

Written Communication
Received : December 9, 2019
From: Marilyn Tyler
Re: Increasing/ Decreasing Trust

December 9, 2019 - Public Comment- Increasing/Decreasing Trust (2 pages)

To: CVWD Board of Directors
CC: Tom Bunn, Attorney for CVWD
From: Marilyn Tyler (address and signature below)
Subject: Public Comment - Increasing/Decreasing Trust Between CVWD and Community
(2 pages)

CVWD and the community are engaged in an ongoing trust-building exercise. Some of the actions by CVWD increase trust, and some recent actions decrease trust.

ACTIONS WHICH INCREASE TRUST BETWEEN CVWD AND COMMUNITY (based on my experience)

INCREASE TRUST #1: I appreciate that the CVWD board honors the community's right to speak at public meetings, and that the CVWD board listens, gives feedback and sometimes takes action.

INCREASE TRUST #2: I appreciate the time spent by CVWD staff to explain CVWD operations and the need behind certain policy decisions (e.g. AMI project), especially Nern Ochoa, David Gould, James Lee, Mark Hass and Christy Scott.

ACTIONS WHICH DECREASE TRUST BETWEEN CVWD AND COMMUNITY (based on my experience)

DECREASE TRUST #1: I found the unusual circumstances which led the last-moment introduction and adoption of a 16.7% rate increase to water fixed service charge in 2017 reduced my trust in CVWD. (I documented my reasons in a letter to the board dated November 8, 2019 and entitled "Bait and Switch?")

No explanation was ever provided by CVWD staff as to why the second Prop. 218 noticed was introduced at the last moment with the flawed claim of of a "higher than expected water sales in the current year"---a flawed claim which was disproven only 2 months later when water sales for March/April showed there was a significant DEFICIT in water sales due to an unusually wet winter and spring, and which could have been disproven immediately if someone just stepped out the door.

Tom Bunn argued that the 16.7% fixed water rate increase worked out in the long run because a year later the higher fixed water rate resulted in a 25.2% fixed revenue contribution---but this backward argument makes no sense. To me it is as if CVWD is saying, "CVWD needs to impose a 16.7% fixed rate increase for no good reason because---who knows---we might need it in the future." Such backward reasoning causes the community to mistrust CVWD.

DECREASE TRUST #2: The minutes of the November 12, 2019 CVWD board meeting summarizes my above concerns by saying: "PUBLIC COMMENTS---Marilyn Tyler expressed concern regarding the increase in the service charge for Fiscal Year 2017, as it had rained in the last months before the increase was adopted." I believe this statement in the CVWD Board minutes belittles and misrepresents my concerns, and thus decreases my trust in CVWD.

Right before the CVWD board meeting on November 12, 2019, I met with Nern Ochoa and James Lee. James Lee showed us a worksheet and said that the 16.7% rate increase was proposed in April 2017 because it was not until June 2017, when they saw the actual water sales for March and April, that they realized that water sales would decrease rather than increase due to the very rainy winter and spring. My rebuttal was how could they NOT know in April that it had been a very rainy winter and spring---all they had to do was step out the door. So why was the 16.7% fixed water rate increase suddenly proposed at all in the middle of a very rainy winter and spring, and why was it not rescinded when a mere two months later in June the stated reason for the rate increase was shown to be invalid?

The individual who writes the meeting minutes has great power and responsibility because he controls the event narrative. That person must be careful in how he uses that power; he must be scrupulous in representing all opinions fairly, even those he disagrees with. Otherwise he causes others to distrust CVWD because they believe they will not get a fair hearing.

FINAL TRUST CONCERN: My trust concerns are heightened toward water districts in general when I read about mismanagement of funds by other water districts, such as the West Basin Water District and most recently Panoche Water District in central California. In February 22, 2018 the California Attorney General announced embezzlement charges against former Panoche Water District employees, whose misuse of water district funds was called egregious. I'm not saying this is happening at CVWD, but it is one reason for my concern.

REQUEST: To increase trust between CVWD and the community, could CVWD publish on its website or provide in some other written form specifically what financial checks/ spending oversight CVWD has put in place to prevent similar misuse of funds? A system of checks and balances is not sufficient to prevent misuse of power and opportunity, but it's a start.

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