



JPB Board of Directors  
Meeting of December 2, 2021

Correspondence as of November 24, 2021

# Subject

- 1 RE: TJPA Board meeting not being broadcast on SFGOVTV
- 2 San Jose Water Conservation Brochure

**From:** [Donald Pollitt](#)  
**To:** [Gee, Jeff \[jgee@redwoodcity.org\]](#)  
**Cc:** [Deborah L. Miller](#); [Mandelman, Rafael \(BOS\)](#); [Supervisor Aaron Peskin](#); [Nila Gonzales](#); [Tilly Chang](#); [Board \(@caltrain.com\)](#)  
**Subject:** RE: TJPA Board meeting not being broadcast on SFGOVTV  
**Date:** Monday, November 22, 2021 10:31:59 AM

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You don't often get email from dtx@tjpa.org. [Learn why this is important](#)

**ATTENTION:** This email came from an external source. Do not open attachments or click on links from unknown senders.

Chair Gee,

We have received the below PRA request from Mr. Lebrun and will work with counsel as done with the previous response.

Thank you,

Donald Pollitt II  
Management Assistant/Interim Board Secretary  
O: 415-597-4618

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Monday, November 22, 2021 2:29 AM  
**To:** Council-Jeff Gee <jgee@redwoodcity.org>; Donald Pollitt <DTX@tjpa.org>  
**Cc:** Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Supervisor Aaron Peskin <aaron.peskin@sfgov.org>; Nila Gonzales <ngonzales@tjpa.org>; Tilly Chang <tilly.chang@sfcta.org>; Caltrain Board <board@caltrain.com>  
**Subject:** Re: TJPA Board meeting not being broadcast on SFGOVTV

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Mr. Gee,

Here is my response to Mr. Pollitt's response:

- Please provide copies of emails, texts, video or voice recordings corroborating Mr. Pollitt's assertion that "*Prior to the start of today's meeting, SFGovTV confirmed to TJPA that the system was ready to broadcast the meeting*" **pursuant to Government Code Section 6250 et Seq.**

- Please provide copies of emails, texts, video or voice recordings corroborating Mr. Pollitt's assertion that "*the internet broadcast was functioning by no later than 9:40am*" **pursuant to**

**Government Code Section 6250 et Seq.**

- With regards to Mr. Pollitt's assertion that "*The internet broadcast resumed well-before any calendar item was called*", Government Code Section 54954.3(a) clearly states that "*Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body **on ANY item of interest to the public, before or during the legislative body's consideration of the item***" [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=54954.3.&lawCode=GOV](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=54954.3.&lawCode=GOV)

Thank you in advance for your expeditious response to the above requests.

Roland Lebrun

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**From:** Council-Jeff Gee <[jgee@redwoodcity.org](mailto:jgee@redwoodcity.org)>  
**Sent:** Thursday, November 18, 2021 8:28 PM  
**To:** Donald Pollitt <[DTX@tjpa.org](mailto:DTX@tjpa.org)>; Roland Lebrun <[ccss@msn.com](mailto:ccss@msn.com)>  
**Cc:** Mandelman, Rafael (BOS) <[rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org)>; Supervisor Aaron Peskin <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Nila Gonzales <[ngonzales@tjpa.org](mailto:ngonzales@tjpa.org)>; Tilly Chang <[tilly.chang@sftca.org](mailto:tilly.chang@sftca.org)>; Caltrain Board <[board@caltrain.com](mailto:board@caltrain.com)>  
**Subject:** Re: TJPA Board meeting not being broadcast on SFGOVTV

Mr. Lebrun:

On behalf of the Board, I am acknowledging receipt of your email. Mr. Pollitt's has responded on behalf of the TJPA Organization.

Regards,

Jeff

**Jeff Gee, Councilmember**

City of Redwood City

1017 Middlefield Road

Redwood City, CA 94064

650-483-7412

[jgee@redwoodcity.org](mailto:jgee@redwoodcity.org)

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**From:** Donald Pollitt <[DTX@tjpa.org](mailto:DTX@tjpa.org)>

**Sent:** Thursday, November 18, 2021 1:47 PM

**To:** Roland Lebrun

**Cc:** Council-Jeff Gee; Mandelman, Rafael (BOS); Supervisor Aaron Peskin; Nila Gonzales; Tilly Chang; Caltrain Board

**Subject:** RE: TJPA Board meeting not being broadcast on SFGOVTV

Mr. Lebrun,

As to your comment about the broadcast of today's TJPA Board meeting, the entire meeting was available for the public to attend and listen to via the call-in telephone line published on the agenda. It is our understanding that you were using that call-in line today and had no disruption in that access. This satisfies the Brown Act's requirement that the TJPA "include an opportunity for all persons to attend via a call-in option or an internet-based service option." (Govt Code 54953(e)(2)(B)).

