



FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING

AGENDA

MONDAY, OCTOBER 28, 2019
4:00 P.M.

FALLBROOK PUBLIC UTILITY DISTRICT
990 E. MISSION RD., FALLBROOK, CA 92028
PHONE: (760) 728-1125

If you have a disability and need an accommodation to participate in the meeting, please call the Board Secretary at (760) 999-2704 for assistance.

Writings that are public records distributed during a public meeting are available for public inspection at the meeting if prepared by the local agency or a member of its legislative body or after the meeting if prepared by some other person.

I. PRELIMINARY FUNCTIONS

CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM

PLEDGE OF ALLEGIANCE

ADDITIONS TO AGENDA PER GC § 54954.2(b)

APPROVAL OF AGENDA

PUBLIC COMMENT

Members of the public are invited to address the Board of Directors on any item that is within the subject matter jurisdiction of the legislative body. The Board President may limit comments to three (3) minutes.

A. MANAGER'S AWARDS

1. Todd Golem
2. Christian Hernandez
3. Jamison Davis
4. Sky Peterson
5. Bryan Wagner

B. COMMENDATION OF EMPLOYEES WHO WENT TO PARADISE IRRIGATION DISTRICT

1. Austin Wendt
2. Colter Shannon
3. Matt Perez
4. Toby Stoneburner

II. CONSENT CALENDAR----- (ITEMS C–G)

All items appearing on the Consent Calendar may be disposed of by a single motion. Items shall be removed from the Consent Calendar if any member of the Board of Directors, or the public, requests removal prior to a vote on a motion to approve the items. Such items shall be considered separately for action by the Board.

C. CONSIDER APPROVAL OF MINUTES

1. September 23, 2019 Regular Meeting

Recommendation: The Board approve the minutes of the aforementioned meeting of the Board of Directors of the Fallbrook Public Utility District.

D. CONSIDER ADVANCE APPROVAL TO ATTEND MEETINGS

Recommendation: That the Board authorize and approve in advance Directors' attendance to Essential Communications for Every Special District, 9:30 a.m. to 1:00 p.m., October 30, 2019, Padre Dam Municipal Water District, 9300 Fanita Parkway, Santee, CA 92072.

E. CONSIDER ADOPTING RESOLUTION NO. 4982 AMENDING ARTICLE 2 OF THE ADMINISTRATIVE CODE TO UPDATE THE GIFT LIMIT FROM \$470 TO \$500

Recommendation: That the Board adopt Resolution No. 4982 amending Article 2 of the Administrative Code to update the gift limit in sections 2.18 and 2.18.3 from \$470 to \$500.

F. CONSIDER NOTICE OF COMPLETION – SANDIA-BUCKNELL TANK REPAINTING AND RECOATING

Recommendation: The Board authorize staff to file the proposed Notice of Completion with the San Diego County Recorder.

G. CONSIDER CLAIM FOR INUNDATION OF WATER ONTO REAL PROPERTY

Recommendation: The claim will exceed the District retrospective allocation point of \$10,000 per occurrence; therefore, it is beyond the District settlement authority and needs to be forwarded to JPIA as required. Staff recommends rejection of the claim, and to forward claim to ACWA/JPIA for resolution.

III. INFORMATION----- (ITEMS H–J)

H. CONSERVATION DEMONSTRATION GARDEN

I. PROCESS FOR SETTING CY 2020 RATES AND CHARGES

J. SCADA OVERVIEW

IV. ACTION / DISCUSSION CALENDAR -----(ITEMS K–N)

K. CONSIDER REQUEST TO EXERCISE SECOND YEAR OPTION – PAVING CONTRACT

Recommendation: That the Board approve exercising the 2nd year renewal of the annual paving contract with Kirk Paving in the amount of \$208,379.38 with the expectation that a new paving contract will be bid and awarded by July 2020.

L. CONSIDER AWARD OF SEWER MANHOLE REHABILITATION AND RELINING PROJECT

Recommendation: That the Board authorize award of the Sewer Manhole Rehabilitation & Relining Project to the lowest responsible bidder, Sancon Technologies, Inc., for \$78,787.

M. CONSIDER BLOWER MAINTENANCE SERVICE PLAN

Recommendation: That the Board approve the procurement of the Neuros Maintenance Service Plan as the asset management method for the six NX100-C070 turbo blowers.

N. CONSIDER SPECIAL COUNSEL FOR ON-GOING ADMINISTRATION OF SANTA MARGARITA WATER RIGHTS

Recommendation: That the Board authorize staff to execute the attached agreement with Spaletta Law to provide as-needed legal support for the District's Santa Margarita River Water Rights.

V. ORAL/WRITTEN REPORTS----- (ITEMS 1–8)

1. General Counsel
2. SDCWA Representative Report
3. General Manager
 - a. Engineering and Operations Report
4. Assistant General Manager/Chief Financial Officer
 - a. Financial Summary Report
 - b. Treasurer's Report
 - c. Budget Status Report
 - d. Warrant List
5. Public Affairs Specialist
6. Notice of Approval of Per Diem for Meetings Attended
7. Director Comments/Reports on Meetings Attended
8. Miscellaneous

ADJOURN TO CLOSED SESSION

VI. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
SIGNIFICANT EXPOSURE TO LITIGATION PER GC § 54956.9 (d)(2)

Two (2) Potential Cases

RECONVENE TO OPEN SESSION

REPORT FROM CLOSED SESSION

VII. ADJOURNMENT OF MEETING

* * * * *

DECLARATION OF POSTING

I, Mary Lou West, Secretary of the Board of Directors of the Fallbrook Public Utility District, do hereby declare that I posted a copy of the foregoing agenda in the glass case at the entrance of the District Office located at 990 East Mission Road, Fallbrook, California, at least 72 hours prior to the meeting in accordance with Government Code § 54954.2(a).

I, Mary Lou West, further declare under penalty of perjury and under the laws of the State of California that the foregoing is true and correct.

October 23, 2019
Dated / Fallbrook, CA


Secretary, Board of Directors

M E M O

TO: Board of Directors
FROM: Jack Bebee, General Manager, JRB
DATE: October 28, 2019
SUBJECT: Manager's Award Recipients

Description

To recognize Manager's Award recipients Todd Golem, Christian Hernandez, Jamison Davis, Sky Peterson, and Bryan Wagner.

Purpose

At approximately 7 a.m., Sunday, September 29, staff responded to a main line break on Santa Margarita Drive. The crew worked tirelessly all day and through the night on repairs restoring service to affected customers by 5 a.m. Monday. Field Services Manager Stone reported the job was finished quickly, the site was left clean, and no additional work was required.

Each recipient will receive a \$25 gift card.

Budgetary Impact

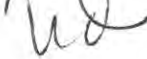
Approximately \$125 will be expensed under the Human Resources Staff Development budget for the 2019-20 fiscal year.

Recommended Action

This item is for information only; no Board action is required.

M E M O

TO: Board of Directors
FROM: Noelle Denke, Public Affairs Specialist
DATE: October 28, 2019
SUBJECT: Commendation of employees who went to Paradise Irrigation District



Purpose

To recognize four employees who helped with disaster recovery in Paradise, Calif. following the November 2018 fire.

Summary

Four employees, Austin Wendt, Colter Shannon, Matt Perez and Toby Stoneburner traveled 565 miles, a 10-hour drive, to help rebuild water services for Paradise Irrigation District after the town was leveled by a fire in November 2018. Each spent two days driving and five days working on repairs, for a total of seven days.

The Camp Fire burned 153,336 acres, destroyed 18,804 structures and resulted in 85 deaths. Cal Fire reported it as the deadliest, most destructive fire in California's history. Paradise Irrigation District is still struggling to repair the damaged infrastructure that resulted in more than 10,500 customers being issued a "do not drink" water advisory that is currently still in place.

The general manager sent the attached letter highly praising them and thanking them for hard work and positive interaction with PID customers. He described them as skilled, professional and instrumental in preparing and testing almost 100 customer services and 34 hydrants and blow-offs.



PARADISE IRRIGATION DISTRICT

6332 Clark Road, Paradise CA 95969 | Phone (530)877-4971 | Fax (530)876-0483

October 8, 2019

Jack Bebee
General Manager
Fallbrook Public Utilities District
Fallbrook, CA

Dear Mr. Bebee,

In November 2018, the largest and most destructive wildfire in California history obliterated the Town of Paradise and caused significant damage to the Paradise Irrigation District's (PID) water distribution system. Since the disaster, all of PID's 10,500 service connections have been under a Do Not Drink advisory due to fire-induced volatile organic compound contamination of water mains and service laterals.

PID's recovery effort is focused on testing system components to determine contamination, and if effected by contamination, replacing damaged infrastructure. To accomplish returning the system back to potable service, PID reached out to other agencies via the CalWARN Mutual Aid Program. Fallbrook Public Utilities District graciously responded by providing four professional utility workers to assist with the recovery - two staff for one week each.

Austin Wendt and Colter Shannon came first, with Matt Perez and Toby Stoneburner following. They all arrived at PID ready to work hard and make a difference. During their respective 5-day deployments, they were instrumental in preparing and testing almost 100 customer services and 34 hydrants and blow-offs. They seamlessly integrated themselves into our recovery operations and brought creative solutions to problems that came up. The Fallbrook team helped all the recovery staff reach new levels of achievement and efficiency – a reflection of their experience and stamina.

Another important role they fulfilled was interaction with PID customers. The community is still healing, and customers are anxious about what is occurring today and what's happening next. Fallbrook staff did an excellent job of providing customers with accurate information, and when appropriate, directing the customer to a PID staff member for further information. In short, I witnessed them providing excellent customer service.

The Paradise Irrigation District Recovery Program Team greatly appreciates Fallbrook PUD's commitment to assisting PID in our time of need. The staff you provided were skilled, professional, and hard working. Thanks to your help, PID made significant progress towards providing potable water to all it's customers.

Sincerely,

Kevin Phillips
District Manager

MEMO

TO: Board of Directors
FROM: Mary Lou West, Secretary *mlw*
DATE: October 28, 2019
SUBJECT: Approval of Minutes

Recommended Action

That the Board approve the minutes of the following meeting of the Board of Directors of the Fallbrook Public Utility District:

1. September 23, 2019 Regular Meeting

**FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS
REGULAR BOARD MEETING**

MINUTES

MONDAY, SEPTEMBER 23, 2019
4:00 P.M.

FALLBROOK PUBLIC UTILITY DISTRICT
990 E. MISSION RD., FALLBROOK, CA 92028
PHONE: (760) 728-1125

I. PRELIMINARY FUNCTIONS

CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM

President McDougal called the regular meeting of the Board of Directors of the Fallbrook Public Utility District to order at 4:03 p.m. A quorum was established, and attendance was as follows:

Board of Directors

Present: Don McDougal, Member/President
Jennifer DeMeo, Member/Vice-President
Dave Baxter, Member
Ken Endter, Member
Charley Wolk, Member

Absent: None

General Counsel/District Staff

Present: Nicholaus Norvell, General Counsel
Jack Bebee, General Manager
Dave Shank, Assistant General Manager/CFO
Lisa Chaffin, Human Resources Manager
Aaron Cook, Senior Engineer
Mick Cothran, Engineering Technician
Noelle Denke, Public Affairs Specialist
Todd Lange, System Service/Shop Supervisor
Juliana Luengas, Environmental Compliance Tech
Mary Lou West, Secretary

Also present were others, including, but not limited to: Jason Foster of the San Diego County Water Authority, Elizabeth Germon-Cocking, and Deana Weelborg.

PLEDGE OF ALLEGIANCE

President McDougal led the Pledge of Allegiance.

ADDITIONS TO AGENDA PER GC § 54954.2(b)

There were no additions to the agenda.

APPROVAL OF AGENDA

MOTION: Director Endter moved to approve the agenda as presented; Vice-President DeMeo seconded. Motion passed; VOTE:

AYES: Directors Baxter, DeMeo, Endter, McDougal, and Wolk

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC COMMENT

Members of the public are invited to address the Board of Directors on any item that is within the subject matter jurisdiction of the legislative body. The Board President may limit comments to three (3) minutes.

Elizabeth Germon-Cocking stepped to the podium and stated she would be speaking on behalf of Deana Weelborg. Mrs. Weelborg's July bill was \$1,928.84 because of a water leak on the lower part of her property that went unnoticed. Both Mrs. Weelborg and her husband were dealing with serious health issues at the time and were not aware of the leak until they received the bill in the mail. Mrs. Weelborg is requesting a 40% to 50% credit due to hardship.

President McDougal explained the District does not have the legal authority to forgive charges; however, the District is able to discount water to its wholesale cost and offer a long repayment plan. It was also identified that there are other non-profit programs to help in these instances, and the District would help Mrs. Weelborg connect to these programs.

A. YEARS OF SERVICE

1. Josh Hargrove, Mechanical Technician – 5 Years
2. Mary Lou West, Secretary – 10 Years
3. Todd Lange, System Service/Shop Supervisor – 30 years

The Board recognized Josh Hargrove, Mary Lou West, and Todd Lange for their respective years of service with the District.

B. JULIANA LUENGAS, NEW ENVIRONMENTAL COMPLIANCE TECH

The Board welcomed Juliana Luengas as the new Environmental Compliance Tech.

II. CONSENT CALENDAR-----(ITEM C)****

All items appearing on the Consent Calendar may be disposed of by a single motion. Items shall be removed from the Consent Calendar if any member of the Board of Directors, or the public, requests removal prior to a vote on a motion to approve the items. Such items shall be considered separately for action by the Board.

C. CONSIDER APPROVAL OF MINUTES

- 1. August 26, 2019 Regular Meeting

Recommendation: The Board approve the minutes of the aforementioned meeting of the Board of Directors of the Fallbrook Public Utility District.

MOTION: Director Wolk moved to approve the Consent Calendar as presented; Director Endter seconded. Motion passed; **VOTE:**

AYES: Directors Baxter, DeMeo, Endter, McDougal, and Wolk

NOES: None

ABSTAIN: None

ABSENT: None

III. INFORMATION-----(ITEM D)****

D. COMMEMORATION OF 75 YEARS OF WATER DELIVERIES TO SAN DIEGO

Jason Foster, Director of Administrative Services for the San Diego County Water Authority, provided an overview of support services available to its member agencies and the ways those services could potentially benefit the District.

IV. ACTION / DISCUSSION CALENDAR -----(ITEMS E–G)****

E. CONSIDER BOARD STANDING COMMITTEE MEETING PRACTICES

Recommendation: Staff supports Board direction.

The Board discussed revising the Board Standing Committees' meeting practices. The Board took no action.

F. CONSIDER PROPOSED CHANGES TO SECRETARY JOB TITLE AND JOB DESCRIPTION; RESOLUTION NO. 4981

Recommendation: That the Board adopt Resolution No. 4981 amending Article 11 of the Administrative Code to approve the changes to the position title and job description.

President McDougal noted the proposed changes will update the Secretary job title and job description, and the Personnel Committee has reviewed the proposed changes and is recommending the proposal to the Board.

MOTION: Director Endter moved to adopt Resolution No. 4981 amending Article 11 of the Administrative Code to approve the changes to the Secretary job title and job description; Director Baxter seconded. Motion passed; VOTE:

AYES: Directors Baxter, DeMeo, Endter, McDougal, and Wolk

NOES: None

ABSTAIN: None

ABSENT: None

G. CONSIDER SECOND AMENDMENT TO GENERAL MANAGER EMPLOYMENT AGREEMENT WITH JACK BEBEE

Recommendation: That the Second Amendment to the Employment Agreement for General Manager Jack Bebee be approved effective September 23, 2019.

President McDougal noted the Board has reviewed the Second Amendment to the Employment Agreement document, and the action requested is for formal approval of that document.

General Counsel Norvell reported the Seconded Amendment would (1) delete language that reduces the General Manager's annual compensation when the General Manager serves as the District's representative to the San Diego County Water Authority (CWA); and (2) move language regarding the General Manager's service on CWA committees and boards of other agencies or entities to the "Duties" paragraph of the Employment Agreement.

MOTION: Director Endter moved to approve the Second Amendment to General Manager Jack Bebee's Employment Agreement; Director Baxter seconded. Motion passed; VOTE:

AYES: Directors Baxter, DeMeo, Endter, McDougal, and Wolk

NOES: None

ABSTAIN: None

ABSENT: None

V. **ORAL/Written Reports**------(ITEMS 1-8)

1. General Counsel

- General Counsel Norvell provided information on AB 1184 that will require public agencies to implement a two-year retention period for

- emails. The Bill is currently on the Governor's desk and will take effect January 1, 2020, if not vetoed.
2. SDCWA Representative Report
 3. General Manager
 - a. Engineering and Operations Report
 - General Manager Bebee stated expenditures were added to the Engineering and Operations Report for the Santa Margarita River Conjunctive Use Project; all future reports will track the project's progress and expenditures.
 4. Assistant General Manager/Chief Financial Officer
 - a. Treasurer's Report
 - b. Budget Status Report
 - c. Warrant List
 - Assistant General Manager/CFO Shank stated a Financial Summary Report was added to condense information from more detailed reports to an "at-a-glance" format.
 5. Public Affairs Specialist
 - Public Affairs Specialist Denke provided an overview of community outreach activities.
 6. Notice of Approval of Per Diem for Meetings Attended
 - a. Notification of Approval for Directors to Meet with the Board President to Discuss District Business
 - President McDougal announced he approved Directors' attendance to meetings with the Board President to discuss the structure of the three Board Standing Committees, committee assignments, and the roles and responsibilities of committee members.
 7. Director Comments/Reports on Meetings Attended
 - a. Notice of Appointments to Board Standing Committees
 - President McDougal announced he revised the Board Standing Committee assignments as follows: (1) President McDougal will Chair and serve on the Personnel Committee with Vice-President DeMeo; (2) Director Endter will Chair and serve on the Engineering & Operations Committee with Director Baxter; and (3) Director Wolk will Chair and serve on the Fiscal Policy & Insurance Committee with President McDougal.
 - Director Baxter reported he and Mr. Bebee worked with a ratepayer from District 1 relative to their service; and afterwards, the ratepayer reached out to Director Baxter to express their satisfaction.
 - Director Endter provided an update of the September 17, 2019 Council of Water Utilities meeting.
 - Vice-President DeMeo reported she attended the CSDA quarterly dinner meeting.
 8. Miscellaneous

ADJOURN TO CLOSED SESSION

The Board of Directors adjourned to Closed Session at 5:15 p.m. following an oral announcement of Closed Session Item VI.1 by President McDougal.

VI. CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
SIGNIFICANT EXPOSURE TO LITIGATION PER GC § 54956.9 (d)(2)

One (1) Potential Case

RECONVENE TO OPEN SESSION

The Board returned from Closed Session and reconvened to Open Session at 5:33 p.m.

REPORT FROM CLOSED SESSION

The Board took no reportable action in Closed Session.

VII. ADJOURNMENT OF MEETING

There being no further business to discuss, President McDougal adjourned the regular meeting of the Board of Directors of the Fallbrook Public Utility District at 5:34 p.m.

President, Board of Directors

ATTEST:

Secretary, Board of Directors

M E M O

TO: Board of Directors
FROM: Mary Lou West, Secretary *mlw*
DATE: October 28, 2019
SUBJECT: Consider Advance Approval to Attend Meetings

Purpose

To authorize Directors' attendance, travel, and expenses to events requiring approval in advance by the Board of Directors.

Summary

Article 2 of the Administrative Code prescribes that compensation for attendance and reimbursement for expenses at occasions, events, or meetings related to District business, other than those listed in section 2.12, shall be determined by the Board of Directors, in advance, on a case-by-case basis.

The request is for advance approval to the following event:

1. Essential Communications for Every Special District, 9:30 a.m. to 1:00 p.m., October 30, 2019, Padre Dam Municipal Water District, 9300 Fanita Parkway, Santee, CA 92072.

Budgetary Impact

Approximately \$86.48 (\$25 registration; \$61.48 mileage reimbursement) will be expensed under the Board of Directors budget for the 2019-20 fiscal year.

Recommended Action

That the Board authorize and approve in advance Directors' attendance to Essential Communications for Every Special District, 9:30 a.m. to 1:00 p.m., October 30, 2019, Padre Dam Municipal Water District, 9300 Fanita Parkway, Santee, CA 92072.



**California Special
Districts Association**

Districts Stronger Together

Essential Communications for Every Special District

Presenter: Christopher Townsend, Townsend
Public Affairs

If you are not telling your story, someone else is. Learn the essential communications practices for special districts in today's media and political landscapes. Professional communications consultants will cover interviewing with the press, presenting at public events, and developing your story for your audience. Additionally, CSDA's advocacy and public affairs staff will cover the fundamentals for every district to successfully engage with its local legislators and the State legislative process. This workshop is part of CSDA's District NetWorks Workshop Series and includes lunch sponsored by the California Special Districts Alliance.

