

JPB Board of Directors Meeting of May 1, 2025

Correspondence as of April 18, 2025

- <u>#</u> Subject
- 1. Re_ Caltrain Claim Form
- 2. Re_ Complaint about flooding on the Caltrain Land behind my house
- 3. RE_ Caltrain Claim Form (District response)
- 4. Re_ Caltrain Claim Form (Customer response)
- 5. RE_ Caltrain Claim Form (District 2nd response)
- 6. Re_ Caltrain Claim Form (Customer 2nd response)
- 7. Re_ Complaint about flooding on the Caltrain Land behind my house (District response)
- 8. Re_ Complaint about flooding on the Caltrain Land behind my house (Customer response)
- 9. VTA's BART Phase II April 2025 Construction Update
- 10. BSVII Project May 2025 West Portal Construction Notice (Extended Work Hours)

From:	<u>Nicholas Tan</u>
То:	Devin Pogue
Cc:	Steven Wagman; Sarah Nabong; Board (@caltrain.com)
Subject:	Re: Caltrain Claim Form
Date:	Monday, April 14, 2025 11:04:55 PM
Attachments:	image001.png
	Caltrain Claim Form for Nicholas Tan.doc.pdf

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Hi Devin,

I was requesting Sarah to fix the flooding issue in the Caltrain land directly adjacent to my backyard, which is causing the pavers, retaining walls, and outdoor kitchen section to all settle and sink. The situation is getting worse and worse. I'm not sure what's the use of a claim form as this moment. I can spend tens of thousands to fix my backyard but for as long as the flooding issue is not fixed, my backyard will continue to deteriorate. So until you fix the flooding issue, I can't just throw away money to fix my backyard.

Thanks, Nicholas

On Apr 14, 2025, at 3:12 PM, Devin Pogue <PogueD@samtrans.com> wrote:

Dear Nicholas Tan,

I'm reaching out to inform you that our customer service representative, Sarah, has shared your concerns with me. I am the Claims Specialist for Caltrain, and I wanted to follow up with you directly.

If you intend to file a formal claim, please complete the attached claim form.

Thank you,

Devin Pogue

Claims Specialist SamTrans/Caltrain 1250 San Carlos Ave. San Carlos CA 94070 Phone: (650) 632-6868 Email: <u>PogueD@samtrans.com</u>



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BOARD OF DIRECTORS 2025

STEVE HEMINGER, CHAIR RICO E. MEDINA, VICE CHAIR MARGARET ABE-KOGA PAT BURT JEFF GEE RAY MUELLER SHAMANN WALTON MONIQUE ZMUDA

MICHELLE BOUCHARD EXECUTIVE DIRECTOR



Re: Caltrain Claims Procedures for Nicholas Tan

Dear Nicholas Tan:

In response to your inquiry of April 4, 2025, regarding a potential claim against the Peninsula Corridor Joint Powers Board ("PCJPB"), if you intend to present a formal claim, please use the enclosed claim form. See Government Code Section 910.4. You should also refer to Government Code Sections 900 *et seq.*, and, in particular, to Section 910, which requires the claim to state:

- 1. The name and post office address of the claimant;
- 2. The post office address to which the person presenting the claim desires notices to be sent;
- 3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted;
- 4. A general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim;
- 5. The name or names of the public employee or employees causing the injury, damage or loss, if known; and
- 6. The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case (generally \$25,000 or less). See Code of Civil Procedure Section 86.

Very truly,

Devin Pogue Claims Specialist Enclosure (PCJPB claim form)

1250 San Carlos Avenue San Carlos, CA 94070 (650) 508-6200

PENINSULA CORRIDOR JOINT POWERS BOARD ("CALTRAIN") CLAIM FORM

Please provide the following information by printing clearly. Attach separate sheets, if necessary.

1. Claimant's Name and Post Office Address (Street Address or P.O. Box):		2. Send Official Notices and Correspondence to the following Person and Post Office Address (Street Address or P.O. Box):		
Name:			Name:	
Address:			Address:	
City:	State:	Zip:	City:	State: Zip:
Phone: ()			Phone: ()	

3. Claimant's Date of Birth:	4. Date and Time of Incident, Occurrence or Transaction:	5. Location of Incident, Occurrence, or Transaction:

6. Basis of Claim: State in detail all facts and circumstances of the incident, occurrence, or transaction. Identify all persons, entities, property and CALTRAIN employees involved. State why you believe CALTRAIN is responsible for the alleged indebtedness, obligation, injury, damage or loss.

Name, Address, and Telephone Nos. of Witnesses:

Name and I.D. Number of CALTRAIN Employee, if known, who caused injury, damage or loss:

Type of CALTRAIN Vehicle and Identification No., if applicable:

Type of Vehicle and License Plate Number of Claimant's Vehicle, if applicable:

7. Description of Claimant's injury, damage or loss as of the date of this claim:

8: Amount of Claimant's injury, damage or loss and method of computation. Attach any supporting documents.

Total Amount \$_____ (if less than \$10,000)

If more than \$10,000, please indicate whether the claim would be a: Limited civil case (\$25,000 or less) _____ Unlimited civil case (over \$25,000) _____

I understand that if my claim is successful, any monies paid to me may be offset by any monies I owe CALTRAIN. I also understand that there may be civil or criminal penalties for presenting a fraudulent claim or making a false statement, and those penalties may include imprisonment or a fine, or both.