The TJPA additionally provides an internet-based attendance option through live broadcast on SFGovTV. Prior to the start of today's meeting, SFGovTV confirmed to TJPA that the system was ready to broadcast the meeting. Shortly after the meeting started, the TJPA noticed the internet broadcast was not functioning. The matter was corrected and the internet broadcast was functioning by no later than 9:40am. In the period before the internet broadcast resumed, the TJPA Board did not take any action on an agenda item; it called the meeting to order, conducted roll call, confirmed there were no communications or new/old business, and started the Executive Director's Report (an information item). The internet broadcast resumed well-before any calendar item was called. And as mentioned above, during the entire meeting the call-in option to listen to and attend the meeting was functional.

As to your comment about opportunities to provide public comment, the TJPA Board provides opportunities for public comment as part of the Executive Director's Report (Item 5 on today's calendar), the Citizens Advisory Committee Update (Items 6), Public Comment on matters within the TJPA's jurisdiction but not on the day's calendar (Item 7), Consent Calendar (Item 8), each Regular/Special Calendar item (Items 9, 10, and 11), and, if applicable, prior to convening in Closed Session (Item 14). At today's meeting, you provided comment on Items 5, 10, and 11. This satisfies the Brown Act's requirement that the TJPA provide an opportunity for members of the public to address the Board before or during the Board's

consideration of an item. (Govt Code 54954.3(a)).

Thank you for your continued interest in the Transbay Program.

Donald Pollitt II

Management Assistant/Interim Board Secretary

O: 415-597-4618

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**From:** Roland Lebrun <[ccss@msn.com](mailto:ccss@msn.com)>

**Sent:** Thursday, November 18, 2021 9:54 AM

**To:** Council-Jeff Gee <[jgee@redwoodcity.org](mailto:jgee@redwoodcity.org)>

**Cc:** Mandelman, Rafael (BOS) <[rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org)>; Supervisor Aaron Peskin <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Donald Pollitt <[DTX@tjpa.org](mailto:DTX@tjpa.org)>; Nila Gonzales <[ngonzales@tjpa.org](mailto:ngonzales@tjpa.org)>; Tilly Chang <[tilly.chang@sfcta.org](mailto:tilly.chang@sfcta.org)>; Caltrain Board <[board@caltrain.com](mailto:board@caltrain.com)>

**Subject:** Re: TJPA Board meeting not being broadcast on SFGOVTV

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

Dear Chair Gee,

I raised my hand 3 agenda items ago to bring the issue to the Board's attention and am hereby citing the TJPA with 3 counts of violation of Government Code Section 54954.3 [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=54954.3.&lawCode=GOV](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=54954.3.&lawCode=GOV)

### [Law section - California](#)

54954.3. (a) Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the legislative body on any item of interest to the public, before or during the legislative body's consideration of the item, that is within the subject matter jurisdiction of the legislative body, provided that no action shall be taken on any item not

appearing on the ...

leginfo.legislature.ca.gov

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**From:** Roland Lebrun

**Sent:** Thursday, November 18, 2021 9:43 AM

**To:** Council-Jeff Gee <[jgee@redwoodcity.org](mailto:jgee@redwoodcity.org)>

**Cc:** Mandelman, Rafael (BOS) <[rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org)>; Supervisor Aaron Peskin <[aaron.peskin@sfgov.org](mailto:aaron.peskin@sfgov.org)>; Donald Pollitt <[DTX@tjpa.org](mailto:DTX@tjpa.org)>; Nila Gonzales <[ngonzales@transbaycenter.org](mailto:ngonzales@transbaycenter.org)>; Tilly Chang <[tilly.chang@sfcta.org](mailto:tilly.chang@sfcta.org)>

**Subject:** TJPA Board meeting not being broadcast on SFGOVTV

Dear Chair Gee,

The TJPA Board meeting is NOT being broadcast on SFGOVTV or SFGOVTV2 and should not have been allowed to start.



## Allocations

All residential customers and landscape service accounts will receive a water use allocation based on their individual 2019 usage. The current call for conservation is for a reduction in water usage of 15% from 2019 levels. Increased or decreased levels of conservation may be required in the future depending on our water supply situation and/or orders from the State or CPUC.

Customers will have their allocations printed on their bills. Residential customers are billed bi-monthly (every two months) meaning they will receive bi-monthly allocations.

*Example:*

$$40 \text{ CCF (2019 USAGE)} \times 15\% \text{ (REDUCTION)} = 6 \text{ CCF (40 X .15 = 6)}$$

$$40 \text{ CCF (2019 USAGE)} - 6 \text{ CCF (40 X .15 = 6)} = 34 \text{ CCF (CURRENT ALLOCATION)}$$

Customers who have very low usage and fall below the minimum drought allocations shown below, will not be asked to cut usage back.

