



SANTA CLARA VALLEY WATER DISTRICT

# NON-AGENDA

## November 07, 2025

**Board Policy EL-7 Communication and Support to the Board**  
*The BAOs shall inform and support the Board in its work.*

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	<b><u>INCOMING BOARD CORRESPONDENCE</u></b>
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<b>14</b>	Email from John Kenevey to Melanie Richardson, Rita Chan, and Brandon Ponce (copied to the board and other Vally Water staff), dated 10/29/25, following up on the enforcement actions initiated via the Town of Los Gatos Code Compliance and the subsequent public response by Valley Water. C-25-0179
<b>19</b>	Email from John Kenevey to Ling Hoang, Rachael Gibson, Michael Potter, and Aimee Green (copied to the board and other Valley Water staff), dated 10/29/25, writing in response to the community notice regarding the "Postponed Early Morning Concrete Pour," signed by the Chief of Water Utility. C-25-0180
<b>22</b>	Email from John Kenevey to Emmanuel Aryee (copied to the board and other Valley Water staff), dated 10/29/25, in response to his commitment to provide a full explanation for project failures by October 31, 2025. C-25-0181
<b>31</b>	Email from Edward & Rowena Turner to Director Eisenberg (copied to the board), dated 10/29/25, writing about fire hazard concerns on their property on Stratford Court in Monte Sereno. C-25-0182
<b>33</b>	Email from John Kenevey to Emmanuel Aryee (copied to the board and other Valley Water Staff), dated 10/30/25, requesting a detailed, substantive, and non-deflective explanation in the response due 10/31/25. C-25-0183
<b>44</b>	Email from John Kenevey to Brandon Ponce, Melanie Richardson, and Rita Chan (copied to the board and other Valley Water Staff), dated 10/30/25, regarding the cessation of unauthorized work and adherence to municipal code. C-25-0184
<b>50</b>	Email from John Kenevey to Linh Hoang, Rachael Gibson, Michael Potter, and Aimee Green (copied to the board and other Valley Water staff), dated 10/30/25, providing formal notice requesting that all retaliatory and profiling cease immediately. C-25-0185
	<b><u>OUTGOING BOARD CORRESPONDENCE</u></b>
<b>53</b>	Email from Chair Estremera to John Kenevey, dated 10/31/25, providing a response to their concerns about the Rinconada Reliability Improvement Project Phases 3-6, currently under construction at the Rinconada Water Treatment Plant.

# **CEO BULLETIN**



**To: Board of Directors**  
**From: Melanie Richardson, Interim CEO**

## Weeks of October 24, 2025 – November 6, 2025

**Board Executive Limitation Policy EL-7:**

*The Board Appointed Officers shall inform and support the Board in its work. Further, a BAO shall 1) inform the Board of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established and 2) report in a timely manner an actual or anticipated noncompliance with any policy of the Board.*

Item	IN THIS ISSUE
<u>1</u>	Office of Communications Awards and Nominations
<u>2</u>	Planned 3-Week Silicon Valley Advance Water Purification Center (SVAWPC) Shutdown: November 30 – December 21, 2025
<u>3</u>	Planned 6-Month West Pipeline (WPL) Shutdown – Phase I (October 30, 2025 – April 28, 2026)
<u>4</u>	Safe, Clean Water Refill Station Closeout: Boys & Girls Clubs of Silicon Valley’s Morgan Hill (El Toro) Clubhouse
<u>5</u>	Safe, Clean Water Refill Station Grants Closeout: Morgan Hill Unified School District’s FY 2023 F9 Barrett Elementary School A4748R, Los Paseos Elementary School A4740R, and PA Walsh STEAM Academy A4752R
<u>6</u>	Safe, Clean Water Standard Grant Closeout: Grassroots Ecology’s McClellan Ranch Community Garden Hedgerow
<u>7</u>	Valley Water’s Public Meeting on the Rinconada Water Treatment Plant Reliability Improvement Project Phases 3-6.

### 1. Office of Communications Awards and Nominations

On October 2, 2025, Valley Water received a first-place California Association of Public Information Officers (CAPIO) STAR Award for its video “A Story of Resilience” in the Consultant/Education category. The video spotlights fisheries biologists from the Environmental Mitigation and Monitoring Unit as they conducted annual surveys of Central California Coast Steelhead.

Valley Water was also recognized as a finalist in the Consultant Brand Awareness category for its partnership with the San Jose Sharks. As part of a broader branding campaign, Valley Water produced a series of videos featuring Sharks defenseman Mario Ferraro, mascot SJ Sharkie, and Valley Water’s mascot, H2Cool.

Valley Water has also been selected as a finalist for the 2025 Association of California Water Agencies (ACWA) Excellence in Communications Award and the national Public Relations Daily Award for our Summer 2024 – Spring 2025 Water Conservation Campaign. The campaign featured stories by community members who have transformed their yards with the help of our landscape rebate program. Innovative strategies, such as geo-targeting single-family homes and delivering materials in the user's language of choice, maximizing the campaign's reach and engagement.

This summer, Valley Water was recognized by the National Association of Flood & Stormwater Management Agencies (NAFSMA) for promoting public awareness about flooding and emergency preparedness during the past winter season. NAFSMA's second-place national award for Excellence in Communications underscored our commitment to ensuring that residents in high-risk flood areas know the potential dangers, have signed up for alerts, and can find locations to obtain free sandbags in emergencies.

For further information, please contact Rachael Gibson at (408) 630-2884.

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### **2. Planned 3-Week Silicon Valley Advance Water Purification Center (SVAWPC) Shutdown: November 30 – December 21, 2025**

Starting November 30, 2025, the Silicon Valley Advanced Water Purification Center (SVAWPC) will be shut down for three weeks to perform annual maintenance and a major replacement of micro-filtration (MF) membranes.

During the shutdown, Valley Water will also inspect the center's electrical system, and rehabilitate key equipment used in critical processes. Periodic preventive maintenance ensures the center remains safe, reliable, and fully operational. Maintenance activities requiring a full plant shutdown are coordinated with the San José–Santa Clara Regional Wastewater Facility, which supplies secondary-treated wastewater to SVAWPC. Shutdowns are scheduled for periods of lower recycled water demand.

South Bay Water Recycling customers may notice minor changes in water characteristics due to the temporary suspension of purified water blending from SVAWPC. The center is scheduled to return to service by end of day on December 21, 2025.

For further information, please contact Sam Bogale at (408) 630-3505.

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### **3. Planned 6-Month West Pipeline (WPL) Shutdown – Phase I (October 30, 2025 – April 28, 2026)**

Beginning October 30, 2025, the West Pipeline (WPL), the primary distribution pipeline served by the Rinconada Water Treatment Plant (RWTP), will enter the initial lockout/tagout phase on selected turnouts in preparation for the full WPL shutdown. The complete shutdown and the start of project construction activities are scheduled for November 1, 2025, marking the start of Phase I of the WPL Project. This phase includes installing a line valve at Quito Road in Saratoga, conducting pipeline inspections and repairs, rehabilitating appurtenances, and performing other maintenance and upgrade work. The pipeline is scheduled to return to service by April 28, 2026.

During this period, RWTP will operate intermittently and continue supplying water to San Jose Water Company's More Avenue Turnout. Concurrent construction associated with the Rinconada Reliability Improvement Project and other maintenance activities will also occur at RWTP. The shutdown schedule has been coordinated with all WPL retailers, who will use groundwater and/or alternative supplies to meet demand.

For further information, please contact Sam Bogale at (408) 630-3505.

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#### **4. Safe, Clean Water Refill Station Closeout: Boys & Girls Clubs of Silicon Valley's Morgan Hill (El Toro) Clubhouse**

In Fiscal Year (FY) 2025, Valley Water awarded Boys & Girls Clubs of Silicon Valley (BGCSV) a \$5,000 Safe, Clean Water Program F9 Refill Station Grant for their Morgan Hill (El Toro) Clubhouse (Project). BGCSV completed the Project and submitted the final invoice items on June 18, 2025, allowing for grant closeout.

The Morgan Hill (El Toro) Clubhouse serves more than 200 at-risk youth annually through after-school and summer programs. Previously, drinking water was provided through portable water jugs carried daily by staff. The Project installed a new refill station near the bathrooms and provides a reliable source of clean drinking water. The installation improves water access during programming and supports youth, staff, and volunteers.

##### Key Outcomes:

- Provides reliable hydration for more than 200 youth participants annually.
- Supports 100+ volunteers and staff members with access to clean drinking water year-round.
- Installed the first permanent refill station at the Morgan Hill (El Toro) Clubhouse.

For further information, please contact Rachael Gibson at (408) 630-2884.

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#### **5. Safe, Clean Water Refill Station Grants Closeout: Morgan Hill Unified School District's FY 2023 F9 Barrett Elementary School A4748R, Los Paseos Elementary School A4740R, and PA Walsh STEAM Academy A4752R**

In FY 2023, Valley Water awarded Morgan Hill Unified School District (MHUSD) three \$5,000 Safe, Clean Water Program F9 Refill Grants for Barrett Elementary School, Los Paseos Elementary School, and PA Walsh STEAM Academy (Projects). MHUSD completed both the Los Paseos Elementary School and PA Walsh STEAM Academy refill stations on December 5, 2022, and the Barrett Elementary refill station on January 10, 2023. The final invoices for all three items were submitted on September 16, 2025, allowing for the grants' closeout.

##### Key Outcomes:

- MHUSD has installed water bottle refill stations at Barrett Elementary School, Los Paseos Elementary School, and PA Walsh STEAM Academy.
  - Strategically installed refill stations in high-traffic areas.
  - Increased accessibility to clean drinking water to students and faculty on campus.
  - Encouraged the use of reusable bottles and reduced reliance on plastic bottles.
    - Barrett Elementary School's multipurpose room refill station has filled 8,617 water bottles to date, and the playground refill station has filled 4,056 water bottles to date.
    - Los Paseos Elementary School refill station has filled 19,759 water bottles to date.
    - PA Walsh STEAM Academy refill station has filled 7,000 water bottles to date.

For further information, please contact Rachael Gibson at (408) 630-2884.

## **6. Safe, Clean Water Standard Grant Closeout: Grassroots Ecology's McClellan Ranch Community Garden Hedgerow**

In FY 2022, Valley Water awarded Grassroots Ecology a \$38,568.50 Safe, Clean Water Program F9 Standard Grant for their McClellan Ranch Community Garden Hedgerow Project (Project). Grassroots Ecology completed the Project and submitted the final invoice items in June 2025, allowing for grant closeout.

Grassroots Ecology is a 501(c)(3) nonprofit organization that engages and educates communities in the stewardship of local ecosystems through habitat restoration and environmental education. The Project transformed an overgrown, trash-filled corner of McClellan Ranch Nature Preserve in Cupertino into a thriving native plant hedgerow garden. The Project improved riparian and grassland meadow habitat, remediated pollutants from the adjacent community garden and animal ranch, and restored ecological connectivity along Stevens Creek. Activities supported by the grant included growing and planting watershed-specific native plants, removing invasive species, maintaining the plant site, and engaging volunteers in environmental restoration.

### **Key Outcomes:**

- 304 community members engaged in 16 volunteer workdays and contributed over 780 volunteer hours in total.
  - 52% of volunteers were students between kindergarten through 12th grade.
  - 34% of volunteers were adults.
  - 14% of volunteers were young adults.
- Installed 21 native species with over 5,000 square feet of habitat planted.
- Removed invasive weeds including poison hemlock (*Conium maculatum*), stinging nettle (*Urtica urens*), and common horehound (*Marrubium vulgare*).

For further information, please contact Rachael Gibson at (408) 630-2884.

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## **7. Valley Water's Public Meeting on the Rinconada Water Treatment Plant Reliability Improvement Project Phases 3-6**

On October 21, 2025, Valley Water hosted the biannual community meeting about the Rinconada Water Treatment Plant Reliability Improvement Project Phases 3-6, to provide the latest status update on the project and share responses to neighborhood concerns received to date.

Before the hybrid public event began, interested participants who signed up earlier were given a brief tour of the construction project, which was held from the upper deck of the Rinconada Water Treatment Plant.

Directors Jim Beall, Shiloh Ballard and Rebecca Eisenberg attended the meeting, along with City of Saratoga Mayor Belal Aftab and City of Saratoga Councilmember Kookie Fitzsimmons. Fifteen community members attended and five people joined online via Zoom. The presentation was followed by a question-and-answer session.

A link to the recording of the public meeting is available on the project website and Valley Water's YouTube channel.

For further information, please contact Rachael Gibson at (408) 630-2884.

A monthly assessment of trends in water supply and use for Santa Clara County, California

## Outlook as of November 1, 2025

For 2025, the State Water Project (SWP) allocation is 50% of contract amount, the Central Valley Project (CVP) Municipal and Industrial (M&I) allocation is 80%, and the south-of-delta CVP agricultural allocation is 55%. There was significant rain in October as compared to the historical average. October temperatures remained lower than average. Total storage in local reservoirs, with the exception of Anderson Reservoir, is at about average levels for this time of year. Treated water deliveries were below average in October, and groundwater conditions remain healthy.

### Weather

- Rainfall in San José:
  - » Month of October, City of San José = 2.08 inches
  - » Rainfall year total = 2.36 inches or 245% of average to date (rainfall year is July 1 to June 30)
- San José average daily high temperature was 74.7 degrees Fahrenheit in October, which is lower than the five-year average for October (79.1 degrees Fahrenheit)

### Local Reservoirs

- Total November 1 storage = 33,474 acre-feet

Reservoir Storage	All Ten Valley Water Reservoirs	All Reservoirs Except Anderson
Storage as % of unrestricted capacity	20%	39%
Storage as % of restricted capacity (1)	53%	50%
Storage as % of the 20-year average for November 1	53%	107%

(1) Per the Federal Energy Regulatory Commission’s order, the capacity of Anderson Reservoir was restricted to the deadpool storage as of October 1, 2020

- No imported water was delivered into Calero Reservoir during October 2025
- Total estimated releases to streams (local and imported water) during October were 6,080 acre-feet (based on preliminary hydrologic data)

### Treated Water

- Below average demands of 7,002 acre-feet were delivered in October
- This total is 79% of the five-year average for the month of October
- Year-to-date deliveries are 71,475 acre-feet or 89% of the five-year average

### Groundwater

- Groundwater conditions remain healthy throughout the county. Groundwater levels in all except one of the regional monitoring wells are the same as, or higher than, last month. While most of the water levels are lower relative to October 2024, all except two are higher than the prior five-year average for October. The end of 2025 groundwater storage is projected to be in Stage 1 (Normal) of the Water Shortage Contingency Plan

	Santa Clara Subbasin		Llagas Subbasin
	Santa Clara Plain	Coyote Valley	
October 2025 managed recharge estimate	6,600	1,700	2,300
YTD managed recharge estimate	55,300	15,900	19,900
YTD managed recharge as % of five-year average	115%	133%	114%
September 2025 pumping estimate	6,400	1,500	6,200
YTD pumping estimate	54,700	10,300	30,900
YTD pumping as % of five-year average	103%	107%	100%
Current index well groundwater levels compared to October 2024	9 Feet Lower	1 Foot Higher	15 Feet Lower

All volumes are in acre-feet. All data is for 2025 except where noted. YTD = Year-to-date.