9.		10	
	Signature of Claimant or Representative	Date	

Instructions for filing a claim:

To file a claim against the Peninsula Corridor Joint Powers Board ("CALTRAIN"), fill out this claim form in its entirety. Claims for death or injury to persons or personal property or growing crops must be filed within six months of the incident, transaction, or occurrence. Any other claim must be filed within one year. Present the original completed claim form to:

By mail:

CALTRAIN Attn: Risk Management Department 1250 San Carlos Avenue, 2nd Floor San Carlos, CA 94070

Item by item instructions:

1. Claimant's Name and Post Office Address: Enter the full name of the person(s) claiming injury, damage, or loss. Enter the street address or P.O. Box, city, state, zip code, and phone (with area code).

2. Send Official Notices and Correspondence to the following Person and Post Office Address: Enter the name, mailing address (including zip code), and phone (with area code) of the person to whom all official notices and other correspondence should be sent if other than the claimant.

3. Date of Birth: Enter the Claimant's date of birth including month, day and year.

4. Date and Time of Incident: Enter the day, month, year, and the time of the incident, occurrence, or transaction which caused the alleged injury, damage or loss.

5. Location of Incident, Occurrence, or Transaction: Enter the street address, intersection, or other location where the injury, damage or loss allegedly occurred.

6. Basis of Claim: Provide a detailed description of the facts and circumstances concerning the incident, transaction, or occurrence. Provide all facts that support your claim. Provide the name, address, and telephone numbers of any witnesses and the name and ID number of any CALTRAIN employee(s) who allegedly caused the damage, injury, or loss. If motor vehicles were involved, provide the type of CALTRAIN vehicle and identification number, and Claimant's type of vehicle and license plate number, if applicable.

7. Description of injury, damage or loss: Enter a detailed description (as of the date of this claim) of the injury, damage or loss that allegedly resulted from the incident, transaction, or occurrence.

8. Value of Loss and Method of Computation: Enter the total dollar amount that you are claiming as a result of the alleged injury, damage, or loss. Enter a breakdown of how you calculated the total amount. You may declare expenses incurred and/or future anticipated expenses. If available, attach to the claim copies of all bills and payment receipts, including unaltered copies of medical bills from treating physicians. If claiming vehicular damage or other property damage, provide two repair estimates, photographs, as well as the make, model, and year of the vehicle. If you claim you have incurred a wage loss, please provide appropriate supporting documentation.

The Government Code requires that if the claim is for less than \$10,000, the amount of the claim shall be entered. If the claim is for more than \$10,000, no dollar amount need be entered, but the claim must indicate whether the claim would be a limited civil case (\$25,000 or less) or an unlimited civil case (over \$25,000).

9. Signature of Claimant or Representative and Date: The claim must be signed and dated by the claimant or by some person on behalf of the claimant.

Claim Procedures

To receive a date-stamped copy of your claim, please provide a copy of the original claim and a self-addressed stamped envelope. Be sure to closely follow the instructions for filing a claim.

- 1. It is our practice, when possible, to process your claim within 45 days. Again, be sure to follow the instructions for filing a claim and include all requested information, including the names and addresses of all witnesses. Attach a list of additional names if necessary.
- 2. Any request for further information by CALTRAIN is not a commitment to pay your claim or an admission of liability.

Your cooperation in promptly returning the completed Claim Form to CALTRAIN will begin the processing of your claim.

From:	Nicholas Tan
To:	Caltrain BOD Public Support
Cc:	Board (@caltrain.com)
Subject:	Re: Complaint about flooding on the Caltrain Land behind my house
Date:	Monday, April 14, 2025 11:08:03 PM

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Hi Caltrain Team,

I received an email from Devin Pogue in your team that share with me a claim form, I'm not sure what you are trying to solve with that. I'm not going to spend tens of thousands of dollars to fix my backyard if the flooding in your land right behind my backyard continues, because after I fix them, the soil will continue to settle and sink due to the flooding. Are you not going to fix the flooding issue?

Thanks, Nicholas

On Apr 4, 2025, at 1:05 PM, Nicholas Tan <nicholastjs@gmail.com> wrote:

Hi,

I have not seen any work being done. Even if there is, the fix is not effective because this is a photo I took on 3/30

I'm not understanding why it's so hard to fix this. This has been ongoing for many years now and my backyard is crumbling due to this. I have spent tens of thousands on the pavers, retaining walls, and outdoor kitchen and they are all crumbling. I have been very patient for many years now, but if this continues to deteriorate, I will consider legal action. Your inaction or ineffective actions has caused significant financial loss to my investment in my backyard.

Thanks,

Nicholas

<1000023577.jpg>

On Fri, Apr 4, 2025, 12:54 PM Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> wrote:

Dear Nicholas Tan,

Thank you for your follow-up and your patience as our crews worked to address your concerns. We are pleased to inform you that the work was completed on March 17, 2025.

We appreciate your understanding and continued support. Should you have any further questions or need additional assistance, please don't hesitate to reach out.

Best regards,

Your Caltrain BOD Public Support Team

From: Nicholas Tan <<u>nicholastjs@gmail.com</u>>

Sent: Tuesday, March 11, 2025 10:05 AM

To: Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>>

Cc: Board (@caltrain.com) <BoardCaltrain@samtrans.com>

Subject: Re: Complaint about flooding on the Caltrain Land behind my house

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Hi,

I did not meet with any of your team members on 3/7. I was home until 12.30pm and was out for the rest of that day.

Thanks,

Nicholas

On Mar 11, 2025, at 9:49 AM, Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> wrote:

Dear Nicholas Tan,

Thank you for your patience. I wanted to check in regarding the crew visit we scheduled for **3/7/2025**. I'm following up to see if the crew has been able to visit your location and address the flooding concerns.

Please let me know if there's anything else that needs attention or if you require any further assistance.

