

Brian Lee

From: peter381 [peter381@sbcglobal.net]
Sent: Tuesday, January 14, 2014 8:11 AM
To: Brian Lee; Tom Moore; Roger Masuda; Paula Pelot; ken yoke nishi
Subject: Feb 3, 2014 agenda item request

Brian,

I like to request the following agenda items to be placed on the Feb 3, 2014 Board meeting for the Board consideration:

1. Review status of Public Information requests from Ms. Paula Peloton.
2. Review status of responses to question on the Teen Center from Mr. Ken Nishi.
3. Revise Section 42 of the Board Procedures Manual.
4. Review non conformance of new Section 16 of the Board Procedures Manual by Special Counsels.
5. Prepare 2014 preliminary draft agenda, goals, and work program.

Peter

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Thursday, November 07, 2013 3:35 PM
To: Brian Lee
Cc: ME
Subject: Public Records Request

November 07, 2013
Brian Lee, Interim General Manager
Marina Coast Water District
11 Reservation Road
Marina, CA 93933
RE: Public Records Act Request **VIA Email**

Mr. Lee,
Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain a copy of the following:

- The original data file, in its' native format, that MCWD provided to DATAPROSE (aka CGS, Inc) to produce the Proposition 218 notice that was posted on September 06, 2013. This is the original record that MCWD transmitted to DATAPROSE aka CGS, Inc, not a subsequent derivation of the file. This file should be sourced directly from the transmission by MCWD.
 - The original output file/information (name/address) that DATAPROSE (aka CGS, Inc), Inc used to produce the original Proposition 218 notices that were posted on September 06, 2013,
 - The original data file, in its' native format, that MCWD used to produce the Ord Service Area postcards that District staff placed in the mail on 10/04/13.
In addition, I would like the following information relative to the protest vote that the MCWD Board voted to approve on 10/21/13:
 - The number of total protests received by MCWD,
 - The total number of returned mail pieces from the protest notices that were dropped in the mail on 09/06/13 and a copy of the log reflecting these pieces of returned mail,
 - The number of protest notices returned mail wherein MCWD was able to determine a corrected address and subsequently redirected the notice(s) to the corrected address(es), and the date for each one of these notices for which there was such redirection,
 - The total number of postcards (that corrected the "October 11th vs October 21st " error in the original notices) that were mailed to the Ord Service Area on 10/04/13,
 - The number of pieces of returned mail of the postcards (identified in the bulleted item immediately above this bulleted item),
 - The total number of validated protests,
 - The total number of invalidated protests and a summary of the reason for the invalidation by type of invalidation, i.e, number determined invalid due to a "duplication of protest", number determined invalid due to not a parcel with a service connection, number determined invalid due to insufficient information, etc and,
 - The specific policies and processes used by staff and Board in this Proposition 218 process to determine what constituted a valid/invalid protest. This can be in a narrative format and/or you can provide any existing written documentation that is sufficient to fulfill this request.
- In addition, I would like to make an appointment to view the actual protests filed, the protests that were deemed invalid, and the returned mail from the original notice and postcards.**

I ask for a determination on this request within 10 days of your receipt of it, and an even prompter reply if you can make that determination without having to review the record[s] in question

If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

If I can provide any clarification that will help expedite your attention to my request, please contact me at pfpelot@sbcglobal.net or (831) 601-7282. I ask that you notify me of any duplication costs exceeding \$125 before you duplicate the records so that I may decide which records I want copied.

Sincerely,

Paula F. Pelot
728 Landrum Court
Marina, CA 93933

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Friday, November 15, 2013 11:20 AM
To: Brian Lee
Subject: Fw: Public Records Request - Highlighted section in original email

Brian,

I will be there at 1 p.m. Not certain if I did, in fact, highlight the section to which I referred in the first email, so have done so below.

Thank you.

Paula Pelot

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

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Sent: Friday, November 15, 2013 8:58 AM
Subject: RE: Public Records Request

That works for us. I will have someone available at 1pm today at the 11 Reservation Road office (the beach office) with the requested material.

Brian C. Lee
Interim General Manager / District Engineer
Marina Coast Water District
Cell - 831.236.6184
Office - 831.883.5925

From: PAULA PELOT [mailto:pfpelot@sbcglobal.net]
Sent: Friday, November 15, 2013 8:45 AM
To: Brian Lee
Subject: Re: Public Records Request

How about 1 pm?

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Sent: Friday, November 15, 2013 7:00 AM
Subject: Re: Public Records Request

Paula,

What time were you thinking? We will be short staffed after 4.

Brian C. Lee

Interim General Manager / District Engineer
Marina Coast Water District
2840 4th Avenue
Marina, CA 93933
(831) 883-5925

On Nov 14, 2013, at 3:27 PM, "PAULA PELOT" <pfpelot@sbcglobal.net<<mailto:pfpelot@sbcglobal.net>>>>
wrote:

Brian,

I would like to come to the office tomorrow afternoon to view the actual protests filed, the protests that were deemed invalid, and the returned mail from the original notice and postcards - see the highlighted item below. Can you please make those available to me?

