

From: Bill Lipe <william.o.lipe@gmail.com>

Sent: Monday, May 18, 2026 9:06 AM

To: Clerks <clerk@svbgsa.org>; MC Water <OfficeAssistantII@countyofmonterey.gov>; ClerkoftheBoard <cob@countyofmonterey.gov>

Cc: Piret Harmon <harmonp@svbgsa.org>; Azhderian, Ara <AzhderianA@countyofmonterey.gov>; Gallogly, Reed <GalloglyRW@countyofmonterey.gov>; Donlon, Kelly L. <DonlonKL@countyofmonterey.gov>

Subject:

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To the SVBGSA Board of Directors,

the Monterey County Water Resources Agency Board of Directors,
the Monterey County Water Resources Agency Board of Supervisors,
agency counsel, and clerks:

I respectfully submit this public comment regarding today's joint MCWRA–SVBGSA workshop.

I am concerned that the public notice for this special meeting is materially defective as to the meeting time.

The attached documentation shows the following:

1. **The MCWRA online-posted agenda cover states that the special joint workshop is scheduled for “Monday, May 18, 2026, 9:30 PM,”** when the meeting is apparently intended to occur at **9:30 AM.**
Attachment A.
2. **The physically posted MCWRA agenda at Schilling Place likewise states “9:30 PM.”**
Attachments B and C.
3. **The SVBGSA online-posted agenda page shown in the attached documentation identifies the joint workshop, location, participating bodies, and public participation information, but does not state a meeting time on that posted notice page.**
Attachment D.

This is not a minor typographical issue. The agenda concerns a **special meeting / joint workshop**, and the Brown Act requires that the call and notice for a special meeting specify the **time and place** of the meeting. ([California DOJ](#))

The public prejudice is plain. Members of the public who do not regularly attend water meetings — and who rely on the official online and physically posted agendas — could reasonably conclude either:

- that the meeting begins at **9:30 PM**, not **9:30 AM**; or
- from the SVBGSA notice shown, that the meeting time is not provided at all.

Those are precisely the members of the public most likely to be excluded by defective notice. People already embedded in agency processes may know the intended time through habit, email chains, or informal channels. The broader public does not.

The fact that the workshop may be informational and that “no action will be taken” does not eliminate the importance of accurate notice. A workshop attended by quorums of public bodies to receive, discuss, and deliberate over public business is still a Brown Act matter. The Attorney General has emphasized that Brown Act compliance turns on whether a majority of a legislative body gathers to hear, discuss, deliberate, or take action on matters within its subject-matter jurisdiction, not merely on whether a final vote occurs. ([California DOJ](#))

The Brown Act exists to protect the people who **do not already know**, who **were not told**, or who were **told the wrong thing**. Notice is not a technicality for insiders to work around; it is the mechanism by which the public is given a fair chance to participate.

If agencies could proceed whenever the “right” people informally understood the actual time, then why not simply gather on the steps of City Hall whenever officials decide to meet? That might be physically public, but no one would seriously call it Brown Act-compliant. Public access requires more than theoretical openness. It requires accurate, timely, and reliable notice.

This concern also fits a broader pattern that should trouble the agencies: **details and precision are too often treated as obstacles rather than safeguards**, especially now that years have been lost and water policy decisions are under increasing pressure. But when public agencies are “under the gun,” compliance and precision matter more, not less.

For these reasons, I respectfully request that the agencies **not proceed with substantive workshop business today**. The safer and more public-protective course is to:

1. acknowledge the defective meeting-time notice on the record;
2. decline to proceed with the workshop as scheduled;
3. repost and renote the joint workshop with the correct time clearly stated across all official MCWRA and SVBGSA notice channels; and
4. reschedule the workshop after the required notice period has run.

If the agencies nonetheless intend to proceed, I respectfully request that legal counsel address the following **before any substantive presentation, discussion, or workshop business begins**:

1. Whether counsel agrees that the MCWRA posted agenda materials state **9:30 PM**, rather than **9:30 AM**;
2. Whether counsel agrees that the SVBGSA posted notice page shown in Attachment D does not state a meeting time;
3. Whether counsel believes the meeting may lawfully proceed despite those defects;
4. The legal basis for that conclusion; and
5. How the agencies conclude that members of the public were not prejudiced by the defective or incomplete notice.

I further request that this public comment, together with all attached documentation, be included in the public record for today’s joint workshop.

Respectfully submitted,

Bill Lipe
Resident in the 180/400
Salinas, 93908

County of Monterey

Saffron Room
1441 Schilling Place
Salinas Ca 93901



Meeting Agenda - Final

**SPECIAL MEETING - MCWRA & SVBGSA
JOINT BOARD of DIRECTORS WORKSHOP**

Monday, May 18, 2026

9:30 PM

Saffron Room

1441 Schilling Place, Salinas, Ca. 93901

Water Resources Agency Board of Directors

Matt Simis – Chair

Jason Smith – Vice-Chair

Mike LeBarre

Mark Gonzalez

Deidre Sullivan

Ken Ekelund

Mike Scattini

John Baillie

Jon Conatser