## Imported Water

- In October (through October 31st), the SWP operated Banks pumping plant with an average daily export of 6,427 acre-feet, resulting in a total export of 199,229 acre-feet from the Sacramento-San Joaquin Delta for the month. This is the total amount pumped in October for the entire SWP to support the SWP allocation. Valley Water's SWP contract provides Santa Clara County 2.5% of the total SWP contract quantity available each year
- In October (through October 31st), the CVP operated Jones pumping plant with an average daily export of 4,906 acre-feet, resulting in a total export of 152,089 acre-feet from the Sacramento-San Joaquin Delta for the month. This is the total amount pumped in October for the entire CVP to support the south-of-delta CVP allocation. Valley Water's CVP contract provides Santa Clara County 4.7% of the total CVP contract quantity available each year
- Delta flow and water quality requirements were controlling the Sacramento-San Joaquin Delta export facilities this past month. Project facilities, including delta exports, were operated to maintain the Projects' respective flow requirements and water quality standards in the delta for the month of October

WY 2025 Imported Water Allocations	Allocation	Allocation (acre-feet)	Details
SWP	50%	50,000	Allocation Increased on 4/29/25
CVP	55% Ag 80% M&I	Approximately 116,000	Allocation Increased on 5/27/25
State-wide Reservoir Storage	Capacity	Current Storage (acre-feet)	Percent of Average for Date (as of 11/3/25)
Shasta Reservoir	56%	2,540,793	104%
Oroville Reservoir	53%	1,824,659	101%
San Luis Reservoir	53%	1,072,774	116%
Semitropic Groundwater Bank	Capacity	Current Storage (acre-feet)	Date of Data
	87%	304,084	11/3/25
Estimated SFPUC Deliveries	September 2025 (acre-feet)	2025 Total to Date (acre-feet)	Five-Year Annual Average (acre-feet)
	4,317	35,894	46,000

## Conserved Water

- Saved 85,204 acre-feet in FY24 through Valley Water's long-term conservation program (baseline year is 1992)
- Long-term program goal is to save nearly 100,000 acre-feet by 2030, 110,000 acre-feet by 2040, and 126,000 acre-feet by 2050
- On June 13, 2023, the Board of Directors adopted a resolution to support water conservation as a way of life in Santa Clara County and an ordinance with a set of permanent water waste prohibitions

## Recycled Water

- Estimated October 2025 production = 1,529 acre-feet
- Estimated year-to-date through October = 14,170 acre-feet or 95% of the five-year average
- Silicon Valley Advanced Water Purification Center produced an estimated 1.6 billion gallons (4,950 acre-feet) of purified water in 2024. Since the beginning of 2025, about 4,059 acre-feet of purified water has been produced. The purified water is blended with existing tertiary recycled water for South Bay Water Recycling Program customers

## CONTACT US

To find out the latest information on Valley Water projects or to submit questions or comments, email [info@valleywater.org](mailto:info@valleywater.org) or use our **Access Valley Water** customer request system at <https://deliver.com/2yukx>.



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# **BOARD MEMBER REQUESTS and Informational Items**

Report Name: Board Member Requests

Request	Request Date	Director	BAO/Chief	Staff	Description	20 Days Due Date	Expected Completion Date	Disposition
R-25-0010	10/14/25	Beall Eisenberg	Chan	Garcia Mccarter	At the 10/14/25 board meeting, Directors Beall and Eisenberg requested a breakdown of Pacheco costs to-date and copies of consultant agreements.	11/04/25	11/21/2025	11/04/25 Information Only: Signed memo received from staff requesting an extension for the due date from 11/04/2025 to 11/21/2025. Check the attachment for the extension memo.



# MEMORANDUM

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

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

**FROM:** Rita Chan, P.E.  
Assistant Chief Executive Officer

**SUBJECT:** Request for Time Extension to Respond to Board Member Request (BMR) R-25-0010

**DATE:** November 4, 2025

At the October 14, 2025, Board meeting, staff presented an *Update on the Pacheco Reservoir Expansion Project (PREP) Close Out*, Project No. 91954002 (Santa Clara County, District 1; Merced County), under Agenda Item #25-0808. During the discussion, Directors Beall and Eisenberg requested a breakdown of PREP costs to date and copies of consultant agreements related to PREP. This request was logged as Board Member Request (BMR) R-25-0010 and assigned to Assistant Officer Andrew Garcia and Deputy Operating Officer Ryan McCarter within the Dam Safety & Capital Delivery Division. The response is currently due on November 4, 2025.

Due to the extensive number of on-call consultant agreements and related task orders, additional time is needed to compile a complete and accurate response. Staff requests a time extension to November 21, 2025, to allow for thorough review and preparation of all supporting documents.

## APPROVALS

### Submitted by:

DocuSigned by:  19FD38D5D7854BD	11/4/2025
_____	_____
Rita Chan, P.E. Assistant Chief Executive Officer	Date

### Approved:

Signed by:  F00F305217A24A4...	11/4/2025
_____	_____
Melanie Richardson, P.E. Interim Chief Executive Officer	Date

cc: R. McCarter, A. Garcia, C. Kwok-Smith, M. Overland, N. Merritt

# **INCOMING BOARD CORRESPONDENCE**

Board Correspondence (open)

Correspond No	Rec'd By District	Rec'd By COB	Letter To	Letter From	Description	Disposition	BAO/ Chief	Staff	Draft Response Due Date	Draft Response Submitted	Writer Ack. Sent	Final Response Due Date
C-25-0182	10/29/25	10/29/25	Cc: Eisenberg	EDWARD TURNER	Email from Edward & Rowena Turner to Director Eisenberg (copied to the board), dated 10/29/25, writing about fire hazard concerns on their property on Stratford Court in Monte Sereno. C-25-0182	Refer to Staff	Hakes	Bilski Codianne	11/06/25	-	n/a	11/12/25

**From:** [John Kenevey](#)  
**To:** [Brandon Ponce](#); [Melanie Richardson](#); [Rita Chan](#)  
**Cc:** [CEO](#); [Board of Directors](#); [Candice Kwok-Smith](#); [Rebecca Eisenberg](#); [Theresa Chinte](#); [Valley Water Risk Manager](#); [Aimee Green](#); [Emmanuel Arvee](#); [Bhavani Yerrapotu](#); [Lilian Dennis](#); [Michael Potter](#); [Linh Hoang](#); [Rachael Gibson](#); [Yolanda Cervantes](#); [Aaron Baker](#); [Monica Mendez](#)  
**Subject:** Re: FINAL NOTICE OF VIOLATION: Mandatory Stop Work Order Justified by Chronic CEQA and Municipal Code Non-Compliance (Large Concrete Pour, October 30, 2025)  
**Date:** Wednesday, October 29, 2025 3:03:55 PM

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

## **SUBJECT: FORMAL DEMAND FOR CONFIRMATION: Liability Acceptance, Expired EIR, and Cessation of Unauthorized Work (Town of Los Gatos Code Compliance)**

Dear Mr. Ponce, Ms. Richardson, Ms Chan

This communication is to formally follow up on the enforcement actions initiated via the Town of Los Gatos Code Compliance and the subsequent public response by Valley Water.

Your project team's response to the unauthorized 4:00 a.m. work - which was to issue a temporary postponement - is insufficient. It serves only as administrative obfuscation and fails to address the underlying regulatory violations.

### **I. Confirmation of Stop Work Order (SWO)**

I demand immediate confirmation on the following points:

1. **SWO Status:** Did Valley Water **voluntarily issue a temporary hold** on the unauthorized 4:00 a.m. construction work, or was this postponement mandated by the Town of Los Gatos Code Compliance?
2. **Liability for Unauthorized Work:** I require formal confirmation that all unauthorized construction activities conducted outside the compliant Los Gatos hours (8:00 a.m. to 6:00 p.m., weekdays; 9:00 a.m. to 4:00 p.m., Saturdays) are deemed **policy violations** and constitute direct evidence of **operational negligence** for which the District is liable.
3. **Los Gatos Code Compliance:** I require formal confirmation that, going forward, **no construction work, including equipment staging, material delivery, or site activity, will commence before 8:00 a.m. on weekdays**, as required by Los Gatos Municipal Code (Sec. 16.20.035). Any work starting before that time will be documented and reported immediately as a policy violation for which the District is liable.

### **II. Expired EIR and Regulatory Jeopardy**

The information provided by Valley Water to the public regarding the RWTP project's postponement is unacceptable **misinformation**. Your public statement failed to disclose the true reason for the postponement, namely, the complaints regarding

severe noise pollution and the threat of regulatory action against the project's environmental clearance.

The core regulatory problem remains: **The 2015 Final Environmental Impact Report (EIR) is expired and invalid.** The project's extension from 2.5 years to a **15-year spectacle** constitutes a "substantial change in circumstances" and "new information of substantial importance" that demonstrates the chronic noise and air quality effects are **substantially more severe** than originally predicted under CEQA Guidelines § 15162.

Valley Water is now placed on formal notice: **You are liable for proceeding with this construction under an expired and inadequate EIR.**

If you and your project team fail to acknowledge this fundamental regulatory liability and do not commit to commissioning a mandatory **Subsequent EIR (SEIR)**, I will immediately escalate this matter to the **State Attorney General's Office** for enforcement action, seeking an injunction and a mandatory Stop Work Order against **the entire project.**

The clock for compliance with state environmental law is now officially ticking.

Sincerely,

John Kenevey

On Mon, Oct 27, 2025 at 2:05 PM John Kenevey [REDACTED] wrote:

**SUBJECT: FORMAL NOTICE OF REGULATORY VIOLATION: Town of Los Gatos Enforcement Action and Demand for Voluntary Stop Work Order (RWTP CEQA/Noise Breach)**

Dear Mr. Ponce,

This communication confirms that the Town of Los Gatos has been informed of the upcoming unauthorized work on October 30th.

### **I. Formal Local Enforcement and CEQA Violation**

We have **formally filed complaints with the Town of Los Gatos Code Compliance and Los Gatos Town Attorney** regarding the ongoing and severe violations of local noise ordinances. These complaints specifically cite the unauthorized, egregious **4:00 a.m. construction work** which are far outside the permissible construction hours (8:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 4:00 p.m. on Saturdays) allowed by the Los Gatos Municipal Code.

Furthermore, a formal request for an injunction is prepared, based on the **CEQA/Noise violations** that Valley Water has failed to acknowledge for years. The massive, uncontrolled extension of this project from 2.5 years to over 10 years constitutes a **"substantial change in circumstances"** that invalidates the 2015 Final EIR and subjects the entire project to mandatory regulatory action, including a **Stop Work Order (SWO).**

## II. Ultimatum: Voluntary Suspension of Unauthorized Work

As the Capital Engineering Manager responsible for the project's delivery, you are hereby placed on notice regarding the imminent threat of regulatory shutdown.

1. **Confirm Receipt of Complaints:** I demand that you immediately confirm receipt of the local enforcement complaints filed with the Town of Los Gatos Code Compliance.
2. **Voluntary Work Suspension:** I demand that you immediately confirm whether Valley Water will **voluntarily issue a temporary hold** on the unauthorized 4:00 a.m. work and all other non-compliant construction activities.

Failure to voluntarily suspend this unauthorized, high-impact work will leave me with no alternative but to escalate this request to the Town Attorney for a **mandatory injunction** and to the State Attorney General for enforcement against the CEQA and Public Contract Code violations detailed.

Sincerely,

John Kenevey

On Mon, Oct 27, 2025 at 8:25 PM John Kenevey [REDACTED] wrote:

**SUBJECT: FINAL NOTICE OF VIOLATION: Mandatory Stop Work Order Justified by Chronic CEQA and Municipal Code Non-Compliance (Large Concrete Pour, October 30, 2025)**

Dear Mr. Ponce,

I am in receipt of your email notification regarding the planned **Large Concrete Pour Work** scheduled for **Thursday, October 30, 2025**, beginning at **4:00 a.m.**, which you acknowledge will cause an **increase in noise**.

This notification is confirmation of a continued, conscious pattern of operational negligence that systematically violates California environmental law and local municipal ordinances. Be advised that this planned activity provides legal justification for an immediate, mandatory **Stop Work Order** by external regulatory bodies.

### I. Legal Mandate for Subsequent EIR (CEQA Violation)

The premise underlying this "early morning work" is fundamentally illegal under the California Environmental Quality Act (CEQA).

Your agency is attempting to manage a **15-year construction catastrophe** with a Final Environmental Impact Report (EIR) certified in 2015. The original EIR assumed a short-term project (2.5 years) with temporary environmental effects. The project's documented collapse—requiring costly forensic analysis and "re-packaging and re-bidding" - has caused a shift from a short-term impact to a decade-long chronic disruption.

This prolonged duration constitutes a **"substantial change in circumstances"** and new information showing that environmental impacts (Noise, Air Quality) are **"substantially more severe"** than predicted.

Valley Water's reliance on minor Addenda to the EIR is legally indefensible. No further discretionary activity, including this concrete pour, should be permitted until the Lead Agency commissions a full **Subsequent Environmental Impact Report (SEIR)** under **CEQA Guidelines §15162** to properly assess the cumulative health and environmental impacts of a 15-year project.

## II. Imminent Violation of Local and State Environmental Regulations

The planned 4:00 a.m. start time for pump trucks and heavy vehicle access—which you anticipate will cause an "increase in noise"—is in direct violation of local ordinance and public safety requirements:

1. **Noise Ordinance Violation (Los Gatos Municipal Code):** Construction activities in Los Gatos are typically restricted to hours between **8:00 a.m. and 6:00 p.m. on weekdays** and generally prohibit nighttime work, when residential receptors are most sensitive to noise. Starting heavy vehicle activity and pouring at **4:00 a.m.** is a knowing violation of the required noise limitations for construction activities.
2. **Air Quality Malfeasance (BAAQMD):** The movement of twelve truckloads and the handling of 100 cubic yards of concrete will generate substantial dust and particulate matter. The filed claim already details chronic dust intrusion due to your team's negligence. State and regional air quality laws (Bay Area Air Quality Management District—BAAQMD) mandate continuous dust control measures, including:
  - Watering exposed surfaces **two or more times per day**.
  - Using **wet power vacuum street sweepers** (prohibiting dry sweeping).
  - Minimizing idling times for diesel equipment.
  - Ensuring **Community Impact Reports (CIRs)** are completed prior to such intrusive work [Conversation History].

## III. Legal Justification for Immediate Stop Work Order

Your team's demonstrated history of non-compliance (Hazmat incidents, unmitigated noise violations, and failure to provide legally required documentation) means there is substantial evidence that this planned activity presents a **serious and immediate threat to the public health and welfare**.

As the individual responsible for engineering management, you are formally on notice that this activity provides conclusive proof that the Mitigation Monitoring and Reporting Program (MMRP) is dysfunctional. **Failure to implement mitigation imposed under CEQA can result in an injunction against further implementation of the program.**

I demand immediate written verification that a **full legal and regulatory review** of

the CEQA compliance for this 4:00 a.m. pour was completed, that the **Town of Los Gatos** has approved the noise exception, and that a **Subsequent EIR** has been initiated to reflect the 15-year schedule.

Any noise or dust generated on October 30th will serve as direct evidence in the ongoing legal proceedings and the external investigation.

Sincerely,

John Kenevey

**From:** [John Kenevey](#)  
**To:** [Linh Hoang](#); [Rachael Gibson](#); [Michael Potter](#); [Aimee Green](#)  
**Cc:** [Melanie Richardson](#); [Theresa Chinte](#); [Rita Chan](#); [Candice Kwok-Smith](#); [Aaron Baker](#); [Rebecca Eisenberg](#); [Board of Directors](#); [Brandon Ponce](#); [Lilian Dennis](#); [Emmanuel Aryee](#); [Valley Water Risk Manager](#); [Bhavani Yerrapotu](#); [Yolanda Cervantes](#); [Monica Mendez](#)  
**Subject:** Fwd: Rinconada Water Treatment Plant Construction Updates  
**Date:** Wednesday, October 29, 2025 3:28:21 PM

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## **SUBJECT: FINAL NOTICE: Cessation of Misinformation & Demand for Public Apology—Executive Dysfunction Confirmed by Failure to Coordinate**

Dear Ms. Hoang, Ms Gibson,

I am writing in response to the community notice regarding the "Postponed Early Morning Concrete Pour," signed by the Chief of Water Utility.

The content of this notice, which attempts to frame the work stoppage as being "to accommodate a change in work activities," is a blatant act of **misinformation** and a dereliction of professional public relations duty. The work was postponed because **formal complaints were filed with the Town of Los Gatos Code Compliance** regarding unauthorized construction activities outside legal working hours (which start at 8:00 a.m.).

### **The Institutional Pathology of Deception**

The attempt to hide the cause of the postponement is not merely a public relations mistake - it is a reflection of the institutional pathology that has abused this community for the past 10 years.