Thank you.

Paula F. Pelot
728 Landrum Court
Marina, CA 93933

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

From: PAULA PELOT <pfpelot@sbcglobal.net<<mailto:pfpelot@sbcglobal.net>>>>
To: Brian Lee <BLee@mcwd.org<<mailto:BLee@mcwd.org>>>>
Cc: ME <pfpelot@sbcglobal.net<<mailto:pfpelot@sbcglobal.net>>>>
Sent: Thursday, November 7, 2013 3:34 PM
Subject: Public Records Request

November 07, 2013
Brian Lee, Interim General Manager
Marina Coast Water District
11 Reservation Road
Marina, CA 93933
RE: Public Records Act Request VIA Email
Mr. Lee,

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain a copy of the following:

- The original data file, in its' native format, that MCWD provided to DATAPROSE (aka CGS, Inc) to produce the Proposition 218 notice that was posted on September 06, 2013. This is the original record that MCWD transmitted to DATAPROSE aka CGS, Inc, not a subsequent derivation of the file. This file should be sourced directly from the transmission by MCWD.

- The original output file/information (name/address) that DATAPROSE (aka CGS, Inc), Inc used to produce the original Proposition 218 notices that were posted on September 06, 2013,

- The original data file, in its' native format, that MCWD used to produce the Ord Service Area postcards that District staff placed in the mail on 10/04/13.

In addition, I would like the following information relative to the protest vote that the MCWD Board voted to approve on 10/21/13:

- The number of total protests received by MCWD,
- The total number of returned mail pieces from the protest notices that were dropped in the mail on 09/06/13 and a copy of the log reflecting these pieces of returned mail,
- The number of protest notices returned mail wherein MCWD was able to determine a corrected address and subsequently redirected the notice(s) to the corrected address(es), and the date for each one of these notices for which there was such redirection,
- The total number of postcards (that corrected the “October 11th vs October 21st “ error in the original notices) that were mailed to the Ord Service Area on 10/04/13,
- The number of pieces of returned mail of the postcards (identified in the bulleted item immediately above this bulleted item),
- The total number of validated protests,
- The total number of invalidated protests and a summary of the reason for the invalidation by type of invalidation, i.e, number determined invalid due to a “duplication of protest”, number determined invalid due to not a parcel with a service connection, number determined invalid due to insufficient information, etc and,
- The specific policies and processes used by staff and Board in this Proposition 218 process to determine what constituted a valid/invalid protest. This can be in a narrative format

and/or you can provide any existing written documentation that is sufficient to fulfill this request. In addition, I would like to make an appointment to view the actual protests filed, the protests that were deemed invalid, and the returned mail from the original notice and postcards.

I ask for a determination on this request within 10 days of your receipt of it, and an even prompter reply if you can make that determination without having to review the record[s] in question

If you determine that any or all or the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

If I can provide any clarification that will help expedite your attention to my request, please contact me at pfpelot@sbcglobal.net<<mailto:pfpelot@sbcglobal.net>> or (831) 601-7282. I ask that you notify me of any duplication costs exceeding \$125 before you duplicate the records so that I may decide which records I want copied.

Sincerely,
 Paula F. Pelot
 728 Landrum Court
 Marina, CA 93933

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Sunday, November 17, 2013 9:15 PM
To: Ernest Pons
Cc: Brian Lee
Subject: Prop 218 Copies

Ernest,

First I want to thank you for your assistance on Friday. Of the sampling that I took, I did find a few of the copies did not show both addresses when one was obscured by a label or other "blackout" marking. I know you also took copies of the copies, so perhaps you can locate the original envelopes of the below items, re-copy them and send me a PDF of the new copy that shows both addresses:

- 1) "Lundy Gilbert M"(re-labeled to 423 Windsor Court, Marina, Ca 93933) - original address was obscured on the copy but appears to be a "Peninsula Point" street address
- 2) "Allen Carsten A & Allen Irene F" had the original address marked out and a hand-written note of "forward to 408 Corral De Tierra, Salinas, CA 93908"
- 3) Envelope has a "Deceased" label over the address window and cannot therefore see the original address. The envelope is also marked in hand print, "Return to Sender" and just below that is also handwritten, "Deceased"

Thank you.

Paula Pelot

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Wednesday, November 27, 2013 7:59 AM
To: Brian Lee
Subject: Re: Public Records Request

Brian,

Thank you. Have a good holiday.

Paula

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Sent: Tuesday, November 26, 2013 9:55 PM
Subject: Re: Public Records Request

Paula,

I'm out of the office this week, returning on Monday December 2nd. I believe there is a log regarding redirected protests. I will talk with staff Monday morning to see what we have.

Happy Thanksgiving.

