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File No. 60065.00601

September 10, 2020

VIA E-MAIL [KEENE.SIMONDS@SDCOUNTY.CA.GOV]

Mr. Keene Simonds
Executive Officer
San Diego County Local Agency Formation Commission
9335 Hazard Way
San Diego, CA 92123

Re: Comments at both LAFCO Commission Meeting and LAFCO Advisory Committee Meeting by Otay President/ CWA Vice-Chair, Gary Croucher

Dear Mr. Simonds:

The purpose of this letter is to provide Fallbrook Public Utility District's ("FPUD") position on the statements made by Gary Croucher at both the San Diego LAFCO Commission meeting and San Diego LAFCO Ad Hoc Advisory Committee on Rainbow Municipal Water District's ("RMWD") and FPUD's Reorganization Applications ("Applications"), held on August 3, 2020. These comments were addressed in the August 27, 2020 letter to you submitted by RMWD's General Counsel ("August RMWD Letter").

FPUD wants to confirm its concurrence with the content of the August RMWD Letter. As stated succinctly therein, LAFCO's charge is to evaluate the current Applications—and the Ad Hoc Advisory Committee was formed to assist LAFCO Staff in evaluating the current Applications. Comments casting aspersions on agencies in reliance on documents nearly 5 years old, related to a proposal markedly different from the Applications before LAFCO today is neither helpful nor productive to LAFCO's evaluation of the Applications. Additionally, these documents contain no references indicating that FPUD was "mismanaged" or "troubled," so the statements made are not even references to previous LAFCO statements, but rather, are just fabrications. Further, urging LAFCO Staff to distribute to the members of the Ad Hoc Advisory Committee, the 2015 materials related to a previous application before LAFCO as if the documents are key to critical information, is also neither helpful nor productive to evaluating the current Applications.



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Accordingly, FPUD concurs with and supports the August RMWD Letter.

Sincerely,

Paula C. P. de Sousa
of BEST & KRIEGER LLP

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