\$25 CSDA member

\$40 Non-member

AGENDA:

Sign In

Username

Password

Keep

me signed in

[Forgot username?](#) |

[Forgot password?](#)

[Create a new account](#)

9:00 – 9:30 a.m. Registration
9:30 – 11:00 a.m. Essential Communications for
Every Special District
11:00 a.m. – 12:00 p.m. Advocacy and
Engagement
12:00 - 1:00 p.m. Network discussion and lunch
sponsored by the California Special Districts
Alliance

When 10/30/2019 9:30 AM - 1:00 PM

Where Padre Dam Municipal Water District
9300 Fanita Parkway Santee 92072



1112 "I" Street, Suite 200
Sacramento CA, 95814
877.924.2732 | 916.442.7887



A 990 E Mission Rd, Fallbrook, California 92028, United States

1 hr 06 min , 53 miles

B Padre Dam Municipal Water District, 9300 Fanita Pkwy, Santee, CA 92071, United States

Light traffic (10 min delay)

Via I-15 S, CA-52 E

· Toll on route



A 990 E Mission Rd, Fallbrook, California 92028, United States

↑	1. Head northeast on E Mission Rd / CR-S13 toward Santa Margarita Dr	4.1 mi
↶	2. Turn left to stay on Old Highway 395 / CR-S13	302 ft
15	3. Take ramp right and follow signs for I-15 South ▲ <i>Minor Congestion</i>	34.0 mi, 33 min
↑	4. Take ramp left and follow signs for I-15 Express Lane South • <i>Toll road</i> • <i>Road restricted at your planned travel time</i>	2.9 mi
15	5. Take ramp right for I-15 S toward Clairemont / Mesa Blvd ▲ <i>Minor Congestion</i> • <i>Road restricted at your planned travel time</i>	3.0 mi
52	6. At exit 11 , take ramp right and follow signs for CA-52 East ▲ <i>Minor Congestion</i>	6.2 mi
↷	7. Take ramp right and follow signs for Mast Blvd	0.3 mi
↶	8. Turn left onto Mast Blvd	1.4 mi
↷	9. Turn right onto Fanita Pkwy	0.4 mi
↷	10. Turn right onto Carlton Oaks Dr	456 ft
↷	11. Turn right	0.4 mi
↶	12. Turn left	0.1 mi

↩	13. Turn left	0.3 mi
14. Arrive at your destination on the left If you reach Carlton Oaks Dr, you've gone too far		

B Padre Dam Municipal Water District, 9300 Fanita Pkwy, Santee, CA 92071, United States

These directions are subject to the Microsoft® Service Agreement and are for informational purposes only. No guarantee is made regarding their completeness or accuracy. Construction projects, traffic, or other events may cause actual conditions to differ from these results. Map and traffic data © 2019 HERE™.

MEMO

TO: Board of Directors
FROM: Mary Lou West, Secretary *MW*
DATE: October 28, 2019
SUBJECT: Resolution No. 4982 Amending Article 2 of the Administrative Code to Update the Gift Limit from \$470 to \$500

Purpose

To update Article 2 sections 2.18 and 2.18.3 of the Administrative Code with the revised gift limit under Government Code section 87200 that became effective January 1, 2019.

Summary

Government Code section 87200 imposes limits and restrictions on gifts, honoraria, travel and loans to elected officials and employees who are designated in the District's conflict of interest code. Effective January 1, 2019, the gift limit was adjusted by the Consumer Price Index from \$470 to \$500 for calendar years 2019 and 2020.

As a result, the District's Administrative Code requires amending to update sections 2.8 and 2.18.3 with the adjusted limit.

Budgetary Impact

There is no budgetary impact of this action.

Recommendation

That the Board adopt Resolution No. 4982 amending Article 2 of the Administrative Code to update the gift limit in Sections 2.18 and 2.18.3 from \$470 to \$500.

receive the training required herein before January 1, 2007. Thereafter, each District official shall receive the training required herein at least once every two years.

- (b) Each District official who commences service with the District on or after January 1, 2006, shall receive the training required herein no later than one year from the first day of service with the District. Thereafter, each District official shall receive the training required herein at least once every two years.
- (c) A District official who serves more than one local agency shall satisfy the requirements of this article once every two years without regard to the number of local agencies with which he or she serves.
- (d) The District shall maintain records indicating both of the following:
 - i. The dates that the District official satisfied the requirements of this article.
 - ii. The entity that provided the training.
- (e) Notwithstanding any other provision of law, the District shall maintain these records for at least five years after District officials receive the training. These records are public records subject to disclosure under the California Public Records Act.

Sec. 2.18 Gifts and Disclosure.

The California Political Reform Act of 1974 requires specified local government officials to periodically submit reports concerning sources of income or gifts as specified and has been amended to prohibit local elected office holders and designated employees of government agencies from accepting any honorarium as defined, as well as gifts in excess of \$~~470~~500.00 with certain exceptions.

The Political Reform Act requires an annual disclosure of any reimbursement paid by the District within the immediately preceding fiscal year of at least \$100.00 for individual charges paid to any employee or member of the governing body of the District.

2.18.1 Annual Disclosure of Reimbursements.

The Fallbrook Public Utility District shall cause, at least annually, the disclosure of any reimbursement paid by the District within the immediately preceding fiscal year of at least one hundred dollars (\$100) for each individual charge for services or product received. "Individual charge" includes, but is not limited to, one meal, lodging for one day, transportation, or a registration fee paid to any employee or member of the Board of Directors of the Fallbrook Public Utility District. The Assistant

General Manager/Chief Financial Officer shall implement procedures to track such disbursements and publish or print same at least annually by a date determined by the District and shall be made available for public inspection. All reimbursement requests received after January 1, 1995, which are \$100 or more shall be listed. Payments for benefits such as insurance, retirement, and car allowances shall not be reported.

2.18.2 Prohibition Against Acceptance of Honorarium.

No elected officeholder, elected or appointed member of the Board of Directors, or "designated employee" (as defined in the Conflict of Interest Code) of the Fallbrook Public Utility District shall accept any honorarium. An "honorarium" means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. Honorarium does not include earned income for personal services which are customarily provided in connection with the practice of a bona fide business, trade, or profession such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting unless the sole or predominant activity of the business, trade, or profession is making speeches. This prohibition does not extend to reasonable travel, admission, and the refreshments provided at an event where a Board member or designated employee gives a speech or otherwise actively participates.

2.18.3 Permissible Gifts May Not Exceed \$470500.00.

No elected officeholder, elected or appointed member of the Board of Directors, or designated employee of the Fallbrook Public Utility District shall accept any gifts, from any single source, which is in excess of four hundred seventy dollars (~~\$470500~~), in any calendar year, except reimbursement for actual travel expenses and reasonable subsistence in connection therewith. The Fair Political Practices Commission may further adjust this amount annually. Prohibited gifts include anything of value that is accepted, regardless of whether it is used. Excessive gifts should be returned within 30 days to avoid violating the law. The limitation on receipt of gifts does not exempt wedding, birthday, or other holiday gifts. The following are not "gifts" under this section: gifts from relatives, informational material (i.e., reports, pamphlets, calendars to keep officials informed), inheritances, and personalized plaques and trophies with an individualized value of less than ~~\$470500~~. Other gifts that are not used and are donated to charity within 30 days of receipt are not included.

2.18.4 Penalties for Violations.

The penalties for violating the restrictions on honoraria and gifts under the Political Reform Act constitute a criminal misdemeanor and may be punished by a fine of up to the greater of \$10,000 or three times the amount the violation received.

ARTICLE 2

Sec. 2.12 – Rev. 95
Sec. 2.5 - Rev. 2/97
Sec. 2.11 – Rev. 9/98
Sec. 2.13 – Rev. 12/98
Secs. 2.2, 2.9, 2.10, 2.14 – Rev. 2/04
Sec. 2.3 – Rev. 6/06
Sec. 2.14 – Board Committees added
– Rev. 8/08
Secs. 2.3, 2.4.1, 2.6, 2.12, 2.13 –
Rev. 12/09
Sec. 2.12 – Rev. 9/10
Sec. 2.12 – Rev. 8/12
Sec. 2.16 – Added 12/12
Sec. 2.15 – Rev. 1/13
Secs. 2.16.5, 2.16.6, 2.16.7 – Rev.
9/14
Sec. 2.2 – Rev. 2/27
Sec. 2.12 – Rev. 10/17
Secs. 2.2.2, 2.2.3, 2.3, 2.4.1, 2.5, 2.6,
2.10, 2.11, 2.12, 2.16.7, and add
2.17, 2.17.1, 2.17.2, 2.17.3, 2.17.4,
2.17.5, 2.17.6, 2.17.7, 2.17.8, 2.17.9,
2.17.10, 2.18, 2.18.1, 2.18.2, 2.18.3,
2.18.4 – Rev. 8/18
Sec. 2.12 – Rev. 10/18
Secs. 2.12, 2.14 – Rev. 1/19
Sec. 2.12 – Eff. 4/26/19 (Ord. 343)
Secs. 2.18, 2.18.3 – Rev. 10/19

RESOLUTION NO. 4982

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE FALLBROOK PUBLIC UTILITY DISTRICT
AMENDING ADMINISTRATIVE CODE – ARTICLE 2, GUIDELINES FOR
BOARD OF DIRECTORS

* * * * *

WHEREAS, Article 2 sections 2.18 and 2.18.3 of the Administrative Code cites the amount for limitations and restrictions on gifts, honoraria, travel and loans to elected officials and employees who are designated in the District's Conflict of Interest Code under Government Code section 87200; and

WHEREAS, effective January 1, 2019, the amount for limitations and restrictions was adjusted from \$470 to \$500 by the Consumer Price Index for calendar years 2019 and 2020; and

WHEREAS, Article 2 sections 2.18 and 2.18.3 of the Administrative Code require updating to reflect the \$500 limit that became effective January 1, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Fallbrook Public Utility District that Article 2, *Guidelines for Board of Directors*, shall be amended with the proposed revisions shown in Exhibit A and as follows:

1. Section 2.18, *Gifts and Disclosure*, updating the amount from \$470 to \$500.
2. Section 2.18.3, *Permissible Gifts May Not Exceed*, updating the amount from \$470 to \$500.
3. The remaining provisions of Article 2 are unaffected and reconfirmed hereby.

PASSED AND ADOPTED by the Board of Directors of the Fallbrook Public Utility District at a regular meeting of the Board held on the 28th day of October, 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

President, Board of Directors

ATTEST:

Secretary, Board of Directors

Exhibit A

receive the training required herein before January 1, 2007. Thereafter, each District official shall receive the training required herein at least once every two years.

- (b) Each District official who commences service with the District on or after January 1, 2006, shall receive the training required herein no later than one year from the first day of service with the District. Thereafter, each District official shall receive the training required herein at least once every two years.
- (c) A District official who serves more than one local agency shall satisfy the requirements of this article once every two years without regard to the number of local agencies with which he or she serves.
- (d) The District shall maintain records indicating both of the following:
 - i. The dates that the District official satisfied the requirements of this article.
 - ii. The entity that provided the training.
- (e) Notwithstanding any other provision of law, the District shall maintain these records for at least five years after District officials receive the training. These records are public records subject to disclosure under the California Public Records Act.

Sec. 2.18 Gifts and Disclosure.

The California Political Reform Act of 1974 requires specified local government officials to periodically submit reports concerning sources of income or gifts as specified and has been amended to prohibit local elected office holders and designated employees of government agencies from accepting any honorarium as defined, as well as gifts in excess of \$500.00 with certain exceptions.

The Political Reform Act requires an annual disclosure of any reimbursement paid by the District within the immediately preceding fiscal year of at least \$100.00 for individual charges paid to any employee or member of the governing body of the District.

2.18.1 Annual Disclosure of Reimbursements.

The Fallbrook Public Utility District shall cause, at least annually, the disclosure of any reimbursement paid by the District within the immediately preceding fiscal year of at least one hundred dollars (\$100) for each individual charge for services or product received. "Individual charge" includes, but is not limited to, one meal, lodging for one day, transportation, or a registration fee paid to any employee or member of the Board of Directors of the Fallbrook Public Utility District. The Assistant

General Manager/Chief Financial Officer shall implement procedures to track such disbursements and publish or print same at least annually by a date determined by the District and shall be made available for public inspection. All reimbursement requests received after January 1, 1995, which are \$100 or more shall be listed. Payments for benefits such as insurance, retirement, and car allowances shall not be reported.

2.18.2 Prohibition Against Acceptance of Honorarium.

No elected officeholder, elected or appointed member of the Board of Directors, or "designated employee" (as defined in the Conflict of Interest Code) of the Fallbrook Public Utility District shall accept any honorarium. An "honorarium" means any payment made in consideration for any speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering. Honorarium does not include earned income for personal services which are customarily provided in connection with the practice of a bona fide business, trade, or profession such as teaching, practicing law, medicine, insurance, real estate, banking, or building contracting unless the sole or predominant activity of the business, trade, or profession is making speeches. This prohibition does not extend to reasonable travel, admission, and the refreshments provided at an event where a Board member or designated employee gives a speech or otherwise actively participates.

2.18.3 Permissible Gifts May Not Exceed \$500.00.

No elected officeholder, elected or appointed member of the Board of Directors, or designated employee of the Fallbrook Public Utility District shall accept any gifts, from any single source, which is in excess of four hundred seventy dollars (\$500), in any calendar year, except reimbursement for actual travel expenses and reasonable subsistence in connection therewith. The Fair Political Practices Commission may further adjust this amount annually. Prohibited gifts include anything of value that is accepted, regardless of whether it is used. Excessive gifts should be returned within 30 days to avoid violating the law. The limitation on receipt of gifts does not exempt wedding, birthday, or other holiday gifts. The following are not "gifts" under this section: gifts from relatives, informational material (i.e., reports, pamphlets, calendars to keep officials informed), inheritances, and personalized plaques and trophies with an individualized value of less than \$500. Other gifts that are not used and are donated to charity within 30 days of receipt are not included.


2.18.4 Penalties for Violations.

The penalties for violating the restrictions on honoraria and gifts under the Political Reform Act constitute a criminal misdemeanor and may be punished by a fine of up to the greater of \$10,000 or three times the amount the violation received.

ARTICLE 2

Sec. 2.12 – Rev. 95
Sec. 2.5 - Rev. 2/97
Sec. 2.11 – Rev. 9/98
Sec. 2.13 – Rev. 12/98
Secs. 2.2, 2.9, 2.10, 2.14 – Rev. 2/04
Sec. 2.3 – Rev. 6/06
Sec. 2.14 – Board Committees added
– Rev. 8/08
Secs. 2.3, 2.4.1, 2.6, 2.12, 2.13 –
Rev. 12/09
Sec. 2.12 – Rev. 9/10
Sec. 2.12 – Rev. 8/12
Sec. 2.16 – Added 12/12
Sec. 2.15 – Rev. 1/13
Secs. 2.16.5, 2.16.6, 2.16.7 – Rev.
9/14
Sec. 2.2 - Rev. 2/27
Sec. 2.12 – Rev. 10/17
Secs. 2.2.2, 2.2.3, 2.3, 2.4.1, 2.5, 2.6,
2.10, 2.11, 2.12, 2.16.7, and add
2.17, 2.17.1, 2.17.2, 2.17.3, 2.17.4,
2.17.5, 2.17.6, 2.17.7, 2.17.8, 2.17.9,
2.17.10, 2.18, 2.18.1, 2.18.2, 2.18.3,
2.18.4 – Rev. 8/18
Sec. 2.12 – Rev. 10/18
Secs. 2.12, 2.14 – Rev. 1/19
Sec. 2.12 – Eff. 4/26/19 (Ord. 343)
Secs. 2.18, 2.18.3 – Rev. 10/19

MEMO

TO: Board of Directors
FROM: Aaron Cook, Senior Engineer 
DATE: October 28, 2019
SUBJECT: Notice of Completion – Sandia-Bucknell Tank Repainting and Recoating

Purpose

To file a Notice of Completion for the Sandia-Bucknell Tank Repainting and Recoating Project with the San Diego County Recorder.

Summary

The contract for Sandia-Bucknell Tank Repainting and Recoating, Job Number 3077, was completed on August 26, 2019. The Contract was awarded to AMP United. The final total contract amount was \$721,738. The original contract was awarded on October 23, 2017, in the amount of \$700,848. The final cost was slightly higher than originally contracted to address repair of rafters due to corrosion under center vent.

Budgetary Impact

There is no budgetary impact to record the Notice of Completion. The adopted budget for Fiscal Years 2018-19 allocated \$786,000 for the project.

Recommended Action

That the Board authorize staff to file the attached Notice of Completion with the San Diego County Recorder.

RECORDING REQUESTED BY:
Fallbrook Public Utility District

AND WHEN RECORDED MAIL TO:
Fallbrook Public Utility District
990 E. Mission Road
Fallbrook CA 92028

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is the owner of the interest or estate stated below in the property hereinafter described.
2. The full name of the undersigned is Fallbrook Public Utility District.
3. The full address of the undersigned is 990 E Mission Road, Fallbrook CA 92028.
4. The nature of the title of the undersigned is public utility district in fee.
5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

<u>NAMES</u>	<u>ADDRESSES</u>
Fallbrook Public Utility District	990 E. Mission Rd, Fallbrook CA 92028

6. The names of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work of improvement herein referred to are (OR IF NO TRANSFER WAS MADE INSERT THE WORD "None")

<u>NAMES</u>	<u>ADDRESSES</u>
None	None

7. The work of improvement on the property hereinafter described was completed on **August 26, 2019**.
8. The name of the original contractor, if any, for the work of improvement was: **AMP United**
The kind of work done or material furnished was for the **Sandia & Bucknell Painting and Coating**.
9. The property on which the work of improvement was completed is in the unincorporated area of Fallbrook, county of San Diego, state of California, and is described as follows: **Sandia & Bucknell Reservoirs**
10. The street address of the said property is: **Helen Road**

DATED: October 14, 2019

Aaron Cook, Senior Engineer
Fallbrook Public Utility District

VERIFICATION

I, the undersigned, say:


I am the person who signed the foregoing notice. I have read the above notice and know its contents, and the facts stated therein are true of my own knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 14, 2019, at Fallbrook, California.

Signature

M E M O

TO: Board of Directors
FROM: Larry Ragsdale, Safety and Risk Officer 
DATE: October 22, 2019
SUBJ: Claim for Inundation of Water onto Real Property

Purpose

To present the claim filed by McDougal Love Boehmer Foley Lyon & Canlas on behalf of Mr. Recker.

Summary

August 1, 2019, service order #000004-08-2019 was issued to assist in Mr. Recker concerns related to the inundation of water onto his property.

September 16, 2019, Mr. Recker filed a claim for inundation of water on his property through McDougal Love Boehmer Foley Lyon & Canlas.

September 29, 2019, an after-hours call was made for a main line break that occurred approximately 250 feet from Mr. Recker's property. Visual observation appeared to indicate the flow of water had lessened at the French drain.

October 15, 2019, a third party, Utility Services Associates Leak Detection & Solutions, performed an additional leak detection and preliminary findings pointed to no leaks on the existing water main. A visual observation on this day appears to indicate the flow of water had diminished considerably.

Mr. Recker is seeking remediation at an unknown initial cost plus other repairs as needed. (See Attachment A for details of the claim.)

Budgetary Impact

Impact analysis cost cannot be determined until JPIA rules on its disposition. Other factors that affect the budgetary impact vary from the claims process, cost, and litigation. Due to these factors, the impact cannot be established at this time.

Recommended Action

The claim will exceed the District retrospective allocation point of \$10,000 per occurrence; therefore, it is beyond the District settlement authority and needs to be forwarded to JPIA as required.

Staff recommends rejection of the claim, and to forward claim to ACWA/JPIA for resolution.

Attachment A

GENERAL INCIDENT INFORMATION

Form A Liability Accept/Rejection Form

Event ID: 19-313
DOI: 3/29/2019
Type Claim: Real property

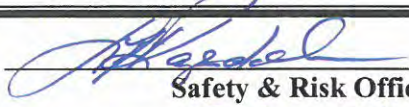
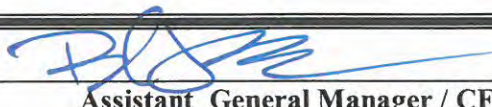
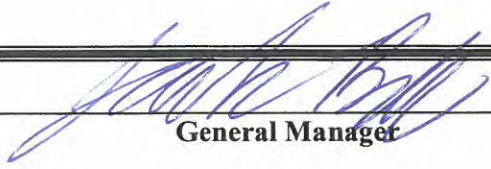
Name of Party: Dennis Recker
Contact # (619) 440-4444 Email: sboehmer@mcdougallove.com
Parties Address: McDougl, Love, Boehmer, Foley & Canlas,
8100 La Mesa Blvd, Ste 200, La Meas, CA 91942

Company: Property owner

Timeliness of Claim: 0 Year(s) 5 Month(s) 20 Days

Type of Incident: <u>Property Damage</u>		Nature of Incident: <u>Leak</u>	
Incident Description: <u>Claimant alleged that an ongoing leak is coming from the installation of a new water main and that leak has travel underground surfacing at the claimant's French drain as well as inundating the soil behind his retaining wall</u>			
Location of Incident: [REDACTED]			
Date Claim Received:	<u>9/18/2019</u>	Date Closed:	<u>**</u>
Settlement:	<u>Rejected</u>		
Release Signed:	<u>**</u>	Incident Reported to JPIA:	
REMARKS:			

CLAIM ACCEPT/DENY FORM

Date: <u>10/14/19</u>		Claim Request: <input type="checkbox"/> Accept <input checked="" type="checkbox"/> Reject
Remarks: <u>Do to unknown Cost of litigation</u>		
Date: <u>10/14/19</u>		Claim Request: <input type="checkbox"/> Accept <input checked="" type="checkbox"/> Reject
Remarks:		
Date: <u>10/14/19</u>		Claim Request: <input type="checkbox"/> Accept <input checked="" type="checkbox"/> Reject
Remarks:		
BOARD ACTION If applicabile		
<input type="checkbox"/> Accept <input type="checkbox"/> Reject		

MEMBERS

Steven E. Boehmer
Morgan L. Foley
Jennifer M. Lyon
Johanna N. Canlas
Carrie L. Mitchell

SENIOR TRIAL COUNSEL

John E. Petze

SENIOR COUNSEL

Elizabeth A. Mitchell

**MCDUGAL LOVE BOEHMER
FOLEY LYON & CANLAS IIIII**

La Mesa Village Plaza
8100 La Mesa Boulevard, Suite 200
La Mesa, California 91942

619.440.4444 p

619.440.4907 f

www.mcdougallove.com

ASSOCIATES

M. Anne Cirina
Lauren N. Hendrickson
Gena B. Burns
Matthew A. Thurmer
John E. Solis

OFFICE ADMINISTRATOR

Victoria L. Miller

Retired

Lynn R. McDougal

S. Michael Love

October 2, 2019

Via U.S. Certified Mail - Return Receipt Requested

Fallbrook Public Utilities District
990 E Mission Road
Fallbrook, California 92028

Dear Board of Directors:

As you know, the law firm of McDougal, Love, Boehmer, Foley, Lyon & Canlas has been retained to represent the interests of Dennis Recker and Barbara Recker in connection with a claim for damages arising from a water leak that is causing damage to my clients' residence located in Fallbrook, California.