Brian C. Lee
Interim General Manager / District Engineer
Marina Coast Water District
2840 4th Avenue
Marina, CA 93933
(831) 883-5925

On Nov 22, 2013, at 2:20 PM, "PAULA PELOT" <pfpelot@sbcglobal.net<mailto:pfpelot@sbcglobal.net>>>
wrote:

Hi Brian,

Of the 115 Ord protests that were noted as being redirected, is there a log of which ones they were and to what addresses they were redirected?

Thank you.

Paula

From: Paula Riso <priso@mcwd.org<mailto:priso@mcwd.org>>
To: PAULA PELOT <pfpelot@sbcglobal.net<mailto:pfpelot@sbcglobal.net>>>
Cc: Brian Lee <BLee@mcwd.org<mailto:BLee@mcwd.org>>>

Sent: Tuesday, November 19, 2013 4:52 PM

Subject: FW: Public Records Request

Ms. Pelot,

Thank you for your Public Records Request, I apologize for the delay in responding to you. The District is asking for an extension to December 6, 2013 to complete the request. Documents the District has that are responsive to your request are attached. Please note the responses below to your individual questions...

Thank you,

Paula

Paula Riso
Executive Assistant
Marina Coast Water District
11 Reservation Road, Marina, CA 93933
P 831-883-5910
F 831-883-5960

From: PAULA PELOT <pfpelot@sbcglobal.net<<mailto:pfpelot@sbcglobal.net>>>
Date: November 7, 2013 at 3:34:46 PM PST
To: Brian Lee <BLee@mcwd.org<<mailto:BLee@mcwd.org>>>
Cc: ME <pfpelot@sbcglobal.net<<mailto:pfpelot@sbcglobal.net>>>
Subject: Public Records Request
Reply-To: PAULA PELOT <pfpelot@sbcglobal.net<<mailto:pfpelot@sbcglobal.net>>>
November 07, 2013
Brian Lee, Interim General Manager
Marina Coast Water District
11 Reservation Road
Marina, CA 93933
RE: Public Records Act Request VIA Email
Mr. Lee,

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain a copy of the following:

- The original data file, in its' native format, that MCWD provided to DATAPROSE (aka CGS, Inc) to produce the Proposition 218 notice that was posted on September 06, 2013. This is the original record that MCWD transmitted to DATAPROSE aka CGS, Inc, not a subsequent derivation of the file. This file should be sourced directly from the transmission by MCWD. The file MCWD provided to DATAPROSE is attached as Item A.
 - The original output file/information (name/address) that DATAPROSE (aka CGS, Inc), Inc used to produce the original Proposition 218 notices that were posted
on September 06, 2013, The District is working to obtain this file and will attempt to provide it by December 6, 2013.
 - The original data file, in its' native format, that MCWD used to produce the Ord Service Area postcards that District staff placed in the mail on 10/04/13.
- In addition, I would like the following information relative to the protest vote that the MCWD Board voted to approve on 10/21/13: The file MCWD used to print the labels for the Ord Service Area postcards is attached as Item B.

- The number of total protests received by MCWD, 1166 protests for the Ord Community were received.
- The total number of returned mail pieces from the protest notices that were dropped in the mail on 09/06/13 and a copy of the log reflecting these pieces of returned mail, The total number of returned mail pieces are 279. The log will be provided by December 6, 2013.
- The number of protest notices returned mail wherein MCWD was able to determine a corrected address and subsequently redirected the notice(s) to the corrected address(es), and the date for each one of these notices for which there was such redirection, The District was able to redirect 115 pieces of mail with corrected addresses. The redirection date will be provided if available on December 6, 2013.
- The total number of postcards (that corrected the “October 11th vs October 21st “ error in the original notices) that were mailed to the Ord Service Area on 10/04/13, The District mailed 595 postcards to the Ord Service Area on October 4, 2013.
- The number of pieces of returned mail of the postcards (identified in the bulleted item immediately above this bulleted item), 11 postcards were returned to the District.
- The total number of validated protests, The District validated 251 protests for the Ord Community.
- The total number of invalidated protests and a summary of the reason for the invalidation by type of invalidation, i.e, number determined invalid due to a “duplication of protest”, number determined invalid due to not a parcel with a service connection, number determined invalid due to insufficient information, etc and, The number of invalid protests due to not a parcel with a service connection is 884. In addition, there were 31 protests that were duplicates.
- The specific policies and processes used by staff and Board in this Proposition 218 process to determine what constituted a valid/invalid protest. This can be in a narrative format and/or you can provide any existing written documentation that is sufficient to fulfill this request. This information will be provided by December 6, 2013.

In addition, I would like to make an appointment to view the actual protests filed, the protests that were deemed invalid, and the returned mail from the original notice and postcards. On Friday, November 15, 2013, you spent several hours at the District office reviewing the actual protests filed and the returned mail.

I ask for a determination on this request within 10 days of your receipt of it, and an even prompter reply if you can make that determination without having to review the record[s] in question

If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

If I can provide any clarification that will help expedite your attention to my request, please contact me at pfpelot@sbcglobal.net or (831) 601-7282. I ask that you notify me of any duplication costs exceeding \$125 before you duplicate the records so that I may decide which records I want copied.