Best regards,

Your Caltrain BOD Public Support Team

From: Nicholas Tan <<u>nicholastjs@gmail.com</u>> Sent: Thursday, February 20, 2025 4:06:17 AM (UTC+00:00) Monrovia, Reykjavik To: Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> Cc: Board (@caltrain.com) < BoardCaltrain@samtrans.com> Subject: Re: Complaint about flooding on the Caltrain Land behind my house

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Hi

Thank you for getting back to me. Please note that this flooding is causing a huge problem to the pavers in my backyard as I highlighted last year. The soil gets so soft that my backyard is sinking, retaining wall leaning and falling apart, pavers kitchen falling apart, etc. If this is not fixed soon, my backyard will incur huge lose if it gets to a point that I need to rebuild everything, let alone the risk of these items falling onto my kids and causing injury. That's on top of flooding risk in my crawl space basement and it becoming breeding ground for mosquitoes and other bugs. Please act quickly before things get a lot worse. Thanks, Nicholas

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On Feb 18, 2025, at 2:11 PM, Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> wrote:

Dear Nicholas Tan,

Your message to the Caltrain Board of Directors has been forwarded to me for a response. A copy of our correspondence will also be shared with the Board members. Thank you for reaching out and for sharing the photos with us. I'm sorry to hear that the flooding issue behind your backyard is still occurring despite the previous work done by our team.

I want to let you know that we've referred this matter to our Right of Way team to investigate and address the issue. They will assess the situation and take any necessary actions to help resolve it.

Thank you again for bringing this to our attention. We'll keep you updated on any progress. If you have any additional questions or concerns, feel free to reach out.

Best regards,

Your Caltrain BOD Public Support Team

From: Nicholas Tan <<u>nicholastis@gmail.com</u>> Sent: Tuesday, February 18, 2025 5:40:51 AM (UTC+00:00) Monrovia, Reykjavik To: Sarah Nabong <<u>nabongs@samtrans.com</u>> Ce: Board (@caltrain.com) <<u>BoardCaltrain@samtrans.com</u>> Subject: Re: Complaint about flooding on the Caltrain Land behind my house

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The raining season is here and looks like the work your team has done previously hasn't help alleviate the flooding issue behind my backyard. Please see attached photos that I just took yesterday.

Thanks, Nicholas

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On May 22, 2024, at 3:19 PM, Nicholas Tan <nicholastjs@gmail.com> wrote:

Thank you Sarah for your update. Yes, I did meet with your contractor and he did share his plan with me.

Thanks, Nicholas

On May 23, 2024, at 2:48 AM, Sarah Nabong <<u>nabongs@samtrans.com</u>> wrote:

Dear Nicholas Tan,

I hope this message finds you well. Thank you for bringing your concerns about the ongoing flooding issue behind your property to our attention. We sincerely apologize for the inconvenience and distress this situation has caused you and your family. Your message to the Caltrain Board of Directors was referred to me for response. The Board members will receive a copy of our correspondence.

I understand that you met with our contractor and were informed that when the area dries out a little more, sometime around the end of July or beginning of August, we will be back to regrade the ditch-line. I was notified that you exchanged numbers so that we can update you as we get closer to that time.

Please be assured that we take your feedback seriously, and we are committed to resolving this issue promptly.

We appreciate your patience and understanding as we work to address this matter effectively. Thank you for your continued support and cooperation.

Best regards,

Sarah Nabong, Customer Service Representative 2 1250 San Carlos Ave San Carlos, CA 94070 Websites: Caltrain | SamTrans | TA <irrage001.png> From: Nicholas Tan <nicholastjs@gmail.com> Sent: Saturday, April 27, 2024 6:31 PM To: Board (@<u>caltrain.com</u>) <<u>board@caltrain.com</u>> Subject: Complaint about flooding on the Caltrain Land behind my house



I filed a complaint 2-3 years ago about flooding in the Caltrain Land behind my backyard. You have since done some work to try to better slope the land so that water doesn't accumulate there.

This year during the rain season, water start to accumulate again. The last time there's rain was more than two weeks ago, and there's still a good size pond right behind my house.

This will cause three significant safety risks:

 Flood in our crawl space. the water in our crawl space is pump towards that area and if thAt area is flooded the my pump will fail to pump the water out, causing flood in my basement (with risk of getting into my living space)
 Health risk. The standing water there becomes a breeding ground for mosquitoes. This year there's significant increase of mosquitoes around my house, which can be a health risk.

3. Land setting. The soaked and saturated ground becomes soft and the fixture inside my backyard started to sink. The retaining wall is leaning backwards, the outdoor kitchen counter top started to sink and at risk of crumbling.

This issue has been going on for many years and while I saw your effort to try to fix it, it's not fixed and actually got worse.

Can you take action immediately before this becomes a much bigger issue and causing significant damage and health problems toy family?

Thanks, Nicholas

<image002.jpg> <image003.jpg> <image004.jpg> <image005.jpg>

From:	Devin Pogue
То:	<u>Nicholas Tan</u>
Cc:	Steven Wagman; Sarah Nabong; Board (@caltrain.com)
Subject:	RE: Caltrain Claim Form
Date:	Tuesday, April 15, 2025 11:19:11 AM
Attachments:	image001.png

Thank you for your email. I understand your concerns and the impact the flooding issue has had on your property. It appears that work was completed to address the flooding on the Caltrain land adjacent to your backyard. We are hopeful that these efforts will help prevent further damage going forward.

If you're still experiencing issues in your backyard, I recommend contacting our customer service team directly. They'll be able to provide further support and investigate any ongoing concerns.

In the meantime, a claim form was provide should you choose to file a claim for this issue in the future.