As a courtesy, I write to follow up on my prior correspondence dated September 16, 2019, enclosing the above-referenced claim for damages. I have not received a response thereto. My clients' residence continues to be inundated with water, which is damaging the property.

Please contact me upon receipt of this letter and no later than **October 10, 2019**. If I do not hear from you, my clients will be forced to proceed as previously indicated. I hope that will not be necessary, however.

Thank you for your prompt attention and anticipated cooperation in this matter.

Sincerely,


Steven E. Boehmer

SEB/mat

cc: Client (by email only)

MEMBERS

Steven E. Boehmer
Morgan L. Foley
Jennifer M. Lyon
Johanna N. Canlas
Carrie L. Mitchell

SENIOR TRIAL COUNSEL

John E. Petze

SENIOR COUNSEL

Elizabeth A. Mitchell

**MCDUGAL LOVE BOEHMER
FOLEY LYON & CANLAS IIIII**

La Mesa Village Plaza
8100 La Mesa Boulevard, Suite 200
La Mesa, California 91942

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S. Michael Love

September 16, 2019

Via U.S. Certified Mail - Return Receipt Requested

Fallbrook Public Utilities District
990 E Mission Road
Fallbrook, California 92028

Dear Board of Directors:

The law firm of McDougal, Love, Boehmer, Foley, Lyon & Canlas has been retained to represent the interests of Dennis Recker and Barbara Recker, who own real property commonly known as [REDACTED] in Fallbrook, California (the "Property"). Therefore, please direct all communications to the undersigned.

Summary of Facts

My clients have resided at the Property since approximately July 1991. The Property is equipped with a French drain that carries water from behind a retaining wall located on the Property. During the wet season, a consistent and historical amount of water flows through the French drain. My clients are accustomed to this flow of water, which gradually decreases in flow until it completely ceases by the end of May of each year.

This past wet season, the French drain flowed as in the past. However, rather than gradually decreasing, the flow of water increased. In fact, water began to seep out of the weep holes at the base of the retaining wall. That has never happened while my clients have resided at the Property.

On or about March 29, 2019, the Fallbrook Public Utility District (the "District") installed a new water main on my clients' street. The District flushed the new water main on May 7, 2019, and, on May 16, 2019, informed my clients that there was a slow water leak of approximately eight gallons per hour that began on May 9, 2019. A representative of the District stated that the water leak was not related to the installation or flushing of the new water main.

My clients were forced to engage professional services to discover and repair the water leak, which was found to be in the service line and was repaired by Palomar Plumbing on June 13, 2019. However, the flow of the water at the French drain outflow and the base of the retaining wall had not changed. On June 24, 2019, my clients contacted the San Diego Water Quality Department and EEL Analytical for assistance but were unsuccessful.

To date, my clients have requested assistance from the District and have spoken to Larry Ragsdale, Steven Stone, and other District employees. The District has failed and refused to resolve the inundation of water that is damaging my clients' Property. The flow of water has been measured at two gallons per minute at the French drain outflow and estimated at one gallon per minute at the base of the retaining wall. That is more than 4,300 gallons of water per day ((2 gallons x 1440 minutes) + (1 gallon x 1440 minutes)).

Liability

Based upon the foregoing, there are three legal theories under which the District may be held liable: trespass, private nuisance, and inverse condemnation.

Trespass is an unlawful interference with ownership or possession of property. (*Ralphs Grocery Co. v. Victory Consultants, Inc.* (2017) 17 Cal.App.5th 245.) Reckless or negligent conduct that causes physical damage to property constitutes a trespass. (*Staples v. Hoefke* (1987) 189 Cal.App.3d 1397.) A private nuisance is the interference with the use and enjoyment of land. (*Oliver v. AT&T Wireless Services* (1999) 76 Cal.App.4th 521, 534.) The diversion or obstruction of water flow may constitute a private nuisance. (*Helix Land Co. v. City of San Diego* (1978) 82 Cal.App.3d 932; *Spaulding v. Cameron* (1952) 38 Cal.2d 265; *Fredericks v. Fredericks* (1951) 108 Cal.App.2d 242.)

Inverse condemnation is an invasion or appropriation by a public entity of some valuable property right that a landowner possesses that directly and specially affects the landowner to his or her injury. (*Shelby Realty Co. v. City of San Buenaventura* (1973) 10 Cal.3d 110, 119-120.) Ordinarily, an inverse condemnation plaintiff, whose claim is based on flood damage caused by a public improvement, is required to show that the public entity acted unreasonably. This requirement does not apply, however, if damage was caused by a burst pipe or some other failure of a water delivery system when the system, as designed and constructed, presented inherent risks of damage to private property, and the inherent risks materialized and caused damage. (*Pacific Bell v. City of San Diego* (2000) 81 Cal.App.4th 596, 607-609; see also *House v. L.A. County Flood Control Dist.* (1944) 25 Cal.2d 384, 396.)

In all probability, there was a failure to properly install and/or flush the above-referenced water main. Such conduct is careless and disregards my clients' right to the use and enjoyment of the Property. There likely was a burst pipe or some other failure of the water delivery system that presents an inherent risk of damage to my clients' Property. The water leak has interfered with my clients' use and enjoyment of the Property and caused and continues to cause physical damage to the Property, decreasing its value. Therefore, liability would be adverse to the District under any one of the above-referenced legal theories.

Damages

The measure of damages for trespass and private nuisance is the amount that will compensate the plaintiff for all the detriment caused thereby, whether it could have been anticipated or not. (Civil Code §3333.) Even in the absence of physical injury, the plaintiff is entitled to recover damages for the annoyance, discomfort, inconvenience, and mental suffering

caused by the tortious conduct. (*Acadia, Cal., Ltd. v. Herbert* (1960) 54 Cal.2d 328.) Additional damages include compensation for the depreciation in market, rental, or usable value of the property. (*Ingram v. City of Gridley* (1950) 100 Cal.App.2d 815.)

The basic measure of damages in an inverse condemnation action is the fair market value of the property taken. (*Federal Oil Co. v. City of Culver City* (1960) 179 Cal.App.2d 93, 97.) If property is damaged rather than taken, the owner is entitled to recover the decrease in market value of the damaged property. (*Olson v. County of Shasta* (1970) 5 Cal.App.3d 336, 340-342.) In any inverse condemnation proceeding, the plaintiff is entitled to recover attorney's, appraisal, and engineering fees incurred in the trial or appellate proceeding in which the plaintiff prevails on any issue in the proceeding. (Code of Civ. Proc. §1036.)

My clients' damages are to be determined but may include damages for annoyance, discomfort, inconvenience, and mental suffering caused by the tortious conduct; decrease in market value of the Property; and attorney's, appraisal, and engineering fees.

Conclusion

Please contact me within three business days of receipt of this letter to discuss isolating the water distribution system in order to confirm the source of the water leak so that remedial work may be performed forthwith and no additional water damage is done to the Property.

If I do not hear from you, I am authorized to initiate a civil action for damages, in which case my clients will be forced to incur additional attorney's fees as well as appraisal and engineering fees for which the District will be liable. Enclosed are a claim form and photographs of the water damage in order to substantiate this claim.

Thank you for your prompt attention and anticipated cooperation in this matter.

Sincerely,


Steven E. Boehmer

SEB/mat
Enclosures (as noted above)

Claim Form

(A claim shall be presented by the claimant or by a person acting on his behalf.)

NAME OF DISTRICT: Fallbrook Public Utility District ("FPUD")									
1	<p>Claimant name, address (mailing address if different), phone number, social security number, e-mail address, and date of birth. <i>Effective January 1, 2010, the Medicare Secondary Payer Act (Federal Law) requires the District/Agency to report all claims involving payments for bodily injury and/or medical treatments to Medicare. As such, if you are seeking medical damages, we MUST have both your Social Security Number and your date of birth.</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Name: Dennis Recker and Barbara Recker</td> <td style="width: 50%; border: none;">Phone Number: (619) 440-4444</td> </tr> <tr> <td style="border: none;">Address(es): c/o Steven E. Boehmer</td> <td style="border: none;">Social Security No.:</td> </tr> <tr> <td style="border: none;">McDougal, Love, Boehmer, Foley, Lyon & Canlas</td> <td style="border: none;">Date of Birth:</td> </tr> <tr> <td style="border: none;">8100 La Mesa Blvd, Ste 200, La Mesa, CA 91942</td> <td style="border: none;">E-mail: sboehmer@mcdougallove.com</td> </tr> </table>	Name: Dennis Recker and Barbara Recker	Phone Number: (619) 440-4444	Address(es): c/o Steven E. Boehmer	Social Security No.:	McDougal, Love, Boehmer, Foley, Lyon & Canlas	Date of Birth:	8100 La Mesa Blvd, Ste 200, La Mesa, CA 91942	E-mail: sboehmer@mcdougallove.com
Name: Dennis Recker and Barbara Recker	Phone Number: (619) 440-4444								
Address(es): c/o Steven E. Boehmer	Social Security No.:								
McDougal, Love, Boehmer, Foley, Lyon & Canlas	Date of Birth:								
8100 La Mesa Blvd, Ste 200, La Mesa, CA 91942	E-mail: sboehmer@mcdougallove.com								
2	<p>List name, address, and phone number of any witnesses.</p> <p>Name:</p> <p>Address:</p> <p>Phone Number: ()</p>								
3	<p>List the date, time, place, and other circumstances of the occurrence or transaction, which gave rise to the claim asserted.</p> <p>Date: on or about 3/29/19 Time: Daytime Place: Santa Margarita Drive</p> <p>Tell What Happened (give complete information): FPUD installed and flushed a new water main on or about March 29, 2019. Thereafter, claimant's property was inundated with water believed to be leaking from the new water main and/or surrounding area, including the fire hydrant adjacent to claimant's water meter. The leak is ongoing in nature.</p> <p style="text-align: center;"><i>NOTE: Attach any photographs you may have regarding this claim.</i></p>								
4	<p>Give a general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim. Physical damage to claimant's property and diminution in property value.</p> <p>Damages for annoyance, discomfort, inconvenience, and mental suffering. Attorney's, appraisal, and engineering fees pursuant to nuisance, trespass, and inverse condemnation.</p>								
5	<p>Give the name or names of the public employee or employees causing the injury, damage, or loss, if known.</p>								
6	<p>The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case.</p> <p>TBD.</p>								
<p>Date: 9/16/2019 Time: Signature: Steven E. Boehmer, Attorney For</p>									
ANSWER ALL QUESTIONS. OMITTING INFORMATION COULD MAKE YOUR CLAIM LEGALLY INSUFFICIENT!									







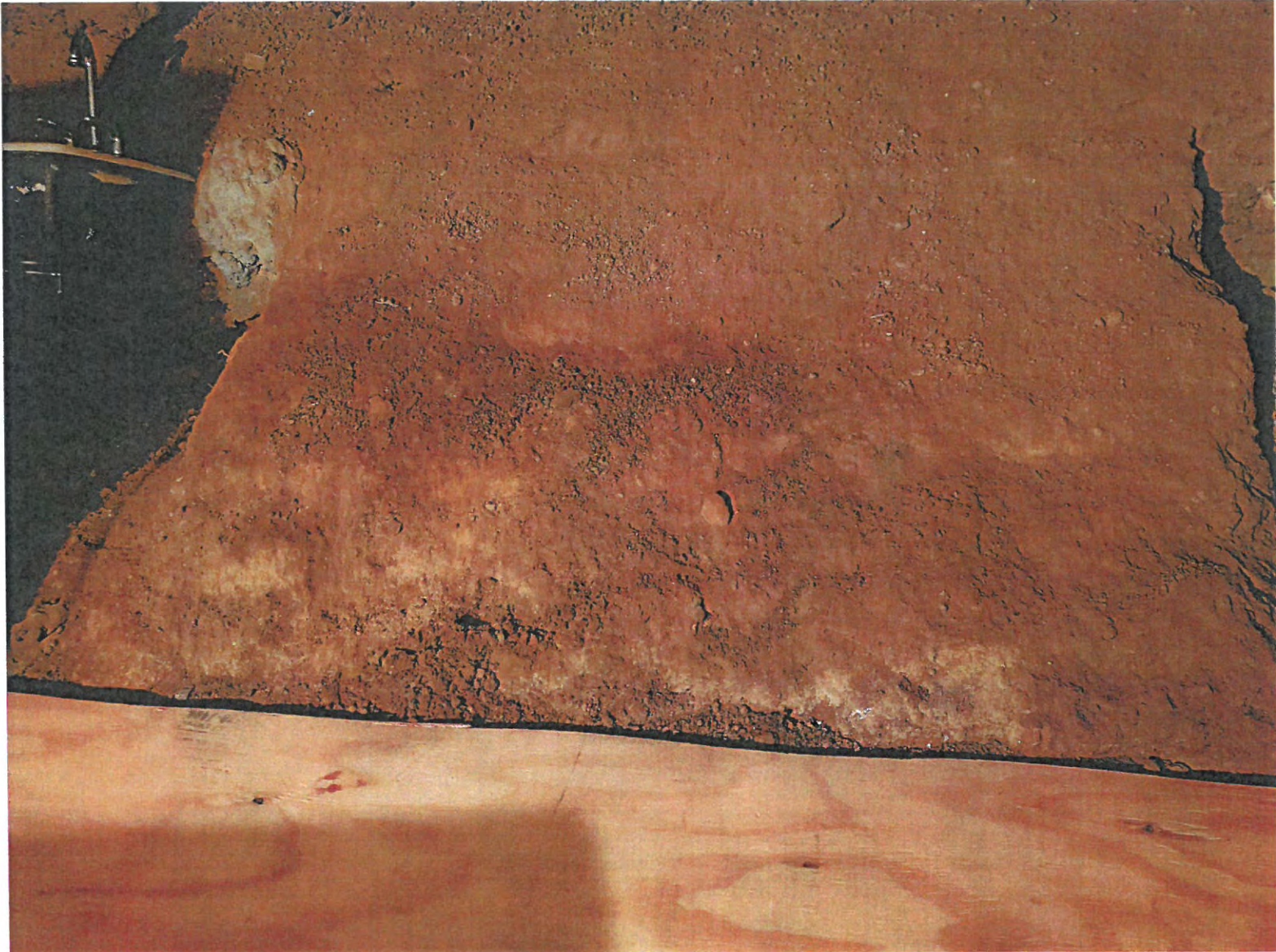


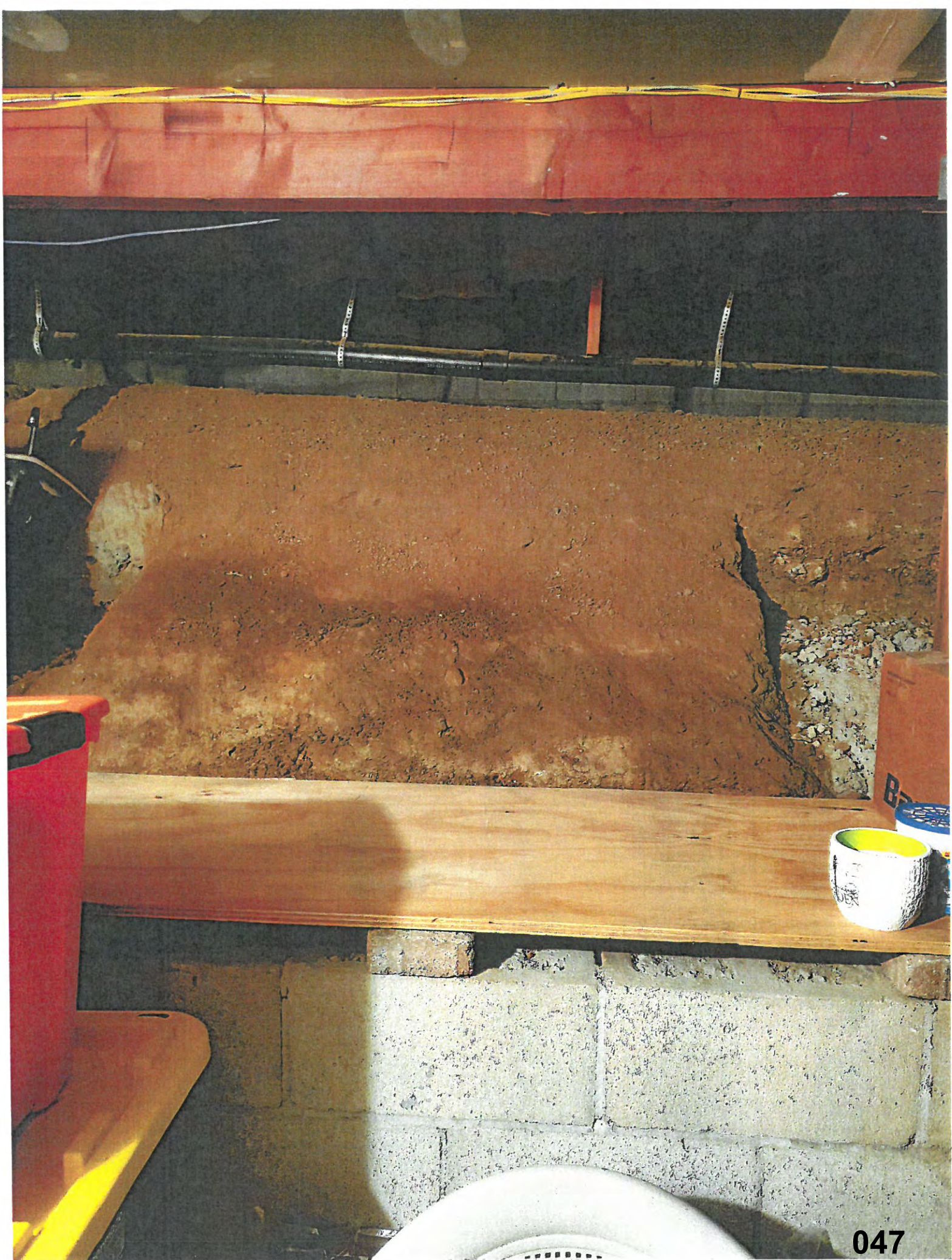


DATE: 11/15/2018
JOB: 06P





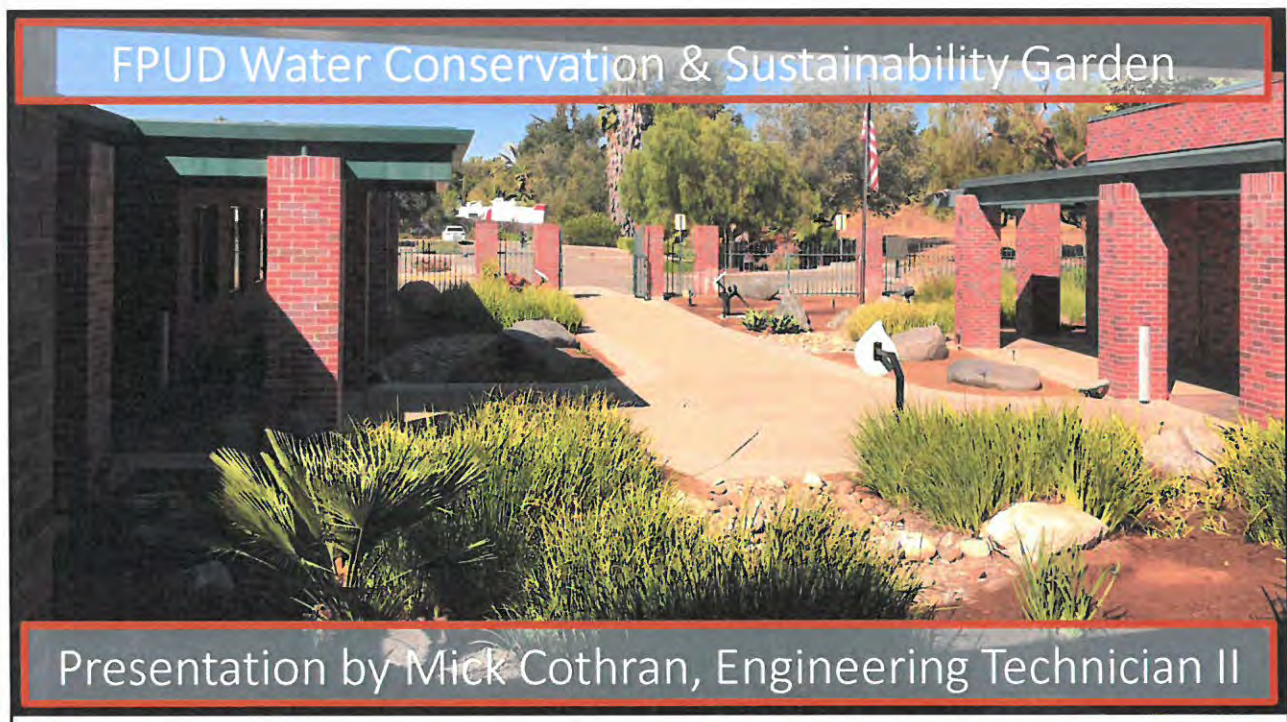




047



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FPUD Water Conservation & Sustainability Garden

Presentation by Mick Cothran, Engineering Technician II

Why build a demonstration garden?