Sincerely,

Paula F. Pelot
728 Landrum Court
Marina, CA 93933

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Sunday, December 08, 2013 8:27 PM
To: Brian Lee
Cc: Tom Moore
Subject: Re: Possible Meeting Date/Time Next Week

Brian,

I have a few questions. As part of the Public Records Response*, you sent me the joined file that was the list used to mail the notices in September. That is my starting point to determine whether or not there were errors that could have caused mail to not be delivered. The subsequent 10/6/13 postcard was, evidently, mailed out by the District and perhaps another list was used at that time to notify ord Service Area folks of the original error in the Prop 218 notice mailed in Sept.

That subsequent postcard, however, does not constitute the actual Prop 218 notice and so cannot be relied upon (even if there was an improved list) as notice being delivered. It did nonetheless explain the many folks (the City of Marina, County of Monterey, East Garrison Developers, Seaside Highland residents, etc) who stated that some had received the postcard correcting the meeting date/time/place but had never received the original full notice.

So, for the list you sent to me, were you using the original joined list, or something else? I ask because in looking over what you provided, it does not match that list and there are many more who would not have received a notice in September. I edging toward 50 in Seaside Highlands, or about 11+ percent.

Also, what list(s) was/were used to validate/invalidate votes. Again, if a corrupted list was used, valid protests may have been marked as invalid when comparing to a corrupted list.

Paula

**still missing the List of 115 pieces of redirected mail*

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Cc: Tom Moore <tpmoore@redshift.com>
Sent: Thursday, December 5, 2013 3:39 PM
Subject: RE: Possible Meeting Date/Time Next Week

Paula,

Yes, please. I can reschedule other appointments if required. What day and time is good for you?

Also, I have finished a review of the Seaside Highlands addresses, comparing the District's original mailing database with a subset database I created using street names within Seaside Highlands using the County database.

Excluding mistakes on my part:

- There are 381 parcels within Seaside Highlands with street addresses.
- There were 3 parcels with addresses/owner names I could not locate in our original database (APN Highlighted in red on the attached pdf file)
- There were 27 parcels that would not have received a notice based on incorrect mailing addresses (APN highlighted in yellow on the attached pdf file)

If my review withstands scrutiny that would be roughly a 7.1% (27/381) to 7.9% (30/381) error rate existing in the original database.

I am continuing to research those 30 parcels and have asked staff to provide a list what returned mail we received from Seaside Highlands and zip code 93955 and if we received any protests from those 30 parcels.

Brian

From: PAULA PELOT [<mailto:pfpelot@sbcglobal.net>]

Sent: Thursday, December 05, 2013 9:30 AM

To: Brian Lee

Cc: Tom Moore

Subject: Possible Meeting Date/Time Next Week

Brian,

Before we get too much further down the road, I would like to have a meeting with you so that we can reveiw together the results of my inquiry into the data corruption and to discuss what are the parameters the District is using to do its' analysis as compared to what I am using.

Can you propose some day/times for next week?

Thank you.

Paula

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Monday, December 09, 2013 12:36 PM
To: Brian Lee
Cc: Tom Moore
Subject: Re: Possible Meeting Date/Time Next Week

Great! See you Wednesday @ 3 p.m.

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Cc: Tom Moore <tpmoore@redshift.com>
Sent: Monday, December 9, 2013 10:14 AM
Subject: RE: Possible Meeting Date/Time Next Week

3pm works great for me.

Yes, I used the Reynolds database. I pulled it directly from his email.

From: PAULA PELOT [mailto:pfpelot@sbcglobal.net]
Sent: Monday, December 09, 2013 9:47 AM
To: Brian Lee
Cc: Tom Moore
Subject: Re: Possible Meeting Date/Time Next Week

Brian,

What time on Wednesday afternoon, 3 pm?. We appear to be going at this in the manner. One question, did you use the Assessor file that was sent by Chris Reynolds for the September mailing, or a subsequent one. I ask because I am attempting to retake that whole September "snapshot" with the information that was available at that time.

Thanks.
Paula

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Cc: Tom Moore <tpmoore@redshift.com>
Sent: Monday, December 9, 2013 9:27 AM
Subject: RE: Possible Meeting Date/Time Next Week

Good morning Paula (and Tom),

My methodology to create the Seaside Highlands file that I sent last week was as follows:

1. Create a list of addresses (The Seaside Highland file) in Seaside Highlands by searching the County AP file for street names.
2. Compare owner names from the Seaside Highlands file to names in the original September mailing list.
3. If a name/address combo exists in both files then I would highlight the APN in 'green' in the Seaside Highlands file
4. If a name and/or address exists in both files, but some error exists in the September file that may have prevented a proper notice from being delivered I would highlight the APN in 'yellow' in the Seaside Highlands file. I also attempted to highlight the offending data in 'yellow'.
5. If a name/address existed in the Seaside Highland file but not in the September file I would highlight it in 'red' in the Seaside Highland file.