This dishonest engagement is directly evidenced by the internal contradictions we have observed:

1. **Public Lie vs. Municipal Code:** Staff previously asserted at the recent public meeting that the 4:00 a.m. work was "approved." This was a **lie to the public**, as the Town of Los Gatos Municipal Code clearly prohibits construction work before 8:00 a.m..
2. **Executive Pathology:** This pattern of lying to the community to conceal operational violations is a pathology likely derived by the legacy leadership, the CEO, who is currently under investigation for severe misconduct. An individual your organization has enabled. This culture of concealment and defense of the indefensible permeates the entire organizational structure.

### **Demand for Clean Slate and Accountability**

I have little faith that Interim CEO Melanie Richardson will make a genuine public apology, nor that an honest explanation can be provided to a community that Valley Water has severely abused for a decade. The current organizational pathology is not capable of comprehending honest engagement.

The Executive Team must **immediately clean the slate, be honest with the community, and provide a public apology** for the documented operational negligence and administrative deception. Leadership changes are needed at both the executive and project team levels.

Sincerely,

John Kenevey

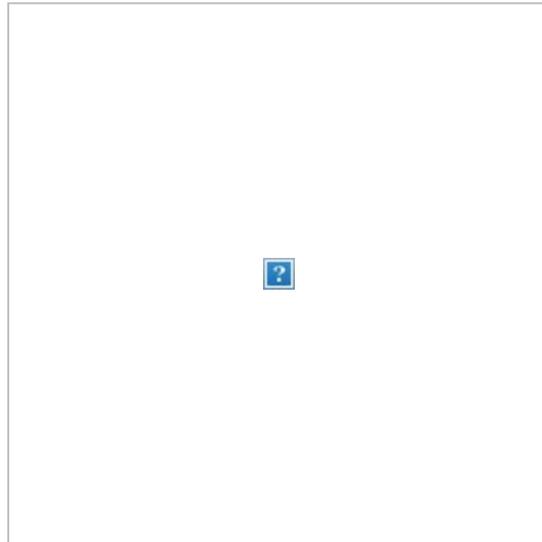
----- Forwarded message -----

From: **Valley Water** <[valley@santaclaravalleywaterdistrict.ccsend.com](mailto:valley@santaclaravalleywaterdistrict.ccsend.com)>

Date: Wed, Oct 29, 2025 at 2:19 PM

Subject: Rinconada Water Treatment Plant Construction Updates

To: [REDACTED]



## Rinconada Water Treatment Plant Construction Update

### Postponed Early Morning Concrete Pour

Dear Neighbor,

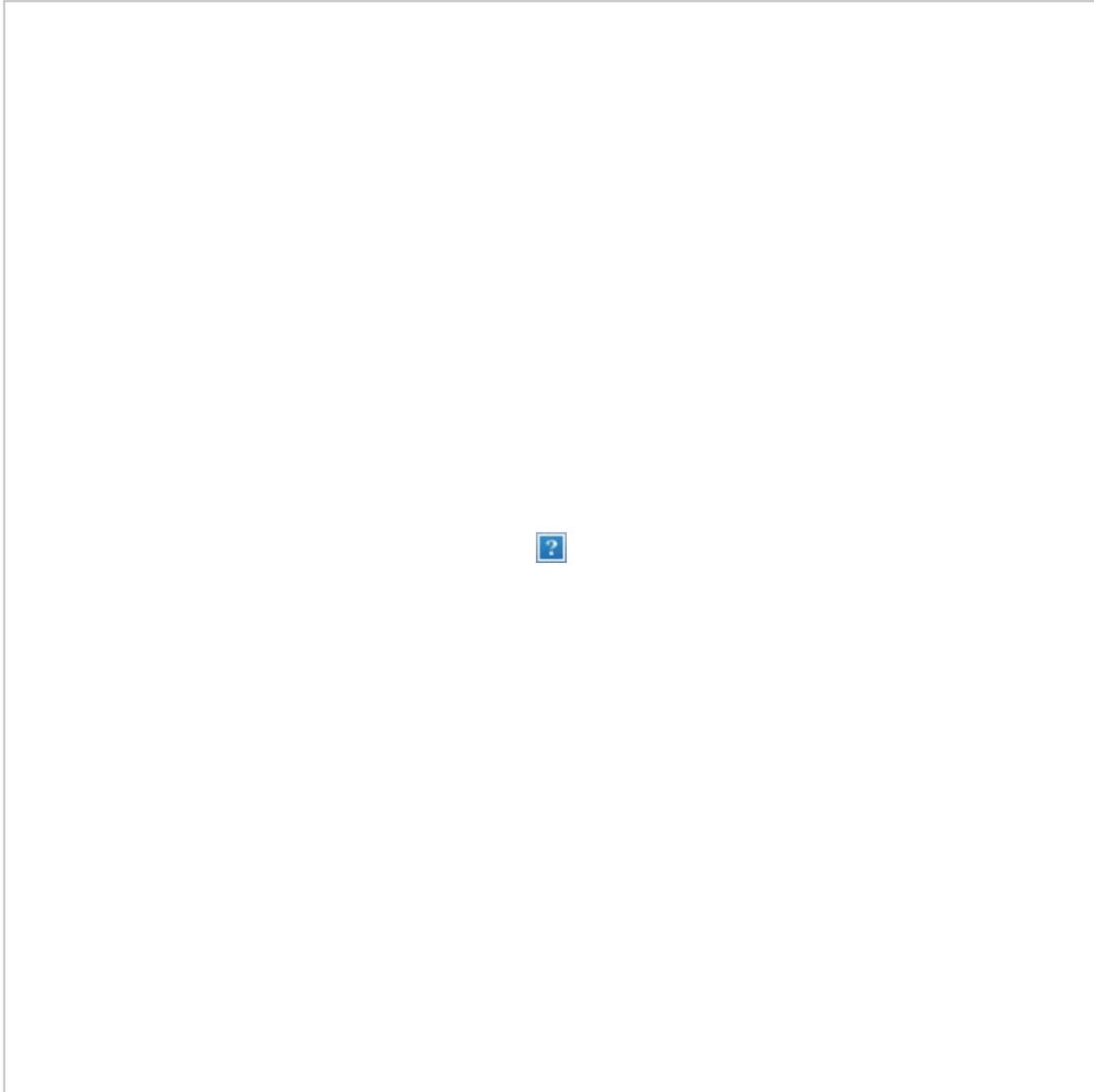
Valley Water would like to inform you that the early morning concrete pour originally scheduled for Thursday, October 30, 2025, has been postponed to accommodate a change in work activities.

We appreciate your patience during the Reliability Improvement Project (Phases 3–6) as we progress with ongoing construction. Valley Water remains committed to completing this important project while minimizing noise and traffic impacts as much as possible.

For questions, please contact Valley Water's Neighborhood Liaison Aimee Green at 408-630-2342 or [agreen@valleywater.org](mailto:agreen@valleywater.org).

Sincerely,

Aaron Baker  
Chief of Water Utility  
Valley Water



Valley Water | [valleywater.org](http://valleywater.org)



Santa Clara Valley Water District | 5750 Almaden Expressway | San Jose, CA 95118 US

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**From:** [John Kenevey](#)  
**To:** [Emmanuel Aryee](#)  
**Cc:** [CEO](#); [Rebecca Eisenberg](#); [Board of Directors](#); [Aaron Baker](#); [Candice Kwok-Smith](#); [Aimee Green](#); [Brandon Ponce](#); [Monica Mendez](#); [Melanie Richardson](#); [Michael Potter](#); [Yolanda Cervantes](#); [Lilian Dennis](#); [Valley Water Risk Manager](#); [Linh Hoang](#); [Rachael Gibson](#); [Bhavani Yerrapotu](#); [Theresa Chinte](#); [Rita Chan](#)  
**Subject:** Re: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)  
**Date:** Wednesday, October 29, 2025 3:47:26 PM  
**Attachments:** [image001.png](#)

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## **SUBJECT: FINAL DEMAND: Mandated Explanation for Ongoing Operational Negligence and Public Indecency (October 31st Deadline)**

Dear Mr. Aryee,

This correspondence is a direct response to your commitment to provide a full explanation for your team's project failures by **October 31, 2025**.

I am writing this email while enduring the very abuses your team is tasked with explaining. The ongoing, high-impact disruption outside my residence, which continues to this very day, confirms the depth of the organizational failure that pervades the Rinconada project.

### **The Intolerable Degradation of Residential Habitability**

I require a full, documented explanation by the October 31st deadline for the following unmitigated operational negligence currently occurring under your direct supervision:

1. **Extreme Noise and Disruption:** As I attempt to work, and as my children attempt to study, the continuous **war zone-like noise** from two to three excavation units and multiple heavy trucks directly outside the property remains relentless. This unmitigated acoustic intrusion prevents me from performing my work and causes **severe stress, anxiety, and sleep deprivation** for my spouse.
2. **Unprofessional and Indecent Conduct:** Your project site consistently demonstrates a severe lack of site control and supervision. This failure includes repeated instances of workers engaging in **shouting, cursing, and using indecent language**. Most egregiously, I have witnessed workers **urinating in public** immediately in front of our house. This is an intolerable, disgusting, and utterly despicable violation of public decency, safety, and basic professional standards.
3. **Failure to Control Site Assets:** I require an explanation for why three to four excavation units and multiple trucks are required at the Rinconada Gate daily, causing unnecessary noise and dust pollution (while you are in violation of a current EIR).

### **Accountability for Dereliction of Duty**

Your failure to enforce the most basic conduct protocols on your site demonstrates a complete **dereliction of duty** that justifies the damages sought in my recently filed claim (Unlimited Civil jurisdiction). In addition I believe your role needs to be evaluated - forced resignation or at a minimum reassignment.

The current mismanagement confirms that the root cause of the decade-long RWTP failure is the **institutional pathology** that starts at the top:

## I. Executive Corruption and Ethical Collapse

These findings relate to documented misconduct, financial conflict, and lack of transparency at the highest levels of the Santa Clara Valley Water District (VW).

Finding	Details
<b>CEO Under Criminal Investigation</b>	CEO Rick Callender is on <b>indefinite, fully paid administrative leave</b> (at a salary of <b>\$512,886</b> per year) and is under investigation for <b>sexual harassment, retaliation, and criminal corruption</b> .
<b>Abuse of Public Funds for Travel</b>	Despite being on administrative leave since mid-December 2024, the CEO continued to charge the taxpayer for <b>extensive domestic and international travel</b> , including trips booked on behalf of his private association, the NAACP.
<b>Interim CEO Linked to Fraud Scandal</b>	Interim CEO Melanie Richardson is serving despite documented involvement in the RMC Consulting scandal (2015), which involved <b>fraudulent billing and improper payments</b> for contracts linked to her husband's firm. The scandal included allegations of up to <b>\$103 million</b> in self-dealing.
<b>CEO Salary Inflation Policy</b>	VW maintains a controversial internal policy mandating that the CEO be paid a <b>20% premium</b> over the highest-paid executive beneath him. This artificially inflates executive pay (Total Wages <b>\$577,480</b> in 2024) and diverts millions from capital budgets.
<b>Board Compensation Amidst Crisis</b>	The Board unanimously approved a <b>5% pay raise</b> (to \$384.16 per meeting) [4] despite implementing a staff hiring freeze due to a <b>\$222 million budget deficit</b> in the prior fiscal year.

## II. Judicial and Administrative Obstruction

These findings confirm deliberate actions taken by the District to actively conceal evidence and impede oversight.

Finding	Details
<b>Attempted Destruction of Evidence</b>	VW spent <b>\$143,694</b> in ratepayer funds pursuing a lawsuit against a sitting Director to compel the <b>destruction or return of 2,000 pages of documentary evidence</b> . These pages reportedly contained documents that incriminated Officers and Directors. Director Rebecca Eisenberg's official VW email was intentionally

<b>Blocking Oversight Access</b>	redirected to former Board Chair John Varela for nearly a year, effectively blocking her from receiving constituent complaints regarding the RWTP project.
<b>Ignoring Audit Findings</b>	The catastrophic failure of the RWTP project occurred despite the 2019 TAP International audit identifying <b>Procurement and Contract Change Order Management</b> as the agency's areas of "highest risk".

### III. Procurement Malfeasance and Financial Waste (RWTP Project)

These findings relate directly to the contractual collapse and questionable procurement methods on the multi-million dollar Rinconada project.

Finding	Details
<b>Illegal Contract Splitting (PCC \$20150.11)</b>	VW executed a sole-source CM contract with Cordoba Corporation for <b>\$224,900</b> (below the competitive bidding threshold) after a social meeting with the CEO. Six months later, the contract was illegally expanded by <b>\$14,538,220</b> , confirming a statutory violation intended to steer a high-value contract.
<b>Catastrophic Contract Collapse</b>	The initial construction contract (C0601), awarded to Balfour Beatty Infrastructure, Inc., for <b>\$179,850,000</b> [9], collapsed due to "significant construction delays, poor workmanship, and failure... to comply with Contract Documents".
<b>High-Cost Project Management Redundancy</b>	The failure of the initial contract forced VW to hire external consultants for a <b>forensic analysis</b> of the project [11] and resulted in the commitment of over <b>\$87.5 million</b> in total management fees across three separate firms (HDR, Cordoba, Parsons).[12, 8]
<b>Mismanagement of Funds</b>	The termination of the previous CM consultant (HDR) and the transfer of its scope to Cordoba resulted in approximately <b>\$15.8 million</b> in unspent fees being redirected [8], demonstrating poor fiscal control over public funds.

### IV. Community and Environmental Malfeasance (On-the-Ground Negligence)

These findings show that operational staff negligence has led to chronic public nuisance and severe regulatory risk.

Finding	Details	Regulatory Risk
<b>CEQA</b>	VW continued to use minor Addenda to the 2015 Final EIR, despite the project timeline expanding from 2.5 years to a <b>15-year spectacle</b> . [13] This prolonged	Exposes the District to prolonged

<p><b>Violation:</b> duration is a <b>"substantial change in circumstances"</b></p> <p><b>Failure to Re-evaluate</b> [14] that results in <b>substantially more severe</b> [14] chronic noise and air quality impacts, mandating a full <b>Subsequent Environmental Impact Report (SEIR)</b>. [14]</p>	<p>Staff failed to provide or enforce <b>Community Impact Reports (CIRs)</b> for highly intrusive operational activities, including "nightclub-level" weekend excavation and "war zone-like steel on steel grinding" [Conversation History].</p>	<p>legal challenge under CEQA Guidelines § 15162.</p> <p>Confirms gross operational negligence and willful disregard for community policies.</p> <p>Direct cause of injury (loss of habitability, exacerbated respiratory conditions) detailed in the filed claim.</p>
<p><b>Unmitigated Noise/Dust Nuisance</b></p>	<p>VW staff executed an <b>unannounced Hazmat cleanup</b> [Conversation History] outside a residential home and defensed the <b>18-month placement of a security hut</b> looking directly into a residence [Conversation History].</p>	<p>habitability, exacerbated respiratory conditions) detailed in the filed claim.</p>

I expect a full, detailed, and non-deflective explanation for this gross misconduct by **October 31, 2025**. Your failure to address this ongoing site degradation will be interpreted as final proof that the Executive Team is unable to implement the necessary remedies, requiring external state and federal authorities to assume control of the project.

Sincerely,  
John Kenevey

On Sat, Oct 18, 2025 at 5:59 AM John Kenevey [REDACTED] wrote:  
**SUBJECT: FINAL REJECTION AND LEGAL WARNING: Administrative Ineptitude Confirms Systemic Dereliction of Duty (Deadline Missed: October 17, 2025)**

Dear Mr. Aryee,

I am in receipt of your correspondence attempting to unilaterally extend the deadline for a substantive executive response to October 31, 2025.

Let me be entirely clear: **I formally reject this administrative extension and the attempt to deflect this executive crisis.**

**October 17, 2025**, was the mandated deadline for **Risk Management/Legal Counsel** to provide a concrete, substantive offer on the Expanded Compensation Claim., was the mandated deadline for you to provide a response to a basic inquiry.