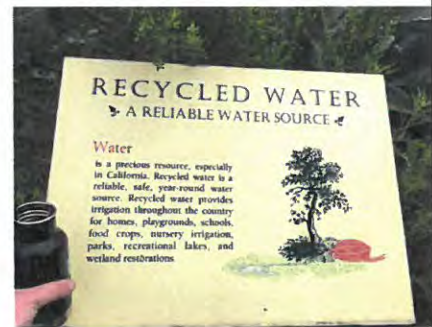
- Communicates principles of drought tolerant landscaping (water conservation), high efficiency irrigation and sustainability practices (storm water mitigation, source water protection)
- Re-utilizes an existing space that was ravaged by years of drought
- Builds a local example of a regional movement; demonstration gardens have been built at multiple water utilities throughout Southern California
- Limited cost to the district; funding provided by MWD of Southern California's MAAP conservation funding and the use of internal resources for planning and construction

...more garden features...

- Existing valve and mainline displays
- Signage (Garden overview, irrigation, Santa Margarita CUP & Watershed



- 1,000 gallon rain barrel that will collect rainfall from the east boardroom roof
- Decomposed granite pathway
- Seating areas



TIMELINE

Sep-Oct: Grading, soil amendments (completed)

Oct-Nov: Planting, irrigation

Nov-Dec: Rain barrel installation, DG pathway, signage installation


Dec-Jan: Finish work, final program funding reimbursement through MWD





QUESTIONS?

MEMO

TO: Board of Directors
FROM: David Shank, Assistant General Manager/CFO 
DATE: October 28, 2019
SUBJECT: Outline the Process for setting CY 2020 Rates and Charges

Purpose

Provide the Board of Directors with an outline of the CY 2020 rate setting process.

Summary

The Proposition 218 noticed maximum rate and charge increases are the culmination of a long and thorough financial planning process that began in April of 2017. Not only did the process involve extensive community outreach and communications but also multiple public hearings to solicit stakeholder feedback. As part of the Board's commitment to fiscal transparency, each year rather than just setting the rates and charges at the maximum level, the Board reviews the updated financial projections and sets rates and charges for the calendar year based upon the District's actual fiscal needs. This review has resulted in smaller than the adopted maximum rate increases for water and recycled water the last two years.


This December the Board will be setting calendar year 2020 rates and charges. Staff are working on updating all the projection data in the District's financial model and will be providing the FP&I Committee with rate and charge increase alternatives to consider. The preliminary schedule for setting calendar year 2020 rates and charges is:

- November – Multiple FP&I Committee meetings to establish the Committee's rate and charges increase recommendation for the Board.
- December – Board presentation of Committee's recommended rate and charge increases.
- January/February – Implementation of rate and charge increases.

Recommended Action

This item is for discussion only. No action is required.

MEMO

TO: Board of Directors
FROM: Jason Cavender, Operations Manager 
DATE: October 28, 2019
SUBJECT: SCADA Overview

Description

This memo serves for informational purposes only as an overview of the District's Supervisory Control and Data Acquisition (SCADA) system. Staff will be presenting a summary of the SCADA system including a brief history, current status and long term goals.

Purpose

SCADA is a system of software and hardware elements that allows local, remote, and automatic operation of District facilities. SCADA allows the District to:

- Control water and wastewater treatment process
- Monitor, gather, and process real-time data
- Provide real-time data and control to Operators
- Directly interact with devices such as sensors, valves, pumps, motors, and more through human-machine interface (HMI) software
- Record events and produce reports and trends
- Alarm monitoring and handling

The District's commitment towards the continuous development and improvement of the SCADA system has significantly decreased the amount of manual operation required to operate the facilities. The ability to monitor real-time data, and produce reports and trends, allows staff to make well informed decisions regarding the operation of the District's water and wastewater facilities.

Budgetary Impact

The Capital Budget for FY 19/20 is \$130,000. There is no budgetary impact.

Recommended Action

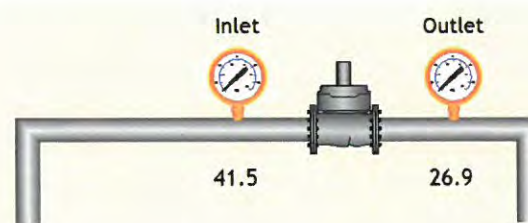
Informational only; no recommended action.

Supervisory Control & Data Access (SCADA) Overview

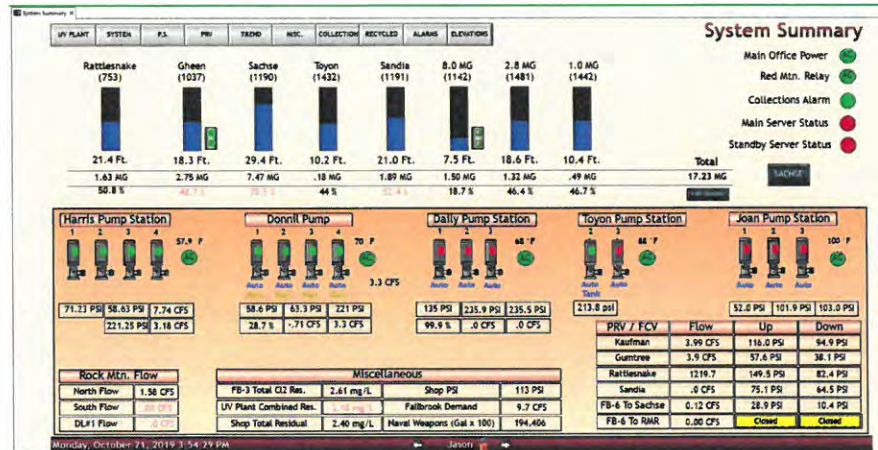
BOARD OF DIRECTORS OCTOBER 2019

Key Elements

- Computer based system used to monitor and control facilities
- Both hardware and software elements
- Control process and equipment
- Real-time information
- Remote access
- Alarming
- Monitoring
- Trending
- Reporting



ClearSCADA System Summary Screen



Upgrade History

Potable

- HMI software & minor server upgrade
- Automation and remote access to distribution facilities begins
- UV Treatment Plant on-line
- Move from PC servers to server platform
- Upgrade radio communications between UV Plant, Office, and WRP
- Backup business network to the UV Plant

Wastewater

- WRP upgrade introduces SCADA
- Server upgrades
- Upgrade radio communications
- Optimization

Gumtree Pressure/Flow Control Valve

2009:

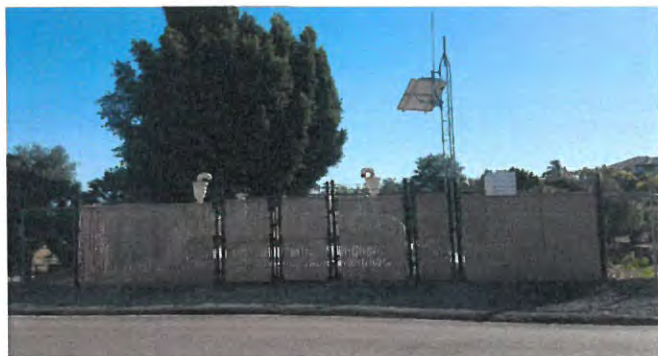
- Confined space
- No remote monitoring
- Manual operation



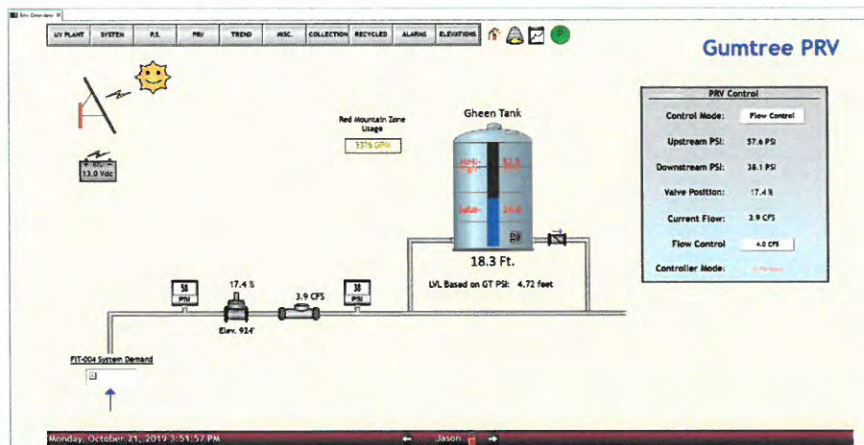
Gumtree Pressure/Flow Control Valve

Now:

- Solar powered
- Remote monitoring of flow & pressure
- Remote control based on downstream pressure, tank level, or flow set point
- Alarms
- Trending
- Data collection



Gumtree FCV Screen

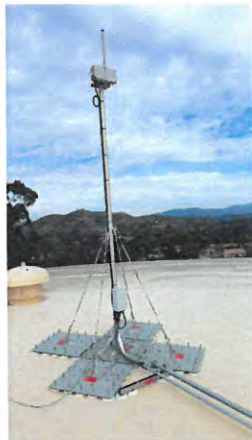


Radio Communication Upgrades

80 ft. Communication Tower Above Main Office



Magnetic Antenna Mount on Green Tank



Reduction in Labor Hours

Drinking Water:

- Daily P.S. – up to twice per day
- Harris P.S. Flow Control Valve – up to twice per day
- Sandia FCV – up to twice per day
- FB-6 FCV – once per day
- Gumtree PRV – rarely used
- Kaufman PRV – up to three times per day
- Rattlesnake PRV – up to twice per day

Savings:

- Approx. 3.5 hrs./day = 24.5 hrs./week = 1,274 hrs./yr. = \$94,518/yr.
- Reduction in overtime
- Drive time now spent performing preventative maintenance
- Real time response for failures and emergencies

From this Point on...

- Finish development of 5 year plan to replace obsolete equipment at remote sites
- Install radio towers at key sites to improve communication
- Additional reporting capabilities at the WRP
- Automate additional flow/pressure control facilities
- RO Plant development
- Upgrade remote field equipment

M E M O

TO: Board of Directors
FROM: Engineering and Operations Committee
DATE: October 28, 2019
SUBJECT: Request to exercise 2nd year option – Paving contract

Description

This request is to formally exercise our 2nd year renewal option with Kirk Paving for paving services for the District.

Purpose

In February 2018, the board awarded a contract for paving needs and authorized a not-to-exceed amount of \$328,400.

In October 2018, staff requested an additional \$315,000 for estimated paving expenses with the expectation that the additional allocation would make it through the end of fiscal year 18/19 (June 2019), which the board authorized.

The total dollar amount authorized by the board for the contract was \$643,400. The District was able to stretch the allocation through the end of the fiscal year, but an additional authorization is now needed to make it through the end of this fiscal year (June 2020).

Due to these expenses, staff is requesting the board exercise the 2nd year renewal option on the paving contract with Kirk Paving in a not-to-exceed amount of \$136,740, which will fund paving needs through June 2020. At that time, FPUD staff plan not to exercise another renewal year and, instead, re-bid for paving needs to better align true budgetary needs and fiscal years and try and develop a more cost effective approach for paving services

The original awarded contractor and low-bid, Joe's Paving, was expelled from the contract in January of 2019 after multiple issues of incorrect charging based on traffic control fees. The next low-bidder, Kirk Paving, was awarded the rights to the contract. However, Kirk Paving's pricing is higher than Joe's, leading to a depletion of funds more quickly than anticipated.

In order to determine the most cost-effective long-term approach paving expenses, FPUD staff plans to do some smaller paving jobs internally on low traffic side streets to determine what is the most cost effective approach, specifically to attempt to combat traffic control fees and mobilization costs which are key factors in the paving budget.

Staff will create a cost analysis based on those smaller jobs to better anticipate what a more cost-effective method is—having almost all paving work done by a contractor or doing most jobs internally and keeping a contract for larger work.

The District currently pays Kirk Paving \$2,511.00 for labor and materials to pave a 10'x10'x4" excavation, in addition to a \$662 mobilization fee per site. FPUD field supervisors anticipate the same work done internally would cost the District \$1,147.00.

Staff estimate that nearly 75% of all jobs currently given to Kirk Paving could be performed internally by FPUD field crews, creating a significant savings annually. If these estimations are validated by this test, additional staff and equipment may be necessary to take on the additional paving work created by utilizing the contract less frequently.

Budgetary Impact

For fiscal year 19/20, staff had budgeted \$235,000 in operating costs from departments 3, 4, and 5 for paving, and approximately \$75,000 associated with capital projects.

Of the \$235,000 in operating budgets, approximately \$45,108.37 has been spent.

Of the \$75,000 in capital budgets, approximately \$56,512.25 has been spent.

The remaining budget left for paving in this fiscal year, combined, is \$208,379.38.

Recommended Action

The Engineering and Operations Committee recommends that the Board approve exercising the 2nd year renewal of the annual paving contract with Kirk Paving in the amount of \$208,379.38 with the expectation that a new paving contract will be bid and awarded by July 2020.

MEMO

TO: Board of Directors
FROM: Aaron Cook, Senior Engineer *Ac*
DATE: October 28, 2019
SUBJECT: Award of Sewer Manhole Rehabilitation & Relining Project (Job 3113)

Description

Request for Board approval to award the Sewer Manhole Rehabilitation & Relining Project to the lowest responsive bidder.

Purpose

As part of the District's capital improvement program, the District is improving the reliability of the sewer collections system through strategic rehabilitation of existing infrastructure. District staff prepared a bid package for the rehabilitation of 22 manholes and one wet well. The work includes structural repairs and corrosion resistant relining, which will restore failing manholes to like-new condition. Bid opening was October 16, 2019. Five bids were received. A summary of the bid results is below:

Company	Bid Amount
SANCON	\$78,787
SOCAL PACIFIC	\$93,300
ZEBRON	\$97,700
AYALA ENGINEERING	\$101,780
MANHOLE BUILDERS	\$115,908

Sancon Technologies, Inc. was the apparent lowest responsible bidder at \$78,787.

Budgetary Impact

The approved capital budget for FY2019/20 included \$145,000 for this project. There will be some internal administration and construction management costs but the project will be well within the budget.

Recommended Action

That the Board authorize award of the Sewer Manhole Rehabilitation & Relining Project to the lowest responsible bidder, Sancon Technologies, Inc., for \$78,787.

M E M O

TO: Board of Directors
FROM: Engineering and Operations Committee
DATE: October 28, 2019
SUBJECT: Neuros Maintenance Service Plan

Description

The 5-year warranty for the six NX100-C070 high-efficiency turbo blowers at the Water Reclamation Plant expires October 2019. The preferred asset management method going forward is the Maintenance Service Plan (MSP) offered by Neuros.

Purpose

The six NX100-C070 Neuros turbo blowers are a highly-sophisticated state of the art blower system that were installed during the plant upgrade in 2014. The blowers use proprietary technology which requires a specialized service person with extensive training to service and maintain. During the last five years, the warranty covered the repair and replacement of core failures, and also provided a loaner unit in the interim period. There were seven core failures in the last five years. The price of a NX100-C070 core is \$59,225, and covering all six blowers with the MSP will cost \$67,620 in the first year of coverage. The cost of the MSP is heavily discounted since it only applies when enrolled to a five year term agreement, otherwise the cost would be \$96,600 per year.

The MSP will include routine recommended upgrades and new engineered components such as cores, bearings, impellers, vibration sensors, variable frequency drives (VFDs), among other components. It will also include routine updating of programming and software, programmable logic controllers (PLCs) and fine tuning of the aeration system. Additionally, the MSP includes annual site visits and technical inspections, remote monitoring, priority access to a field support team, priority availability of parts and modules, and dedicated 24 hour a day, 365 days a year service support. The parts and components utilized within the blower system are customized and manufactured by Neuros.

Due to the proprietary nature of this equipment, it is not possible to procure multiple quotes for the maintenance contract and due to the cost of replacement parts and past repair requirements the MSP provides a savings over purchasing parts after a failure.

Budgetary Impact

The approved O&M budget for FY2019-2020 included \$67,620 for the MSP under Wastewater Contract Service Expenses. The cost to procure the plan will be \$67,620 for the first year of coverage. For the second year of coverage, the cost will be \$68,296.

The third year of coverage will cost \$68,978. The fourth year of coverage will cost \$69,978. The fifth year of coverage will cost \$70,365. The proposal is valid only until October 31, 2019.

Recommended Action

The Engineering and Operations Committee recommends that the Board approve the procurement of the Neuros Maintenance Service Plan as the asset management method for the six NX100-C070 turbo blowers.

M E M O

TO: Board of Directors
FROM: Jack Bebee, General Manager, JRB
DATE: October 28, 2019
SUBJECT: Special Counsel for on-going administration of Santa Margarita Water Rights

Purpose

To request Board approval to execute a legal services agreement with Spaletta Law for special counsel services for support with Santa Margarita Water Rights.

Summary

The District has recently settled a long-standing Santa Margarita water rights dispute with the United States. Although the settlement has been completed, there are on-going administrative items as well as additional needs for on-going support during execution of the settlement. Martha Lennihan from Lennihan Law represented the District on these issues for decades, and she has recently retired. The District General Counsel represents Rancho California Water District who also has water rights on the river, so they cannot represent our interest on water rights issues.

The General Manager and the District's previous water rights counsel reviewed several different firms and determined that the best choice for the District was Jennifer Spaletta with Spalletta law.

Ms. Spaletta specializes in water rights issues and she does not have any potential conflicts of interest in the Santa Margarita watershed. Ms. Spaletta also understands that the legal support work may be very limited if few issues arise during implementation of the settlement.

Budget Impact

There are funds budgeted this Fiscal Year to support the administration of the Santa Margarita Conjunctive Use Project. It is not anticipated that there will be substantial efforts on this contract through this Fiscal Year except for some review of background materials. There is not anticipated to be a budget impact on this action.

Recommended Action

That the Board authorize staff to execute the attached agreement with Spaletta Law to provide as-needed legal support for the District's Santa Margarita River Water Rights.

SPALETTA LAW PC

Post Office Box 2660
Lodi, California 95241
T: 209-224-5568
F: 209-224-5589

JENNIFER L. SPALETTA
Attorney-at-Law
jennifer@spallettalaw.com

October 19, 2019

SENT VIA EMAIL: jackb@fpud.com

Jack Bebee, General Manager
Fallbrook Public Utility District
990 East Mission Road
Fallbrook, CA 92028

Re: Legal Services Agreement - Limited Engagement

Dear Mr. Bebee:

Thank you for contacting Spaletta Law PC (“Attorney”) to provide legal services to Fallbrook Public Utility District (“Client”). This letter agreement sets forth the terms of our agreement for provision of legal services. By signing below, Client agrees to these terms of service. Please sign both copies of this letter, return one to our office in the enclosed envelope and keep one for your files.

1. LIMITED SCOPE OF SERVICES. Client hires Attorney as special counsel for a limited purpose – work related to water rights in the Santa Margarita River Watershed, including litigation as needed. This Agreement will not cover services for other matters that arise over time unless specifically agreed to in writing between Attorney and Client. Client acknowledges that Attorney represents a variety of other clients with respect to real estate and water rights matters in a variety of other locations in California including the Sacramento-San Joaquin Delta. Client agrees that this limited representation shall not create a conflict for Attorney to continue to represent Attorney’s other clients even if those clients’ interests may be adverse to Client’s interests on matters unrelated to the work that Attorney performs for Client. Client is not providing Attorney with any confidential information that would create such a conflict.

2. CLIENT’S DUTIES. Client agrees to be truthful with Attorney, to cooperate, to keep Attorney informed of any information or developments which may come to Client’s attention, to abide by this Agreement, to pay Attorney’s bills on time.

3. DEPOSIT. No initial deposit is required at this time. If a deposit is requested in the future, the hourly charges will be charged against the deposit. The initial deposit, as well as any future deposit, will be held in a trust account. Client authorizes Attorney to use that and to pay the fees and other charges as they are incurred. Payments from the fund will be made upon remittance to Client of a billing statement. Client acknowledges that the deposit is not an estimate of total fees and costs, but merely an advance for security. Whenever the deposit is exhausted, Attorney reserves the right to demand further deposits. Client agrees to pay all deposits after the

initial deposit within 5 days of Attorney's demand. Unless otherwise agreed in writing, any unused deposit at the conclusion of Attorney's services will be refunded.

4. LEGAL FEES AND BILLING PRACTICES. Client agrees to pay by the hour at Attorney's prevailing rates for all time spend on Client's matter by Attorney's legal personnel. Current hourly rates for legal personnel are:

Jennifer L. Spaletta, Attorney	\$325/hr
Jill Jackson, Attorney	\$225/hr
Diana Martin, Paralegal	\$75/hr

The rates on this schedule are subject to change with 30 days' written notice to client. If Client declines to pay any increased rates, Attorney will have the right to withdraw as Attorney for Client. Time is charged in minimum units of one tenth (.1) of an hour.

