sensitive issues are and the issues are and the reserve officer has the state legal authority to make arrest and take enforcement action when it needs to be taken. But again it's just a resource, we cry lack of resources, we have resources that we choose not to use and this is probably in the last year probably the 10th or 12th individual item where I've shown where we have this great qualified reserve unit that we could use. But we just fail to use them. So with that I'll just leave it at that. But I think we do need to really give a lot of weight to what our District Attorney has put down here as practices and find away to use the resource we have to start doing these best practices so we can really improve our creeks.

>> Mayor Reed: Councilmember Liccardo.

>> Councilmember Liccardo: Thank you, mayor. I really appreciate and as a former colleague of Ms. Ravani Sani. I very much respect her good work in the environmental unit. I do have some concerns, and I just urge that we be very strategic in how we use law enforcement resource he. Recognizing first of all, and I recognize, Pete that you've urged before that we use reserve officers and I certainly agree with you that we can use reserve officers more than we are now. But for a typical patrol officer, getting in their patrol vehicle and look in a CAD and seeing three priority 1 calls, there is no way in the world that we priority over what they've got given what we're

dealing with now in the city. And so I think it's no matter what our policy is I think it's pretty unrealistic for us to expect a routine police patrol of the creek areas to deal with a homeless challenge. And I think we recognize that this is a multifaceted problem that requires certainly much more than law enforcement. I homeless I think we all recognize they're going to get relieved within 24 hours because this is not a priority for a judge or a county jail who obviously is concerned about much more serious predatory criminals and the question is where do they go the next day after they're released. So again are we solving the problem significantly? I think there is a good strategic use for law enforcement here. It may be the case for instance when we're dealing with folks who have serious mental health issues, maybe it's a 5150 situation, law enforcement is be very effective in helping us get that individual into a civil type commitment situation where we can actually do some good. But I think we've got a lot of folks out there in EHC and envision and downtown streets team, if there are people living in the creeks who believe and have a strong perception that every time there's going to be a person in uniform around they're likely to be arrested we're going to have a real problem trying to build any kind of relationships with folks who are there to actually get them on a pathway to housing of any kind. We just have to be careful for unintended consequences. Law enforcement is helpful can be helpful but we have to be very careful with strategic.

>> Mayor Reed: Councilmember Herrera.

>> Councilmember Herrera: Thank you and appreciate very much the opportunity to get together with it and hear all of these issues that we've heard today. In terms of the homeless issues in the encampments it's obvious that this is a multifactorial problem with needs of lots of other facets to be dealt with including mental health and law enforcement. I am supportive though of the District Attorney's idea of just knowing who we're dealing with. I'm not quite sure why we wouldn't want to have some sort of master list and know whether we're going to make sure that those individuals get mental health services. And I highly support the suggestion of board member Estremera in terms of getting the county involved in terms of services. Because obviously a lot of those folks are dealing with alcoholism drug and other mental where we consider them clients, offenders, residents that we want to know the population and if, for no other reason, to know that the efforts we're making are making a difference with them. So I'm sure we know some of them because we know 35 got housed and we had 20 that didn't some right? The other thing I'm concerned about is I know at one of these meetings some of the homeless population are indeed folks

that have come out of jail that possess an offender background where they're unable to be housed. I think you guys have talked about that. We need to know what types of population we have out there so we can then really address their needs. And I think it was said in here everybody is different. We've got a lot of different people out there. Some may not be able to get housing because of their background. They're sort of living out on the creeks because that's where they can live. Those offenders we need to address that differently than we are addressing others that are out there. So I support all of the ideas of bringing people together. I think we should know who who folks are out there. I don't think we should be afraid of that. I don't think the police are the only response because again you lock somebody up with mental illness in the jail, we have a lot of that already, people get released, they need some type of treatment. On the other hand they need to be dealt with. I do want to support that particular recommendation of the District Attorney.

>> Mayor Reed: Councilmember Rocha.