Best regards,

Devin Pogue

Claims Specialist SamTrans/Caltrain 1250 San Carlos Ave. San Carlos CA 94070 Phone: (650) 632-6868 Email: <u>PogueD@samtrans.com</u>



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From: Nicholas Tan <nicholastjs@gmail.com>
Sent: Monday, April 14, 2025 11:04 PM
To: Devin Pogue <PogueD@samtrans.com>
Cc: Steven Wagman <WagmanS@samtrans.com>; Sarah Nabong <nabongs@samtrans.com>; Board (@caltrain.com) <BoardCaltrain@samtrans.com>
Subject: Re: Caltrain Claim Form

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Hi Devin,

I was requesting Sarah to fix the flooding issue in the Caltrain land directly adjacent to my backyard, which is causing the pavers, retaining walls, and outdoor kitchen section to all settle and sink. The situation is getting worse and worse. I'm not sure what's the use of a claim form as this moment. I can spend tens of thousands to fix my backyard but for as long as the flooding issue is not fixed, my backyard will continue to deteriorate. So until you fix the flooding issue, I can't just throw away money to fix my backyard.

Thanks, Nicholas

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If you intend to file a formal claim, please complete the attached claim form.

Thank you,

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From:	Nicholas Tan
To:	Devin Pogue
Cc:	Steven Wagman; Sarah Nabong; Board (@caltrain.com)
Subject:	Re: Caltrain Claim Form
Date:	Tuesday, April 15, 2025 11:28:45 AM

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Hi Devin,

In another email thread I have with Caltrain, I was told that the work was completed on March 17th. I shared a photo that it's still flooding on March 30th. So the efforts did not help prevent flooding, which means the damage will likely to continue.

In addition to damage, the flood is also breeding ground of bugs and could end up becoming a hazard as well.

Thanks, Nicholas

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Email: PogueD@samtrans.com

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From: Nicholas Tan <<u>nicholastjs@gmail.com</u>>
Sent: Monday, April 14, 2025 11:04 PM
To: Devin Pogue <<u>PogueD@samtrans.com</u>>
Cc: Steven Wagman <<u>WagmanS@samtrans.com</u>>; Sarah Nabong
<<u>nabongs@samtrans.com</u>>; Board (@caltrain.com) <<u>BoardCaltrain@samtrans.com</u>>
Subject: Re: Caltrain Claim Form

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From:	Devin Pogue
To:	Nicholas Tan
Cc:	Steven Wagman; Sarah Nabong; Board (@caltrain.com)
Subject:	RE: Caltrain Claim Form
Date:	Tuesday, April 15, 2025 1:19:32 PM
Attachments:	image001.png

To ensure this issue is addressed, I recommend reaching out to our customer service team directly. They will be able to provide further assistance.

Thank you,

Devin Pogue Claims Specialist SamTrans/Caltrain 1250 San Carlos Ave. San Carlos CA 94070 Phone: (650) 632-6868 Email: PogueD@samtrans.com

San Mateo County TRANSIT DISTRICT cartator Samiltans

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From: Nicholas Tan <nicholastjs@gmail.com>

Sent: Tuesday, April 15, 2025 11:28 AM

To: Devin Pogue < PogueD@samtrans.com>

Cc: Steven Wagman < WagmanS@samtrans.com>; Sarah Nabong < nabongs@samtrans.com>; Board (@caltrain.com) < BoardCaltrain@samtrans.com>

Subject: Re: Caltrain Claim Form

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From: Nicholas Tan <<u>nicholastjs@gmail.com</u>>

Sent: Monday, April 14, 2025 11:04 PM

To: Devin Pogue <<u>PogueD@samtrans.com</u>>

Cc: Steven Wagman <<u>WagmanS@samtrans.com</u>>; Sarah Nabong

<<u>nabongs@samtrans.com</u>>; Board (@caltrain.com) <<u>BoardCaltrain@samtrans.com</u>> **Subject:** Re: Caltrain Claim Form

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Hi Devin,

I was requesting Sarah to fix the flooding issue in the Caltrain land directly adjacent to my backyard, which is causing the pavers, retaining walls, and outdoor kitchen section to all settle and sink. The situation is getting worse and worse. I'm not sure what's the use of a claim form as this moment. I can spend tens of thousands to fix my backyard but for as long as the flooding issue is not fixed, my backyard will continue to deteriorate. So until you fix the flooding issue, I can't just throw away money to fix my backyard.

Thanks, Nicholas

On Apr 14, 2025, at 3:12 PM, Devin Pogue <<u>PogueD@samtrans.com</u>> wrote:

Dear Nicholas Tan,

I'm reaching out to inform you that our customer service representative, Sarah, has shared your concerns with me. I am the Claims Specialist for Caltrain, and I wanted to follow up with you directly.

If you intend to file a formal claim, please complete the attached claim form.

Thank you,

Devin Pogue

Claims Specialist SamTrans/Caltrain 1250 San Carlos Ave. San Carlos CA 94070 Phone: (650) 632-6868 Email: <u>PogueD@samtrans.com</u>

<image001.png>

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

ATTENTION: This email camerirprint afront enternal own sender bot open attachments or click

I did that, I haven't heard back since 4/4.

On Apr 15, 2025, at 1:19 PM, Devin Pogue <PogueD@samtrans.com> wrote:

To ensure this issue is addressed, I recommend reaching out to our customer service team directly. They will be able to provide further assistance.

Thank you,

Devin Pogue

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From: Nicholas Tan <<u>nicholastjs@gmail.com</u>>
Sent: Tuesday, April 15, 2025 11:28 AM
To: Devin Pogue <<u>PogueD@samtrans.com</u>>
Cc: Steven Wagman <<u>WagmanS@samtrans.com</u>>; Sarah Nabong
<<u>nabongs@samtrans.com</u>>; Board (@caltrain.com) <<u>BoardCaltrain@samtrans.com</u>>
Subject: Re: Caltrain Claim Form

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Hi Devin,

In another email thread I have with Caltrain, I was told that the work was completed on March 17th. I shared a photo that it's still flooding on March 30th. So the efforts did not help prevent flooding, which means the damage will likely to continue.