5. COSTS AND OTHER CHARGES. Attorney will incur various costs and expenses in performing legal services under this Agreement. Client agrees to pay for all costs, disbursements, and expenses in addition to the hourly fees. The costs and expenses commonly include fees fixed by law or assessed by public agencies, conference call charges, messenger and other delivery fees, postage, photocopying and other reproduction costs, travel costs including parking, mileage, transportation, meals and hotel costs, investigation expenses and consultants' fees, and other similar items. Except for the items listed below, all costs and expenses will be charged at Attorney's cost: Photocopying (in excess of 50 pages): .10/page; Mileage: IRS rate, currently .55/mile.

6. BILLING STATEMENTS. Attorney will send Client periodic statements for fees and costs incurred. Each statement will be payable within 30 days of its mailing date. The statements shall include the amount, rate, basis of calculation, or other method of determination of the fees and costs, costs which will be clearly identified by item and amount. If a billing statement is not paid when due, interest will be charged on the principal balance (fees, costs, and disbursements) shown on the statement. Interest will be calculated by multiplying the unpaid balance by the periodic rate of .833% per month (TEN PERCENT [10%] ANNUAL PERCENTAGE RATE). The unpaid balance will bear interest until paid.

7. DISCHARGE AND WITHDRAWAL. Client may discharge Attorney at any time and Attorney may withdraw at any time for cause. When Attorney's services conclude, all unpaid charges will immediately become due and payable.

8. CLIENT FILES. After services conclude, Attorney will, upon Client's request, deliver Client's file and property in Attorney's possession, whether or not Client has paid for all services. Files not requested by Client will be retained by Attorney for a reasonable time, not to exceed 5 years, after which time Attorney will request that Client take delivery of the files, consent to destruction of the files, or pay for storage of the files.

9. DISCLAIMER OF GUARANTEE AND ESTIMATES. Nothing in this Agreement and nothing in Attorney's statements to Client will be construed as a promise or guarantee about the outcome of the matter. Attorney makes no such promises or guarantees.

Attorney's comments about the outcome of the matter are expressions of opinion only. Any estimate of fees given by Attorney shall not be a guarantee. Actual fees may vary from estimates.

10. ENTIRE AGREEMENT. This Agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding on the parties.

11. SEVERABILITY IN EVENT OF PARTIAL INVALIDITY. If any one provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

12. MODIFICATION BY SUBSEQUENT AGREEMENT. This Agreement may be modified by subsequent agreement of the parties only by an instrument in writing signed by both of them or an oral agreement only to the extent that the parties carry it out.

13. EFFECTIVE DATE. This Agreement will govern all legal services performed by Attorney on behalf of Client commencing with the date Attorney first performed services. The date at the beginning of this Agreement is for reference only. Even if this Agreement does not take effect, Client will be obligated to pay Attorney the reasonable value of any services Attorney may have performed for Client.

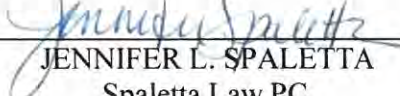
14. ARBITRATION. Any controversy between the parties regarding the construction, application, or performance of any services under this Agreement, and any claim arising out of or relating to this Agreement or its breach, shall be submitted to binding arbitration upon the written request of one party after the service of that request on the other party. The parties shall appoint one arbitrator to hear and determine the dispute through JAMS or AAA. The arbitration shall be conducted pursuant to the provider's rule. If the parties cannot agree, then the Superior Court of San Joaquin County shall choose an impartial arbitrator whose decision shall be final and conclusive on all parties. Attorney and Client shall each have the right of discovery in connection with any arbitration proceeding in accordance with Code of Civil Procedure Section 1283.05. The cost of the arbitration, excluding legal fees and costs, shall be borne by the losing party or in such proportion as the arbitrator shall decide. The sole and exclusive venue for the arbitration and or any legal dispute shall be San Joaquin County, California.

THE PARTIES HAVE READ AND UNDERSTOOD THE FORGOING TERMS AND AGREE TO THEM AS OF THE DATE ATTORNEY FIRST PROVIDED SERVICES. IF MORE THAN ONE CLIENT SIGNS BELOW, EACH AGREES TO BE LIABLE JOINTLY AND SEVERALLY FOR ALL OBLIGATIONS UNDER THIS AGREEMENT. THE CLIENT SHALL RECEIVE A FULLY EXECUTED DUPLICATE OF THIS AGREEMENT.

DATE: _____

DATE: October 19, 2019

Fallbrook Public Utility District
By _____

By: 

JENNIFER L. SPALETTA
Spalletta Law PC

JENNIFER L. SPALETTA
Jennifer@spalettalaw.com



Education:

- Lindsay High School, Lindsay, CA, *valedictorian*
- B.S. California Polytechnic State University - major Agricultural Business; minor Water Science, 1995, *summa cum laude*
- M.S. University of California, Davis - Agricultural and Resource Economics, 1998
- J.D. University of California, Davis, 1998

Experience:

Jennifer Spaletta is the founding shareholder of Spaletta Law PC in Lodi, California (2013-2019). Prior to founding Spaletta Law PC, Ms. Spaletta was an associate attorney (1998-2005) and shareholder (2006-2012) at the law firm of Herum\Crabtree in Stockton, California.

Ms. Spaletta serves as general and special counsel to several public agencies including reclamation and irrigation districts, water conservation districts, county water agencies and to local businesses including farming operations, industrial manufacturing companies and food processing companies. She also represents public agencies and individuals in processing and defending water rights with the State Water Resources Control Board and in water quality permitting matters with the Central Valley Regional Water Quality Control Board.

Ms. Spaletta has extensive experience litigating commercial contract disputes, water, environmental and constitutional law issues and California Proposition 218 cases. She has served as lead trial counsel in court trials and jury trials throughout the state of California and in the Court of Federal Claims in Washington, D.C.. Ms. Spaletta has also handled appeals for her clients in California's Third and Fifth District Courts of Appeal, the California Supreme Court, the Ninth Circuit Court of Appeals and the Federal District Court of Appeals.

Ms. Spaletta has a background in agriculture and specialized knowledge of the California water industry. She was raised in a citrus and olive farming family in California's Central Valley and continues to farm wine-grapes and walnuts near Lodi with her husband. For over 20 years she has studied and worked in the California water industry on issues surrounding implementation of the Central Valley Project Improvement Act, regional groundwater recharge programs, water quality regulation and implementation of new irrigation and water management technologies in the agricultural and urban markets.

In recent years, Ms. Spaletta has successfully handled litigation to enjoin unlawful groundwater pumping and defended water districts in water rights enforcement proceedings at the State Water Resource Control Board and in court.

Affiliations:

California Bar Association, Environmental Law Section
Director, Lodi District Grape Growers Association
Environmental Law Center Advisory Council Member, University of California at Davis

Articles:

"Conjunctive Use From the Ground Up: The Need to Protect Landowners' Right to Groundwater," Proceedings of the 21st Biennial California Groundwater Conference (1997).

The Search for New Supplies: Salvaging the Remains of Agricultural Water Conservation in California," 31 UC Davis Law Review 591, 1998.

Representative Reported Cases:

South Florida Water Management District v. Miccosukee Tribe of Indians, et al, 541 U.S. 95, 124 S.Ct. 1537 (2004) - Drafted amicus brief for California Association of Water Agencies regarding Clean Water Act.

Sierra Club v. West Side Irrigation District and Sierra Club v. Banta-Carbona Irrigation District, 128 Cal.App.4th 690 (Cal.App. 3rd, 2005) - Represented districts in litigation to defend CEQA for long term water transfer.

State Water Resource Control Board Cases, 136 Cal.App.4th 674 (Cal.App.3d, 2006) - Represented districts in litigation regarding Decision 1641 implementing Bay Delta water quality control plan.

Modesto Irrigation District v. Evans, No. 02-6553, 2006 WL 1376964 (E.D. Cal. 2006) - Represented districts in challenge to biological opinions under the federal endangered species act.

Stockton East Water District v. United States, 583 F.3d 1344 (C.A. Fed, 2009), 638 F.3d 781 (C.A. Fed, 2011) (rehearing and rehearing En Banc granted in part) - Represented district in breach of contract and takings case against the United States regarding failure to deliver water under Central Valley Project contracts and damages to groundwater basin.

Casitas Municipal Water District v. United States, 543 F.3d 1276 (C.A.Fed, 2008), 556 F.3d 1329 (denying petition for rehearing) - Drafted amicus briefs in support of Plaintiff in takings action.

Other Representative Matters:

Represented Northern California State Water Project Contractors in litigation against the California Department of Water Resources and other State Water Project Contractors regarding area of origin protections and contractual rights; part of team that successfully negotiated settlement of dispute.

Represented San Joaquin County Resource Conservation District in negotiations with Regional Water Quality Control Board staff regarding irrigation lands regulatory program development and related litigation; continued representation of district in local implementation of program and on-going negotiations regarding potential changes to program.

Represented water district in successful defense of Proposition 218 proceeding for groundwater charge challenged by Howard Jarvis Taxpayers Association.

Represented Water Conservation District in formation of Groundwater Sustainability Agency (GSA) and membership and formation of Joint Powers Authority of other GSA's in the Eastern San Joaquin Subbasin. Continued representation of district in implementing Sustainable Groundwater Management Act (SGMA), including negotiations with other agencies.

Successful representation of large vineyard owner and operator in a series of court cases for breach of contracts related to purchase and sale of vineyard property, leases and equipment transactions, including appellate representation to the California Supreme Court regarding principals of contract interpretation.

Represented districts opposing State Water Resources Control Board administrative enforcement orders against the West Side Irrigation District and Byron Bethany Irrigation District related to 2015 drought curtailment; obtained dismissal of actions at administrative level; currently litigating legal issues related to curtailment authority and procedures in Coordinated Water Curtailment Cases in Santa Clara County Superior Court.

Continued representation of multiple districts and private landowners in evaluation of surface water and groundwater rights and SGMA implementation in Kern County, Tulare County, Kings County, Fresno County, Madera County, Merced County, Stanislaus County, San Joaquin County, Sacramento County and Lassen County.

General Counsel to North San Joaquin Water Conservation District, San Joaquin County Resource Conservation District, Reclamation District 2095, Reclamation District 2085. Special Counsel to Lower Tule River Irrigation District, Pixley Irrigation District, Rosedale Rio Bravo Water Storage District.

1. MWD Issues

SDCWA has continued expressed on going concern with a number of issues with MWD including:

- The need for MWD to develop a long-range financial plan since there actual sales continue to fall well below budgeted levels resulting in use of reserves and debt issuances in play of PAYGO CIP funding.
- The potential development of a storm water reuse program. There is a pilot program being funded to evaluate this and the unit costs for water produced are extremely high.

The rate case litigation between MWD and SDCWA is continuing to move forward in the court.

2. Regional Conveyance

The study is underway. It is anticipated it will be several months before any initial results will be presented.

3. Key Upcoming Issues

On the November Board agenda some key issues that will be discussed include:

- The award of a Change Order with Poseidon over the temporary intake facilities to replace the existing power plant intake pumps that are being demolished.
- Award of Local Resource Program Rebates for City of Oceanside for approximately 6,000 AFY of local water supplies and City of San Diego for 33,600 AFY of local water supplies. This total reduction of demand is current over 10% of the overall SDCWA demand.
- Updates on water sales and financial performance for SDCWA. Sales are currently 19% under budget in volume for the first two months.
- Open session item relative to FPUD/RMWD detachment with an update to be provided by SDCWA Counsel.
- An update on the GM recruitment process.

Detailed updates on any of these items will be provided by the General Manager at the request of any Board members.



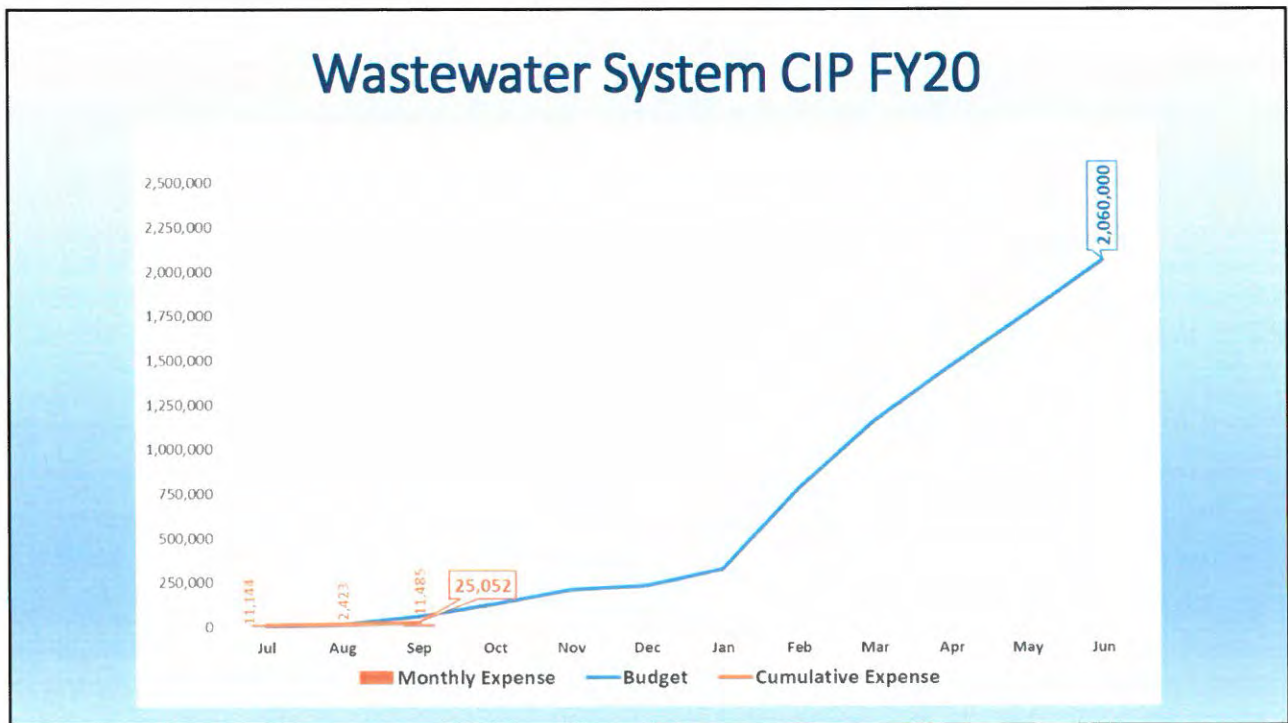
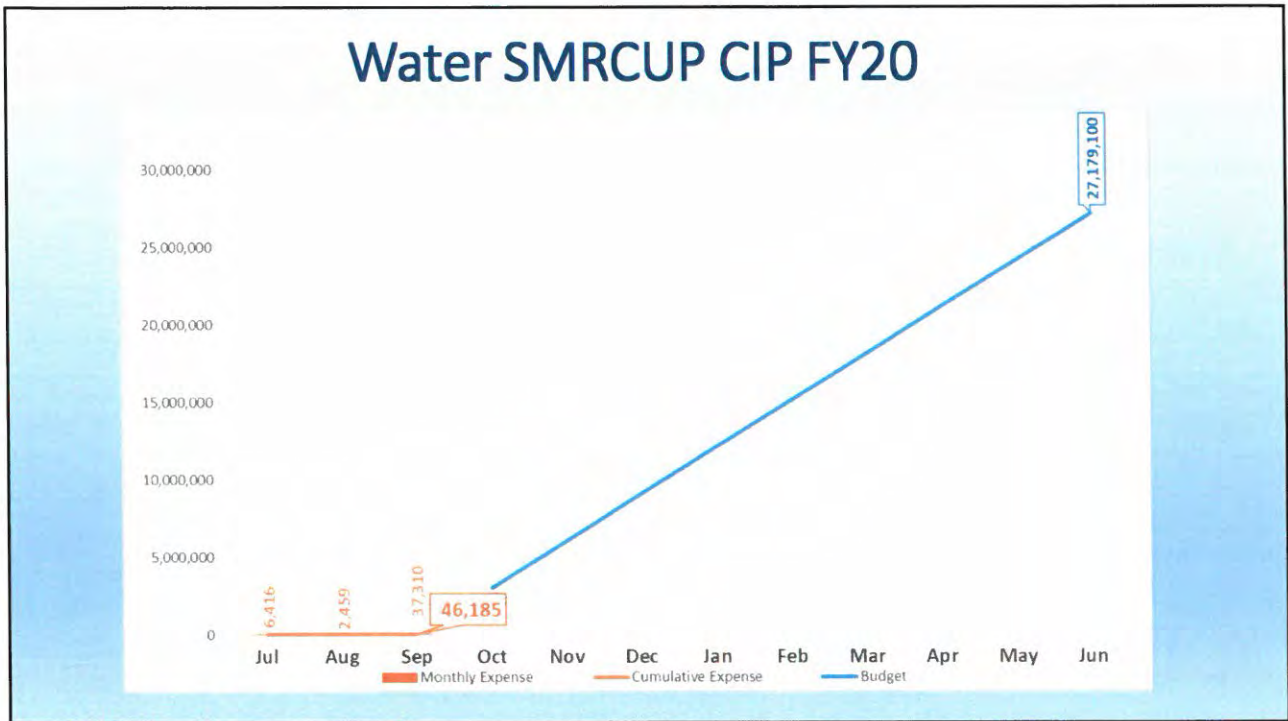
Fallbrook Public Utility District