Your communication—which admits to a total lack of readiness despite receiving comprehensive documentation and executive mandates - does not resolve the crisis; it **compounds the evidence of institutional failure**.

Your inability to coordinate a basic administrative response within the established timeframe, even with the involvement of the CEO, the Chief of Staff, and the Board, is precisely the type of **operational ineptitude** that has destroyed my family's quality of life for the past decade and is now costing the taxpayer millions.

## The True Reason for the Delay

The documents you claim you need "additional time" to review - privacy intrusion, community security, and the audit findings regarding the failed \$179 million RWTP contract - are historical administrative records. Their availability is instantaneous, yet your team remains functionally paralyzed.

The public will readily understand that the real reason for this delay is not administrative complexity, but the **Executive Team's functional inability to craft a legally coherent defense** against the charges of systemic corruption and abuse of public funds:

- The CEO, who continues to receive his **\$512,886 salary** while under investigation for **criminal corruption**, cannot be defended.
- The Interim CEO's history of conflict and fraud allegations relating to contracts up to **\$103 million** cannot be defended.
- The District's expenditure of taxpayer funds on a lawsuit to compel the **destruction of 2,000 pages of evidence** cannot be defended.

The Board and executive leadership, by watching their staff publicly fumble a basic administrative response, are confirming to the public that their **dereliction of duty permeates the entire organization**, rendering it unable to function at its most basic level. This is precisely why a basic retro-fit project that was originally scheduled for five years has ballooned into a 15-year catastrophe.

Be advised: The deadline for resolution has been missed. The evidence of administrative and executive paralysis will now be utilized immediately to initiate the **full independent forensic investigation** into fraud and negligence as previously detailed.

Sincerely,

John Kenevey

On Sat, Oct 18, 2025 at 12:10 AM Emmanuel Aryee <[EAryee@valleywater.org](mailto:EAryee@valleywater.org)> wrote:

Hi Mr. Kenevey,

I informed you through an email (see below) below on **October 10, 2025**, that “We will have

responses to your concerns regarding the Rinconada Water Treatment Plant Reliability Project Phases 3-6 by Friday, **Oct. 17, 2025.**” Since then, we have received more additional correspondence from you.

This is to acknowledge receipt of your additional correspondence.

You have already received a response from our Risk Management department, and you may expect a response to your requests for records soon.

With respect to your questions, including questions from your additional correspondence, we have determined that we will need additional time to respond. You may expect a response **on or before October 31, 2025.**

Thank You.

**EMMANUEL ARYEE, P.E**

Deputy Operating Officer

Water Utility Capital Division

Tel. (408) 630-3074 / Cel: (408) 669-6782

Santa Clara Valley Water District is now known as:



---

**From:** Emmanuel Aryee

**Sent:** Friday, October 10, 2025 8:21 AM

**To:** 'John Kenevey [REDACTED]'; Brandon Ponce <[BPonce@valleywater.org](mailto:BPonce@valleywater.org)>; Monica Mendez <[MMendez@valleywater.org](mailto:MMendez@valleywater.org)>

**Cc:** CEO <[ceo@valleywater.org](mailto:ceo@valleywater.org)>; Rebecca Eisenberg <[Reisenberg@valleywater.org](mailto:Reisenberg@valleywater.org)>; Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)>; Aaron Baker <[ABaker@valleywater.org](mailto:ABaker@valleywater.org)>; Candice Kwok-

Smith <[ckwok-smith@valleywater.org](mailto:ckwok-smith@valleywater.org)>; Aimee Green <[AGreen@valleywater.org](mailto:AGreen@valleywater.org)>

**Subject:** RE: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)

Hi Mr. Kenevey,

Thank you for your emails to board members, executive team members and staff. We will have responses to your concerns regarding the Rinconada Water Treatment Plant Reliability Project Phases 3-6 by Friday, Oct. 17, 2025.

Thank you again.

**EMMANUEL ARYEE, P.E**

Deputy Operating Officer

Water Utility Capital Division

Tel. (408) 630-3074 / Cel: (408) 669-6782

Santa Clara Valley Water District is now known as:



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**From:** John Kenevey [REDACTED]

**Sent:** Wednesday, October 8, 2025 6:43 AM

**To:** Emmanuel Aryee <[EAryee@valleywater.org](mailto:EAryee@valleywater.org)>; Brandon Ponce <[BPonce@valleywater.org](mailto:BPonce@valleywater.org)>; Monica Mendez <[MMendez@valleywater.org](mailto:MMendez@valleywater.org)>

**Cc:** CEO <[ceo@valleywater.org](mailto:ceo@valleywater.org)>; Rebecca Eisenberg <[Reisenberg@valleywater.org](mailto:Reisenberg@valleywater.org)>; Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)>; Candice Kwok-Smith <[ckwok-smith@valleywater.org](mailto:ckwok-smith@valleywater.org)>; Aimee Green <[AGreen@valleywater.org](mailto:AGreen@valleywater.org)>

**Subject:** DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)

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**SUBJECT: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)**

Dear Mr. Aryee, Mr. Ponce, and Ms. Mendez,

As the technical leadership responsible for the Rinconada Water Treatment Plant (RWTP) Reliability Improvement Project—an endeavor that has catastrophically ballooned into a projected 14-year construction timeline your team’s recent operational decisions demonstrate a continued failure to adhere to stated policy and respect basic residential habitability.

Please consider this communication a formal demand for immediate answers and documentation regarding three distinct, highly disruptive, project activities that directly contravene expected professional standards.

**1. Flagrant Violation of Weekend Work Policy**

This past weekend, your project team conducted heavy **excavation** work directly outside my property, starting at 7:00 AM and concluding at 4:00 PM. This activity produced noise pollution that can only be accurately described as being at a **nightclub level**.

**Inquiry:**

- Please immediately provide the specific policy language authorizing external, heavy excavation work on a weekend. The published community policy explicitly states that only indoor work is authorized during weekends.
- Provide all records indicating that the neighboring community was formally notified of this flagrant policy violation and the severity of the associated noise intrusion. If no such notice exists, explain who authorized the deviation and why the surrounding residents were excluded from the decision-making process.
- Provide the community impact report for this project.

**2. Unauthorized and Unmitigated Light Pollution**

For over a year, a high-intensity security light, presumably installed by the project, has been shining directly onto my property after dark and remains on all night. This light intrusion renders our front bedroom utterly **unusable** due to the sleep disturbance it causes. Furthermore, standard window blinds are useless given the unique shape of the upper window architecture.

**Inquiry:**

- Provide the Community Impact Report or lighting plan that justified the installation of this specific light fixture, including documentation of the light

pollution study conducted to ensure compliance with local ordinances regarding residential illumination.

- Explain why zero mitigation efforts have been undertaken over the past year to redirect, shield, or time-limit this security lighting, despite the obvious and immediate impact on my home.
- Provide the community impact report for this installation.

### **3. Gross Inefficiency and War Zone Noise (Pipe Installation)**

Over the course of the recent summer months, the installation of a pipe feeding into a drain took an excessively long and indefensible period to complete. The noise generated by this process; best described as **war zone-like steel on steel grinding**, was relentless.

#### **Inquiry:**

- For this specific implementation (a seemingly basic engineering task), provide a detailed breakdown of the internal **engineering schedule** and the actual person-hours expended. Justify why this task required such an exorbitant duration, leading to continuous, extreme noise pollution for neighboring residents.
- Provide the Community Impact Report and notification records regarding this specific installation, including the noise impact, dust pollution impact and timeline. Explain why the community was never warned of the severity or length of this acoustical intrusion.

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### **The Direct Link to Systemic Accountability and Liability**

These repeated failures in basic policy adherence, communication, and project efficiency are the direct consequences of the systemic operational and governance issues that have plagued the RWTP project for over a decade, resulting in its protracted 14-year schedule.

Your technical failures directly support the claim that the District is liable for the resulting property damage, safety risks (e.g., the previous Hazmat incident), and loss of residential habitability. We formally demand that these issues be immediately addressed, resolved, and documented.

We expect a complete, detailed response to these three operational inquiries, including all requested documentation, within five (5) business days. Your prompt action is necessary to minimize the financial and political exposure that these ongoing failures are creating for Valley Water's leadership.

Sincerely,

John Kenevey

**From:** [Ed Turner](#)  
**To:** [Rebecca Eisenberg](#); [Board of Directors](#)  
**Cc:** [Rowena Turner](#)  
**Subject:** Valley Water Maintains a Fire Trap  
**Date:** Wednesday, October 29, 2025 6:32:17 PM

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To: Valley Water Board of Directors  
Director Reisenberg

My wife and I have lived at [REDACTED] in Monte Sereno for almost 40 years. Stratford Court borders the Valley Water property containing San Tomas Aquino Creek and the surrounding banks. The border between Monte Sereno and Saratoga is also contained within this property. Our concern is that this property is a fire hazard and poses a threat to the surrounding neighborhood.

For years, people have used this property as a dumping ground. We have seen gardeners dump yard waste in this area. People will come during the night and dump logs and other debris. Once, I pulled a computer monitor from the creek bank and took it to the dump.

Our concern was heightened last Spring during the storms. Some large limbs fell from a tree on the property and blocked access to Stratford Court. My wife is a past Mayor of Monte Sereno and sponsor of the City's disaster planning efforts. She called the City Manager and the City quickly removed the limbs blocking the street.

But we noticed that the deadwood, fallen limbs, and leaves were thick in that area. We contacted Valley Water to notify them of the condition of their property and ask that it be cleaned. At first, Valley Water was responsive. They sent a truck to clean up the remains of the fallen tree and they also cleaned some of the debris from the creek bed. We appreciated that. We had also asked for a large sycamore tree to be evaluated. Limbs had fallen from this tree in the past, and the tree leans toward our property. A similar tree just a few feet away on our neighbors property fell recently due to an insect infestation. Valley Water sent an arborist to look at the tree and concluded that nothing should be done because the tree was "very old and very large".

Since last Spring, we have watched this area carefully. We can usually tell when fresh yard waste has been dumped in the area. And this happens frequently. We caught one gardener dumping in this area, and Valley Water sent someone to talk with him.

The problem is that the deadwood, leaves and other debris continue to pile up in this area, and it has become a fire hazard. Valley Water have told us that they will not clean up this area because their policy is to maintain it in its wild state. They say they are providing an environment for some species

of rat and that allowing the logs and leaves to decay on the property promotes the growth of insects that may become food for the birds.

We have reached an impasse with the Valley Water staff. We have told them that their priorities are terribly misplaced. Our cities and towns are working to mitigate the risk of wildfires and Valley Water are consciously creating a fire hazard along San Tomas Aquino Creek. And it appears that we may have also discovered the source of the rat infestation in this neighborhood. Valley Water is breeding them across the street.

We are asking that you prioritize the safety and welfare of our residents over providing comfortable habitat for rats. We are asking that you clean up the dead fuel along the San Tomas Aquino Creek corridor to mitigate the risk of wildfires and that you take action to prevent its accumulation in the future. We believe that Valley Water should demonstrate its concern for the people it serves by eliminating the fire hazard that it has allowed to develop and by eliminating the breeding ground for disease-carrying rats. As responsible leaders of our community and policy-makers for Valley Water, we hope that you will agree.

We eagerly await your response.

Edward and Rowena Turner

**From:** [John Kenevey](#)  
**To:** [Emmanuel Aryee](#)  
**Cc:** [CEO](#); [Rebecca Eisenberg](#); [Board of Directors](#); [Aaron Baker](#); [Candice Kwok-Smith](#); [Aimee Green](#); [Brandon Ponce](#); [Monica Mendez](#); [Melanie Richardson](#); [Michael Potter](#); [Yolanda Cervantes](#); [Lilian Dennis](#); [Valley Water Risk Manager](#); [Linh Hoang](#); [Rachael Gibson](#); [Bhavani Yerrapotu](#); [Theresa Chinte](#); [Rita Chan](#)  
**Subject:** Re: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)  
**Date:** Thursday, October 30, 2025 3:46:14 PM  
**Attachments:** [image001.png](#)  
[Noise Pollution VW Video 2025-10-30 at 15.30pm.mp4](#)  
[Noise Pollution VW Video 2025-10-30 at 8.30am.mp4](#)

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## **SUBJECT: FINAL COMPULSORY DEMAND: Operational Ineptitude, Public Indecency, and Mandated Disclosure for Ongoing RWTP Project Activity**

Dear Mr. Aryee,

This correspondence is a final, non-negotiable demand for documentation and accountability, based on your commitment to provide a full explanation by **October 31, 2025**.

I maintain my previous assertion: your administrative delay and operational failures are directly related to the **systemic executive dereliction of duty** that has plagued the RWTP project. The evidence of your ongoing mismanagement is current, visual, and severe.

### **I. Undeniable Evidence of Operational Malfeasance (Attached Videos)**

Please review the **two attached videos**, which were taken today, October 24, 2025, at 8.30am & 3.30pm. **This intrusion is everyday all day.**

The sheer scale of this negligence is evidenced by the continuous **war zone-like noise** being generated by the simultaneous operation of multiple excavation units and multiple trucks on the Granada Way corner. This gross operational failure is inflicting measurable injury upon my family:

- The noise prevents me from performing my work and prohibits my children from studying.
- It is causing severe stress, anxiety, and sleep deprivation for my spouse.

Furthermore, the lack of site control under your supervision has allowed for **despicable professional misconduct**, including workers **shouting, cursing, and engaging in public urination** immediately in front of my home. This constitutes an intolerable violation of community decency and is directly actionable in my filed claim.

### **II. Executive Lies and Compulsory Mitigation Demands**

The lack of integrity starts at the top and is executed by your team:

1. **Documented Misinformation (Floodlight):** I demand an explanation for why Valley Water staff, in the face of my complaints, **intentionally lied** about the operational status of the high-intensity floodlight. That light continues to shine into my home every single night, confirming a willful act of deceit regarding the security nuisance.
2. **Mandatory Mitigation Installation:** To accurately quantify your team's noise violations and enforce site control, I demand the immediate installation of a **continuously logging decibel monitor** and a **24x7 live video monitor** aimed at the Granada Way corner, accessible to the Town of Los Gatos Code Compliance.

### III. Mandated Disclosure of Current Project Scope and Cost

Your promised report on October 31st must contain **compulsory disclosure** of the following project details for the current activity on the Granada Way corner:

1. **Project Necessity:** What is the current specific project component being executed on this 1-acre of land, which has been the center of construction chaos for 10 years? What is its exact technical purpose and how does it contribute to the overall RWTP retrofit?
2. **Project Authorization & Cost:** Who specifically authorized the commencement of this current work phase, and what is its segregated budget and estimated cost of completion?
3. **No Down Leveling:** Given that the Executive Team has missed the deadline for the substantive compensation offer, I caution you explicitly: **Do not attempt to downlevel this critical report by having Yolanda, or any staff member lacking executive authority, transmit it.** I expect a direct, documented response that addresses this mandate and is authorized by a **manager capable of accepting regulatory and financial liability.**

Your failure to provide this detailed, substantive, and non-deflective explanation by the close of business tomorrow will be treated as final evidence of institutional incompetence, directly validating the need for external state and federal authorities to assume control of the RWTP project.

Sincerely,

John Kenevey

On Wed, Oct 29, 2025 at 3:47 PM John Kenevey [REDACTED] > wrote:

**SUBJECT: FINAL DEMAND: Mandated Explanation for Ongoing Operational Negligence and Public Indecency (October 31st Deadline)**

Dear Mr. Aryee,

This correspondence is a direct response to your commitment to provide a full explanation for your team's project failures by **October 31, 2025.**

I am writing this email while enduring the very abuses your team is tasked with explaining. The ongoing, high-impact disruption outside my residence, which continues to this very day, confirms the depth of the organizational failure that pervades the Rinconada project.