>> Councilmember Rocha: Thank you, mayor. I too read the letter, at least a little bit differently as well. And I was generally encouraging consideration of some items and I'd much rather have our District Attorney engaged in that I appreciate the assistant District Attorney for showing up. We had the study session then we had the affordable housing study session and I'm not going to reiterate my commitment to these issues and bore everyone here with that. I'm just going to suggest that even that affordable housing study session for me was much more valuable in really recognizing the critical component that the housing department Paul Campos raised the issue that I was going to ask just as a general meeting, that's the HCP, I thought that would be a good item for us to encourage he raised it and I'm so with that, my other point that I wanted to raise was, as far as the agenda for the next meeting, I wanted at least to suggest or refer that we consider the letter from the Audubon society, the Sierra Club, the greenbelt alliance and the committee for green foothills, as we set the agenda for the next meeting and I want to compliment the staff for a very good meeting. Thank you very much.

>> Mayor Reed: There is another thing, the prison population is down by 27,000 prisoners, we know we can't get a job, have a record, and have all kinds of difficulties that's going to make it difficult for them to find housing and we know from the survey the county did that many of them are reporting no address or homeless as their

residence. So as the state continues to reduce that population, we're going to have more people coming in that don't have a place to live. So I think we have to worry about that increasing the problem. And while I don't think we can really this problem I do think that the collaboration we have we water district is really helpful to reducing the impact on our creeks, reducing the problem while we deal with the housing issues that are necessary to get people into housing. So some people might think it's hopeless we can't do anything, I disagree with that, I know we can. We can have an impact. I want to thank the Water District and the staff for knowledge engaged on us with this in what appears to be a no-win effort maybe we won't have a complete win. But we'll have some victories I think as we go through this process that we're in. Around I want to just thank everybody for participating. Any other questions or comments from the board or the council, board member Keegan.

>> Board Member Keegan: Yes, I had a question in terms of the demographics of the homeless community that we're dealing with. Just for example, in terms of age, gender, are we looking at any homeless families? We've talked a lot about homeless who suffer from substance abuse or mental health issues but I don't really have a handle from what's been presented how that breaks down. And that I think follows Councilmember Herrera's comments about knowing who we're dealing with. So that we can craft effective strategies that will work for those differing types of homeless populations.

>> So we do have some of the outreach providers here who can provide some of that information if one of them would like to come up. We have a whole range of people. So I did want to make sure that we're clear that the outreach workers do establish relationships with people and get to know who they are and we've had a whole gamut. In one situation we had a family, a couple, the woman was pregnant. We were able to house her right before she had her baby. She had her baby in a hotel and I'm pleased to say she's moving into a permanent place to live which is great. But it is a gamut. And I did want to reiterate we are doing a homeless count in January and we will be paying special attention to the encampments and that will give us more general demographic information about who's living here but I will turn it over to our outreach folks who can give you a better idea of the people living here.

>> I'm Jenny Nicholas and I'm executive director, downtown streets team. We know right now the majorities of folks we deal with that are homeless on the streets are men as opposed to women, 45 to 60 year old age range, more often that are homeless, our agency for example receives 20 to 25% of our population is African American of the 6,000 we serve in comparison to the what is it 3 to 5% of the county demographic. In terms of families, we're seeing an increase in families. We opened up our armories, the week before last, and in Sunnyvale we had I think four or five families the first night, that's never happened before so that's a new thing that we're dealing with in addressing. I also want to speak to the fact that there is a registry list that EHC maintains and coordinates. It has over a thousand people on it by face by name registry of the vulnerabilities of those that are homeless on the street so we do know who they are. We do not keep that from a law enforcement perspective obviously. We're keeping it from a service perspective.

>> I think she got everything. The only other thing is about 30 to 35% of the men and women have mental health issues. And severe ones.

>> Thank you.

>> I just wanted to mention to you all, you can take me off the list for talking. Is we had a huge decline of the people who were red at our memorial next Thursday. It was 69 last year, 39 this year. We housing first model and our collaboration with the city and with the county. I also think if you guys work with the county hearing reform is a big deal. And the combination of the drug and alcohol and the mental health department which will occur in the next 18 months because it is and that's what the housing first model does. Thank you.

>> Director Keegan, I wanted to also add that in addition to the collaboration we have, very successful collaboration that we had with nonprofits, we did have a meeting with city staff to begin to look for ways to actualize some of these solutions here. So as part of our strategy we have two sides of the same coin. Basically one is on the energizing and explaining outreach to include a more disciplinary team, case management services although it is sort of a loaded look for way to kind of specify the demographics. We begin to then coach solutions to each of those demographics. One size fits all solution. So what a much that will be looking at that kind

of making sure that the solutions are targeted towards certain demographics, working with all kinds of individuals including the VA, making them bringing them in, that's one of the things we learned from the early implementation process, we do veteran community we have shared families. And so what fits family. So we're looking at all this kind of --

>> Mayor Reed: Board member Keegan.