Engineering and Operations FY20

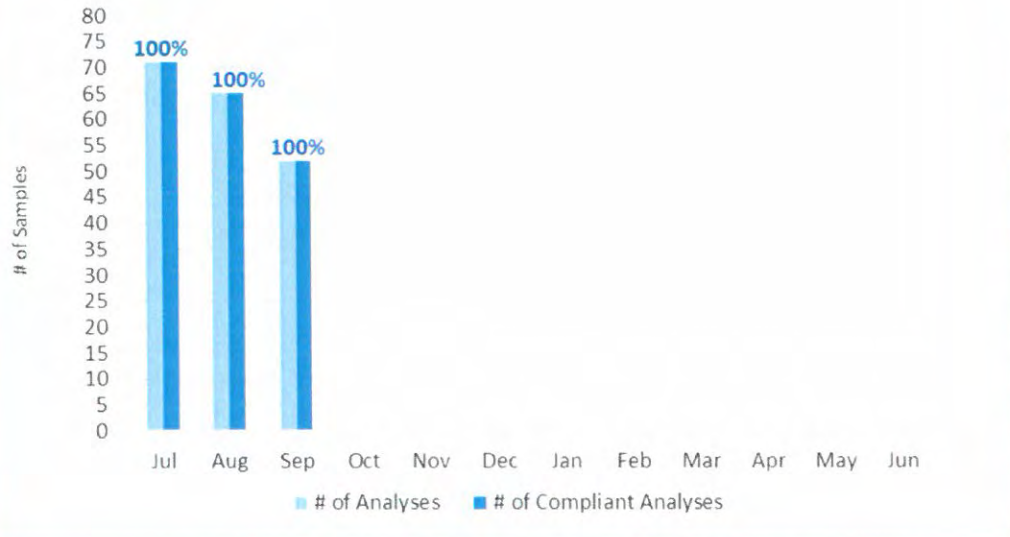
Board Meeting October 2019

Water PAYGO CIP FY20





Water System Regulatory Compliance



Wastewater System Regulatory Compliance

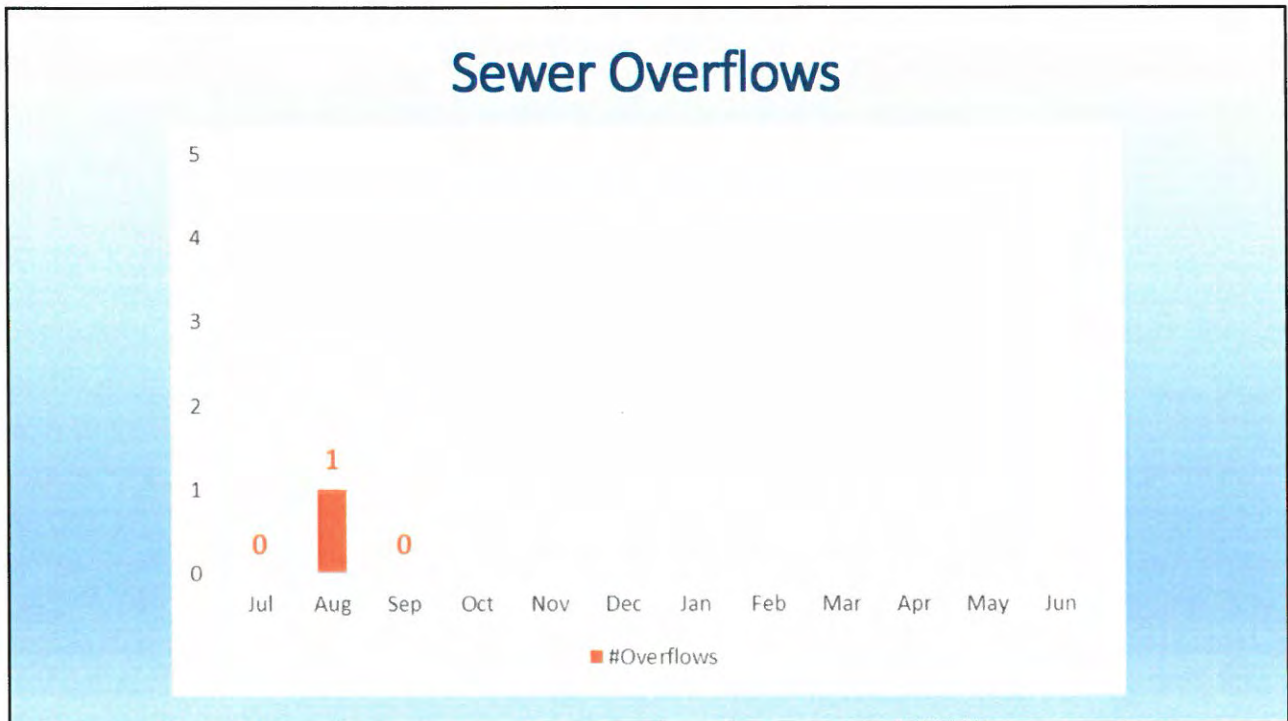
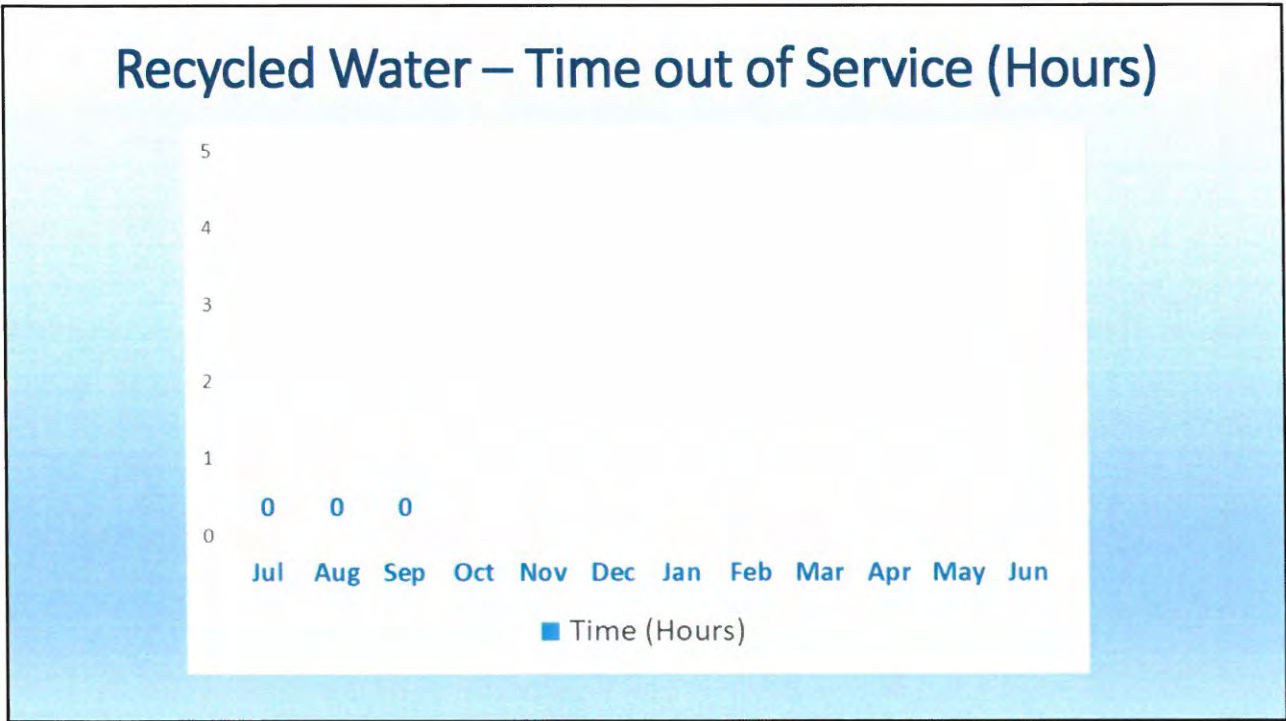


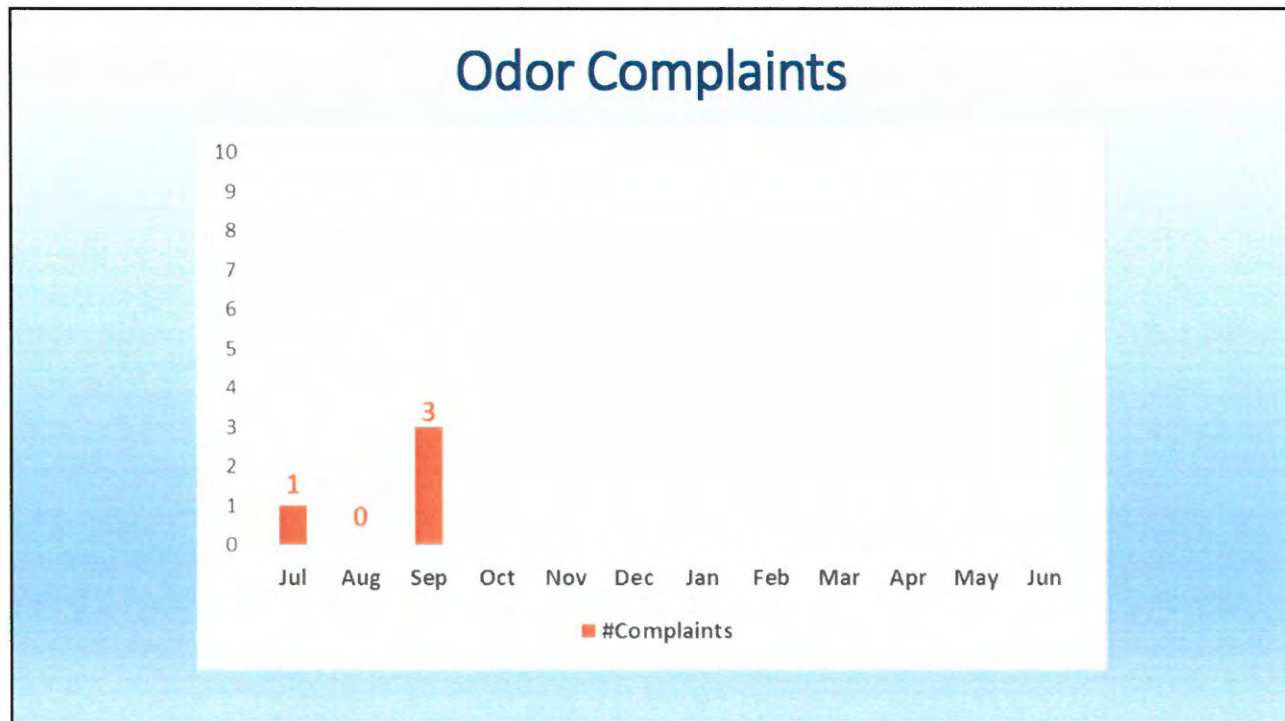
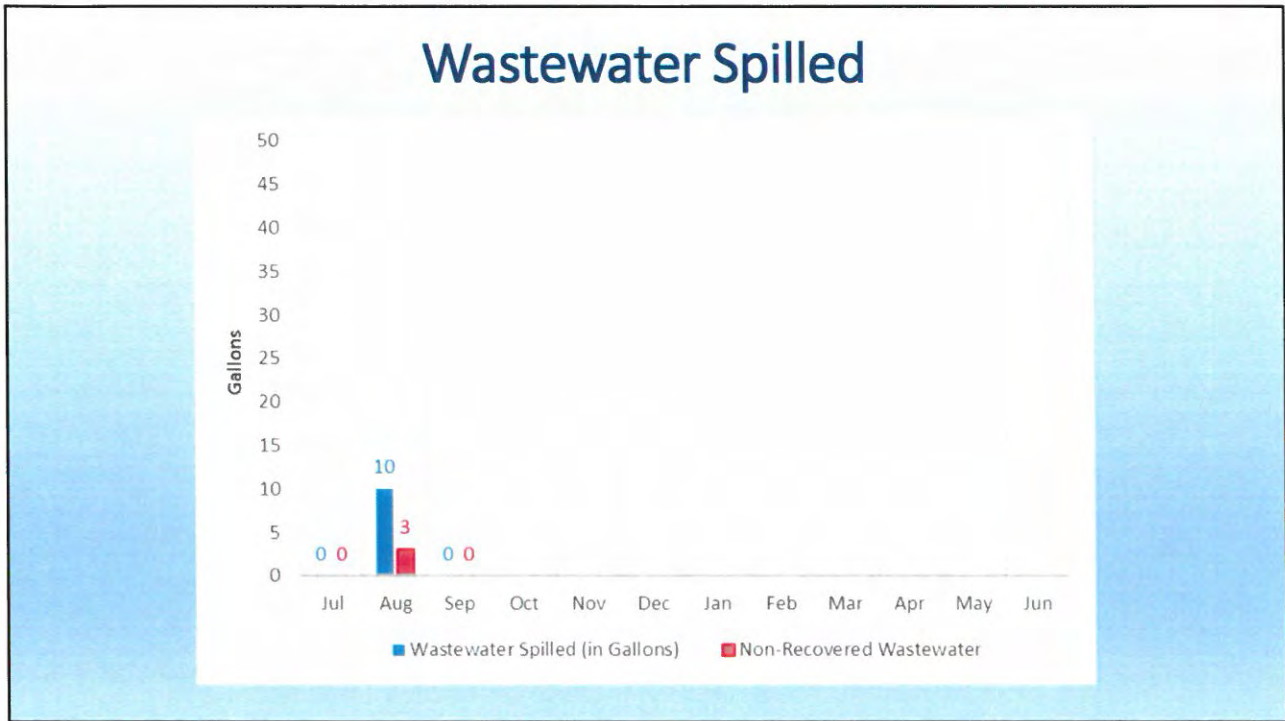
Water Preventative Maintenance Work Orders



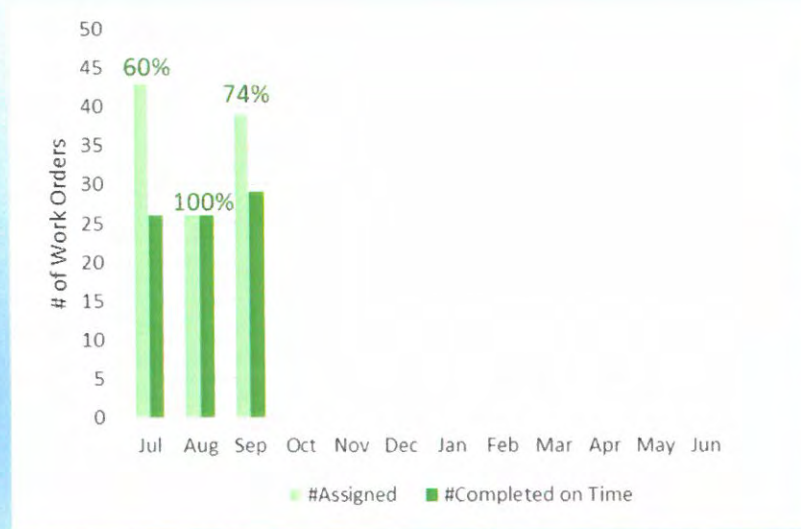
Energy Cost per MG Treated



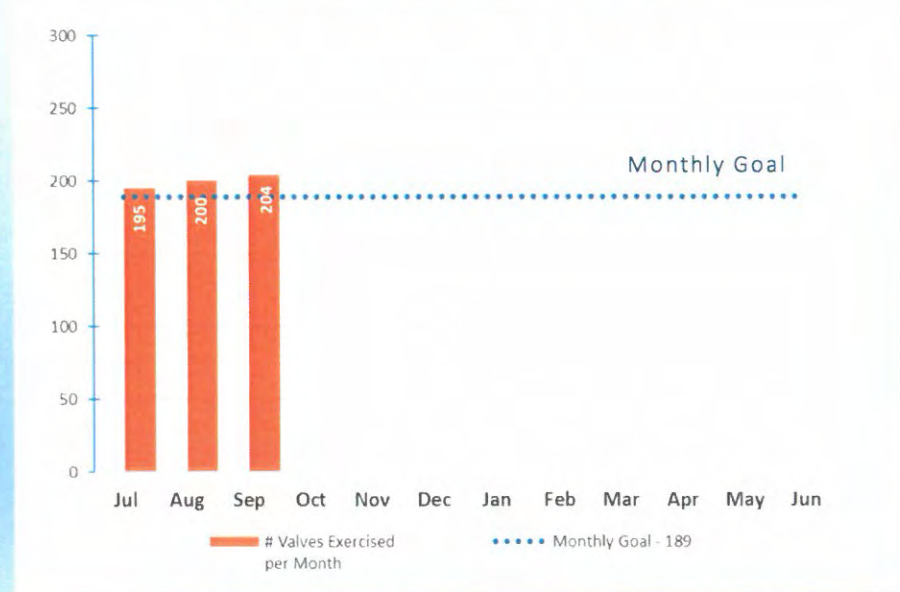




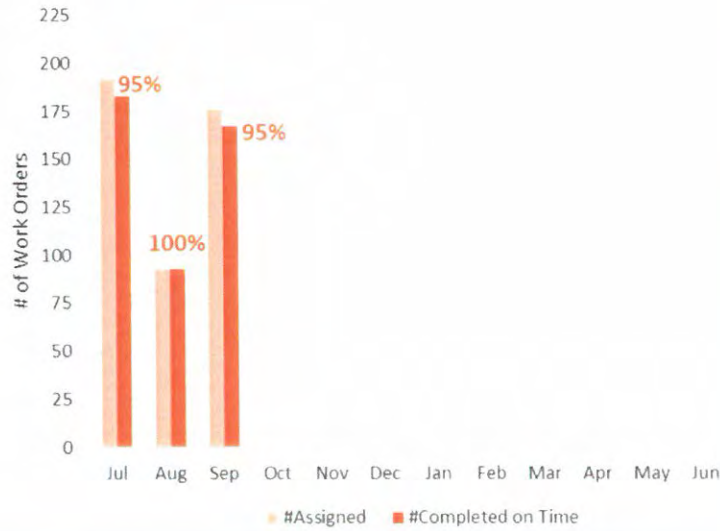
Collections – Preventative Maintenance Work Orders



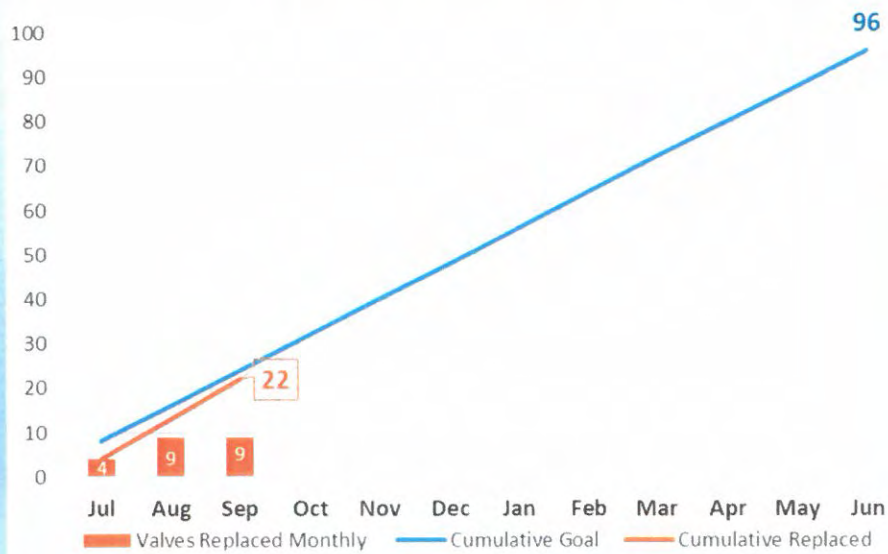
Valve Exercise Program



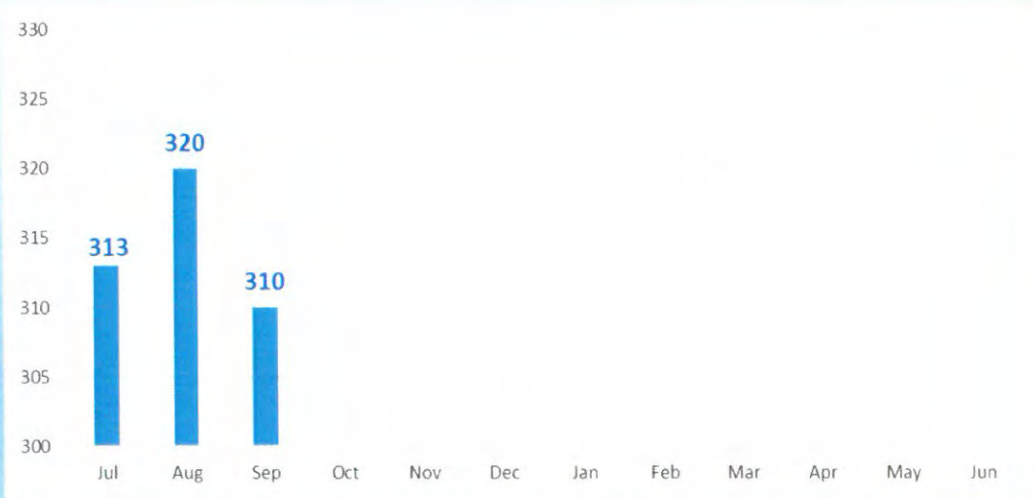
Reclamation Plant – Preventative Maintenance Work Orders



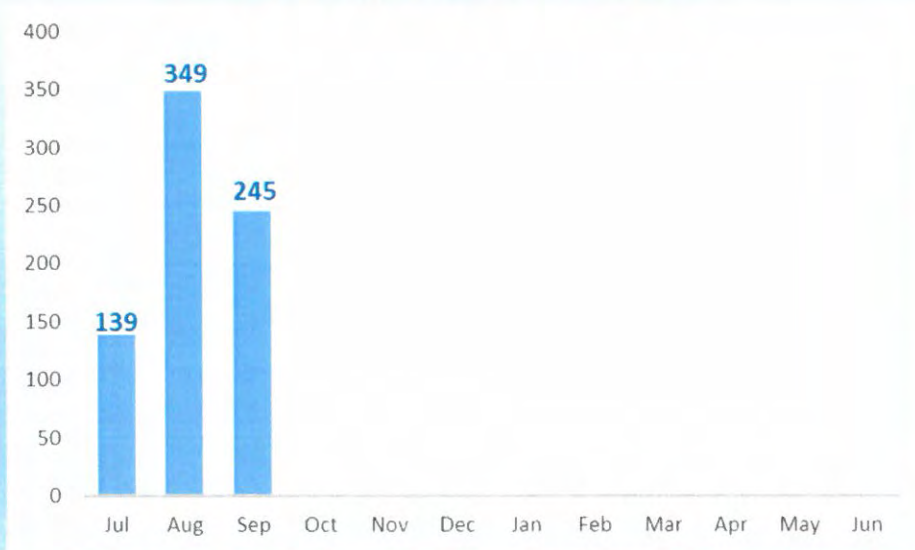
Valves Replaced



Rolling Total Broken Valves



Planned Outages > 4 Hours # of Customers Affected

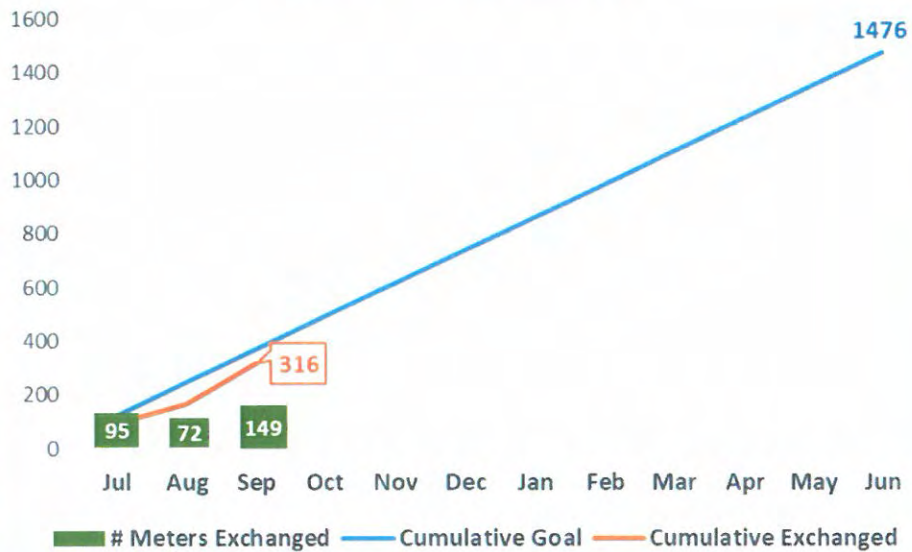


Unplanned Disruption > 4 Hours

Accounts/Customers Affected



Meter Exchange



M E M O

TO: Board of Directors
FROM: David Shank, Assistant General Manager/CFO *DS*
DATE: October 28, 2019
SUBJECT: Financial Summary Report

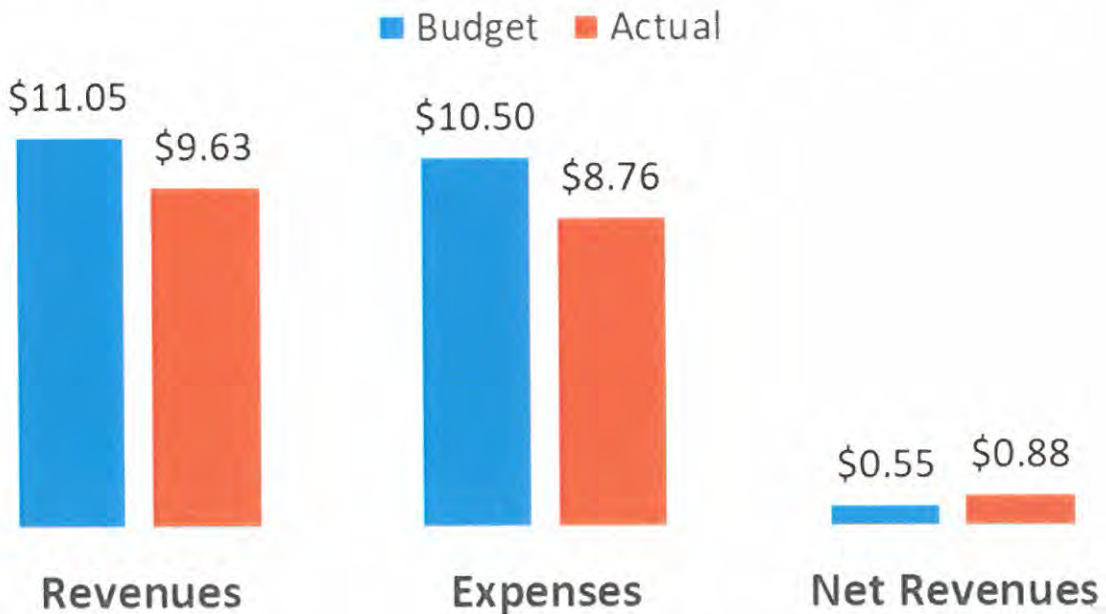
Purpose

Provide an overview of changes in the District's financial position.