In addition to damage, the flood is also breeding ground of bugs and could end up becoming a hazard as well.

Thanks, Nicholas

On Apr 15, 2025, at 11:19 AM, Devin Pogue <<u>PogueD@samtrans.com</u>> wrote:

Thank you for your email. I understand your concerns and the impact the flooding issue has had on your property. It appears that work was completed to address the flooding on the Caltrain land adjacent to your backyard. We are hopeful that these efforts will help prevent further damage going forward.

If you're still experiencing issues in your backyard, I recommend contacting our customer service team directly. They'll be able to provide further support and investigate any ongoing concerns.

In the meantime, a claim form was provide should you choose to file a claim for this issue in the future.

Best regards,

Devin Pogue

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Email: PogueD@samtrans.com

<image001.png>

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From: Nicholas Tan <<u>nicholastjs@gmail.com</u>>
Sent: Monday, April 14, 2025 11:04 PM
To: Devin Pogue <<u>PogueD@samtrans.com</u>>
Cc: Steven Wagman <<u>WagmanS@samtrans.com</u>>; Sarah Nabong
<<u>nabongs@samtrans.com</u>>; Board (@caltrain.com)
<<u>BoardCaltrain@samtrans.com</u>>
Subject: Re: Caltrain Claim Form

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From:	Caltrain BOD Public Support
To:	Nicholas Tan
Cc:	Board (@caltrain.com)
Subject:	Re: Complaint about flooding on the Caltrain Land behind my house
Date:	Wednesday, April 16, 2025 12:15:03 PM
Attachments:	IMG_3918.jpg
	TC_02406.JPG
	IMC 3917 inc

Dear Nicholas Tan.

Thank you for reaching out. I understand your concern. Our crew did perform some initial grading work in the area, and we've since asked them to return to complete additional grading based on what we observed. Our Engineer checked the area today and is coordinating the follow-up work with their team to ensure everything is addressed properly.

It's also worth noting that it appears a neighbor made modifications to the ditch behind their fence, which has caused a disruption in water flow. Once that issue is corrected, we'll be following up with them to prevent any future alterations.

I appreciate your patience, and I'll keep you updated as we move forward. Please don't hesitate to reach out if you have any further questions.

Best regards,

Your Caltrain BOD Public Support Team

From: Nicholas Tan <nicholastjs@gmail.com> Sent: Monday, April 14, 2025 11:07 PM To: Caltrain BOD Public Support <CaltrainBODPublicSupport@caltrain.com> Ce: Board (@caltrain.com) <BoardCaltrain@samtrans.com> Subject: Re: Complaint about flooding on the Caltrain Land behind my house

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Hi Caltrain Team,

I received an email from Devin Pogue in your team that share with me a claim form, I'm not sure what you are trying to solve with that. I'm not going to spend tens of thousands of dollars to fix my backyard if the flooding in your land right behind my backyard continues, because after I fix them, the soil will continue to settle and sink due to the flooding. Are you not going to fix the flooding issue?

Thanks, Nicholas

On Apr 4, 2025, at 1:05 PM, Nicholas Tan <nicholastjs@gmail.com> wrote:

Hi,

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I'm not understanding why it's so hard to fix this. This has been ongoing for many years now and my backyard is crumbling due to this. I have spent tens of thousands on the pavers, retaining walls, and outdoor kitchen and they are all crumbling. I have been very patient for many years now, but if this continues to deteriorate, I will consider legal action. Your inaction or ineffective actions has caused significant financial loss to my investment in my backyard.

Thanks, Nicholas

<1000023577.jpg>

On Fri, Apr 4, 2025, 12:54 PM Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> wrote:

Dear Nicholas Tan,

Thank you for your follow-up and your patience as our crews worked to address your concerns. We are pleased to inform you that the work was completed on March 17, 2025.

We appreciate your understanding and continued support. Should you have any further questions or need additional assistance, please don't hesitate to reach out.

Best regards,

Your Caltrain BOD Public Support Team

From: Nicholas Tan <<u>nicholastjs@gmail.com</u>> Sent: Tuesday, March 11, 2025 10:05 AM

To: Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>>

Cc: Board (@caltrain.com) <BoardCaltrain@samtrans.com>

Subject: Re: Complaint about flooding on the Caltrain Land behind my house

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Hi,

I did not meet with any of your team members on 3/7. I was home until 12.30pm and was out for the rest of that day.

Thanks, Nicholas On Mar 11, 2025, at 9:49 AM, Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> wrote:

Dear Nicholas Tan,

Thank you for your patience. I wanted to check in regarding the crew visit we scheduled for **3/7/2025**. I'm following up to see if the crew has been able to visit your location and address the flooding concerns.

Please let me know if there's anything else that needs attention or if you require any further assistance.

Best regards,

Your Caltrain BOD Public Support Team

From: Nicholas Tan <<u>nicholastjs@gmail.com</u>> Sent: Thursday, February 20, 2025 4:06:17 AM (UTC+00:00) Monrovia, Reykjavik To: Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> Cc: Board (@<u>caltrain.com</u>) <<u>BoardCaltrain@samtrans.com</u>> Subject: Re: Complaint about flooding on the Caltrain Land behind my house

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Hi,

Thank you for getting back to me. Please note that this flooding is causing a huge problem to the pavers in my backyard as I highlighted last year. The soil gets so soft that my backyard is sinking, retaining wall leaning and falling apart, pavers kitchen falling apart, etc. If this is not fixed soon, my backyard will incur huge lose if it gets to a point that I need to rebuild everything, let alone the risk of these items falling onto my kids and causing injury.