>> Board Member Keegan: I want to thank the staff and all the presenters I think you're doing great great work.

>> Mayor Reed: Councilmember Kalra.

>> Councilmember Kalra: Thank you, mayor. and what you have and I think that certainly speaks to the partnerships we need and I think the housing first model works for most people. But some people have a severe substance abuse problem that you can't house them until they get their substance abuse issue resolved. I know deputy District Attorney Aravani Sani and I when we were in drug court they had a home to go into however they needed to go into residential treatment before they were ready to tackle other issues that daily life brings your way. And so I think that's where it's really importantly to have those kinds of relationships, county as part of the partnerships because they have the relationships and the links to those different programs and they can better gauge whether someone is ready for that roof over their head yet or not. And I'd certainly much rather have us engaged then, than having the person arrested and having them go through drug court? Not only a taxpayer expense but certainly at their own expense in terms of being locked up, who knows how long before they get treatment they need. Anyway we can curtail that process to make sure those needs are assessed as soon as someone from the community makes contact them I think the better and I think that's where we have to continue to bring the county in.

>> Mayor Reed: Councilmember Herrera.

>> Councilmember Herrera: I just had one more thing I thought about at the last session I didn't bring it up but I remembered it again. Do we know or do we track whether the folks that we have in this list have family here in the area? If they're from the area they have family here? The reason why I'm suggesting that is maybe connection with family can help with that stabilization, if we have a larger percentage that are not from here is there any thought with trying to reunify them with their city of origin or help them connect back with roots they may have somewhere else?

>> I know we have used family reunification as a strategy when we know there's support systems outside but I'm going to turn it over to our outreach teams.

>> We do ask notebooks if can we will. EHC has also done through our, greyhound tickets with people who wish to reunite, and we have successfully done that with families.

>> When we did some of these surveys in Palo Alto we found out that 65 to 70% of the people that were homeless come from this area. So they're not coming here from other places. And in my experience, most of the people that are homeless have lost their families or ticked them off so much that they really don't want to talk to them anymore. So that's one of the biggest reasons for homelessness. People say it's alcohol, mental illness, my brother is schizophrenic, he's going to live with me. So I think it's a lack of actually having family.

>> Councilmember Herrera: That's pretty much what I thought you were going to say. But I'm glad to hear another state I think that's a great probably with that greyhound bus ticket if we can help them do that.

>> Mayor Reed: Take some public comment now, anything else from our District Attorney's office you wanted to add that you didn't get to cover? We'll take that first.

>> Thank you, Mayor Reed. I wanted to reiterate to the extent that there may have been any miscommunication or misunderstanding, we do understand that this problem is very, very complex. And it's multifaceted and we are not seeking to criminalize homelessness. I'm not sure though how many of you have actually been on site. I

remember it was very eye-opening for me when I actually went there myself and I saw at 10:00 in the morning there were people there that clearly had substance abuse issues. They were already downing their 40 ounce of beer. 10:00 in the morning. I was expecting that maybe the situation would be a little more sympathetic with a lot of families, because of this economic crisis is, that's not what I saw, that's not the reports that I've seen from our investigator. We certainly are not seeking to criminalize average homelessness but we are saying that to the extent there's law violations, where there's hypodermic needles being strewn about, where there's alteration of streams, there's hazardous materials being dumped into our streams. Law abiding public citizens would be charged with we don't think that the people that are the creeks should avoid being charged with. And I am just here to reiterate that the District Attorney takes our role seriously to the extent that there's law violations. And that that's the only, sole focus of my presence. I know this issue is multifaceted, very complex. But mental health issues and substance abuse issues are not unique to the criminal justice system. We deal with that from theft to child molestation. There's ways for this area to deal with. There is way that is appropriate this is not a unique situation, we should trust or criminal justice system when appropriate to appropriately thank you.

>> Mayor Reed: Ralph Miller.