Summary

The graph below shows the District's year-to-date Revenues, Expenditures and Net revenues.

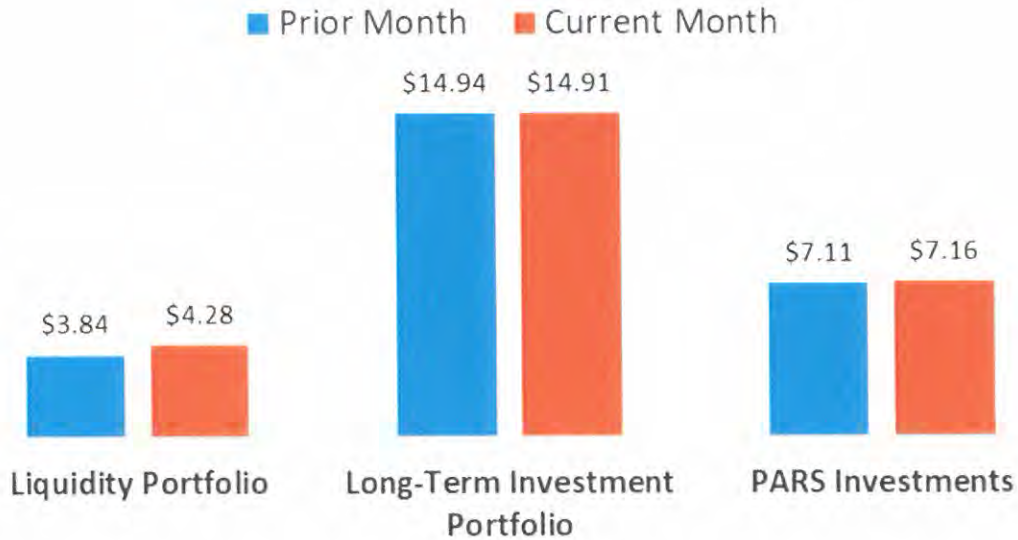
District Year-to-Date Performance (\$M)



Total revenues are under budget due to lower than expected water sales. Expenditures, including the PAYGO Capital Improvement Program expenditures, are below budget due to reduced water purchases due to lower demands and lower than budgeted operating and capital expenditures. Because expenditures are down more than revenues, net revenues are better than budgeted. This means that the District's financial performance over all is slightly better than budgeted.

The graph below shows the District's bank holdings reported in the Treasurer's Report at the end of the current and prior month.

District's Investment Holdings (\$M)



Overall the District's financial position improved this month with \$0.47 million more held in District accounts. The change in the Liquidity Portfolio, as shown in the operating results above is due to higher revenues and lower expenditures. Lower than budgeted capital expenditures is an important part of the District's ability to increase its investment holdings in these accounts.

Recommended Action

This item is for discussion only. No action is required.

M E M O

TO: Board of Directors
FROM: David Shank, Assistant General Manager/CFO 
DATE: October 28, 2019
SUBJECT: Treasurer's Report

Purpose

Provide the September, 2019 Treasurer's Report. Confirm that the District's investment portfolio is in compliance with the Investment Policy and that the District is able to meet the expenditure requirements for the next 6-months.

Notes

As shown by the increase in the Money Market account, monthly revenues were greater than expenditures.

Summary

Treasurer's Report September 30, 2019


Operations Summary

Disbursements	\$ 2,670,095
Receipts	\$ 2,662,438
Net change	\$ (7,657)

Account	Beginning Market Value	Ending Market Value	Change in Market Value	(Withdrawals) / Deposits	Yield	Percent of Total Investments
Operating Fund	\$ 26,657	\$ 18,999	NA	\$ (7,657)	0.4%	0.1%
Money Market	\$ 1,032,523	\$ 1,479,832	NA	\$ 447,309	0.4%	5.6%
LAIF	\$ 233,141	\$ 233,141	NA	\$ -	2.3%	0.9%
County Pool	\$ 15,177	\$ 15,242	NA	\$ 65	1.8%	0.1%
CAMP Liquidity Account	\$ 2,531,136	\$ 2,535,756	NA	\$ 4,620	2.2%	9.6%
District's Liquidity Portfolio	\$ 3,838,634	\$ 4,282,970	\$ -	\$ 444,336	1.6%	16.2%
PFM Managed Long-term Investment Portfolio*	\$ 14,937,982	\$ 14,912,657	\$ (25,325)	\$ -	2.8%	56.6%
PARS (OPEB & Pension Trust)**	\$ 7,112,765	\$ 7,163,708	\$ 50,943	\$ -	5.4%	27.2%
District Accounts Total	\$ 25,889,381	\$ 26,359,336	\$ 25,618	\$ 444,336	3.3%	100.0%

*\$6.21M of funds are from the sale of the Santa Margarita properties.

**\$3.78M of funds are from the sale of the Santa Margarita Properties.


 Dave Shank
 October 28, 2019



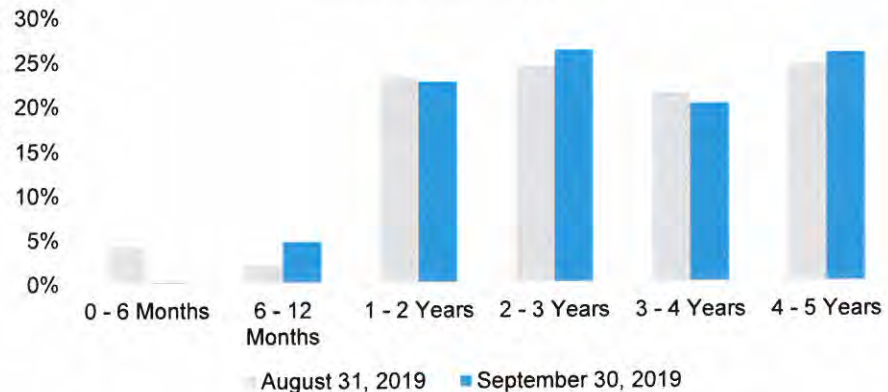
Fallbrook Public Utilities District - Holdings Summary

Security Type	August 31, 2019	September 30, 2019	Change (\$)	Change (%)
U.S. Treasury	\$8,165,965.23	\$8,270,552.23	\$104,587.00	1.3%
Supranational	\$139,749.12	\$139,763.54	\$14.42	0.0%
Municipal	\$172,645.20	\$172,473.50	(\$171.70)	-0.1%
Federal Agency CMO	\$113,472.81	\$112,498.13	(\$974.68)	-0.9%
Federal Agency	\$729,812.14	\$728,096.03	(\$1,716.11)	-0.2%
Corporate Note	\$3,816,027.55	\$4,051,127.68	\$235,100.13	6.2%
Negotiable CD	\$681,451.56	\$541,069.74	(\$140,381.82)	-20.6%
Asset-Backed Security	\$601,165.58	\$862,563.84	\$261,398.26	43.5%
Securities Total	\$14,420,289.19	\$14,878,144.69	\$457,855.50	3.2%
Money Market Fund	\$517,692.90	\$34,512.43	(\$483,180.47)	-93.3%
Total Investments	\$14,937,982.09	\$14,912,657.12	(\$25,324.97)	-0.2%

Summary

FY 19-20 Accrual Earnings	\$88,577.38
Yield to Maturity at Cost	2.19%
Weighted Average Maturity	2.83 Years

Maturity Distribution





Managed Account Fair Market Value & Analytics

For the Month Ending September 30, 2019

FPUD - INVESTMENT PORTFOLIO - 28710100

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	Broker	Next Call Date	Market Price	Market Value	Unreal G/L On Cost	Unreal G/L Amort Cost	Effective Duration	Duration to Worst at Mkt	YTM
Corporate Note											
AMERICAN HONDA FINANCE CORP NOTES DTD 10/10/2018 3.625% 10/10/2023	02665WCO2	90,000.00	CITIGRP		105.90	95,308.29	1,923.39	2,198.84	3.69	3.69	2.09
ABBOTT LABORATORIES CORP NOTES DTD 11/22/2016 3.400% 11/30/2023	002824BE9	135,000.00	GOLDMAN	09/30/23	104.88	141,582.47	3,198.02	3,475.30	3.75	3.70	2.17
CHARLES SCHWAB CORP NOTES DTD 10/31/2018 3.550% 02/01/2024	808513AY1	145,000.00	WELLS_FA		105.72	153,289.65	3,433.60	3,816.46	4.00	4.00	2.16
AMERICAN EXPRESS CO CORP NOTES DTD 02/22/2019 3.400% 02/22/2024	025816CC1	270,000.00	KEYBANC		104.58	282,375.45	1,553.85	2,038.02	4.07	4.07	2.30
MORGAN STANLEY CORP NOTES DTD 04/28/2014 3.875% 04/29/2024	61746BD06	150,000.00	WELLS_FA		106.38	159,574.50	795.00	1,120.25	4.14	4.14	2.39
CATERPILLAR FINL SERVICE CORP NOTES DTD 05/17/2019 2.850% 05/17/2024	14913O2V0	95,000.00	BMO		102.93	97,781.41	515.66	622.60	4.29	4.29	2.18
WASTE MANAGEMENT INC CORP NOTES DTD 05/22/2019 2.950% 06/15/2024	94106LBF5	100,000.00	MERRILL		103.48	103,476.40	707.40	726.95	4.35	4.35	2.17
AMERICAN HONDA FINANCE CORP NOTE DTD 06/27/2019 2.400% 06/27/2024	02665WCZ2	25,000.00	RBC		101.08	25,269.53	398.03	392.84	4.44	4.44	2.16
US BANCORP DTD 07/29/2019 2.400% 07/30/2024	91159HHX1	145,000.00	CSFB		101.29	146,864.41	1,993.46	1,989.33	4.53	4.53	2.12
WALT DISNEY COMPANY/THE DTD 09/06/2019 1.750% 08/30/2024	254687FK7	145,000.00	JPM_CHAS		99.01	143,571.17	(837.23)	(845.12)	4.68	4.68	1.96
Security Type Sub-Total		3,960,000.00				4,051,127.68	18,260.83	37,543.47	2.68	2.68	2.14
Certificate of Deposit											
WESTPAC BANKING CORP NY CD DTD 08/07/2017 2.050% 08/03/2020	96121T4A3	260,000.00	JPM_CHAS		100.21	260,544.18	544.18	544.18	0.84	0.84	1.72
SWEDBANK (NEW YORK) CERT DEPOS DTD 11/17/2017 2.270% 11/16/2020	87019U6D6	280,000.00	MERRILL		100.19	280,525.56	525.56	525.56	1.10	1.10	2.13
Security Type Sub-Total		540,000.00				541,069.74	1,069.74	1,069.74	0.97	0.97	1.93
Asset-Backed Security											
TOYOTA ABS 2016-C A3 DTD 08/10/2016 1.140% 08/15/2020	89237WAD9	1,486.99	MITSU		99.96	1,486.37	(0.58)	(0.61)	0.06	0.53	1.22



Managed Account Fair Market Value & Analytics

For the Month Ending September 30, 2019

FPUD - INVESTMENT PORTFOLIO - 28710100

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	Broker	Next Call Date	Market Price	Market Value	Unreal G/L On Cost	Unreal G/L Amort Cost	Effective Duration	Duration to Worst at Mkt	YTM
Asset-Backed Security											
JOHN DEERE ABS 2017-A A3 DTD 03/02/2017 1.780% 04/15/2021	47787XAC1	9,274.29	MERRILL		99.91	9,265.54	(7.42)	(8.17)	0.30	0.91	1.88
HYUNDAI ABS 2016-B A3 DTD 09/21/2016 1.290% 04/15/2021	44891EAC3	18,911.07	JPMCHASE		99.83	18,878.57	(29.95)	(31.78)	0.22	1.11	1.44
FORD ABS 2017-A A3 DTD 01/25/2017 1.670% 06/15/2021	34531EAD8	35,347.15	CITIGRP		99.85	35,293.47	(53.53)	(53.64)	0.32	1.09	1.81
JOHN DEERE ABS 2017-B A3 DTD 07/15/2017 1.820% 10/15/2021	47788BAD6	19,617.50	MITSU		99.85	19,587.09	(28.97)	(29.65)	0.53	0.93	1.99
ALLY ABS 2017-4 A3 DTD 08/23/2017 1.750% 12/15/2021	02007FAC9	61,653.13	DEUTSCHE		99.84	61,552.78	(99.56)	(99.94)	0.45	1.12	1.90
HAROT 2018-1 A3 DTD 02/28/2018 2.640% 02/15/2022	43814UAC3	124,858.34	SOCGEN		100.42	125,386.24	544.04	537.80	0.73	1.20	2.29
JDOT 2018-A A3 DTD 02/28/2018 2.660% 04/15/2022	47788CAC6	35,000.00	RBC		100.41	35,143.03	145.55	144.68	0.78	1.13	2.30
NAROT 2018-A A3 DTD 02/28/2018 2.650% 05/15/2022	65478DAD9	75,000.00	MERRILL		100.47	75,354.57	363.14	360.02	0.85	1.32	2.29
HAROT 2019-2 A3 DTD 05/29/2019 2.520% 06/21/2023	43815MAC0	75,000.00	JPM_CHAS		101.09	75,815.65	818.45	818.21	2.12	1.87	1.94
COPAR 2019-1 A3 DTD 05/30/2019 2.510% 11/15/2023	14042WAC4	40,000.00	JPM_CHAS		101.13	40,453.51	461.61	461.07	1.89	2.05	1.96
JOHN DEERE OWNER TRUST DTD 07/24/2019 2.210% 12/15/2023	477870AC3	30,000.00	RBC		100.66	30,197.50	203.87	203.52	2.26	1.71	1.83
GM FINANCIAL SECURITIZED TERM DTD 07/24/2019 2.180% 04/16/2024	36257PAD0	50,000.00	WELLS_FA		100.60	50,298.16	304.25	304.03	2.40	2.26	1.92
COMET 2019-A2 A2 DTD 09/05/2019 1.720% 08/15/2024	14041NFU0	285,000.00	RBC		99.60	283,851.36	(1,076.88)	(1,078.17)	2.79	2.42	1.89
Security Type Sub-Total		861,148.47				862,563.84	1,544.02	1,527.37	1.69	1.76	1.99
Managed Account Sub-Total		14,731,148.47				14,878,144.69	179,299.89	176,474.96	2.61	2.60	1.80



Managed Account Fair Market Value & Analytics

For the Month Ending **September 30, 2019**

FPUD - INVESTMENT PORTFOLIO - 28710100

Securities Sub-Total	\$14,731,148.47	\$14,878,144.69	\$179,299.89	\$176,474.96	2.61	2.60	1.80%
Accrued Interest		\$69,965.28					
Total Investments		\$14,948,109.97					



Managed Account Security Transactions & Interest

For the Month Ending September 30, 2019

FPUD - INVESTMENT PORTFOLIO - 28710100

Transaction Type	Trade	Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
BUY											
	08/28/19	09/05/19	COMET 2019-A2 A2 DTD 09/05/2019 1.720% 08/15/2024	14041NFU0	285,000.00	(284,928.24)	0.00	(284,928.24)			
	09/03/19	09/06/19	WALT DISNEY COMPANY/THE DTD 09/06/2019 1.750% 08/30/2024	254687FK7	145,000.00	(144,408.40)	0.00	(144,408.40)			
	09/16/19	09/18/19	WASTE MANAGEMENT INC CORP NOTES DTD 05/22/2019 2.950% 06/15/2024	94106LBF5	100,000.00	(102,769.00)	(950.56)	(103,719.56)			
	09/17/19	09/17/19	FHLB DISC NOTE DTD 09/18/2018 0.000% 09/18/2019	313384LW7	125,000.00	(124,984.38)	0.00	(124,984.38)			
	09/18/19	09/19/19	US TREASURY NOTES DTD 08/15/2018 2.750% 08/15/2021	9128284W7	115,000.00	(117,169.73)	(300.78)	(117,470.51)			
	09/24/19	09/25/19	US TREASURY NOTES DTD 09/30/2014 2.125% 09/30/2021	912828F21	215,000.00	(216,822.46)	(2,221.96)	(219,044.42)			
Transaction Type Sub-Total					985,000.00	(991,082.21)	(3,473.30)	(994,555.51)			

INTEREST											
	09/01/19	09/01/19	CITIGROUP INC CORP NOTES DTD 02/20/2013 3.375% 03/01/2023	172967GL9	150,000.00	0.00	2,531.25	2,531.25			
	09/01/19	09/25/19	FHLMC SERIES K721 A2 DTD 12/01/2015 3.090% 08/25/2022	3137BM6P6	110,000.00	0.00	283.25	283.25			
	09/03/19	09/03/19	MONEY MARKET FUND	MONEY0002	0.00	0.00	179.95	179.95			
	09/04/19	09/04/19	INTL BANK OF RECON AND DEV GLOBAL NOTES DTD 08/29/2017 1.625% 09/04/2020	459058GA5	140,000.00	0.00	1,138.20	1,138.20			
	09/15/19	09/15/19	HAROT 2018-1 A3 DTD 02/28/2018 2.640% 02/15/2022	43814UAC3	125,000.00	0.00	275.00	275.00			
	09/15/19	09/15/19	JDOT 2018-A A3 DTD 02/28/2018 2.660% 04/15/2022	47788CAC6	35,000.00	0.00	77.58	77.58			
	09/15/19	09/15/19	TOYOTA ABS 2016-C A3 DTD 08/10/2016 1.140% 08/15/2020	89237WAD9	3,097.20	0.00	2.94	2.94			
	09/15/19	09/15/19	HYUNDAI ABS 2016-B A3 DTD 09/21/2016 1.290% 04/15/2021	44891EAC3	22,930.95	0.00	24.65	24.65			
	09/15/19	09/15/19	JOHN DEERE OWNER TRUST DTD 07/24/2019 2.210% 12/15/2023	477870AC3	30,000.00	0.00	93.93	93.93			



Managed Account Security Transactions & Interest

For the Month Ending September 30, 2019

FPUD - INVESTMENT PORTFOLIO - 28710100

Transaction Type	Trade	Settle	Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
INTEREST											
	09/15/19	09/15/19	FORD ABS 2017-A A3 DTD 01/25/2017 1.670% 06/15/2021	34531EAD8	40,722.17	0.00	56.67	56.67			
	09/15/19	09/15/19	JOHN DEERE ABS 2017-A A3 DTD 03/02/2017 1.780% 04/15/2021	47787XAC1	10,700.46	0.00	15.87	15.87			
	09/15/19	09/15/19	ALLY ABS 2017-4 A3 DTD 08/23/2017 1.750% 12/15/2021	02007FAC9	67,865.80	0.00	98.97	98.97			
	09/15/19	09/15/19	NAROT 2018-A A3 DTD 02/28/2018 2.650% 05/15/2022	65478DAD9	75,000.00	0.00	165.63	165.63			
	09/15/19	09/15/19	JOHN DEERE ABS 2017-B A3 DTD 07/15/2017 1.820% 10/15/2021	47788BAD6	21,095.30	0.00	31.99	31.99			
	09/15/19	09/15/19	COPAR 2019-1 A3 DTD 05/30/2019 2.510% 11/15/2023	14042WAC4	40,000.00	0.00	83.67	83.67			
	09/15/19	09/15/19	NATIONAL RURAL UTIL COOP NOTE DTD 02/26/2018 2.900% 03/15/2021	63743HER9	60,000.00	0.00	870.00	870.00			
	09/16/19	09/16/19	GM FINANCIAL SECURITIZED TERM DTD 07/24/2019 2.180% 04/16/2024	36257PAD0	50,000.00	0.00	90.83	90.83			
	09/21/19	09/21/19	HAROT 2019-2 A3 DTD 05/29/2019 2.520% 06/21/2023	43815MAC0	75,000.00	0.00	157.50	157.50			
	09/25/19	09/25/19	MUFG BANK LTD/NY CERT DEPOS DTD 09/27/2017 2.070% 09/25/2019	06539RGM3	140,000.00	0.00	2,938.25	2,938.25			
	09/28/19	09/28/19	FHLB NOTES DTD 09/08/2017 1.375% 09/28/2020	3130ACE26	245,000.00	0.00	1,684.38	1,684.38			
	09/28/19	09/28/19	FHLB NOTES DTD 09/08/2017 1.375% 09/28/2020	3130ACE26	10,000.00	0.00	68.75	68.75			
	09/30/19	09/30/19	US TREASURY NOTES DTD 09/30/2014 2.125% 09/30/2021	912828F21	215,000.00	0.00	2,284.38	2,284.38			
	09/30/19	09/30/19	US TREASURY NOTES DTD 09/30/2015 1.750% 09/30/2022	912828L57	175,000.00	0.00	1,531.25	1,531.25			
	09/30/19	09/30/19	US TREASURY N/B DTD 03/31/2017 2.125% 03/31/2024	912828W71	145,000.00	0.00	1,540.63	1,540.63			
	09/30/19	09/30/19	US TREASURY NOTES DTD 03/31/2016 1.500% 03/31/2023	912828Q29	1,400,000.00	0.00	10,500.00	10,500.00			
	09/30/19	09/30/19	US TREASURY NOTES DTD 09/30/2015 1.750% 09/30/2022	912828L57	155,000.00	0.00	1,356.25	1,356.25			