## The Intolerable Degradation of Residential Habitability

I require a full, documented explanation by the October 31st deadline for the following unmitigated operational negligence currently occurring under your direct supervision:

1. **Extreme Noise and Disruption:** As I attempt to work, and as my children attempt to study, the continuous **war zone-like noise** from two to three excavation units and multiple heavy trucks directly outside the property remains relentless. This unmitigated acoustic intrusion prevents me from performing my work and causes **severe stress, anxiety, and sleep deprivation** for my spouse.
2. **Unprofessional and Indecent Conduct:** Your project site consistently demonstrates a severe lack of site control and supervision. This failure includes repeated instances of workers engaging in **shouting, cursing, and using indecent language**. Most egregiously, I have witnessed workers **urinating in public** immediately in front of our house. This is an intolerable, disgusting, and utterly despicable violation of public decency, safety, and basic professional standards.
3. **Failure to Control Site Assets:** I require an explanation for why three to four excavation units and multiple trucks are required at the Rinconada Gate daily, causing unnecessary noise and dust pollution (while you are in violation of a current EIR).

## Accountability for Dereliction of Duty

Your failure to enforce the most basic conduct protocols on your site demonstrates a complete **dereliction of duty** that justifies the damages sought in my recently filed claim (Unlimited Civil jurisdiction). In addition I believe your role needs to be evaluated - forced resignation or at a minimum reassignment.

The current mismanagement confirms that the root cause of the decade-long RWTP failure is the **institutional pathology** that starts at the top:

### I. Executive Corruption and Ethical Collapse

These findings relate to documented misconduct, financial conflict, and lack of transparency at the highest levels of the Santa Clara Valley Water District (VW).

Finding	Details
<b>CEO Under Criminal Investigation</b>	CEO Rick Callender is on <b>indefinite, fully paid administrative leave</b> (at a salary of <b>\$512,886</b> per year) and is under investigation for <b>sexual harassment, retaliation, and criminal corruption</b> .
<b>Abuse of</b>	Despite being on administrative leave since mid-December 2024,

<b>Public Funds for Travel</b>	the CEO continued to charge the taxpayer for <b>extensive domestic and international travel</b> , including trips booked on behalf of his private association, the NAACP.
<b>Interim CEO Linked to Fraud Scandal</b>	Interim CEO Melanie Richardson is serving despite documented involvement in the RMC Consulting scandal (2015), which involved <b>fraudulent billing and improper payments</b> for contracts linked to her husband's firm. The scandal included allegations of up to <b>\$103 million</b> in self-dealing.
<b>CEO Salary Inflation Policy</b>	VW maintains a controversial internal policy mandating that the CEO be paid a <b>20% premium</b> over the highest-paid executive beneath him. This artificially inflates executive pay (Total Wages <b>\$577,480</b> in 2024) and diverts millions from capital budgets.
<b>Board Compensation Amidst Crisis</b>	The Board unanimously approved a <b>5% pay raise</b> (to \$384.16 per meeting) [4] despite implementing a staff hiring freeze due to a <b>\$222 million budget deficit</b> in the prior fiscal year.

## II. Judicial and Administrative Obstruction

These findings confirm deliberate actions taken by the District to actively conceal evidence and impede oversight.

Finding	Details
<b>Attempted Destruction of Evidence</b>	VW spent <b>\$143,694</b> in ratepayer funds pursuing a lawsuit against a sitting Director to compel the <b>destruction or return of 2,000 pages of documentary evidence</b> . These pages reportedly contained documents that incriminated Officers and Directors.
<b>Blocking Oversight Access</b>	Director Rebecca Eisenberg's official VW email was intentionally <b>redirected to former Board Chair John Varela for nearly a year</b> , effectively blocking her from receiving constituent complaints regarding the RWTP project.
<b>Ignoring Audit Findings</b>	The catastrophic failure of the RWTP project occurred despite the 2019 TAP International audit identifying <b>Procurement and Contract Change Order Management</b> as the agency's areas of " <b>highest risk</b> ".

## III. Procurement Malfeasance and Financial Waste (RWTP Project)

These findings relate directly to the contractual collapse and questionable procurement methods on the multi-million dollar Rinconada project.

Finding	Details
<b>Illegal Contract Splitting (PCC</b>	VW executed a sole-source CM contract with Cordoba Corporation for <b>\$224,900</b> (below the competitive bidding threshold) after a social meeting with the CEO. Six months later,

<b>§20150.11)</b>	the contract was illegally expanded by <b>\$14,538,220</b> , confirming a statutory violation intended to steer a high-value contract.
<b>Catastrophic Contract Collapse</b>	The initial construction contract (C0601), awarded to Balfour Beatty Infrastructure, Inc., for <b>\$179,850,000</b> [9], collapsed due to "significant construction delays, poor workmanship, and failure... to comply with Contract Documents".
<b>High-Cost Project Management Redundancy</b>	The failure of the initial contract forced VW to hire external consultants for a <b>forensic analysis</b> of the project [11] and resulted in the commitment of over <b>\$87.5 million</b> in total management fees across three separate firms (HDR, Cordoba, Parsons).[12, 8]
<b>Mismanagement of Funds</b>	The termination of the previous CM consultant (HDR) and the transfer of its scope to Cordoba resulted in approximately <b>\$15.8 million</b> in unspent fees being redirected [8], demonstrating poor fiscal control over public funds.

#### IV. Community and Environmental Malfeasance (On-the-Ground Negligence)

These findings show that operational staff negligence has led to chronic public nuisance and severe regulatory risk.

Finding	Details	Regulatory Risk
<b>CEQA Violation: Failure to Re-evaluate</b>	VW continued to use minor Addenda to the 2015 Final EIR, despite the project timeline expanding from 2.5 years to a <b>15-year spectacle</b> . [13] This prolonged duration is a " <b>substantial change in circumstances</b> " [14] that results in <b>substantially more severe</b> [14] chronic noise and air quality impacts, mandating a full <b>Subsequent Environmental Impact Report (SEIR)</b> . [14]	Exposes the District to prolonged legal challenge under CEQA Guidelines § 15162.
<b>Unmitigated Noise/Dust Nuisance</b>	Staff failed to provide or enforce <b>Community Impact Reports (CIRs)</b> for highly intrusive operational activities, including "nightclub-level" weekend excavation and "war zone-like steel on steel grinding" [Conversation History].	Confirms gross operational negligence and willful disregard for community policies.
<b>Historical Safety and Health</b>	VW staff executed an <b>unannounced Hazmat cleanup</b> [Conversation History] outside a residential home and defended the <b>18-month placement of a security hut</b> looking directly into a residence	Direct cause of injury (loss of habitability, exacerbated respiratory

## Hazards

[Conversation History].

conditions)  
detailed in the  
filed claim.

I expect a full, detailed, and non-deflective explanation for this gross misconduct by **October 31, 2025**. Your failure to address this ongoing site degradation will be interpreted as final proof that the Executive Team is unable to implement the necessary remedies, requiring external state and federal authorities to assume control of the project.

Sincerely,

John Kenevevy

On Sat, Oct 18, 2025 at 5:59 AM John Kenevevy [REDACTED] wrote:

**SUBJECT: FINAL REJECTION AND LEGAL WARNING: Administrative Ineptitude Confirms Systemic Dereliction of Duty (Deadline Missed: October 17, 2025)**

Dear Mr. Aryee,

I am in receipt of your correspondence attempting to unilaterally extend the deadline for a substantive executive response to October 31, 2025.

Let me be entirely clear: **I formally reject this administrative extension and the attempt to deflect this executive crisis.**

**October 17, 2025**, was the mandated deadline for **Risk Management/Legal Counsel** to provide a concrete, substantive offer on the Expanded Compensation Claim., was the mandated deadline for you to provide a response to a basic inquiry. Your communication—which admits to a total lack of readiness despite receiving comprehensive documentation and executive mandates - does not resolve the crisis; it **compounds the evidence of institutional failure**.

Your inability to coordinate a basic administrative response within the established timeframe, even with the involvement of the CEO, the Chief of Staff, and the Board, is precisely the type of **operational ineptitude** that has destroyed my family's quality of life for the past decade and is now costing the taxpayer millions.

### **The True Reason for the Delay**

The documents you claim you need "additional time" to review - privacy intrusion, community security, and the audit findings regarding the failed \$179 million RWTP contract - are historical administrative records. Their availability is instantaneous, yet your team remains functionally paralyzed.

The public will readily understand that the real reason for this delay is not administrative complexity, but the **Executive Team's functional inability to craft a legally coherent defense** against the charges of systemic corruption and abuse of public funds:

- The CEO, who continues to receive his **\$512,886 salary** while under investigation for **criminal corruption**, cannot be defended.
- The Interim CEO's history of conflict and fraud allegations relating to contracts up to **\$103 million** cannot be defended.
- The District's expenditure of taxpayer funds on a lawsuit to compel the **destruction of 2,000 pages of evidence** cannot be defended.

The Board and executive leadership, by watching their staff publicly fumble a basic administrative response, are confirming to the public that their **dereliction of duty permeates the entire organization**, rendering it unable to function at its most basic level. This is precisely why a basic retro-fit project that was originally scheduled for five years has ballooned into a 15-year catastrophe.

Be advised: The deadline for resolution has been missed. The evidence of administrative and executive paralysis will now be utilized immediately to initiate the **full independent forensic investigation** into fraud and negligence as previously detailed.

Sincerely,

John Kenevey

On Sat, Oct 18, 2025 at 12:10 AM Emmanuel Aryee <[EAryee@valleywater.org](mailto:EAryee@valleywater.org)> wrote:

Hi Mr. Kenevey,

I informed you through an email (see below) below on **October 10, 2025**, that “We will have responses to your concerns regarding the Rinconada Water Treatment Plant Reliability Project Phases 3-6 by Friday, **Oct. 17, 2025.**” Since then, we have received more additional correspondence from you.

This is to acknowledge receipt of your additional correspondence.

You have already received a response from our Risk Management department, and you may expect a response to your requests for records soon.

With respect to your questions, including questions from your additional correspondence, we have determined that we will need additional time to respond. You may expect a response **on or before October 31, 2025.**

Thank You.

**EMMANUEL ARYEE, P.E**

Deputy Operating Officer

Water Utility Capital Division

Tel. (408) 630-3074 / Cel: (408) 669-6782

Santa Clara Valley Water District is now known as:



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**From:** Emmanuel Aryee

**Sent:** Friday, October 10, 2025 8:21 AM

**To:** 'John Kenevey' [REDACTED]; Brandon Ponce <[BPonce@valleywater.org](mailto:BPonce@valleywater.org)>;  
Monica Mendez <[MMendez@valleywater.org](mailto:MMendez@valleywater.org)>

**Cc:** CEO <[ceo@valleywater.org](mailto:ceo@valleywater.org)>; Rebecca Eisenberg <[Reisenberg@valleywater.org](mailto:Reisenberg@valleywater.org)>; Board of  
Directors <[board@valleywater.org](mailto:board@valleywater.org)>; Aaron Baker <[ABaker@valleywater.org](mailto:ABaker@valleywater.org)>; Candice Kwok-  
Smith <[ckwok-smith@valleywater.org](mailto:ckwok-smith@valleywater.org)>; Aimee Green <[AGreen@valleywater.org](mailto:AGreen@valleywater.org)>

**Subject:** RE: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential  
Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)

Hi Mr. Kenevey,

Thank you for your emails to board members, executive team members and staff. We will have responses to your concerns regarding the Rinconada Water Treatment Plant Reliability Project Phases 3-6 by Friday, Oct. 17, 2025.

Thank you again.

**EMMANUEL ARYEE, P.E**

Deputy Operating Officer

Water Utility Capital Division

Tel. (408) 630-3074 / Cel: (408) 669-6782

Santa Clara Valley Water District is now known as:



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**From:** John Kenevey [REDACTED]  
**Sent:** Wednesday, October 8, 2025 6:43 AM  
**To:** Emmanuel Aryee <[EAryee@valleywater.org](mailto:EAryee@valleywater.org)>; Brandon Ponce <[BPonce@valleywater.org](mailto:BPonce@valleywater.org)>; Monica Mendez <[MMendez@valleywater.org](mailto:MMendez@valleywater.org)>  
**Cc:** CEO <[ceo@valleywater.org](mailto:ceo@valleywater.org)>; Rebecca Eisenberg <[Reisenberg@valleywater.org](mailto:Reisenberg@valleywater.org)>; Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)>; Candice Kwok-Smith <[ckwok-smith@valleywater.org](mailto:ckwok-smith@valleywater.org)>; Aimee Green <[AGreen@valleywater.org](mailto:AGreen@valleywater.org)>  
**Subject:** DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)

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

**SUBJECT: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)**

Dear Mr. Aryee, Mr. Ponce, and Ms. Mendez,

As the technical leadership responsible for the Rinconada Water Treatment Plant (RWTP) Reliability Improvement Project—an endeavor that has catastrophically ballooned into a projected 14-year construction timeline your team’s recent operational decisions demonstrate a continued failure to adhere to stated policy and respect basic residential habitability.

Please consider this communication a formal demand for immediate answers and documentation regarding three distinct, highly disruptive, project activities that directly contravene expected professional standards.

## 1. Flagrant Violation of Weekend Work Policy

This past weekend, your project team conducted heavy **excavation** work directly outside my property, starting at 7:00 AM and concluding at 4:00 PM. This activity produced noise pollution that can only be accurately described as being at a **nightclub level**.

### Inquiry:

- Please immediately provide the specific policy language authorizing external, heavy excavation work on a weekend. The published community policy explicitly states that only indoor work is authorized during weekends.
- Provide all records indicating that the neighboring community was formally notified of this flagrant policy violation and the severity of the associated noise intrusion. If no such notice exists, explain who authorized the deviation and why the surrounding residents were excluded from the decision-making process.
- Provide the community impact report for this project.

## 2. Unauthorized and Unmitigated Light Pollution

For over a year, a high-intensity security light, presumably installed by the project, has been shining directly onto my property after dark and remains on all night. This light intrusion renders our front bedroom utterly **unusable** due to the sleep disturbance it causes. Furthermore, standard window blinds are useless given the unique shape of the upper window architecture.

### Inquiry:

- Provide the Community Impact Report or lighting plan that justified the installation of this specific light fixture, including documentation of the light pollution study conducted to ensure compliance with local ordinances regarding residential illumination.
- Explain why zero mitigation efforts have been undertaken over the past year to redirect, shield, or time-limit this security lighting, despite the obvious and immediate impact on my home.
- Provide the community impact report for this installation.

## 3. Gross Inefficiency and War Zone Noise (Pipe Installation)

Over the course of the recent summer months, the installation of a pipe feeding into a drain took an excessively long and indefensible period to complete. The noise generated by this process; best described as **war zone-like steel on steel grinding**, was relentless.

### Inquiry:

- For this specific implementation (a seemingly basic engineering task), provide a detailed breakdown of the internal **engineering schedule** and the actual person-hours expended. Justify why this task required such an exorbitant duration, leading to continuous, extreme noise pollution for neighboring residents.

- Provide the Community Impact Report and notification records regarding this specific installation, including the noise impact, dust pollution impact and timeline. Explain why the community was never warned of the severity or length of this acoustical intrusion.
- 

## **The Direct Link to Systemic Accountability and Liability**

These repeated failures in basic policy adherence, communication, and project efficiency are the direct consequences of the systemic operational and governance issues that have plagued the RWTP project for over a decade, resulting in its protracted 14-year schedule.

Your technical failures directly support the claim that the District is liable for the resulting property damage, safety risks (e.g., the previous Hazmat incident), and loss of residential habitability. We formally demand that these issues be immediately addressed, resolved, and documented.

We expect a complete, detailed response to these three operational inquiries, including all requested documentation, within five (5) business days. Your prompt action is necessary to minimize the financial and political exposure that these ongoing failures are creating for Valley Water's leadership.