That's on top of flooding risk in my crawl space basement and it becoming breeding ground for mosquitoes and other bugs.

Please act quickly before things get a lot worse.

Thanks, Nicholas

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On Feb 18, 2025, at 2:11 PM, Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> wrote:

Dear Nicholas Tan,

Your message to the Caltrain Board of Directors has been forwarded to me for a response. A copy of our correspondence will also be shared with the Board members. Thank you for reaching out and for sharing the photos with us. I'm sorry to hear that the flooding issue behind your backyard is still occurring despite the previous work done by our team.

I want to let you know that we've referred this matter to our Right of Way team to investigate and address the issue. They will assess the situation and take any necessary actions to help resolve it.

Thank you again for bringing this to our attention. We'll keep you updated on any progress. If you have any additional questions or concerns, feel free to reach out.

Best regards,

Your Caltrain BOD Public Support Team

From: Nicholas Tan <<u>nicholastjs@gmail.com</u>> Sent: Tuesday, February 18, 2025 5:40:51 AM (UTC+00:00) Monrovia, Reykjavik To: Sarah Nabong <<u>nabongs@samtrans.com</u>> Ce: Board @caltrain.com) <<u>BoardCaltrain@samtrans.com</u>> Subject: Re: Complaint about flooding on the Caltrain Land behind my house

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

The raining season is here and looks like the work your team has done previously hasn't help alleviate the flooding issue behind my backyard. Please see attached photos that I just took yesterday.

Thanks, Nicholas

<PXL_20250216_231417869.PANO.jpg><PXL_20250216_231438547.PANO.jpg><PXL_20250216_231554912.PANO.jpg>

On May 22, 2024, at 3:19 PM, Nicholas Tan <<u>nicholastjs@gmail.com</u>> wrote:

Thank you Sarah for your update. Yes, I did meet with your contractor and he did share his plan with me.

Thanks, Nicholas

On May 23, 2024, at 2:48 AM, Sarah Nabong <<u>nabongs@samtrans.com</u>> wrote:

Dear Nicholas Tan,

I hope this message finds you well. Thank you for bringing your concerns about the ongoing flooding issue behind your property to our attention. We sincerely apologize for the inconvenience and distress this situation has caused you and your

family. Your message to the Caltrain Board of Directors was referred to me for response. The Board members will receive a copy of our correspondence.

I understand that you met with our contractor and were informed that when the area dries out a little more, sometime around the end of July or beginning of August, we will be back to regrade the ditch-line. I was notified that you exchanged numbers so that we can update you as we get closer to that time.

Please be assured that we take your feedback seriously, and we are committed to resolving this issue promptly.

We appreciate your patience and understanding as we work to address this matter effectively. Thank you for your continued support and cooperation.

Best regards,

Sarah Nabong, Customer Service Representative 2 1250 San Carlos Ave San Carlos, CA 94070 Websites: Caltrain | SamTrans | TA

vebsites: <u>Califrain | Sam Frans</u> | <u>FA</u>

From: Nicholas Tan <<u>nicholastis@gmail.com</u>> Sent: Saturday, April 27, 2024 6:31 PM To: Board (@caltrain.com) <<u>board@caltrain.com</u>> Subject: Complaint about flooding on the Caltrain Land behind my house

You don't often get email from nicholastjs@gmail.com. Learn why this is important

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

Hi,

I filed a complaint 2-3 years ago about flooding in the Caltrain Land behind my backyard. You have since done some work to try to better slope the land so that water doesn't accumulate there.

This year during the rain season, water start to accumulate again. The last time there's rain was more than two weeks ago, and there's still a good size pond right behind my house.

This will cause three significant safety risks:

1. Flood in our crawl space. the water in our crawl space is pump towards that area and if thAt area is flooded the my pump will fail to pump the water out, causing flood in my basement (with risk of getting into my living space)

2. Health risk. The standing water there becomes a breeding ground for mosquitoes. This year there's significant increase of mosquitoes around my house, which can be a health risk.

3. Land setting. The soaked and saturated ground becomes soft and the fixture inside my backyard started to sink. The retaining wall is leaning backwards, the outdoor kitchen counter top started to sink and at risk of crumbling.

This issue has been going on for many years and while I saw your effort to try to fix it, it's not fixed and actually got worse.

Can you take action immediately before this becomes a much bigger issue and causing significant damage and health problems toy family?

Thanks, Nicholas

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Mar 24, 2025 at 10:43:01 AM 3357 Park Blvd Palo Alto CA 94306 United States





From:	Nicholas Tan
To:	Caltrain BOD Public Support
Cc:	Board (@caltrain.com)
Subject:	Re: Complaint about flooding on the Caltrain Land behind my house
Date:	Wednesday, April 16, 2025 2:20:51 PM

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

Thank you for the update.

On Wed, Apr 16, 2025, 12:15 PM Caltrain BOD Public Support <<u>CaltrainBODPublicSupport@caltrain.com</u>> wrote: Dear Nicholas Tan,

Thank you for reaching out. I understand your concern. Our crew did perform some initial grading work in the area, and we've since asked them to return to complete additional grading based on what we observed. Our Engineer checked the area today and is coordinating the follow-up work with their team to ensure everything is addressed properly.

It's also worth noting that it appears a neighbor made modifications to the ditch behind their fence, which has caused a disruption in water flow. Once that issue is corrected, we'll be following up with them to prevent any future alterations.

I appreciate your patience, and I'll keep you updated as we move forward. Please don't hesitate to reach out if you have any further questions.