My focus is to establish how many property owners did not receive the original mailing due to errors in the September database. The County AP database seemed like the best starting point to me.

The District used the October list to validate/invalidate votes. That list was prepared by our consultant using the County AP list combined with our billing database.

I look forward to comparing notes Wednesday afternoon.

Brian

From: PAULA PELOT [<mailto:pfpelot@sbcglobal.net>]
Sent: Sunday, December 08, 2013 8:27 PM
To: Brian Lee
Cc: Tom Moore
Subject: Re: Possible Meeting Date/Time Next Week

Brian,

I have a few questions. As part of the Public Records Response*, you sent me the joined file that was the list used to mail the notices in September. That is my starting point to determine whether or not there were errors that could have caused mail to not be delivered. The subsequent 10/6/13 postcard was, evidently, mailed out by the District and perhaps another list was used at that time to notify ord Service Area folks of the original error in the Prop 218 notice mailed in Sept.

That subsequent postcard, however, does not constitute the actual Prop 218 notice and so cannot be relied upon (even if there was an improved list) as notice being delivered. It did nonetheless explain the many folks (the City of Marina, County of Monterey, East Garrison Developers, Seaside Highland residents, etc) who stated that some had received the postcard correcting the meeting date/time/place but had never received the original full notice.

So, for the list you sent to me, were you using the original joined list, or something else? I ask because in looking over what you provided, it does not match that list and there are many more who would not have received a notice in September. I edging toward 50 in Seaside Highlands, or about 11+ percent.

Also, what list(s) was/were used to validate/invalidate votes. Again, if a corrupted list was used, valid protests may have been marked as invalid when comparing to a corrupted list.

Paula

**still missing the List of 115 pieces of redirected mail*

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Cc: Tom Moore <tpmoore@redshift.com>
Sent: Thursday, December 5, 2013 3:39 PM
Subject: RE: Possible Meeting Date/Time Next Week

Paula,

Yes, please. I can reschedule other appointments if required. What day and time is good for you?

Also, I have finished a review of the Seaside Highlands addresses, comparing the District's original mailing database with a subset database I created using street names within Seaside Highlands using the County database.

Excluding mistakes on my part:

- There are 381 parcels within Seaside Highlands with street addresses.
- There were 3 parcels with addresses/owner names I could not locate in our original database (APN Highlighted in red on the attached pdf file)

- There were 27 parcels that would not have received a notice based on incorrect mailing addresses (APN highlighted in yellow on the attached pdf file)

If my review withstands scrutiny that would be roughly a 7.1% (27/381) to 7.9% (30/381) error rate existing in the original database.

I am continuing to research those 30 parcels and have asked staff to provide a list what returned mail we received from Seaside Highlands and zip code 93955 and if we received any protests from those 30 parcels.

Brian

From: PAULA PELOT [<mailto:pfpelot@sbcglobal.net>]
Sent: Thursday, December 05, 2013 9:30 AM
To: Brian Lee
Cc: Tom Moore
Subject: Possible Meeting Date/Time Next Week

Brian,

Before we get too much further down the road, I would like to have a meeting with you so that we can review together the results of my inquiry into the data corruption and to discuss what are the parameters the District is using to do its' analysis as compared to what I am using.

Can you propose some day/times for next week?

Thank you.

Paula

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Friday, December 13, 2013 6:35 AM
To: Brian Lee
Subject: Re: Continuing Research

Brian,

I won't be able to delve into this until later today or tonight and I will get back to you then. I think the concern was whether or not there were any filed protests that may have been set aside as invalid due to the address being the same on the protest. In the instance where there are two parcels, but one street address, we would expect that protest from both would be taken into account as valid if both are filed.

Thank you.

Paula

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Sent: Thursday, December 12, 2013 1:31 PM
Subject: RE: Continuing Research

Yes we did. RENDON was the name. Same mailing address, different APN, but doing more research today they also had a different SITUS.

031241011000	SANTOS OLIVER B RENDON RENE G & JUANITA M	4135 PENINSULA POINT DR 4135 PENINSULA POINT DR	SEASIDE CA 93955	SANTOS OLIVER B RENDON RENE G & JUANITA M	4135 PENINSULA POINT DR 4135 PENINSULA POINT DR	SEASIDE CA 93955	0
031241022000							0

Brian C. Lee
Interim General Manager / District Engineer
Marina Coast Water District
Cell - 831.236.6184
Office - 831.883.5925

From: PAULA PELOT [mailto:pfpelot@sbcglobal.net]
Sent: Thursday, December 12, 2013 12:57 PM
To: Brian Lee
Subject: Re: Continuing Research

Brian,

Look at the Column, "Sequence Number" and you will see that one of these has a sequence of "1" and the other "2". I have seen this when there are multiple units at one address (look at the Community Hospital parcels as an example). Not clear what it means in this case but did we see one yesterday that had same address and two different parcel numbers?