>> Thank you, Mayor Reed chairwoman LeZotte. My name is Ralph Miller, I'm the director of the Kennedy department of child support services. I'm an appointee of the board of supervisors of Santa Clara County. We recently moved into our new location at the corner of Ritter park and Brokaw, also bordered by Coyote creek and a rather significant homeless encampment that has been established there. The city did undertake an effort just the end of last month to do a significant cleanup of that camp. We appreciate that effort. We want to see that effort leveraged with ongoing enforcement to ensure that we do not have reencampment. But the fact ask that probably the day after the clean-up effort we had a certain number of individuals move back into the camp. Now we don't have the structures that existed. We don't have all the trash that existed. Although there is some remaining I understand the city intends to conduct an additional cleanup effort at that site the end of this week. So first of all I want to acknowledge that cleanup and express my appreciation. And also, for the planned completion of that cleanup that's going to take this week I want to express my appreciation for responsiveness of animal control, the police department, and other entities, agencies of the city, that responded to that effort. I do

appreciate the City's and the water district's focus on limiting reencampment and delivering services. We spoke this last week with Ray Bramson, the city's new hire. I appreciate his willingness to come out to our department and to speak with me and to talk about efforts that the city intends to engage in to try to limit reencampment to constructing structures involved in the future to the extent there are discussions he or plans that are made, especially with respect to the camp that is just adjacent to our property.

>> Mayor Reed: I'm sorry your time is up but if you want to be engaged, you've heard the staff members that are there here.

>> No I have been engaged with them and I will continue to be. I appreciate your attention to this regard, thank you for bringing focus to this.

>> Mayor Reed: Norma Johnson.

>> Mayor Reed and council chairman LeZotte, council members and board members. My name is Norma Johnson almaden road here in San José. We have approximately 250 homeowners there. And recently, this summer, a small encampment has started to grow across the street on vacant land which I believe belongs to the Water District on Guadalupe creek. And most recently we had two propane bottles that erupted a fire there. And as most of you know mobile home communities are high density residential areas and this is a senior facility and so they are very concerned about the fire danger. And many of the other things that were brought forth in the District Attorney's letter that you have today as a handout. So the owner of this property asked me to come today and tell you that we are more than interested in helping in some financial way with the cleanup or extra fencing, keeping the fencing that's there repaired. We have a very active neighborhood watch in our community, we'll gladly watch and notify you if this reencampment starts been good after we get this area cleaned. Fortunately, there's demand we're willing to help.

>> Mayor Reed: Thank you and you even wrote your name down with your address and your contact information so we'll be in touch. John Davis.

>> Councilmembers, I was mistaken for staff, I've been here so many times. I just want to start off. I live on 710 Margaret, I'm a law abiding citizen. I'm a term I want to mix up some points about the police department. I think there's some real misinformed people here. I call the police department and they come out to my house. I have met with three of them today. We walked the creek. I don't get it. Everybody is make excuses about the police department. They seem to have the time to come out and do the duty. The problem is the city has told them not to cite the encampment people. That's it, that's the bottom line, I was told that three times today. It's not complicated, they're just not allowed to do it. So I just want to make that point. And D.A, good job. This is the first piece of paper that really outlines what I any we need to do. This is a course of action that I have not seen for 40 years. I would like to add something to it, I call it the soft three strikes and you're out. This has to do with the engagement of the downtown street association, which Eileen's talked about today, goes like this. Eileen's group goes down to this encampment and says this, we have a home and we have a job for you. You have three days to decide. Second time they go down and they're not there, they get cited because it takes two citations to be put in a criminal situation. If they're not gone the second time the third time is you're out. Three strikes and you go down to jail. Trust me, if the encampments and the squatters know that there is consequences they will take action and if we give them a choice it will take place. So there's a lot to this, I came with this in bed because I was smelling a camp fire and my guy was yelling down the street. My guy that's my encampment. Campos, did you get my stuff? I sent you some encampment people.

>> Councilmember Campos: Probably went to someone else's.

>> Okay you didn't get it. Anyway I think we're on the right course, I think that the D.A. is right on target and three strikes your out is a soft three strikes an you're out, I think we have to have consequences to get this situation solved, thanks.

>> Mayor Reed: Shiny Klinehouse.

