

----- Forwarded Message -----

**From:** "PETER LE" <[peter381@sbcglobal.net](mailto:peter381@sbcglobal.net)>

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**Sent:** Sat, May 14, 2022 at 10:30 AM

**Subject:** May 16, 2022 MCWD Board Meeting

May 14, 2022

Dear Directors:

The agenda for the Marina Coast Water District Board (MCWD) of Directors meeting of May 16, 2022 shows that this meeting is a hybrid meeting.

Members of the public can either attend in person at MCWD Office at 920 2nd Ave, Suite A, Marina (if this correct?). Or ratepayers can attend this meeting by Zoom or by phone as shown on the agenda as follows:

This meeting may be accessed remotely using the following Zoom link:

<https://us02web.zoom.us/j/89768695550?pwd=aExTNlVuc3h5cERoWU1SNFR1bjkxQT09> Passcode: 171822

To participate via phone: 1-669-900-9128; Meeting ID: 897 6869 5550 Passcode: 171822

The agenda shows the meeting starts at 6 pm but it did not show when the open session will start. Previous Board agendas always showed the Board meeting started at 6:30 pm and the open started at 7 pm.

Therefore, ratepayers may attend this Board meeting at 6 pm and may have to wait until 7 pm or later to comment on the open session.

It appears that this is another blatant attempt by the District to frustrate ratepayers and make it difficult for ratepayers to attend the open session.

Why? Because at this meeting MCWD Board of Directors will hold a public hearing on the adoption of recycled water rates and many ratepayers may want to oppose the subsidies all potable water users must pay to subsidize recycled water users at this meeting.

Additionally, ratepayers may oppose to the adopted Recycled Water Rate Study where FAKE amounts of recycled water volumes were used. Monterey One Water General Manager provided a March 29, 2022 letter to MCWD General Manager that shows only 600 acre-feet per year is available to MCWD. The 1,427 acre-feet per year of recycled water that MCWD used in the study is FAKE, non-existent, not real, and imaginary.

The above example is unfortunately not isolated.

The District's website previously showed a link to the adopted Final Report of the Recycled Water Rate Study with the correct date of March 29, 2022. When the public asked questions about this final report, the District changed the correct date of March 29, 2022 to the incorrect date of January 22, 2022.

Additionally, the agenda for the special Board meeting on May 9, 2022 was not posted on the District's website 24 hours in advance of this special meeting; thus not meeting legal requirements for posting Board's agendas on the District's website. I checked the District's website on the morning of May 9, 2022 and didn't see the agenda. I also checked the District's websites on May 7 and May 8, 2022 and did not see the agenda for the special Board meeting on May 9, 2022. Your IT staff can check and verify when this agenda was posted on the District's website and when the date was changed and who made these changes.

It appears that the District did not check current legal requirements of posting Board's agendas on the District's website, manipulate and frustrate ratepayers when the Board discusses controversial agenda items.

The Board may want to discuss the above issues when the Board evaluates the performance of MCWD General Manager at the May 16, 2022 Board meeting during closed session.

I previously emailed the entire Board my comments and questions for the Public Hearing on the adoption of Recycled Water Rates on May 16, 2022 and I again ask that my email be entered into the records of this Public Hearing.

Sincerely,

Peter Le



## MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099  
Home Page: [www.mcwd.org](http://www.mcwd.org)  
TEL: (831) 384-6131 FAX: (831) 883-5995

### DIRECTORS

JAN SHRINER  
*President*

HERBERT CORTEZ  
*Vice President*

THOMAS P. MOORE  
GAIL MORTON  
MATT ZEFFERMAN

**Agenda**  
**Regular Board Meeting, Board of Directors**  
**Marina Coast Water District**  
**and**  
**Regular Board Meeting, Board of Directors**  
**Marina Coast Water District Groundwater Sustainability Agency**  
**Hybrid Meeting**  
**920 2<sup>nd</sup> Avenue, Suite A, Marina, California**  
**And Zoom Teleconference**  
Monday, May 16, 2022, 6:00 p.m. PST

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**Due to Governor Newsom's Executive Order N-29-20 and recommendations on protocols to contain the spread of COVID-19, this will be a hybrid meeting with some staff and Board members attending the May 16, 2022 meeting in person and some remotely from various locations. Members of the public may not yet attend the Board meeting in person but can continue to attend remotely via the Zoom link. The public is strongly encouraged to use the Zoom app for best reception.**

**There may be limited opportunity to provide verbal comments during the meeting. Persons who are participating via telephone will need to press \*9 to be acknowledged for comments. Members of the public participating by Zoom will be placed on mute during the proceedings and will be acknowledged only when public comment is allowed, after requesting and receiving recognition from the Board President. Public comment can also be submitted in writing to Paula Riso at [priso@mcwd.org](mailto:priso@mcwd.org) by 9:00 am on Monday, May 16, 2022; such comments will be distributed to the MCWD Board before the meeting.**