Paula

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Sent: Thursday, December 12, 2013 9:55 AM
Subject: Continuing Research

Paula,

I only found one instance of a single SITUS address within Seaside Highlands showing up twice in the database supplied by the County. But it's the same APN. ??? Any light you can shed on this?

031241028000	C	MACALANDA JENNIFER O & EDUARDO	904 WILLOWLEAF WAY	POTOMAC MD 20854	C	MACALANDA JENNIFER O & EDUARDO	904 WILLOWLEAF WAY
031241028000	C	MACALANDA JENNIFER O & EDUARDO	904 WILLOWLEAF WAY	POTOMAC MD 20854	C	MACALANDA JENNIFER O & EDUARDO	904 WILLOWLEAF WAY

Also, I have verified that although Seaside Highlands HOA owns 17 parcels they only have 10 water meters. Five of those meters serve a single parcel, APN 031051020000. They submitted 10 protests, one for each account. Only five of the protests were considered valid.

Brian C. Lee
Interim General Manager / District Engineer
Marina Coast Water District
Cell - 831.236.6184
Office - 831.883.5925

Brian Lee

From: Paula Riso
Sent: Monday, December 23, 2013 4:21 PM
To: PAULA PELOT
Cc: Brian Lee; 'Tom Moore (moore4mcwd@redshift.com)'
Subject: RE: Public Records Request
Attachments: Prop 218 Re-Sent.xlsx; Prop218_returned_mail_09242013.xlsx

Ms. Pelot,

Attached are in response to your second and third bullets. As Brian Lee mentioned, the District was not able to obtain the DATAPROSE output file.

Thank you and Happy Holiday's,

Paula

From: PAULA PELOT [<mailto:pfpelot@sbcglobal.net>]
Sent: Monday, December 23, 2013 3:52 PM
To: Brian Lee
Cc: Tom Moore
Subject: List of 569 Participating Parcel, 115 Resends and outstanding Records Request

Brian,

I still have not received the list of 115 addresses that represented the "resends" and some of the other public records request (11/7/13) items. As I stated in our last conversation, I would also like the list of the 569 parcels (mailing & situs addresses) so that I can determine how many of those might have had a bad address to which the September notice was sent and how many of those were corrected and resent.

The other items that have not been provided from the 11/7/13 request are (red is the last response from the District) :

- The original output file/information (name/address) that DATAPROSE (aka CGS, Inc), Inc used to produce the original **Proposition 218 notices** that were posted on September 06, 2013, The District is working to obtain this file and will attempt to provide it by December 6, 2013.
- The total number of returned mail pieces from the protest notices that were dropped in the mail on 09/06/13 and a copy of the log reflecting these pieces of returned mail, The total number of returned mail pieces are 279. The log will be provided by December 6, 2013.
- The number of protest notices returned mail wherein MCWD was able to determine a corrected address and subsequently redirected the notice(s) to the corrected address(es), and the date for each one of these notices for which there was such redirection, The District was able to redirect 115 pieces of mail with corrected addresses. The redirection date will be provided if available on December 6, 2013.

I am hoping you will forward all of the above without further delay so that we can button this up and the Board may come to some conclusion at its' next meeting in January.

Thank you.
Paula Pelot

From: Paula Riso
Sent: Tuesday, November 19, 2013 4:40 PM
To: Brian Lee
Subject: FW: Public Records Request

Ms. Pelot,

Thank you for your Public Records Request, I apologize for the delay in responding to you. The District is asking for an extension to December 6, 2013 to complete the request. Documents the District has that are responsive to your request are attached. Please note the responses below to your individual questions...

Thank you,

Paula

Paula Riso

Executive Assistant

Marina Coast Water District

11 Reservation Road, Marina, CA 93933

P 831-883-5910

F 831-883-5960

From: PAULA PELOT <pfpelot@sbcglobal.net>
Date: November 7, 2013 at 3:34:46 PM PST
To: Brian Lee <BLee@mcwd.org>
Cc: ME <pfpelot@sbcglobal.net>
Subject: Public Records Request
Reply-To: PAULA PELOT <pfpelot@sbcglobal.net>

November 07, 2013
Brian Lee, Interim General Manager
Marina Coast Water District
11 Reservation Road
Marina, CA 93933
RE: Public Records Act Request *VIA Email*

Mr. Lee,

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain a copy of the following:

- The original data file, in its' native format, that MCWD provided to DATAPROSE (aka CGS, Inc) to produce the Proposition 218 notice that was posted on September 06, 2013. This is the original record that MCWD transmitted to DATAPROSE aka CGS, Inc, not a subsequent derivation of the file. This file should be sourced directly from the transmission by MCWD. The file MCWD provided to DATAPROSE is attached as Item A.
- The original output file/information (name/address) that DATAPROSE (aka CGS, Inc), Inc used to produce the original Proposition 218 notices that were posted on September 06, 2013, The District is working to obtain this file and will attempt to provide it by December 6, 2013.
- The original data file, in its' native format, that MCWD used to produce the Ord Service Area postcards that District staff placed in the mail on 10/04/13.
In addition, I would like the following information relative to the protest vote that the MCWD Board voted to approve on 10/21/13: The file MCWD used to print the labels for the Ord Service Area postcards is attached as Item B.
- The number of total protests received by MCWD, 1166 protests for the Ord Community were received.
- The total number of returned mail pieces from the protest notices that were dropped in the mail on 09/06/13 and a copy of the log reflecting these pieces of returned mail, The total number of returned mail pieces are 279. The log will be provided by December 6, 2013.
- The number of protest notices returned mail wherein MCWD was able to determine a corrected address and subsequently redirected the notice(s) to the corrected address(es), and the date for each one of these notices for which there was such redirection, The District was able to redirect 115 pieces of mail with corrected addresses. The redirection date will be provided if available on December 6, 2013.
- The total number of postcards (that corrected the "October 11th vs October 21st " error in the original notices) that were mailed to the Ord Service Area on 10/04/13, The District mailed 595 postcards to the Ord Service Area on October 4, 2013.
- The number of pieces of returned mail of the postcards (identified in the bulleted item immediately above this bulleted item), 11 postcards were returned to the District.

- The **total number of validated protests**, The District validated 251 protests for the Ord Community.
 - The **total number of invalidated protests** and a summary of the **reason for the invalidation by type of invalidation**, i.e, number determined invalid due to a "duplication of protest", number determined invalid due to not a parcel with a service connection, number determined invalid due to insufficient information, **etc** and, The number of invalid protests due to not a parcel with a service connection is 884. In addition, there were 31 protests that were duplicates.
 - The **specific policies and processes** used by staff and Board in this Proposition 218 process to determine what **constituted a valid/invalid protest**. This can be in a narrative format and/or you can provide any existing written documentation that is sufficient to fulfill this request. This information will be provided by December 6, 2013.
- In addition, I would like to make an appointment to view the actual protests filed, the protests that were deemed invalid, and the returned mail from the original notice and postcards.** On Friday, November 15, 2013, you spent several hours at the District office reviewing the actual protests filed and the returned mail.

I ask for a determination on this request **within 10 days of your receipt of it**, and an even prompter reply if you can make that determination without having to review the record[s] in question

If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

If I can provide any clarification that will help expedite your attention to my request, please contact me at ppfelot@sbcglobal.net or (831) 601-7282. I ask that you notify me of any duplication costs exceeding \$125 before you duplicate the records so that I may decide which records I want copied.

Sincerely,

Paula F. Pelot
728 Landrum Court
Marina, CA 93933

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Monday, December 23, 2013 5:34 PM
To: Brian Lee
Subject: Re: List of 569 Participating Parcel, 115 Resends and outstanding Records Request

I understand but still do not know where the "569" came from if the Schaaf and Wheeler file has not been condensed to the 569.

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Cc: Tom Moore <tpmoore@redshift.com>; Paula Riso <priso@mcwd.org>
Sent: Monday, December 23, 2013 4:52 PM
Subject: RE: List of 569 Participating Parcel, 115 Resends and outstanding Records Request

The Schaaf and Wheeler file was used to generate a pdf list of singular APNs. That's the printout that we used during Protest validation, along with two printouts of the Schaaf and Wheeler file; organized by account and address. This all occurred within the Schaaf and Wheeler Excel file.

There is no excel file with just the 569 APNs. I need that as an excel file to start crunching addresses. So... I need to generate that file (from the Schaaf and Wheeler file) and then cross reference with the Seaside Highlands file to generate the list of remaining APNs within the Ord Community. I hope to do that Thursday.

I hope that makes sense. Clear as mud, I'm sure. ☺

Brian

From: PAULA PELOT [mailto:pfpelot@sbcglobal.net]
Sent: Monday, December 23, 2013 4:29 PM
To: Brian Lee
Cc: Tom Moore; Paula Riso
Subject: Re: List of 569 Participating Parcel, 115 Resends and outstanding Records Request

Brian,

Thanks for letting me know but I am a little confused about the list of 569 parcels. I understood that it was a list in use and, unless I am misunderstanding - and that is possible - you are indicating that it has not yet been produced. If that's correct, I'm not clear as to how validity was determined. Help me understand this.

Thank you.

Paula
From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Cc: Tom Moore <tpmoore@redshift.com>; Paula Riso <priso@mcwd.org>
Sent: Monday, December 23, 2013 4:17 PM
Subject: RE: List of 569 Participating Parcel, 115 Resends and outstanding Records Request

Paula,

I just sent the files to Paula Riso regarding your bullet points 2 & 3. She will forward to you today. To her credit, she has been nagging me all last week. The fault is mine and mine alone. We have not received the original output file/information from DATAPROSE, so we are unable to respond to bullet point #1.