>> Good afternoon, Mayor Reed, chair LeZotte, everybody else, I'm Cindy Klinehouse with Santa Clara Valley Audubon society. they are afraid to go to so I'm really glad you're taking this discussion so seriously and looking for solution he in such depth. Did I want to say that I think that the idea of law enforcement patrol that the D.A. has brought up is an important one. I'm glad there will be more rangers to work and with law enforcement and I have a suggestion which is that some of the unlawful activities on the creek involve pollution and take or fishing of endangered species and any other species that jurisdiction belongs to the Department of Fish and game. And the county does have fish and game war dens and they do have law enforcement capabilities. So would I talk to the county about engaging or better coordination between the local rangers and the wardens from the department of fish and game. Thank you.

>> Mayor Reed: That concludes the public comment on this item. Any other comments from the board or the council? All right we'll move then, the last thing we had was oop forum, some request to speak on items not on the agenda. We'll take that now. Nicholas newbury and then Shaney Klinehouse.

>> I'm Nicholas newbring with downtown street team. Downtown street team is a great organization that helps the homeless and helps the community. But the time that we've been down there in the creeks we'll actually had you know had the trash cleanup eight times more than what was said that we can do. And we've blown that out the water. We also do a lot of the outreach out there to everyone that's in the encampments. And it takes a lot of trust to get everyone to sit there and realize that we're not out there to hurt them. We're out there to help them. You know. So downtown street team is a program that does so much more than what is actually seen with eyes. And ears. You got to come out and see what gets done. And you can really feel what downtown street team brings to the city and brings to the homeless community. Thank you.

>> Mayor Reed: Shanie Klinehouse.

>> Good afternoon, again, Mayor Reed, chair LeZotte board and councilmembers. I'm Shanie Klinehouse with Santa Clara Valley Audubon society, we sent you a letter requesting that you start looking more comprehensively at the issue of development along creek corridors and in flood planes. We feel that this issue has tremendous

importance and that it deserves urgent look in this past few weeks we have been looking at several projects that would be developed in flood planes and would potentially have impacts downstream and upstream on other communities. There are externalities of this sort of project that often when you look project by project onsite are not taken into consideration and impose huge costs to the environment with the taxpayers and other community members. So I'm glad chair LeZotte brought it up earlier and I think somebody else I think Councilmember Campos brought it up. Thank you for your attention.

>> Mayor Reed: I think that concludes the comments from open forum. I think we're just about done. when the issues get resolved at the staff level it's really the best way to go. There are lots and lots of issues, we understand that, your staff is busy, our staff is busy, working together helps both of our organization he. After all, your people are our people. We're serving the same folks. And we really appreciate the work that the Water District has done in all of the areas not just the flood control, the environmental issues, and it's always good to turn the tap and have good, clean water come out. Doesn't happen everywhere in the world so we're happy to have that happen in our city, thanks to you. And with that we'll turn it over to board chair LeZotte.

>> Board Member LeZotte: Thank you, mayor. I just want to echo the mayor's thank you, the useful thank you. I know going forward there was a couple of issues that we want to perhaps put on future agendas. One is our ongoing efforts with regard to the shoreline study and the salt pond restoration that the mayor and I are continuing to work on. We have a referral to both staffs with regard to the HCP. We have a request by Councilmember Rocha with regard to the Shanie's letter and also my comments with regard to looking at development, both along riparian corridors but also in the flood planes. I know that as part of the 2040 general plan, there was a referral out to the city to help with a creation of a riparian corridor policy as opposed to the guidelines we've had all these years. And so the Water District remains committed to working with you on that but also we are committed to being advocates when it relates to development along the riparian all of my former colleagues on the city council and staff, as well.

>> Mayor Reed: Thank you, just one more comment on the riparian corridor issue. That is one unresolved issue on our council level. We will be discussing it further as we finalize the HCP as well and obviously we're looking to

the Water District to try get consistency around the county with how we're doing it. We're happy to lead but it's always greatly when we have the Water District helping others follow.

>> Board Member LeZotte: I did forget. I know that Jackie took notes about our comments with regard to getting the county involved, as director Estremera had said his comments with regard to mental health, my comments with regard to the sheriff's department and Councilmember Constant's comments with regard to the reserve officers that all could be used to help expedite and stop some reencampments along this way. Thank you.

>> Mayor Reed: Well I think we're going to adjourn your council meeting. You guys are going to stay as long as you want. But we're going to adjourn.

>> Board Member LeZotte: We're going to adjourn until our meeting tomorrow at 9:00. Thank you.