

Joel Pablo

From: Rudy Fischer <rudyfischer@earthlink.net>
Sent: Thursday, July 7, 2022 6:43 AM
To: Joel Pablo; Dave Stoldt
Cc: Kate McKenna - Executive Officer LAFCO; Mary Ann Leffel; Chris Cook - SWRCB
Subject: This week's meeting

Mr. David Stoldt, General Manager; and the MPWMD Board of Directors

I am making a formal request that before you vote to acquire Cal Am you make a formal determination on who is and is not allowed to participate and/or vote on that issue. Your agency and its attorneys recently made the point to another agency that people who have a strong bias toward certain issue should be asked to recuse themselves from discussing or voting on them.

Using the same logic presented by the San Francisco based law firm of Shute, Mihaly, and Weinberger to LAFCO on your behalf recently; I request that members of the board of the MPWMD who are also members of Pure Water Now – especially Mr. George Riley - recuse themselves from deliberations and votes on any and all matters concerning the potential acquisition of the local assets of California American Water (Cal Am).

George Riley wrote Measure J – the initiative to acquire the assets of Cal Am. In fact FPPC records show that he did not step down from his position at Public Water Now until well AFTER he was elected to serve on the MPWMD board. That means that for some time he served on both the board of Public Water Now AND the board of directors of the MPWMD; a CLEAR conflict of interest on his part. It was only when challenged by members of the public that he finally stepped down as President of Public Water Now.

But as the author of Measure J, and a long-time leading advocates for Cal Am's acquisition, Director Riley's continued participation in this matter - in particular - is problematic and undermines the validity of any decisions on this matter.

Because of his long term and - I believe on-going - role in the management of the political action committee know as Public Water Now, there is simply no way he can make objective decisions about any matter which involves determining the feasibility of using public moneys to acquire Cal Am. By the very nature of seeing the Cal Am acquisition as the only solution to the Monterey Peninsula's water issues, he is too biased to consider anything else – include projects that could actually produce more of the “sufficient” and “reliable” sources of water on which the State Water Resources Control Board (SWRCB) has made the lifting of their Cease and Desist Order (CDO) 27 years ago contingent.

Thank you for your attention to this matter,

Rudy Fischer

Pacific Grove City Councilman 2010-2018

Board of Directors, Monterey One Water 2013-2018

Board Chair, Monterey One Water 2016-2018

MPWMD Board of Director's Special Meeting | July 8, 2022
General Public Comment

Distributed to the General Manager, District Counsel and the MPWMD
Board of Director's