Sincerely,

John Kenevey

**From:** [John Kenevey](#)  
**To:** [Brandon Ponce](#); [Melanie Richardson](#); [Rita Chan](#)  
**Cc:** [CEO](#); [Board of Directors](#); [Candice Kwok-Smith](#); [Rebecca Eisenberg](#); [Theresa Chinte](#); [Valley Water Risk Manager](#); [Aimee Green](#); [Emmanuel Arvee](#); [Bhavani Yerrapotu](#); [Lilian Dennis](#); [Michael Potter](#); [Linh Hoang](#); [Rachael Gibson](#); [Yolanda Cervantes](#); [Aaron Baker](#); [Monica Mendez](#)  
**Subject:** Re: FINAL NOTICE OF VIOLATION: Mandatory Stop Work Order Justified by Chronic CEQA and Municipal Code Non-Compliance (Large Concrete Pour, October 30, 2025)  
**Date:** Thursday, October 30, 2025 4:05:03 PM

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## **SUBJECT: FORMAL NOTICE OF EXECUTIVE SILENCE: Liability Acceptance, Invalid EIR, and Unlawful Operational Conduct**

Dear Mr. Ponce, Ms. Richardson, Ms Chan,

Despite receiving my compulsory demand over 24 hours ago, your department has provided no substantive response regarding the cessation of unauthorized 4:00 a.m. work or the project's adherence to local municipal code.

Your ongoing refusal to engage on these fundamental compliance issues leaves the District exposed and necessitates my immediate escalation back to local enforcement. I am now communicating directly with the Town of Los Gatos Code Compliance.

### **I. Institutional Misconduct and Avoidance of Accountability**

Be advised that I have no choice but to operate on the documented evidence of institutional misconduct, which your refusal to communicate publicly validates:

1. **Local Code Violation:** The scheduled 4:00 a.m. concrete pour and other recent unauthorized activities are flagrant violations of Los Gatos Municipal Code (construction hours start at 8:00 a.m. weekdays). VW staff has **lied to the public** by asserting such work was approved.
2. **Avoidance of Culpability:** It is abundantly clear that Valley Water's strategy is to **lie to the community, violate town codes, and avoid accountability and culpability** for the operational negligence that has destroyed residential habitability for a decade. I, the complainant, am not the problem; the systematic failure of fiduciary duty at Valley Water is the sole cause of this crisis.

### **II. Defamation and Legal Responsibility for Staff Communications**

In light of the Town of Los Gatos' investigation into the project's code compliance, I require an explicit assurance regarding your communications with the municipality.

**I trust that any and all correspondence transmitted by you or your staff to the Town of Los Gatos regarding this code compliance failure has not engaged in the defamation** of me or my family. Given the Executive Team's documented history of legal and ethical conflicts (including the lawsuit to destroy evidence and the

criminal investigation into the CEO), I require that your internal communications concerning the RWTP crisis adhere strictly to verifiable fact and refrain from personal characterizations of the complainant.

### III. Expired EIR and State Attorney General Referral

Your continued refusal to confirm mandatory regulatory action implies that the District is not pursuing a **Subsequent EIR (SEIR)**, which is legally required.

**The 2015 Final EIR is legally invalid.** The extension of this project to a **15-year spectacle** constitutes both a "substantial change in circumstances" and "new information of substantial importance" that demands a mandatory SEIR under **CEQA Guidelines §15162**.

If Valley Water fails to address this fundamental regulatory liability, I will immediately escalate this entire environmental crisis - including the documented operational failures, the expired EIR, and the project's financial mismanagement - to the **State Attorney General's Office** for enforcement action.

By systematically ignoring my request for a Subsequent Environmental Impact Report (SEIR), the executive team is engaging in conduct that constitutes corporate malfeasance. Their retention in office is thereby rendered untenable, and I respectfully demand their immediate removal from their positions of authority.

Sincerely,

John Kenevey

On Wed, Oct 29, 2025 at 3:03 PM John Kenevey [REDACTED] wrote:

**SUBJECT: FORMAL DEMAND FOR CONFIRMATION: Liability Acceptance, Expired EIR, and Cessation of Unauthorized Work (Town of Los Gatos Code Compliance)**

Dear Mr. Ponce, Ms. Richardson, Ms Chan

This communication is to formally follow up on the enforcement actions initiated via the Town of Los Gatos Code Compliance and the subsequent public response by Valley Water.

Your project team's response to the unauthorized 4:00 a.m. work - which was to issue a temporary postponement - is insufficient. It serves only as administrative obfuscation and fails to address the underlying regulatory violations.

#### I. Confirmation of Stop Work Order (SWO)

I demand immediate confirmation on the following points:

1. **SWO Status:** Did Valley Water **voluntarily issue a temporary hold** on the unauthorized 4:00 a.m. construction work, or was this postponement mandated by the Town of Los Gatos Code Compliance?

2. **Liability for Unauthorized Work:** I require formal confirmation that all unauthorized construction activities conducted outside the compliant Los Gatos hours (8:00 a.m. to 6:00 p.m., weekdays; 9:00 a.m. to 4:00 p.m., Saturdays) are deemed **policy violations** and constitute direct evidence of **operational negligence** for which the District is liable.
3. **Los Gatos Code Compliance:** I require formal confirmation that, going forward, **no construction work, including equipment staging, material delivery, or site activity, will commence before 8:00 a.m. on weekdays**, as required by Los Gatos Municipal Code (Sec. 16.20.035). Any work starting before that time will be documented and reported immediately as a policy violation for which the District is liable.

## II. Expired EIR and Regulatory Jeopardy

The information provided by Valley Water to the public regarding the RWTP project's postponement is unacceptable **misinformation**. Your public statement failed to disclose the true reason for the postponement, namely, the complaints regarding severe noise pollution and the threat of regulatory action against the project's environmental clearance.

The core regulatory problem remains: **The 2015 Final Environmental Impact Report (EIR) is expired and invalid**. The project's extension from 2.5 years to a **15-year spectacle** constitutes a "substantial change in circumstances" and "new information of substantial importance" that demonstrates the chronic noise and air quality effects are **substantially more severe** than originally predicted under CEQA Guidelines § 15162.

Valley Water is now placed on formal notice: **You are liable for proceeding with this construction under an expired and inadequate EIR.**

If you and your project team fail to acknowledge this fundamental regulatory liability and do not commit to commissioning a mandatory **Subsequent EIR (SEIR)**, I will immediately escalate this matter to the **State Attorney General's Office** for enforcement action, seeking an injunction and a mandatory Stop Work Order against **the entire project**.

The clock for compliance with state environmental law is now officially ticking.

Sincerely,

John Kenevey

On Mon, Oct 27, 2025 at 2:05 PM John Kenevey [REDACTED] wrote:

**SUBJECT: FORMAL NOTICE OF REGULATORY VIOLATION: Town of Los Gatos Enforcement Action and Demand for Voluntary Stop Work Order (RWTP CEQA/Noise Breach)**

Dear Mr. Ponce,

This communication confirms that the Town of Los Gatos has been informed of

the upcoming unauthorized work on October 30th.

## I. Formal Local Enforcement and CEQA Violation

We have **formally filed complaints with the Town of Los Gatos Code Compliance and Los Gatos Town Attorney** regarding the ongoing and severe violations of local noise ordinances. These complaints specifically cite the unauthorized, egregious **4:00 a.m. construction work** which are far outside the permissible construction hours (8:00 a.m. to 6:00 p.m. on weekdays and 9:00 a.m. to 4:00 p.m. on Saturdays) allowed by the Los Gatos Municipal Code.

Furthermore, a formal request for an injunction is prepared, based on the **CEQA/Noise violations** that Valley Water has failed to acknowledge for years. The massive, uncontrolled extension of this project from 2.5 years to over 10 years constitutes a **"substantial change in circumstances"** that invalidates the 2015 Final EIR and subjects the entire project to mandatory regulatory action, including a **Stop Work Order (SWO)**.

## II. Ultimatum: Voluntary Suspension of Unauthorized Work

As the Capital Engineering Manager responsible for the project's delivery, you are hereby placed on notice regarding the imminent threat of regulatory shutdown.

1. **Confirm Receipt of Complaints:** I demand that you immediately confirm receipt of the local enforcement complaints filed with the Town of Los Gatos Code Compliance.
2. **Voluntary Work Suspension:** I demand that you immediately confirm whether Valley Water will **voluntarily issue a temporary hold** on the unauthorized 4:00 a.m. work and all other non-compliant construction activities.

Failure to voluntarily suspend this unauthorized, high-impact work will leave me with no alternative but to escalate this request to the Town Attorney for a **mandatory injunction** and to the State Attorney General for enforcement against the CEQA and Public Contract Code violations detailed.

Sincerely,

John Kenevey

On Mon, Oct 27, 2025 at 8:25 PM John Kenevey [REDACTED] wrote:

**SUBJECT: FINAL NOTICE OF VIOLATION: Mandatory Stop Work Order Justified by Chronic CEQA and Municipal Code Non-Compliance (Large Concrete Pour, October 30, 2025)**

Dear Mr. Ponce,

I am in receipt of your email notification regarding the planned **Large Concrete Pour Work** scheduled for **Thursday, October 30, 2025**, beginning at **4:00 a.m.**, which you acknowledge will cause an **increase in noise**.

This notification is confirmation of a continued, conscious pattern of operational negligence that systematically violates California environmental law and local municipal ordinances. Be advised that this planned activity provides legal justification for an immediate, mandatory **Stop Work Order** by external regulatory bodies.

## I. Legal Mandate for Subsequent EIR (CEQA Violation)

The premise underlying this "early morning work" is fundamentally illegal under the California Environmental Quality Act (CEQA).

Your agency is attempting to manage a **15-year construction catastrophe** with a Final Environmental Impact Report (EIR) certified in 2015. The original EIR assumed a short-term project (2.5 years) with temporary environmental effects. The project's documented collapse—requiring costly forensic analysis and "re-packaging and re-bidding" - has caused a shift from a short-term impact to a decade-long chronic disruption.

This prolonged duration constitutes a "**substantial change in circumstances**" and new information showing that environmental impacts (Noise, Air Quality) are "**substantially more severe**" than predicted.

Valley Water's reliance on minor Addenda to the EIR is legally indefensible. No further discretionary activity, including this concrete pour, should be permitted until the Lead Agency commissions a full **Subsequent Environmental Impact Report (SEIR)** under **CEQA Guidelines §15162** to properly assess the cumulative health and environmental impacts of a 15-year project.

## II. Imminent Violation of Local and State Environmental Regulations

The planned 4:00 a.m. start time for pump trucks and heavy vehicle access—which you anticipate will cause an "increase in noise"—is in direct violation of local ordinance and public safety requirements:

1. **Noise Ordinance Violation (Los Gatos Municipal Code):** Construction activities in Los Gatos are typically restricted to hours between **8:00 a.m. and 6:00 p.m. on weekdays** and generally prohibit nighttime work, when residential receptors are most sensitive to noise. Starting heavy vehicle activity and pouring at **4:00 a.m.** is a knowing violation of the required noise limitations for construction activities.
2. **Air Quality Malfeasance (BAAQMD):** The movement of twelve truckloads and the handling of 100 cubic yards of concrete will generate substantial dust and particulate matter. The filed claim already details chronic dust intrusion due to your team's negligence. State and regional air quality laws (Bay Area Air Quality Management District—BAAQMD) mandate continuous dust control measures, including:
  - Watering exposed surfaces **two or more times per day**.
  - Using **wet power vacuum street sweepers** (prohibiting dry

sweeping).

- Minimizing idling times for diesel equipment.
- Ensuring **Community Impact Reports (CIRs)** are completed prior to such intrusive work [Conversation History].

### **III. Legal Justification for Immediate Stop Work Order**

Your team's demonstrated history of non-compliance (Hazmat incidents, unmitigated noise violations, and failure to provide legally required documentation) means there is substantial evidence that this planned activity presents a **serious and immediate threat to the public health and welfare**.

As the individual responsible for engineering management, you are formally on notice that this activity provides conclusive proof that the Mitigation Monitoring and Reporting Program (MMRP) is dysfunctional. **Failure to implement mitigation imposed under CEQA can result in an injunction against further implementation of the program..**

I demand immediate written verification that a **full legal and regulatory review** of the CEQA compliance for this 4:00 a.m. pour was completed, that the **Town of Los Gatos** has approved the noise exception, and that a **Subsequent EIR** has been initiated to reflect the 15-year schedule.

Any noise or dust generated on October 30th will serve as direct evidence in the ongoing legal proceedings and the external investigation.

Sincerely,

John Kenevey

**From:** [John Kenevey](#)  
**To:** [Linh Hoang](#); [Rachael Gibson](#); [Michael Potter](#); [Aimee Green](#)  
**Cc:** [Melanie Richardson](#); [Theresa Chinte](#); [Rita Chan](#); [Candice Kwok-Smith](#); [Aaron Baker](#); [Rebecca Eisenberg](#); [Board of Directors](#); [Brandon Ponce](#); [Lilian Dennis](#); [Emmanuel Aryee](#); [Valley Water Risk Manager](#); [Bhavani Yerrapotu](#); [Yolanda Cervantes](#); [Monica Mendez](#)  
**Subject:** Re: Rinconada Water Treatment Plant Construction Updates  
**Date:** Thursday, October 30, 2025 4:19:41 PM

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

## **SUBJECT: FORMAL NOTICE OF EXECUTIVE RETALIATION: Unauthorized Profiling Confirms Institutional Pathology (Investigation Continues)**

Dear Ms. Hoang, Ms Gibson

This correspondence is a direct and formal notice to the Executive Team regarding a grave escalation in executive conduct that confirms the institutional pathology I am currently reporting to state and federal agencies.

### **I. Executive Profiling and Institutional Retaliation**

I have become aware that high-ranking members of the Executive Team, specifically **Assistant CEO Rita Chan**, are engaging in professional profiling of me via LinkedIn.

Be advised that this activity is formally designated as an act of **executive retaliation** intended to intimidate a private citizen who has filed a formal claim for damages arising from institutional negligence and who is actively reporting **criminal corruption** to external authorities.

### **II. Legal Exposure for Defamation and Reckless Conduct**

The Executive Team must understand the legal exposure created by this conduct. Any attempt by Executive staff to disseminate false, misleading, or defamatory statements derived from this profiling will be met with immediate and comprehensive legal action.

This action, coupled with the ongoing failure to contain the RWTP crisis, demonstrates that leadership is operating with **reckless disregard** for the law and the public trust:

- **Concealment of Misconduct:** The Executive Team is actively protecting a CEO under investigation for **criminal corruption** and **sexual misconduct**, while simultaneously spending taxpayer funds to compel the **destruction of 2,000 pages of evidence**.
- **Corporate Malfeasance:** An executive team ignoring my request for a Subsequent EIR (SEIR) is guilty of corporate malfeasance and should be removed from their positions.

### **III. Mandate for Accountability**

I demand that all retaliatory and profiling activity cease immediately.

Sincerely,

John Kenevey

On Wed, Oct 29, 2025 at 3:27 PM John Kenevey [REDACTED] wrote:

**SUBJECT: FINAL NOTICE: Cessation of Misinformation & Demand for Public Apology—Executive Dysfunction Confirmed by Failure to Coordinate**

Dear Ms. Hoang, Ms Gibson,

I am writing in response to the community notice regarding the "Postponed Early Morning Concrete Pour," signed by the Chief of Water Utility.

The content of this notice, which attempts to frame the work stoppage as being "to accommodate a change in work activities," is a blatant act of **misinformation** and a dereliction of professional public relations duty. The work was postponed because **formal complaints were filed with the Town of Los Gatos Code Compliance** regarding unauthorized construction activities outside legal working hours (which start at 8:00 a.m.).

### **The Institutional Pathology of Deception**

The attempt to hide the cause of the postponement is not merely a public relations mistake - it is a reflection of the institutional pathology that has abused this community for the past 10 years.

This dishonest engagement is directly evidenced by the internal contradictions we have observed:

1. **Public Lie vs. Municipal Code:** Staff previously asserted at the recent public meeting that the 4:00 a.m. work was "approved." This was a **lie to the public**, as the Town of Los Gatos Municipal Code clearly prohibits construction work before 8:00 a.m..
2. **Executive Pathology:** This pattern of lying to the community to conceal operational violations is a pathology likely derived by the legacy leadership, the CEO, who is currently under investigation for severe misconduct. An individual your organization has enabled. This culture of concealment and defense of the indefensible permeates the entire organizational structure.

### **Demand for Clean Slate and Accountability**

I have little faith that Interim CEO Melanie Richardson will make a genuine public apology, nor that an honest explanation can be provided to a community that Valley Water has severely abused for a decade. The current organizational pathology is not capable of comprehending honest engagement.