Best regards,

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Thanks, Nicholas

<image002.jpg> <image003.jpg> <image004.jpg> <image005.jpg> From: Sent: To: Subject: VTA BART Phase II <vtabart@vtabsv.com> Tuesday, April 15, 2025 5:43 PM Board (@caltrain.com) VTA's BART Phase II: April 2025 Construction Update



VTA's BART Silicon Valley Phase II (BSVII) Project continues to make progress that is highlighted in our second monthly construction update.

West Portal at the Newhall Yard & Maintenance Facility

(Located between Brokaw Road, Newhall Drive, Coleman Avenue and the railroad tracks)

Current Work in April and What to Expect: Monday through Saturday from

6 a.m. to 6 p.m.

- Digging, drilling and leveling the ground to prepare the site expect visible machines and a low humming noise during drilling.
- Mixing cement and soil to improve ground stability expect noise from large machines and continuous drilling and mixing sounds.

- Pouring concrete foundations for equipment and filtration equipment expect noise from large machines.
- Assembly of large cranes that will help lift heavy materials expect some noise from equipment assembly and more large equipment seen on the site.

Upcoming Work in May: Monday to Saturday, 6 a.m. to 4 a.m.

- Excavation in preparation for the launch structure of the future tunnel boring machine.
- Anticipated night work expect lights pointing down at the workers and flashing safety lights of construction vehicles.
- Additional truck activity on Newhall Drive, Brokaw Road and Coleman Avenue.
- Use of large machines and cranes to support mixing cement into the ground to make it stronger.

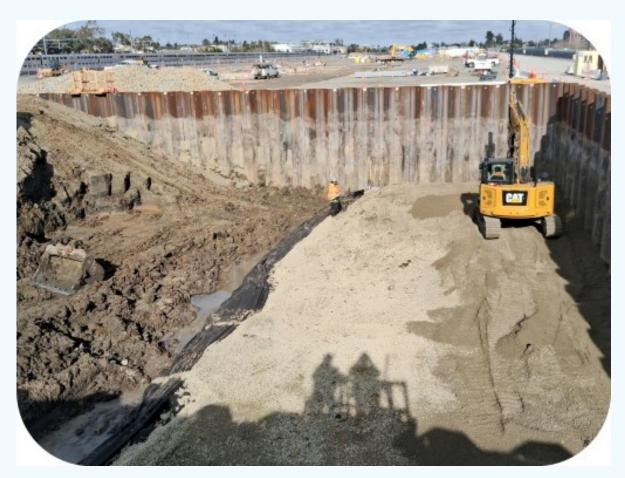
Construction Progress Made in March and April



Trench and electrical conduit installation needed to provide electricity to various on-site facilities



Poured concrete slabs for construction equipment



Excavation of detention basin



Placing reinforcement bars, or rebar, in the detention basin



Constructing a desander slab which will hold equipment that separates materials not suitable for construction from excavated soil



Concrete pour for the Excavated Materials Bin

Have a question for us about Phase II?

Contact Us

- Visit the BSVII Team located at **2830 De La Cruz Boulevard, Santa Clara** (Monday through Thursday between 9 a.m. and 5 p.m.)
- Email: <u>vtabart@vtabsv.com</u>
- Call: (408) 321-2345

Learn more about the Project by visiting <u>www.vtabart.org</u> and receive construction updates by subscribing <u>here</u>.





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Our mailing address is:

Valley Transportation Authority 2830 De La Cruz Blvd 1st Floor Santa Clara, CA 95050

Add us to your address book

Want to change how you receive these emails? You can <u>update your preferences</u> or <u>unsubscribe from this list</u>.



From: Sent: To: Subject: VTA BART Phase II <vtabart@vtabsv.com> Thursday, April 17, 2025 4:11 PM Board (@caltrain.com) BSVII Project: May 2025 West Portal Construction Notice (Extended Work Hours)

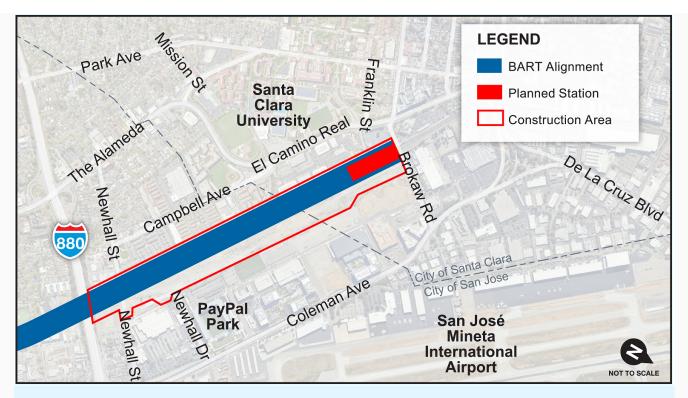
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Extended Construction Work Hours West Portal at Newhall Yard & Maintenance Facility

Thursday, May 1, 2025 — December 2026

From 6 am - 6 am (24 Hours)



Construction Activities

- Construction of tunnel launch structure will require tall machinery and cranes
- Construction includes excavation activities, underground retaining wall, and pouring of concrete
- Truck hauling on Brokaw Road, Newhall Drive, and Coleman Avenue

What to Expect

- New work hours between 6 a.m. 6 a.m (24 hours)
- Work will also take place seven days a week (Sundays as needed)
- Noise will be actively monitored
- Sound curtain will be installed before the launch structure work begins

Sign up for construction updates at <u>www.vtabart.org</u>

Project Information

VTA's BART Silicon Valley Phase II Extension (Phase II Project) is a six mile, fourstation extension of BART from Berryessa / North San José Station (opened 2020) through downtown San José to the City of Santa Clara. The Phase II Project is planned to include an approx. five-mile subway, three stations with underground platforms (28th Street/ Little Portugal, Downtown San José, and Diridon), one groundlevel station (Santa Clara), a train maintenance and storage facility, and additional facilities.



