

From: [Michael Baer](#)
To: [Joel Pablo](#)
Cc: [Dave Stoldt](#)
Subject: Baer writing MPWMD
Date: Tuesday, February 22, 2022 1:29:35 PM

Hello Joel,

Please distribute in time for the FEB 24, 2022 regular meeting. Thanks, mb

Esteemed Board Members of the Monterey Peninsula Water Management District,

Please move to strike the following sentence from page 3 of Resolution 2022-06, Exhibit 19-A, page 162 of your packet

In furtherance of the commitments cited above, the District will discuss and negotiate outcomes satisfactory to LAFCO.

I believe The District and it's Director has bent over backwards to accommodate LAFCO requests over this *entire past year* and the time for negotiating and discussions no longer needs to be highlighted as a strategy. Striking this sentence from the resolution in no way changes the meaning, intent, or action of the board in this resolution. It in no way forbids further discussions or negotiation with LAFCO.

My concern is that this sentence leaves an opening for LAFCO commission members, who have demonstrated repeatedly that they are not acting in good faith, to find nefarious ways and means to prolong the process with some new request for information or action that the District will then feel obliged to follow-up on to demonstrate good faith. A judge might also get hooked by this sentence and direct further negotiations leading to delay but not to resolution on latent powers. Just leave it out. It serves no purpose at this point in the process, the opportunity for discussions and negotiations is always implied, and the statement might come back to haunt you in some unanticipated way.

Thank you all for your consideration of this request and all your hard work for the benefit of Peninsula water-users.

Michael Baer

cc: David Stoldt