Thanks to other issues cropping up I have yet to start on the database for the Ord Community 569 parcels list. I have attached the database provided by Schaaff and Wheeler that I will be using as a starting point.

I agree. Let's button this up. I hope to have some preliminary numbers late this week. I will forward you what I have by Friday.

From: PAULA PELOT [<mailto:pfpelot@sbcglobal.net>]
Sent: Monday, December 23, 2013 3:52 PM
To: Brian Lee
Cc: Tom Moore
Subject: List of 569 Participating Parcel, 115 Resends and outstanding Records Request

Brian,

I still have not received the list of 115 addresses that represented the "resends" and some of the other public records request (11/7/13) items. As I stated in our last conversation, I would also like the list of the 569 parcels (mailing & situs addresses) so that I can determine how many of those might have had a bad address to which the September notice was sent and how many of those were corrected and resent.

The other items that have not been provided from the 11/7/13 request are (red is the last response from the District) :

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I am hoping you will forward all of the above without further delay so that we can button this up and the Board may come to some conclusion at its' next meeting in January.

Thank you.

Paula Pelot

Brian Lee

From: PAULA PELOT [pfpelot@sbcglobal.net]
Sent: Thursday, January 02, 2014 9:54 PM
To: Brian Lee
Cc: Director Moore
Subject: Re: Latest excel spreadseet for Ord 218

Brian,

I have a budget deadline to meet tomorrow so I will not be able to review this until over the weekend but can you tell me what the various colors mean?

Thanks.

Paula

From: Brian Lee <BLee@mcwd.org>
To: PAULA PELOT <pfpelot@sbcglobal.net>
Cc: Tom Moore <moore4mcwd@redshift.com>; Paula Riso <priso@mcwd.org>
Sent: Thursday, January 2, 2014 2:49 PM
Subject: Latest excel spreadseet for Ord 218

Paula,

Here is the spreadsheet workbook with an updated count of addresses in the non-seaside highlands Ord area.

Brian C. Lee
Interim General Manager / District Engineer
Marina Coast Water District
Cell - 831.236.6184
Office - 831.883.5925

Brian Lee

From: Paula Riso
Sent: Friday, January 10, 2014 10:50 AM
To: PAULA PELOT
Cc: Brian Lee
Subject: FW: Public Records Request
Attachments: Prop 218 Re-Sent.xlsx; Prop218_returned_mail_09242013.xlsx; Prop 218 Protest Tracking Process.doc

Ms. Pelot,

Please see below and the attached files regarding your Public Records Request.

This should complete our understanding of your information request. Let me know if you think there is more outstanding.

Thank you,
Paula

*Paula Riso
Executive Assistant/Clerk to the Board
11 Reservation Road, Marina, CA 93933
Direct - (831) 883-5910
Fax - (831) 883-5960*

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient of this communication, or an employee or agent responsible for delivering this communication to the intended recipient, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

From: Paula Riso
Sent: Tuesday, November 19, 2013 4:53 PM
To: 'PAULA PELOT'
Cc: Brian Lee
Subject: FW: Public Records Request

Ms. Pelot,

Thank you for your Public Records Request, I apologize for the delay in responding to you. The District is asking for an extension to December 6, 2013 to complete the request. Documents the District has that are responsive to your request are attached. Please note the responses below to your individual questions...

Thank you,

Paula

*Paula Riso
Executive Assistant
Marina Coast Water District
11 Reservation Road, Marina, CA 93933*

From: PAULA PELOT <pfpelot@sbcglobal.net>
Date: November 7, 2013 at 3:34:46 PM PST
To: Brian Lee <BLee@mcwd.org>
Cc: ME <pfpelot@sbcglobal.net>
Subject: Public Records Request
Reply-To: PAULA PELOT <pfpelot@sbcglobal.net>

November 07, 2013
Brian Lee, Interim General Manager
Marina Coast Water District
11 Reservation Road
Marina, CA 93933
RE: Public Records Act Request *VIA Email*

Mr. Lee,

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain a copy of the following:

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- The total number of postcards (that corrected the "October 11th vs October 21st" error in the original notices) that were mailed to the Ord Service Area on 10/04/13, The District mailed 595 postcards to the Ord Service Area on October 4, 2013.
- The number of pieces of returned mail of the postcards (identified in the bulleted item immediately above this bulleted item), 11 postcards were returned to the District.
- The total number of validated protests, The District validated 251 protests for the Ord Community.
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- The specific policies and processes used by staff and Board in this Proposition 218 process to determine what constituted a valid/invalid protest. This can be in a narrative format and/or you can provide any existing written documentation that is sufficient to fulfill this request. This information will be provided by December 6, 2013. **The process is attached.**

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If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

If I can provide any clarification that will help expedite your attention to my request, please contact me at pfpelot@sbcglobal.net or (831) 601-7282. I ask that you notify me of any duplication costs exceeding \$125 before you duplicate the records so that I may decide which records I want copied.

Sincerely,

Paula F. Pelot
728 Landrum Court
Marina, CA 93933