### Minimum Drought Allocations (2019 Base Year)

|           | 2019 Average Monthly Residential Usage (CCF) | 15% Reduction Min. Monthly Drought Allocation (CCF) |
|-----------|--|---|
| January   | 10   | 9   |
| February  | 7  | 6   |
| March     | 7  | 6   |
| April     | 7  | 6   |
| May       | 9  | 8   |
| June      | 10   | 9   |
| July      | 13   | 11  |
| August    | 13   | 11  |
| September | 15   | 13  |
| October   | 13   | 11  |
| November  | 14   | 12  |
| December  | 11   | 9   |

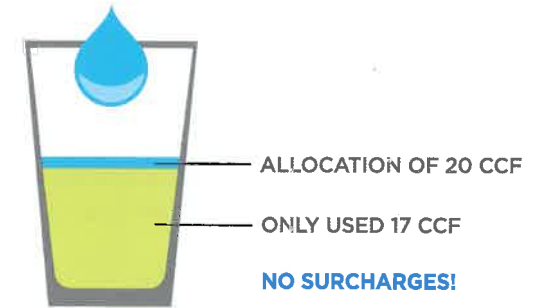
## Drought Surcharges — How They Work

Customers who exceed their allocations will incur drought surcharges. Any units of water above the monthly drought allocation will be charged at the Tier 3 rate in effect, currently \$7.13 per unit. This is in addition to charges at regular rates for all units of water consumed.

*Examples of how this will work:*

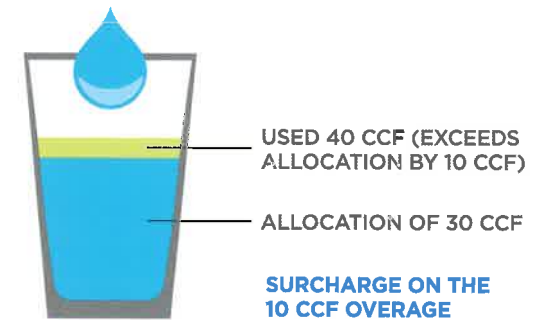
### CUSTOMER A

- Customer A has an **allocation of 20 CCF** of water for a two-month billing period.
- Customer A **uses 17 CCF** of water during that time.
- No drought surcharges** are applied to this bill because Customer A has used less than the allocation.



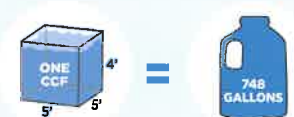
### CUSTOMER B

- Customer B has an **allocation of 30 CCF** of water for a two-month billing period.
- Customer B **uses 40 CCF** of water during that time.
- Customer B **exceeds the allocation by 10 CCF** (40-30).
- In addition to paying for the 40 CCF of water, the customer is **charged a drought surcharge of \$71.30** (Tier 3 rate x units over the allocation = 7.13 x 10 CCF of water).



### What is a CCF?

The most common units are centum cubic feet (CCF) and the gallon. A CCF is also called an HCF (hundred cubic feet), representing one hundred cubic feet of water. The first "C" comes from the Roman word for hundred, "centum." One CCF=748 gallons.





# Preguntas y Respuestas

## ¿Qué es el proceso de apelación?

Usted puede apelar su asignación y solicitar un cambio. Hay dos maneras de hacerlo:

1. Visite nuestro sitio web, [sjwater.com/drought](http://sjwater.com/drought) y llene el formulario.
2. Llame a nuestros defensores de Servicio al Cliente al **(408) 279-7900**.

Una vez que llene el formulario, envíelo por correo postal a la siguiente dirección:

**San Jose Water**  
110 W. Taylor Street  
San Jose, CA 95110

## ¿Cuándo comienza el plan?

El plan entrará en vigencia cuando la CPUC otorgue la aprobación final.

## ¿Cuándo comienza mi asignación?

Su asignación comenzará después de la aprobación del Programa 14.1 (nuestro plan obligatorio de conservación del agua).

La conservación: un estilo de vida en California



Puede encontrar una lista completa de normas en [sjwater.com/drought](http://sjwater.com/drought). Las que están actualmente vigentes son las siguientes:



**Limitar el riego a dos días por semana.**



**Limitar el tiempo y la duración del riego:**

no riegue más de 15 minutos al día por estación, ni entre las 10:00 a. m. y las 8:00 p. m.



**Limitar el llenado de fuentes decorativas o lagos o estanques ornamentales:**

se prohíbe el uso de agua potable para llenar o rellenar fuentes decorativas, o lagos o estanques ornamentales más de un pie, excepto si es necesario para mantener la vida acuática (es decir, puede agregar un pie de agua).



**Lavado de vehículos:** lave los automóviles únicamente en una instalación comercial de lavado de vehículos que utilice agua recirculada.



