



**Michael A. Columbo**  
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October 14, 2021

**VIA EMAIL**

Molly MacLean  
General Counsel  
Marin Municipal Water District  
[mmaclean@marinwater.org](mailto:mmaclean@marinwater.org)

**Re: Cease and Desist Impending Brown Act Violation for October 15 Board Meeting**

Dear Ms. Maclean:

Thank you for your prompt response to the Coalition of Sensible Taxpayers October 13, 2021 Cease and Desist Letter regarding the Board's October 15, 2021 meeting. However, I must say it is disheartening to hear a government official in 2021 essentially arguing the merits of "separate but equal" facilities, but perhaps it is not surprising as it comes just as Marin County has been determined to be the most segregated place in the Bay Area.

The assertion that a group of people banned from the room in which an agency meeting is occurring—in fact prevented from entering the building and left to listen through an open door or window—are being treated equally to those permitted to sit in the room with agency officials and the PowerPoint screen is patently absurd. You have no support from the CDC, the State of California, or Marin health authorities for categorically banning fully-masked and distanced people from the meeting room based on their medical conditions and choices. Your agency's conscious choice to structure the meeting this way has in fact discriminated against people who cannot be vaccinated due to underlying medical conditions. Your choices also discriminate against Marin's many immune-compromised people who despite being vaccinated would incur an untenable risk by attending a six-hour indoor gathering (and are appropriately wary of an outdoor gathering as well). Incredibly, nobody in your agency thought to make any accommodation for such persons. The meeting notice promises accommodation for disabled people, yet you are unwilling to accommodate—by providing full equal participation via Zoom—those whose disability is their immune status.

Further, as you know, there have been well-established measures to ensure public oversight of and participation in public meetings during the pandemic. Your agency's deliberate choice to hold a workday morning meeting with no remote access nor even an official videotape of the meeting for the public record is stunningly hostile to current norms of transparency. Given the persistent criticism of the Board for its mismanagement of the District's water supply, its self-

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serving attempt to minimize public access to this meeting, or a complete video record of it, is simply outrageous.

Please notify your client to preserve all records relating to the planning of this meeting.

Sincerely,



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*On Behalf of the Coalition of Sensible Taxpayers*

CC: Cynthia Koehler, [ckoehler@marinwater.org](mailto:ckoehler@marinwater.org); Larry Bragman, [lbragman@marinwater.org](mailto:lbragman@marinwater.org); Jack Russell, [jrussell@marinwater.org](mailto:jrussell@marinwater.org); Jack Gibson, [jgibson@marinwater.org](mailto:jgibson@marinwater.org); Monty Schmitt, [mschmitt@marinwater.org](mailto:mschmitt@marinwater.org); Ben Horenstein, [bhorenstein@marinwater.org](mailto:bhorenstein@marinwater.org); Jared Mills, [jmills@marinwater.org](mailto:jmills@marinwater.org).