



# Santa Clara Valley Water District

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**File No.:** 24-0589

**Agenda Date:** 6/25/2024  
**Item No.:** 4.11.

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## BOARD AGENDA MEMORANDUM

Government Code § 84308 Applies: Yes  No   
(If "YES" Complete Attachment A - Gov. Code § 84308)

### **SUBJECT:**

Denial of Claim of Miguel Alvarado-Martinez.

### **RECOMMENDATION:**

Deny the Claim.

### **SUMMARY:**

Santa Clara Valley Water District (Valley Water) received a claim from San Jose resident, Mr. Miguel Alvarado-Martinez on September 25, 2023. Mr. Alvarado-Martinez alleges he was denied relocation assistance from Valley Water per the Agreement between the City of San José (City) and Valley Water to Address Unhoused Encampments to Support the Coyote Creek Flood Protection Projects (Agreement). Under that Agreement, the City was to provide housing and other assistance to unhoused residents who needed to be relocated to allow for the safe construction of Valley Water's Coyote Creek Flood Management Measures Project.

Mr. Alvarado-Martinez is seeking a total of \$130,000.00 broken down as follows: \$25,000.00 for damages; \$25,000.00 for relocation assistance; \$5,000.00 for relocation payment; and \$75,000.00 for alleged discrimination and legal fees.

Although it is unclear whether Mr. Alvarado-Martinez resided within the relocation area during the time of the relocation program, on September 8, 2023 (prior to the claim being filed), Valley Water staff was informed that that Mr. Alvarado-Martinez was connected to the HomeFirst program and enrolled in the Valley Water project. On April 26, 2024, City staff informed Valley Water that on October 17, 2023, Mr. Alvarado-Martinez moved into a City-provided "tiny home" where he currently resides.

Because Mr. Alvarado-Martinez was enrolled in the program and afforded housing in accordance with that program, there is no liability on the part of Valley Water and recommends that the claim be denied.

### **ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:**

There are no Environmental Justice Impacts associated with this item.

**FINANCIAL IMPACT:**

There is no financial impact associated with this item.

**CEQA:**

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

**ATTACHMENTS:**

Attachment 1: Claim

**UNCLASSIFIED MANAGER:**

J. Carlos Orellana, 408-630-2755