**Uso prohibido de agua potable para el lavado de edificios:**

restrínjalo también en estructuras, aceras, vías peatonales, entradas de vehículos, patios, pistas de tenis u otras zonas de superficie dura no porosa, excepto para proteger la salud y la seguridad del público.



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[San Jose Water](https://www.linkedin.com/company/san-jose-water)

## CONTÁCTENOS

☎ **408.279.7900**

🌐 **[sjwater.com](http://sjwater.com)**

✉ **[Customer.Service@sjwater.com](mailto:Customer.Service@sjwater.com)**

Hecho con un 10 % de material reciclado.



**SJW** SAN JOSE WATER

## Plan obligatorio de conservación

**Nos estamos enfrentando a una sequía extrema.** Valley Water, el gobernador Newsom y el condado de Santa Clara han declarado situación de sequía.

San Jose Water ha monitoreado atentamente la sequía a fin de responder a las necesidades de agua de nuestra comunidad. La Comisión de Servicios Públicos de California (CPUC) ha aprobado un plan obligatorio de conservación.

## El nuevo plan

Nuestro Plan de contingencia por escasez de agua actualizado (también conocido como Programa 14.1) incluye restricciones obligatorias para el uso del agua, más tres componentes principales:

- asignaciones para el uso del agua en función del uso individual de cada cliente en 2019;
- un conjunto de asignaciones mínimas con el objeto de reconocer los esfuerzos de nuestros clientes en cuanto al bajo uso del agua; y
- recargos por sequía en el caso de asignaciones excedentes.

Este plan es diferente del que se utilizó en la sequía anterior de 2015 a 2017. El plan actual tiene en cuenta las condiciones existentes del suministro de agua, el llamado a la conservación de Valley Water, y las lecciones aprendidas a partir de las sequías de 2015 y de principios de 1990.

## Asignaciones

Todos los clientes residenciales y las cuentas de servicios de paisajes recibirán una asignación para el uso del agua en función de su uso individual durante 2019. El llamado actual a la conservación apunta a una reducción del 15 % del uso de agua respecto de los niveles de 2019. En el futuro pueden requerirse niveles de conservación mayores o menores según nuestra situación de suministro del agua y de las órdenes del Estado o de la CPUC.

Los clientes podrán ver sus asignaciones impresas en sus facturas. A los clientes residenciales se les facturará de manera bimestral (cada dos meses), lo que significa que recibirán asignaciones bimestrales.

### Ejemplo:



A los clientes cuyo uso sea muy bajo y se ubiquen por debajo de las asignaciones por sequía mínimas que se muestran a continuación no se les pedirá que reduzcan el uso.

### Asignaciones por sequía mínimas (año base: 2019)

|            | Uso residencial mensual promedio durante 2019 (CCF) | Reducción del 15 %, asignación por sequía mínima mensual (CCF) |
|------------|---|--|
| Enero      | 10  | 9  |
| Febrero    | 7   | 6  |
| Marzo      | 7   | 6  |
| Abril      | 7   | 6  |
| Mayo       | 9   | 8  |
| Junio      | 10  | 9  |
| Julio      | 13  | 11   |
| Agosto     | 13  | 11   |
| Septiembre | 15  | 13   |
| Octubre    | 13  | 11   |
| Noviembre  | 14  | 12   |
| Diciembre  | 11  | 9  |

## Recargos por sequía: cómo funcionan

Los clientes que excedan sus asignaciones incurrirán en recargos por sequía. Todas las unidades de agua por encima de la asignación por sequía mensual se cobrarán según la tarifa del Nivel 3 en vigencia, que actualmente es de \$7.13 por unidad. Esto se suma a los cargos con las tarifas regulares para todas las unidades de agua consumidas.

### Ejemplos de cómo funcionará esto:

#### CLIENTE A

- El cliente A tiene una **asignación de 20 CCF** de agua para un período de facturación bimestral.
- El cliente A usa **17 CCF** de agua durante ese período.
- No se aplican recargos por sequía** a esta factura porque el cliente A ha usado menos que la asignación.



#### CLIENTE B

- El cliente B tiene una **asignación de 30 CCF** de agua para un período de facturación bimestral.
- El cliente B **usa 40 CCF** durante ese período.
- El cliente B **excede la asignación por un total de 10 CCF** (40 - 30).
- Además de pagar por los 40 CCF de agua, al cliente **se le cobra un recargo por sequía de \$71.30** (tarifa del Nivel 3 x unidades por encima de la asignación = 7.13 x 10 CCF de agua).



### ¿Qué es un CCF?

Las unidades más comunes son los centum pies cúbicos (CCF) y el galón. Un CCF también se denomina HCF (cien pies cúbicos), lo que representa cien pies cúbicos de agua. La primera 'C' proviene de la palabra romana 'centum', que significa 'cien'. Un CCF = 748 galones.