- Maintain a safe following distance
- Plan your trip ahead
- Slow down and follow posted speed limits
- Be aware of your surroundings
- Pay attention to safety sign

Horario de trabajo de construcción extendido en el Portal Oeste de Newhall Yard & Maintenance Facility

Jueves, 1 de mayo de 2025 - diciembre de 2026, de 6 am - 6 am (24 horas)

Actividades de construcción

- La construcción de la estructura de lanzamiento del túnel requerirá maquinaria alta y grúas
- La construcción incluye actividades de excavación, muro de contención subterráneo y vertido de hormigón
- Transporte de camiones en Brokaw Road, Newhall Drive y Coleman Avenue

Lo que puede esperar

- Nuevo horario de trabajo entre 6 am 6 am (24 horas)
- El trabajo también se realizará siete días a la semana (Domingos según sea necesario)
- Se controlará activamente el ruido
- Se instaló una cortina acústica junto a la estructura de lanzamiento del túnel para reducir el ruido

Inscríbase para recibir información actualizada sobre la construcción en www.vtabart.org

Pinalawig na mga Oras ng Trabaho sa Konstruksyon ng West Portal sa Newhall Yard at Pasilidad ng Maintenance *Huwebes, Mayo 1, 2025 — Disyembre 2026, mula 6 am - 6 am (24 na Oras)*

Mga Aktibidad sa Konstruksyon

- Ang konstruksyon ng tunnel launch structure ay mangangailangan ng mataas na makinarya at mga crane
- Kasama sa konstruksyon ang mga gawaing paghuhukay, mga pangharang na pader sa ilalim ng lupa, at pagbubuhos ng semento
- Paghahakot ng truck sa Brokaw Road, Newhall Drive, at Coleman Avenue

Ano ang Inaasahan

- Bagong mga oras ng pagtatrabaho sa pagitan ng 6 am 6 am (24 na oras)
- Magaganap rin ang trabaho pitong araw sa isang lingo (Linggo kung kinakailangan)
- Aktibong imo-monitor ang ingay
- Nagkabit ng kurtinang sa tunog katabi ng tunnel launch structure upang mabawasan ang ingay

Mag-sign up para sa mga update sa konstruksyon sa *www.vtabart.org*

延长位于Newhall堆场的West Portal 及维护设施的施工时间

2025 年 5 月 1 日至 2026 年 12 月,上午 6 时至第二天上午 6 时 (24 小时)

施工活动

- 隧道启动结构的施工需要大型机械和起重机
- 施工包括挖掘活动、地下挡土墙和混凝土浇筑
- 在 Brokaw 路、Newhall 路和 Coleman 大道上进行卡车运输

预期情况

- 新的工作时间为上午 6 时至第二天上午 6 时(24 小时)
- 每周工作七天(周日视需要而定)
- 将对噪音进行积极监控
- 隧道启动结构旁已安装隔音屏障,以帮助降低噪音

登录 www.vtabart.org 获取施工最新信息

뉴홀 야드(Newhall Yard) 및 유지보수 시설의 서쪽 포털 공사 시간 연장시설의 연장 2025*년* 5*월* 1*일 목요일*~2026*년* 12*월* 6*일 오전* 6:00~*오전* 6:00 (24시간)

공사 내용

- 터널 발사 구조물 공사에는 높은 기계와 크레인이 필요합니다.
- 공사에는 굴착 활동, 지하 옹벽 및 콘크리트 타설이 포함됩니다.
- 브로크로드, 뉴홀 드라이브, 콜먼 애비뉴에서 트럭 운반 작업 진행

예상되는 사항예상되는 사항

• 새로운 작업 시간은 오전 6:00~오전 6:00 (24시간) 사이입니다

- 작업은 주 7일(필요에 따라 일요일) 진행됩니다
- 소음이 적극적으로 감시될 것입니다
- 터널 발파 구조물 옆에 방음막을 설치하여 소음을 줄였습니다

www.vtabart.org에서 공사 업데이트를 신청하세요

Giờ Thi Công Mở Rộng West Portal tại Sân Newhall & Cơ Sở Bảo Trì Newhall Trì Thứ Năm, ngày 1 tháng 5 năm 2025 — Tháng 12 năm 2026, từ 6 giờ sáng - 6 giờ sáng (24 Tiếng)

Hoạt Động Xây Dựng

- Việc xây dựng kết cấu đường hầm sẽ đòi hỏi máy móc và cần cẩu cao
- Việc xây dựng bao gồm hoạt động đào xới, tường chắn ngầm và đổ bê tông
- Xe tải chở hàng trên Brokaw Road, Newhall Drive và Coleman Avenue

Những Việc Sắp TớiNhững Tới

- Giờ làm việc mới từ 6 giờ sáng đến 6 giờ sáng (24 tiếng)
- Việc xây dựng cũng sẽ diễn ra bảy ngày một tuần (Chủ nhật theo yêu cầu)
- Tiếng ồn sẽ được theo dõi
- Rèm âm thanh đã được lắp đặt bên cạnh cấu trúc đường hầm để giúp giảm tiếng ồn

Đăng ký nhận thông tin cập nhật về việc xây dựng tại www.vtabart.org

Have a question for us about Phase II?

Visit www.vtabart.org or email us vtabart@vtabsv.com



vtabart@vtabsv.com (408) 321-2345 BART Silicon Valley Hotline



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