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## DIRECTOR

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JAN SHRINEK  
President

HERBERT CORTEZ  
Vice President

THOMAS P. MOORE  
GAIL MORTON  
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## Agenda

Regular Board Meeting, Board of Directors  
Marina Coast Water District

and

Regular Board Meeting, Board of Directors  
Marina Coast Water District Groundwater Sustainability Agency  
Hybrid Meeting

920 2<sup>nd</sup> Avenue, Suite A, Marina, California  
And Zoom Teleconference

Monday, May 16, 2022, 6:00 p.m. PST

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***Our Mission:*** We provide our customers with high quality potable and recycled water, wastewater collection and conservation services that are safe, affordable, reliable and sustainable, through planning, management and the development of water resources in an environmentally sensitive manner.

### 1. Call to Order

### 2. Roll Call

This agenda is subject to revision and may be amended prior to the scheduled meeting. Pursuant to Government Code section 54954.2(a)(1), the agenda for each meeting of the Board shall be posted at the District offices at 11 Reservation Road, Marina. The agenda shall also be posted at the following locations, but those locations are not official agenda posting locations for purposes of section 54954.2(a)(1): City of Marina Council Chambers. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Thursday, May 12, 2022. Information about items on this agenda or persons requesting disability related modifications and/or accommodations should contact the Board Clerk 48 hours prior to the meeting at: 831-883-5910



**3. Public Comment on Closed Session Items** *Anyone wishing to address the Board on matters appearing on Closed Session may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

**4. Closed Session**

- A. Pursuant to Government Code 54957  
Conference with Labor Negotiators  
Agency Designated Representative: General Manager  
Employee Organizations: MCWD Employee Association and Teamsters Local 890
- B. Pursuant to Government Code 54957  
Public Employee Performance Evaluation  
Title: General Manager

**Reconvene Open Session**

**5. Reportable Actions Taken During Closed Session** *The Board will announce any reportable action taken during closed session and the vote or abstention on that action of every director present and may take additional action in open session as appropriate. Any closed session items not completed may be continued to after the end of all open session items.*

**6. Pledge of Allegiance**

**7. Oral Communications** *Anyone wishing to address the Board on matters not appearing on the Agenda may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

**8. Consent Calendar**

- A. Receive and File the Check Register for the Month of April 2022
- B. Receive the Quarterly Financial Statements for January 1, 2022 to March 31, 2021
- C. Approve the Draft Minutes of the Special Joint Board/GSA Meeting of April 11, 2022
- D. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of April 18, 2022
- E. Adopt Resolution No. 2022-17 Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Election Set for November 8, 2022
- F. Adopt Resolution No. 2022-18 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days

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G. Receive an Update on the Fiscal Impacts to the District due to Covid-19

**9. Action Items** *The Board will review and discuss agenda items and take action or direct staff to return to the Board for action at a following meeting. The public may address the Board on these Items as each item is reviewed by the Board. Please limit your comment to four minutes.*

- A. Consider Adoption of Resolution No. 2022-19 to Find that the MCWD Sphere of Influence Amendment and Annexation for Monterey County A.P.N. (031-15-013; 018; 024; 029; 031; 032; 036-44; 054-056); (031-261-003; 004); and (031-152-011) is Categorically Exempt from CEQA under CEQA Guidelines Section 15061(b)(3); and Direct Staff to File an Application with the Local Agency Formation Commission
- B. Consider the Introduction and First Reading of Ordinance No. 62, An Ordinance Amending Title 4, Recycled Water, of the Marina Coast Water District Code
- C. Conduct a Public Hearing for Proposed Recycled Water Rates and Adopt Resolution No. 2022-20 to Adopt District Rates, Fees, and Charges for Recycled Water Service, excluding Capacity Charges
- D. Adopt Resolution No. 2022-21 to Adopt the Marina Coast Water District Budget for FY 2022-2023 and Waive Section 6.08.070 of the District Code for FY 2022-2023

**10. Informational Items** *Informational items are normally provided in the form of a written report or verbal update and may not require Board action. The public may address the Board on Informational Items as they are considered by the Board. Please limit your comments to four minutes.*

- A. General Manager's Report
- B. Committee and Board Liaison Reports
  - 1. M1W Board Member Liaison

**11. Correspondence**

**12. Board Member Requests for Future Agenda Items**

**13. Director's Comments** *Director reports on meetings with other agencies, organizations and individuals on behalf of the District and on official District matters.*

**14. Adjournment** *Set or Announce Next Meeting(s), date(s), time(s), and location(s):*

*Special Strategic Plan Workshop: Tuesday, May 24, 2022, 6:30 p.m.*

*Regular Meeting: Monday, June 20, 2022, 6:30 p.m.*