The Executive Team must **immediately clean the slate, be honest with the community, and provide a public apology** for the documented operational negligence and administrative deception. Leadership changes are needed at both the executive and project team levels.

Sincerely,

John Kenevey

----- Forwarded message -----

From: **Valley Water** <[valley@santaclaravalleywaterdistrict.ccsend.com](mailto:valley@santaclaravalleywaterdistrict.ccsend.com)>

Date: Wed, Oct 29, 2025 at 2:19 PM

Subject: Rinconada Water Treatment Plant Construction Updates

To: [REDACTED]

**From:** [Adelina Del Real](#)  
**To:** [Board of Directors](#)  
**Subject:** FW: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)  
**Date:** Friday, October 31, 2025 9:37:32 AM

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**From:** Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)>  
**Sent:** Friday, October 31, 2025 9:16 AM  
**To:** John Kenevey <[jkenevey@gmail.com](mailto:jkenevey@gmail.com)>  
**Subject:** RE: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)

**Sent on Behalf of Chair Estremera:**

Dear Mr. Kenevey,

Thank you for your recent emails sharing your concerns about the Rinconada Reliability Improvement Project Phases 3-6, currently under construction at the Rinconada Water Treatment Plant located across the street from your home. Your feedback is valuable, and Valley Water strives to mitigate potential impacts on our surrounding community. We take your complaint seriously and regret any inconvenience you have experienced.

Valley Water endeavors to keep nearby residents informed about project activities. In May 2025, we informed neighbors about our anticipated summer weekday and Saturday work hours with a social media post via Nextdoor, and an email message sent to people who signed up for project updates. To provide information on upcoming construction impacts to the neighborhood, our project team has held public meetings and tours at the Rinconada Water Treatment Plant, with the most recent event held on October 21, 2025. That public meeting was well received by our project neighbors; here is a link to the meeting video <https://youtu.be/68tnwNIVi7U> for your review at your leisure.

In coordination with our contractors, we also try to provide advance notice regarding upcoming work. We acknowledge that on Saturday, Oct. 4, 2025, there were unscheduled project activities that occurred near the Granada Way entrance. We are working closely with our contractors to avoid future unscheduled work and commit to continually providing neighbors with advanced notification of upcoming project efforts.

Our project team has investigated the high-intensity light that you indicated was shining on your property. We had staff members take photos on Valley Water property of the area near the Granada Way entrance after hours—they were unable to locate that light source. We'll continue to monitor the area to address further potential light disturbances. Please be aware that there are noise and dust monitoring instruments located near the Granada Way entrance that record and report activity levels. Our project team reviews those reports weekly to ensure the impact levels remain within the permitted limits. Those reports are publicly available and can be viewed by visiting the Reports and Documents webpage in the link below. While this project does not have a weekend work policy, lighting plan, or community impact report, there is an Environmental Impact Report that can be accessed using the same webpage link.

[valleywater.org/project-updates/rinconada-water-treatment-plant-reliability-improvement](https://valleywater.org/project-updates/rinconada-water-treatment-plant-reliability-improvement)

The matters you referenced in your emails to Valley Water Risk Management, Public Records, Management, and the Board of Directors will be addressed in accordance with our standard processes.

- For claims and requests for compensation, a claims form has been sent to you by Valley Water Risk Management. Your claim form submission has been received and will be addressed through our claims process.
- Requests for records are being processed as a Public Records Act (PRA) request.
- Board meeting agenda items are determined by the Valley Water Board Chair. Requests from the public to add items to the future agenda can be made during the public comment period.

This message summarizes our responses to the many requests and comments you made in the series of email communications you sent to Valley Water from October 6 to October 22, 2025. Our responses to your specific queries from excerpts of some of those emails are included below, in bold font.

If you have more concerns or would like to speak with someone directly, please contact Chief of Water Utility, Aaron Baker at 408-630-2135 or by email at [abaker@valleywater.org](mailto:abaker@valleywater.org).

Thank you for sharing your experience with us,

Sincerely,  
Tony Estremera  
Chair, District 6  
Valley Water Board of Directors

C-25-0156  
C-25-0153

*Email No. 1 - Sent on 10/6/2025 at 4:37 PM – Subject: Urgent: Systematic Operational Failures, Unaccountable Compensation, and Imminent Public Safety Liability at RWTP Site (District 7)*

*Demand for Liability and Governance Reform... We formally place Valley Water on notice that it is liable for the demonstrable damage (noise, dust, and sustained disruption) caused to residential properties... **Valley Water Risk Management has sent you a claim form.** I formally request that the Board place these critical issues—the Hazmat incident, the paradox of increasing executive compensation amidst budget deficits, and the failure to control liability from the extended RWTP timeline—on the agenda for the upcoming public meeting. **Please note that board meeting agenda items are determined by the Valley Water Board Chair. Requests from the public to add items to the future agenda can be made during the public comment period.***

*Email No. 2 - Sent on 10/6/2025 at 5:31 PM – Subject: Formal Property Remediation and Mitigation Claim: RWTP Project No 93294057 (208 Granada Way, CA 95032)*

*... The persistent, intense construction noise and chronic dust contamination mandate specific, high-cost remediation measures to restore the residential quality of life. We request a lump-sum payment of \$350,000 to execute the following critical remediation and mitigation plan... **Valley Water Risk Management has sent you a claim form. Once completed and submitted, your claim form will undergo Valley Water’s claim***

process.

Email No. 3 - Sent on 10/8/2025 at 6:43 AM – Subject: Demand for Immediate Explanation: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)

*Flagrant Violation of Weekend Work Policy*

*Please immediately provide the specific policy language authorizing external, heavy excavation work on a weekend. **Valley Water does not have a Weekend Work Policy for this project.***

*Provide all records indicating that the neighboring community was formally notified of this flagrant policy violation and the severity of the associated noise intrusion.*

**Valley Water acknowledges that unscheduled project activities near the Granada Way entrance occurred on Saturday, Oct. 4, 2025, and as such, notifications about such efforts were not provided to the community.**

*Provide the community impact report for this project. **Valley Water does not have a community impact report for this project.***

*Unauthorized and Unmitigated Light Pollution*

*Provide the Community Impact Report or lighting plan that justified the installation of this specific light fixture, including documentation*

*Explain why zero mitigation efforts have been undertaken over the past year to redirect, shield, or time-limit this security lighting, despite the obvious...**Valley Water does not have a community impact report or a lighting plan for this project. Our project team has investigated the high-intensity light that you indicated was shining on your property. We had staff members take photos on Valley Water property of the area near the Granada Way entrance after hours—they were unable to locate that light source.***

*Provide the community impact report for this installation. **Valley Water does not have a community impact report for this project.***

*Gross Inefficiency and War Zone Noise (Pipe Installation)*

*For this specific implementation (a seemingly basic engineering task), provide a detailed breakdown of the internal engineering schedule and the actual person-hours expended...**Valley Water is researching if an internal engineering schedule and or person-hours breakdown document exists. If these items are available, you will be provided with a copy.***

*Provide the Community Impact Report and notification records regarding this specific installation, including the noise impact...**Valley Water does not have a community impact report for this project.***

*The Direct Link to Systemic Accountability and Liability **For our responses to your operational inquiries, please refer to the above comments.***

The following is in response to the comments you shared in the emails below: **Valley Water Risk Management has sent you a claim form. Once completed and submitted, your claim form will undergo Valley Water's claim process.**

Email No. 4 - Sent on 10/8/2025 at 8:49 AM – Subject: Formal Escalation & Expanded Liability Claim: Unacceptable Decennial Pattern of Operation Failures, Privacy Violations, and Executive Compensation Disparity at RWTP

*Expanded Compensation Demand (Garage Conversion)*

*Due to the cumulative, sustained effects of the structural, noise, light, and privacy intrusions, the front bedroom has been functionally unusable for a majority of the last ten years.*

*Therefore, upon further counsel, the property remediation claim currently under review by Risk Management is now expanded ...*

*Email No. 5 - Sent on 10/8/2025 at 5:22 PM – Subject: Formal Escalation & Attached Proof: Undeniable Documentation of Institutional Negligence and Policy Failure Dating to RWTP Project Inception (Urgent)*

*Indisputable Evidence: 2015 Policy Defense and Engineering Failure*

*Direct Proof of Privacy Violation and Defense (2015 Email): ... placed the security hut and associated infrastructure (previously the port-a-poties) directly in front of my front bedroom window...*

*Documented Engineering Failure (Attached Video): The attached video shows a double-barreled heavy-duty truck stuck at the facility gate in 2015... This is irrefutable proof of initial engineering and site planning failure, which compounded noise and dust pollution problems for years.*

*The True Cost of Documented Incompetence*

*... The massive volume of documentation I possess demonstrates that I do not need to rely on the soon to be filed CPRA requests to prove the District's liability; the documentation is already prepared. We expect Ms. Chinte to intervene immediately to coordinate a final agreement on the expanded compensation claim (including the garage conversion) to reflect the true cost of this decade of negligence...*

*Email No. 6 - Sent on 10/10/2025 at 4:18 PM – Subject: Mandatory Clarification: Required Scope for October 17<sup>th</sup> Response – Immediate Resolution of Systemic Liability and Compensation Claim*

*The Mandated Scope of Response for October 17, 2025*

*Compensation and Legal Liability: The response must be a formal communication from Risk Management/Legal Counsel regarding the Expanded Compensation Claim...*

*Safety and Policy Failures: The response must provide official acknowledgment and explanation for the systemic failures that underpin this liability, including:*

- *The unannounced Hazmat cleanup outside my property.*
- *The institutional decision, confirmed by 2015 internal correspondence, to defend the privacy violation caused by placing the security hut ...*
- *The internal rationale for continuing the CEO's 20% compensation premium amidst the \$222 million budget deficit*

*Email No. 7 - Sent on 10/10/2025 at 5:59 PM – Subject: Mandatory Clarification & Final Notice: The Scope of October 17<sup>th</sup> Response Must Address Audited Systemic Failure and Compensation Liability*

*Final Demand for October 17, 2025*

*Mandatory Compensation Offer: A formal, written negotiation offer from Risk Management/Legal Counsel regarding the Expanded Compensation Claim (including the necessary funding for the garage conversion, triple-pane windows, and roof replacement)*

*Accountability for Fiduciary Failure: A response addressing the systemic issues that caused the failure, including the CEO's \$577K salary and 20% premium policy and the Board's 5% pay raise amidst the \$222 million deficit.*

**THE ABOVE RESPONSES address all your comments included in *Emails No. 7 through No. 21 - Sent during 10/11/2025 and 10/22/25***

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**From:** John Kenevey [REDACTED]  
**Sent:** Friday, October 17, 2025 5:55 AM  
**To:** CEO <[ceo@valleywater.org](mailto:ceo@valleywater.org)>; Theresa Chinte <[TChinte@valleywater.org](mailto:TChinte@valleywater.org)>; Melanie Richardson <[mrichardson@valleywater.org](mailto:mrichardson@valleywater.org)>  
**Cc:** Rebecca Eisenberg <[Reisenberg@valleywater.org](mailto:Reisenberg@valleywater.org)>; Board of Directors <[board@valleywater.org](mailto:board@valleywater.org)>; Candice Kwok-Smith <[ckwok-smith@valleywater.org](mailto:ckwok-smith@valleywater.org)>; Valley Water Risk Manager <[RiskManager@valleywater.org](mailto:RiskManager@valleywater.org)>; Aimee Green <[AGreen@valleywater.org](mailto:AGreen@valleywater.org)>; Lilian Dennis <[ldennis@valleywater.org](mailto:ldennis@valleywater.org)>; Michael Potter <[MPotter@valleywater.org](mailto:MPotter@valleywater.org)>  
**Subject:** Re: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)

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

## **SUBJECT: FINAL NOTICE – OCTOBER 17, 2025 DEADLINE: Executive Resolution Required for Compensation and Systemic Liability**

Dear Ms. Richardson and Members of the Board,

This email serves as a formal reminder that **today, October 17, 2025**, is the established deadline for Valley Water’s Risk Management and Legal Counsel to provide a substantive and comprehensive compensation offer regarding the Expanded Compensation Claim.

I maintain the expectation that a formal compensation package will be received today. I am writing to ensure there is absolute clarity regarding the District’s belief that this payment will somehow resolve the broader crisis:

### **Compensation is Not a Negotiation Chip to Halt Investigation**

The payment of my compensation claim addresses only the **private financial liability** created by a decade of residential negligence, safety failures (Hazmat, privacy violations), and the ensuing loss of habitability—damages that are verifiably linked to the catastrophic failure of the RWTP project’s original planning, execution and governance (or lack thereof).

I need to be unequivocally clear: **This compensation package is not, and will never be, a negotiation chip to halt my forensic investigation and the ultimate delivery of that complete report to state and federal agencies.**

The dysfunction at Valley Water requires a structural, independent remedy that extends far beyond a single residential settlement. The current leadership has demonstrated not only an inability but an unwillingness to enact the necessary ethical and operational remedies, as evidenced by the following facts:

- The collapse of the **\$179 million construction contract (C0601)** despite

internal audits warning that **procurement and change order management** were Valley Water's "highest risk" areas.

- The continued payment of CEO Rick Callender's **\$512,886 salary** and travel expenses while he is on leave and under investigation for criminal corruption.
- The District's current expenditure of ratepayer funds on a lawsuit to compel the **destruction of 2,000 pages of documentary evidence**.
- The fact that the Interim CEO, Melanie Richardson, is potentially collecting a **\$1 million annual salary/pension** while possessing a documented history of fraud allegations regarding millions in RMC consulting contracts.

This profound crisis of governance and fiduciary negligence requires an outside party to force institutional change.

You, and all members of the executive management team, are public servants employed by and accountable to the taxpayer who funds this agency through continuous rate hikes. I assure you that my efforts will continue until the systemic corruption is fully exposed and accountability to the ratepayer is secured.

I anticipate the comprehensive offer from Legal Counsel by the end of today.

Sincerely,

John Kenevey

On Wed, Oct 15, 2025 at 7:23 PM John Kenevey [REDACTED] wrote:

**TO: Melanie Richardson, interim CEO ([CEO@valleywater.org](mailto:CEO@valleywater.org))**

**SUBJECT: FINAL ULTIMATUM: Immediate Demand for Institutional Overhaul, Compensation, and Public Apology.**

Dear Ms. Richardson (interim-CEO), Ms. Chinte (Chief of staff for the interim-CEO), and Members of the Board,

This communication is an immediate response to the comprehensive institutional information I have gathered regarding the executive management and governance of Valley Water.

My disappointment that neither the Chief of Staff nor the Public Relations Officer informed me of the CEOs leave of absence due to an internal investigation. This intentional concealment of vital information is **emblematic of the institutional dysfunction and lack of transparency** the Rinconada community has witnessed and endured for the past decade of the RWTP project.

**Ms. Melanie Richardson these communications are all to you as acting CEO for Valley Water.**

## The Institutional Fraud and Cover-Up Confirmed

Through my forensic analysis I now understand the delay and negligence that caused the 14-year delay of the RWTP project and the documented safety failures (Hazmat incident, privacy violations, \$179M contract collapse) is now inextricably linked to a governance structure facing accusations of criminal corruption and self-dealing:

- **CEO Under Investigation:** The fact that the Chief Executive Officer, Rick Callender, has been on **fully paid administrative leave** while earning over **\$600,000 per year** and traveling internationally on the public dime, despite being under investigation for **sexual harassment, retaliation, and criminal corruption**, is an outrageous breach of fiduciary duty.
- **Interim CEO Scandal:** The current Interim CEO, Melanie Richardson, is potentially earning up to **\$1 million per year** (including her \$23,333 monthly pension) while having a documented history of overseeing contracts with her husband's firm (RMC) that were subject to a DA investigation for **fraudulent billing and alleged misappropriation of up to \$103 million** in taxpayer funds.
- **Destruction of Evidence:** The District is actively pursuing a costly lawsuit against a sitting Director to compel the destruction of **2,000 pages of documentary evidence** that allegedly incriminates Valley Water officers and Directors, a clear indication of a concerted cover-up effort.

## Non-Negotiable Demands for Reform and Community Remedy

The systemic abuse of power and financial resources, which led directly to the collapse of the \$179 million RWTP contract despite internal audit warnings about high-risk procurement, mandates nothing less than a complete institutional overhaul.

Rinconada's loss of habitability is a direct result of leadership dysfunction, the Board needs to commit to the following remedial path:

1. **Public Apology and Acknowledgment of Dysfunction:** The interim CEO and the entire Valley Water Board must issue a formal, unreserved public apology to the Rinconada community, both online and in the next public forum (October 21st ), acknowledging the decade of negligence and systemic dysfunction.
2. **Executive Removal and Independent Search:**
  - CEO Rick Callender must be **immediately and permanently removed** from employment.
  - The next Chief Executive Officer must be an **"outsider"** hired by an **independent body** to break the institutional cycle of corruption and self-

dealing.

3. **Resignation of Compromised Governance Leadership:** All non-elected Board-Appointed Officers and senior staff who oversaw the destruction of public trust must resign.
4. **Open Investigation and Compensation for Negligence:** The Board must publicly commit to initiating an **open, independent forensic investigation** into the misuse of funds on the RWTP project with a view to compensating the entire community for negligence and loss of habitability.

### **Intent to Escalate to Federal and State Authorities**

Valley Water's capital program relies on a "diverse array of funding sources", which includes state and federal cost-sharing agreements and grants. I will continue my forensic analysis to understand which, if any, **federal and state authorities are investigating RWTP**, including the California Attorney General's office and relevant federal agencies responsible for overseeing public works funding.

Sincerely,

John Kenevey

On Fri, Oct 10, 2025 at 5:58 PM John Kenevey [REDACTED] > wrote:

#### **SUBJECT: MANDATORY CLARIFICATION & FINAL NOTICE: The Scope of October 17th Response Must Address Audited Systemic Failure and Compensation Liability**

Dear Mr. Callender, and Members of the Executive Team,

I appreciate Mr. Aryee email acknowledging my inquiry and for confirming receipt of my correspondence. However, Mr. Callender, I am very disappointed by your **lack of confirmation** of my correspondence. I must formally and unequivocally reject the scope defined in Mr. Aryee's response. The matter at hand is not a request for an update on "Project Phases 3-6." It is a demand for executive accountability and financial resolution for the **systemic institutional negligence** that caused this project to collapse.

The failures that necessitate my Expanded Compensation Claim are directly linked to the massive financial mismanagement and governance failures that have plagued the RWTP:

#### **The Documented Failure of Project Governance**

The RWTP project's financial and operational crisis is not an anomaly; it is a direct, predictable outcome of known control deficiencies:

1. **Contractual Collapse and Forensic Analysis:** The initial construction

contract for the RWTP (C0601), originally valued at **\$179 million**, failed to execute the planned scope, resulting in its effective collapse and subsequent re-scoping after the acceptance of Phases 1 and 2 for \$152.8 million. This failure was so profound that Valley Water was forced to commission an external consultant to conduct a **forensic analysis** to determine the key financial and operational risks and then spend millions more on design "**re-packaging and re-bidding**" for the remaining phases.

2. **Highest Risk Warning Ignored:** The failure of this massive capital contract occurred during the precise period when Valley Water's own independent auditor (TAP International) had formally designated **Contract Change Order Management and Procurement** as areas of "**highest risk**" to the District. This confirms that the project collapsed due to a **failure of governance** to implement controls against fraud and negligence in the face of known, critical audit findings.

### **Final Demand for October 17, 2025**

The deadline of **October 17, 2025**, is established as the date by which the **Executive Team and Legal Counsel** must present a substantive resolution to the District's severe, documented liability exposure. Any response that fails to address the following is deemed inadequate:

1. **Mandatory Compensation Offer:** A formal, written negotiation offer from **Risk Management/Legal Counsel** regarding the **Expanded Compensation Claim** (including the necessary funding for the garage conversion, triple-pane windows, and roof replacement).
2. **Accountability for Fiduciary Failure:** A response addressing the systemic issues that caused the failure, including the CEO's **\$577K salary and 20% premium policy** and the Board's **5% pay raise** amidst the \$222 million deficit.

Please be advised: If the response provided on October 17th is not a substantive settlement offer, all available information regarding the failed \$179 million contract, the forensic analysis, and the audit findings proving systemic control deficiencies will be immediately utilized to **request the Board initiate a full independent forensic investigation into fraud and negligence in the RWTP procurement process.**

Sincerely,

John Kenevey

On Wed, Oct 8, 2025 at 5:21 PM John Kenevey [REDACTED] wrote:

**SUBJECT: FORMAL ESCALATION & ATTACHED PROOF: Undeniable Documentation of Institutional Negligence and Policy Failure Dating to RWTP Project Inception (URGENT)**

Dear Mr. Callender, Ms. Chinte, and Members of the Board,

This is a critical update to my correspondence sent earlier today, which detailed the systemic operational failures and the necessity of immediate compensation. I have added Ms. Chinte, Chief of Staff, to this thread, as the subject matter and attached evidence demand executive-level **crisis intervention and action**.

Upon meticulous review of my decade-long archive of correspondence with Valley Water, I have retrieved and am attaching documentation that provides **undeniable proof** of the institutional negligence that has characterized the RWTP project since its inception in 2015. This evidence confirms that the most intrusive and damaging failures were raised and actively defended by staff **ten years** ago.

**Indisputable Evidence: 2015 Policy Defense and Engineering Failure**

Please review the attached original email correspondence, dated Fri, 9 Oct 2015, along with the attached video file. This documentation conclusively negates any possible claim that the District was unaware of, or is not responsible for, the current climate of operational incompetence:

1. **Direct Proof of Privacy Violation and Defense (2015 Email):** The attached email thread confirms that Valley Water staff not only placed the security hut and associated infrastructure (previously the port-a-potties) directly in front of my front bedroom window but **actively defended that placement** when challenged. This document proves that the ~18-month or longer intrusion into my personal life which rendered my bedroom unusable was a conscious, policy-backed institutional decision.
2. **Documented Engineering Failure (Attached Video):** The attached video shows a **double-barreled heavy-duty truck stuck at the facility gate** in 2015, unable to make the turn due to the gate's inadequate size and location. This incident, which necessitated truck traffic driving onto my personal path and damaging property, was known to the project team at the start of the project. This is irrefutable proof of initial engineering and site planning failure, which compounded noise and dust pollution problems for years.

**The True Cost of Documented Incompetence**

The documentation provided today demonstrates conclusively that the current project leadership and the institutional culture they inherited has been **unwilling to create a safe or tolerable environment** for residents. The failures I outlined in the previous email (Hazmat cover-up, chronic light pollution, and weekend excavation) are simply the most recent symptoms of a pattern of negligence that began with the staff's decision to defend a security guard looking into my private home in 2015.

The massive volume of documentation I possess demonstrates that I do not need to rely on the soon to be filed CPRA requests to prove the District's liability; the documentation is already prepared. We expect Ms. Chinte to intervene immediately to coordinate a final agreement on the **expanded compensation claim** (including the garage conversion) to reflect the true cost of this decade of negligence.

Ms. Chinte, as the Chief of Staff, and Mr. Callender, as the Chief Executive Officer, you must recognize that this level of persistent institutional failure is now subject to the most intense **public scrutiny and external review**. This paper trail, which now spans the entire 10-year project duration and documents policy breaches, safety risks, and operational incompetence, creates an imminent risk of severe reputational consequence for the District and its leadership, especially when juxtaposed against the tripling of the timeline to complete the project, the increases in water rates to support the project, the budget shortfalls and the continued increases in compensation at the executive and board level, 'The Paradox of Cost and Accountability' The compensation claim, now expanded to include the garage conversion, is the direct and justifiable financial consequence of the negligence that began in 2015. We expect immediate and decisive intervention from your office to finalize this remediation plan.

Further administrative delay in resolving this historic negligence will be interpreted as a political choice to defend institutional failures, thereby escalating the matter to the **public domain through all available channels**.

Sincerely,

John Kenevey

On Wed, Oct 8, 2025 at 8:49 AM John Kenevey [REDACTED] wrote:

**SUBJECT: FORMAL ESCALATION & EXPANDED LIABILITY CLAIM:  
Unacceptable Decennial Pattern of Operational Failures, Privacy  
Violation, and Executive Compensation Disparity at RWTP**

Dear Mr. Callender,

I am forwarding the recent operational complaint sent to your project management team, which details gross policy breaches—including

unauthorized weekend excavation and chronic, unmitigated light pollution.

This escalation is a demand for direct executive intervention. The failures documented below are not merely technical oversights; they are evidence of a systemic breakdown in institutional responsibility and a profound inability to engage with or protect the community throughout the entire **10-year duration** of the Rinconada Water Treatment Plant (RWTP) project. I express immense fatigue and anger at the sustained negligence.

## **A Decade of Institutional Negligence and Intimate Intrusion**

The current project team failures are tragically consistent with a pattern of operational negligence that began when this project first mobilized:

- **Intrusion and Privacy Violation (18 Months):** At the project's start, the construction team first placed the portable toilets, and subsequently the permanent security hut, on the hill directly in front of my primary front bedroom window. A security guard routinely stood on the deck, looking directly into my private home and bedrooms, this was very unnerving to my wife and family. This egregious and unnerving invasion of privacy required approximately **18 months of constant complaint** to various staff members before the position was finally relocated.
- **Safety Risk and Security Failures:** The original entry gate was inappropriately sized, resulting in heavy trucks routinely driving off the access road, over my front bushes, and breaking the concrete path to gain entry. The gate as it stands today is due to my petitioning RWTP to 'fix' the issue, this took ~3 years to remedy. Furthermore, for nearly a year, a security car was permitted to sit parked in front of the gate, looking directly into my home, a situation I was eventually informed was due to **disgruntled employee threats** against the facility. This is a critical failure of site security that turned the residential neighborhood into a security outpost without community warning.
- **Unmitigated Pollution:** Throughout this entire decade-long period—from 2015 to the present day—the residential structural damage, extreme noise pollution and pervasive dust contamination were never properly assessed, accounted for, or mitigated, demonstrating a complete lack of regard for the health and welfare of those living immediately adjacent to the construction zone.

## **The Expectation of Empathy and Compensation**

These failures, compounded by the previous **Hazmat incident** and the current violations, justify the financial demands being made. It is impossible to reconcile this pattern of institutional incompetence with the fiscal realities

of Valley Water's leadership:

- You, Mr. Callender, are the CEO, and your reported **Total Wages exceed \$577,000**, underpinned by an internal policy that dictates your pay be **20% higher** than your next subordinate.
- The Board members who oversee this compensation recently voted themselves a **5% raise** while the District faced a substantial **\$222 million budget deficit** and instituted a hiring freeze.

The compensation received by the executive and governance staff imposes a moral and legal obligation to act decisively and ethically. We require the Board and executive leadership to show immediate empathy and accept full responsibility for the immense, decade-long disruption and property liability.

### **Expanded Compensation Demand (Garage Conversion)**

Due to the cumulative, sustained effects of the structural, noise, light, and privacy intrusions, the front bedroom has been functionally unusable for a majority of the last ten years.

Therefore, upon further counsel, the property remediation claim currently under review by Risk Management is now **expanded** to include the necessary cost of converting the garage space into a habitable bedroom. This action is the absolute minimum requirement to restore the original level of residential function and privacy that Valley Water's project has systematically destroyed.

We expect immediate, direct intervention from your office to finalize the comprehensive compensation package, including this expanded claim. Any further delay in resolving this historic negligence will be interpreted as a willful decision to expose the District to public scrutiny regarding its executive compensation and its profound failure to protect the community.

Sincerely,

John Kenevey

----- Forwarded message -----

From: **John Kenevey** [REDACTED]

Date: Wed, Oct 8, 2025 at 6:42 AM

Subject: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)

To: Emmanuel Aryee <[earye@valleywater.org](mailto:earye@valleywater.org)>, <[bponce@valleywater.org](mailto:bponce@valleywater.org)>, <[mmendez@valleywater.org](mailto:mmendez@valleywater.org)>

Cc: <[CEO@valleywater.org](mailto:CEO@valleywater.org)>, <[reisenberg@valleywater.org](mailto:reisenberg@valleywater.org)>, <[Board@valleywater.org](mailto:Board@valleywater.org)>, <[ckwok-smith@valleywater.org](mailto:ckwok-smith@valleywater.org)>, Aimee Green <[AGreen@valleywater.org](mailto:AGreen@valleywater.org)>

**SUBJECT: DEMAND FOR IMMEDIATE EXPLANATION: Flagrant Policy Violations, Residential Intrusion, and Gross Inefficiency at Rinconada WTP Site (Project No. 93294057)**

Dear Mr. Aryee, Mr. Ponce, and Ms. Mendez,

As the technical leadership responsible for the Rinconada Water Treatment Plant (RWTP) Reliability Improvement Project—an endeavor that has catastrophically ballooned into a projected 14-year construction timeline your team’s recent operational decisions demonstrate a continued failure to adhere to stated policy and respect basic residential habitability.

Please consider this communication a formal demand for immediate answers and documentation regarding three distinct, highly disruptive, project activities that directly contravene expected professional standards.

**1. Flagrant Violation of Weekend Work Policy**

This past weekend, your project team conducted heavy **excavation** work directly outside my property, starting at 7:00 AM and concluding at 4:00 PM. This activity produced noise pollution that can only be accurately described as being at a **nightclub level**.

**Inquiry:**

- Please immediately provide the specific policy language authorizing external, heavy excavation work on a weekend. The published community policy explicitly states that only indoor work is authorized during weekends.
- Provide all records indicating that the neighboring community was formally notified of this flagrant policy violation and the severity of the associated noise intrusion. If no such notice exists, explain who authorized the deviation and why the surrounding residents were excluded from the decision-making process.
- Provide the community impact report for this project.

**2. Unauthorized and Unmitigated Light Pollution**

For over a year, a high-intensity security light, presumably installed by the project, has been shining directly onto my property after dark and remains on all night. This light intrusion renders our front bedroom utterly **unusable** due to the sleep disturbance it causes. Furthermore, standard window blinds are

useless given the unique shape of the upper window architecture.

**Inquiry:**

- Provide the Community Impact Report or lighting plan that justified the installation of this specific light fixture, including documentation of the light pollution study conducted to ensure compliance with local ordinances regarding residential illumination.
- Explain why zero mitigation efforts have been undertaken over the past year to redirect, shield, or time-limit this security lighting, despite the obvious and immediate impact on my home.
- Provide the community impact report for this installation.

### **3. Gross Inefficiency and War Zone Noise (Pipe Installation)**

Over the course of the recent summer months, the installation of a pipe feeding into a drain took an excessively long and indefensible period to complete. The noise generated by this process; best described as **war zone-like steel on steel grinding**, was relentless.

**Inquiry:**

- For this specific implementation (a seemingly basic engineering task), provide a detailed breakdown of the internal **engineering schedule** and the actual person-hours expended. Justify why this task required such an exorbitant duration, leading to continuous, extreme noise pollution for neighboring residents.
- Provide the Community Impact Report and notification records regarding this specific installation, including the noise impact, dust pollution impact and timeline. Explain why the community was never warned of the severity or length of this acoustical intrusion.

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## **The Direct Link to Systemic Accountability and Liability**

These repeated failures in basic policy adherence, communication, and project efficiency are the direct consequences of the systemic operational and governance issues that have plagued the RWTP project for over a decade, resulting in its protracted 14-year schedule.

Your technical failures directly support the claim that the District is liable for the resulting property damage, safety risks (e.g., the previous Hazmat incident), and loss of residential habitability. We formally demand that these issues be immediately addressed, resolved, and documented.

We expect a complete, detailed response to these three operational inquiries, including all requested documentation, within five (5) business days. Your prompt action is necessary to minimize the financial and political exposure

that these ongoing failures are creating for Valley Water's leadership.

Sincerely,

John Kenevey