Managed Account Security Transactions & Interest

For the Month Ending September 30, 2019

FPUD - INVESTMENT PORTFOLIO - 28710100

Transaction Type		Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
Trade	Settle									
INTEREST										
09/30/19	09/30/19	US TREASURY N/B DTD 09/30/2016 1.375% 09/30/2023	912828T26	320,000.00	0.00	2,200.00	2,200.00			
09/30/19	09/30/19	US TREASURY NOTES DTD 09/30/2015 1.750% 09/30/2022	912828L57	250,000.00	0.00	2,187.50	2,187.50			
09/30/19	09/30/19	US TREASURY NOTES DTD 03/31/2017 1.875% 03/31/2022	912828W89	110,000.00	0.00	1,031.25	1,031.25			
Transaction Type Sub-Total				4,221,411.88	0.00	33,500.52	33,500.52			
MATURITY										
09/18/19	09/18/19	FHLB DISC NOTE DTD 09/18/2018 0.000% 09/18/2019	313384LW7	125,000.00	125,000.00	0.00	125,000.00	15.62	0.00	
09/25/19	09/25/19	MUFG BANK LTD/NY CERT DEPOS DTD 09/27/2017 2.070% 09/25/2019	06539RGM3	140,000.00	140,000.00	0.00	140,000.00	0.00	0.00	
Transaction Type Sub-Total				265,000.00	265,000.00	0.00	265,000.00	15.62	0.00	
PAYDOWNS										
09/15/19	09/15/19	JOHN DEERE ABS 2017-B A3 DTD 07/15/2017 1.820% 10/15/2021	47788BAD6	1,477.80	1,477.80	0.00	1,477.80	0.11	0.00	
09/15/19	09/15/19	ALLY ABS 2017-4 A3 DTD 08/23/2017 1.750% 12/15/2021	02007FAC9	6,212.67	6,212.67	0.00	6,212.67	0.08	0.00	
09/15/19	09/15/19	TOYOTA ABS 2016-C A3 DTD 08/10/2016 1.140% 08/15/2020	89237WAD9	1,610.21	1,610.21	0.00	1,610.21	0.04	0.00	
09/15/19	09/15/19	HAROT 2018-1 A3 DTD 02/28/2018 2.640% 02/15/2022	43814UAC3	141.66	141.66	0.00	141.66	0.02	0.00	
09/15/19	09/15/19	HYUNDAI ABS 2016-B A3 DTD 09/21/2016 1.290% 04/15/2021	44891EAC3	4,019.88	4,019.88	0.00	4,019.88	0.54	0.00	
09/15/19	09/15/19	FORD ABS 2017-A A3 DTD 01/25/2017 1.670% 06/15/2021	34531EAD8	5,375.02	5,375.02	0.00	5,375.02	0.02	0.00	
09/15/19	09/15/19	JOHN DEERE ABS 2017-A A3 DTD 03/02/2017 1.780% 04/15/2021	47787XAC1	1,426.17	1,426.17	0.00	1,426.17	0.20	0.00	
Transaction Type Sub-Total				20,263.41	20,263.41	0.00	20,263.41	1.01	0.00	



Managed Account Security Transactions & Interest

For the Month Ending **September 30, 2019**

FPUD - INVESTMENT PORTFOLIO - 28710100

Transaction Type		Security Description	CUSIP	Par	Principal Proceeds	Accrued Interest	Total	Realized G/L Cost	Realized G/L Amort Cost	Sale Method
Trade	Settle									
SELL										
09/03/19	09/06/19	US TREASURY NOTES DTD 03/31/2016 1.500% 03/31/2023	912828O29	90,000.00	90,421.88	586.48	91,008.36	2,984.77	2,767.47	FIFO
09/16/19	09/18/19	US TREASURY N/B NOTES DTD 06/30/2017 2.000% 06/30/2024	912828XX3	100,000.00	101,167.97	434.78	101,602.75	93.75	136.98	FIFO
Transaction Type Sub-Total				190,000.00	191,589.85	1,021.26	192,611.11	3,078.52	2,904.45	
Managed Account Sub-Total					(514,228.95)	31,048.48	(483,180.47)	3,095.15	2,904.45	
Total Security Transactions						(\$514,228.95)	\$31,048.48	(\$483,180.47)	\$3,095.15	\$2,904.45



Account Statement

For the Month Ending **September 30, 2019**

Fallbrook Public Utility District - Liquidity - 6050-004

Trade Date	Settlement Date	Transaction Description	Share or Unit Price	Dollar Amount of Transaction	Total Shares Owned
CAMP Pool					
Opening Balance					2,531,136.30
09/30/19	10/01/19	Accrual Income Div Reinvestment - Distributions	1.00	4,619.84	2,535,756.14
Closing Balance					2,535,756.14

	Month of September	Fiscal YTD July-September
Opening Balance	2,531,136.30	2,821,437.95
Purchases	4,619.84	614,318.19
Redemptions (Excl. Checks)	0.00	(900,000.00)
Check Disbursements	0.00	0.00
Closing Balance	2,535,756.14	2,535,756.14
Cash Dividends and Income	4,619.84	14,318.19

Closing Balance	2,535,756.14
Average Monthly Balance	2,531,290.29
Monthly Distribution Yield	2.22%



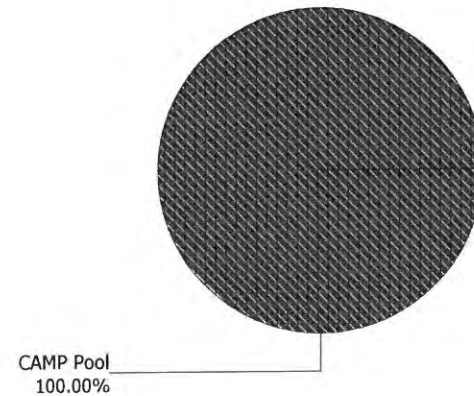
Account Statement - Transaction Summary

For the Month Ending **September 30, 2019**

Fallbrook Public Utility District - Liquidity - 6050-004

CAMP Pool	
Opening Market Value	2,531,136.30
Purchases	4,619.84
Redemptions	0.00
Unsettled Trades	0.00
Change in Value	0.00
Closing Market Value	\$2,535,756.14
Cash Dividends and Income	4,619.84

Asset Summary		
	September 30, 2019	August 31, 2019
CAMP Pool	2,535,756.14	2,531,136.30
Total	\$2,535,756.14	\$2,531,136.30
Asset Allocation		



**FALLBROOK PUBLIC UTILITY DISTRICT
PARS Post-Employment Benefits Trust**

**Account Report for the Period
9/1/2019 to 9/30/2019**

David Shank
Assistant General Manager/CFO
Fallbrook Public Utility District
990 East Mission Road
Fallbrook, CA 92028

Account Summary

Source	Beginning Balance as of 9/1/2019	Contributions	Earnings	Expenses	Distributions	Transfers	Ending Balance as of 9/30/2019
OPEB	\$1,007,308.27	\$0.00	\$7,424.45	\$209.86	\$0.00	\$0.00	\$1,014,522.86
PENSION	\$6,105,456.51	\$0.00	\$45,000.76	\$1,271.97	\$0.00	\$0.00	\$6,149,185.30
Totals	\$7,112,764.78	\$0.00	\$52,425.21	\$1,481.83	\$0.00	\$0.00	\$7,163,708.16

Investment Selection

Source	
OPEB	Moderate HighMark PLUS
PENSION	Moderate HighMark PLUS

Investment Objective

Source	
OPEB	The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.
PENSION	The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.

Investment Return

Source	1-Month	3-Months	1-Year	Annualized Return			Plan's Inception Date
				3-Years	5-Years	10-Years	
OPEB	0.73%	0.84%	5.53%	-	-	-	2/16/2017
PENSION	0.74%	0.84%	5.36%	-	-	-	2/16/2017


Information as provided by US Bank, Trustee for PARS; Not FDIC Insured; No Bank Guarantee; May Lose Value

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which could reduce returns. Information is deemed reliable but may be subject to change.

Investment Return: Annualized rate of return is the return on an investment over a period other than one year multiplied or divided to give a comparable one-year return.

Account balances are inclusive of Trust Administration, Trustee and Investment Management fees

MEMO

TO: Board of Directors
FROM: David Shank, Assistant General Manager/CFO 
DATE: October 28, 2019
SUBJECT: Budget Status Report for Fiscal Year 2019-2020

Purpose

Provide a Budget Status Report (BSR) to the Board.

Summary

The BSR shows the District's financial performance compared to the budget for the month of September, Year-to-Date and the annual budgeted amount.

Total revenues year-to-date are below budget by 12.8%. This under performance is due to lagging water sales, which as shown in the monthly water sales chart below are 17% below budget. While sales have ticked up a bit, staff continue analyzing recent water use trends to identify where use patterns are changing and what is driving them.

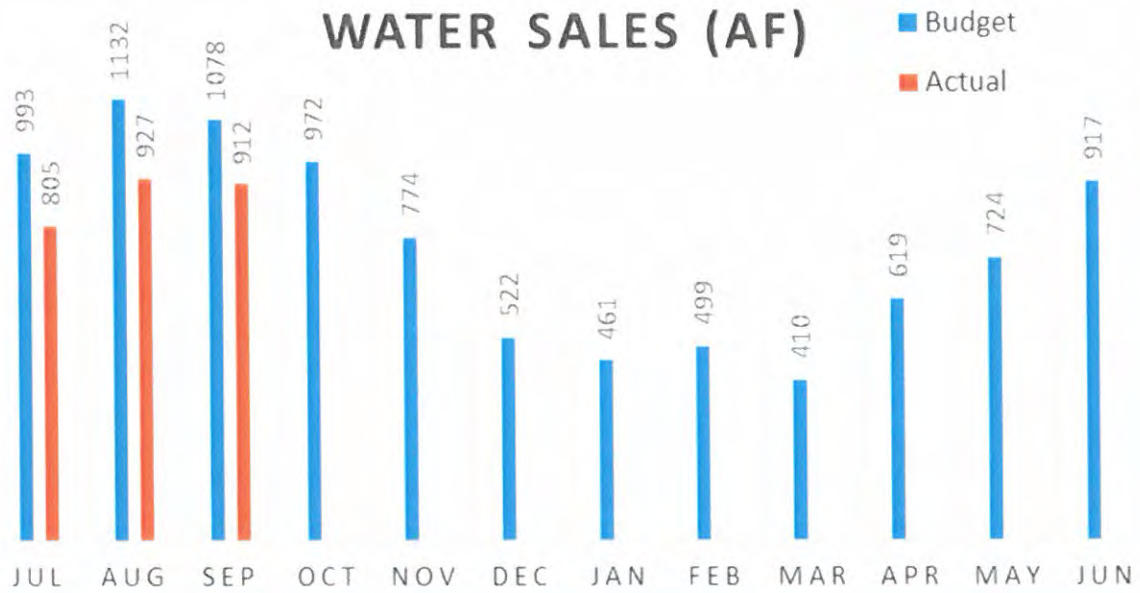
Non-operating revenues have been higher than budgeted helping to offset lower operating revenues. The higher than budgeted non-operating revenues have been driven by capacity charge revenues along with facility rent and other non-operating revenues, which are over the budgeted levels.

The District's year-to-date total expenditures are under budget due to the lower than budgeted purchased water expense, which is a result of lower water sales levels and lower than budgeted operating expenditures.

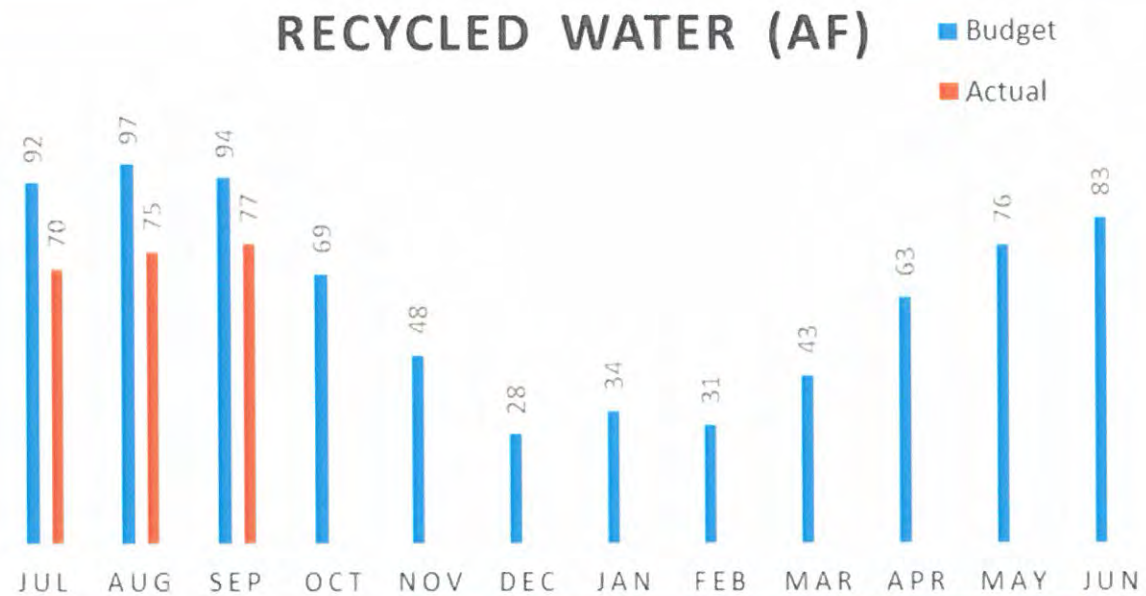
Total revenue is \$9,633,136 or 12.8% under budget and total expenditures are \$7,625,640 or 17.4% under budget. Capital spending increased this month and is currently 13% under budget and expected to continue its trend towards budget. These financial results put the District in a financial position that is slightly better than budget expectations.

Recommended Action

This item is for discussion only. No action is required.



Year-to-Date Actual 2,644 AF Year-to-Date Budget 3,203 AF



Year-to-Date Actual 222 AF Year-to-Date Budget 283 AF

Monthly Budget Report for September

Favorable Variance Shown as a positive number

	Current Month		Year-To-Date				Annual Budget		
	Actual	Budget	Actual	Budget	Variance	%	Budget	Remaining Balance	%
Operating Revenues:								Year remaining	75.0%
Water Sales	1,746,384	2,143,527	5,091,171	6,371,885	(1,280,713)	-20.1%	18,260,894	13,169,723	72.1%
Water Meter Service Charges	561,145	561,287	1,681,271	1,683,862	(2,591)	-0.2%	7,004,867	5,323,596	76.0%
Wastewater Service Charges	486,940	546,960	1,474,778	1,640,881	(166,102)	-10.1%	6,214,076	4,739,298	76.3%
Recycled Water Revenues	124,005	161,608	366,512	488,207	(121,694)	-24.9%	1,382,830	1,016,317	73.5%
Other Operating Revenue	-	917	-	2,750	(2,750)	-100.0%	11,000	11,000	100.0%
CWA Rebates	14,420	4,167	41,560	12,501	29,059	232.5%	50,003	8,443	16.9%
Total Operating Revenue	2,932,894	3,418,466	8,655,294	10,200,085	(1,544,791)	-15.1%	32,923,670	24,268,376	73.7%
Non Operating Revenues:									
Water Capital Improvement Charge	111,957	115,892	335,698	347,676	(11,977)	-3.4%	1,390,702	1,055,004	75.9%
Wastewater Capital Improvement Charge	97,052	98,775	291,122	296,325	(5,203)	-1.8%	1,185,299	894,177	75.4%
Property Taxes	11,074	18,302	42,871	58,148	(15,278)	-26.3%	1,918,296	1,875,425	97.8%
Water Standby/Availability Charge	3	-	5	-	5	NA	203,000	202,995	100.0%
Water/Wastewater Capacity Charges	29,229	8,460	77,110	25,381	51,729	203.8%	101,522	24,412	24.0%
Portfolio Interest	41,642	23,712	96,139	71,136	25,003	35.1%	284,544	188,405	66.2%
Pumping Capital Improvement Charge	3,482	3,083	9,827	9,250	577	6.2%	37,000	27,173	73.4%
Federal Interest Rate Subsidy	-	-	-	-	-	NA	122,647	122,647	100.0%
Facility Rents	23,625	-	54,084	-	54,084	NA	-	(54,084)	NA
Other Non-Operating Revenues	16,457	15,004	70,986	45,012	25,975	57.7%	180,046	109,060	60.6%
Total Non Operating Revenues	334,521	283,228	977,842	852,926	124,916	14.6%	5,423,052	4,445,210	82.0%
Total Revenues	3,267,415	3,701,694	9,633,136	11,053,011	(1,419,876)	-12.8%	38,346,722	28,713,586	74.9%
Expenditures									
Purchased Water Expense	1,508,452	1,709,150	4,098,619	5,085,243	986,624	19.4%	15,677,132	11,578,513	73.9%
Water Services	224,317	236,599	897,789	1,039,727	141,938	13.7%	3,075,784	2,177,995	70.8%
Wastewater Services	164,077	215,286	823,643	929,861	106,218	11.4%	2,798,723	1,975,079	70.6%
Recycled Water Services	20,373	43,342	141,801	178,149	36,348	20.4%	563,440	421,639	74.8%
Administrative Services	442,392	464,397	1,663,787	1,995,743	331,956	16.6%	6,037,157	4,373,370	72.4%
Total Operating Expenses	2,359,611	2,668,773	7,625,640	9,228,723	1,603,084	17.4%	29,247,787	21,622,147	73.9%
Debt Service Expenses									
Red Mountain SRF	-	-	197,925	197,925	-	0.0%	395,850	197,925	50.0%
WWTP SRF	-	-	-	-	-	NA	1,845,746	1,845,746	100.0%
QECB Solar Debt (Net of Subsidy)	-	-	-	-	-	NA	519,674	519,674	100.0%
Total Debt Service	-	-	197,925	197,925	-	0.0%	2,761,270	2,563,345	92.8%
Total Expenses	2,359,611	2,668,773	7,823,565	9,426,648	1,603,084	17.0%	32,009,056	24,185,492	75.6%
Net Revenue/(loss) From Operations and Debt Service	907,805	1,032,921	1,809,571	1,626,363	183,208	11%	6,337,665	4,528,095	71.4%
Capital Investment									
Capital Investment									
Construction Expenditures*	525,095	528,134	932,779	1,071,634	138,855	13.0%	6,529,933	5,597,154	85.7%
SRF Loan Proceeds Draw (Capital Project Funds)	-	-	-	-	-	-	(27,179,100)	-	-
Net Revenue/(Loss)	382,710	504,786	876,792	554,729	322,063	58.1%	26,986,832	26,110,041	96.8%

*CIP expenditures related to the SMCUP have been updated based upon contractor draw scheduled and are funded by SRF Loan proceeds

9/30/2019

Treasurer's Warrant No. September

TO: Treasurer of the Fallbrook Public Utility District

The bills and claims listed below are approved as authorized by resolution no. 3538 of the Board of Directors dated July 8, 1985. You are hereby authorized and directed to pay said prospective claims for the amounts stated (less discounts in instances where discounts are allowed).

Payroll -9/19

Computer Check Register

Payroll #1	\$143,554.67
Payroll #2	<u>\$138,046.55</u>
	<u>\$281,601.22</u>

Accounts Payable

Checks by Date - Summary by Check Date

User: annaleceb
Printed: 10/2/2019 8:29 AM



Fallbrook Public Utility District

Purchasing Dept. Phone: (760) 728-1151, Fax: (760) 728-8491

Main Office Phone: (760) 728-1125, Fax: (760) 728-6029

Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	06763	PERS - PAYROLL	09/04/2019	700.00
81749	06323	ADVANCED COMMUNICATION SYSTE	09/04/2019	1,258.97
81750	91472	ADVANCED WELDTEC, INC.	09/04/2019	9,875.00
81751	01460	AFLAC	09/04/2019	1,018.76
81752	91286	AMAZON CAPITAL SERVICES, INC.	09/04/2019	1,045.11
81753	91216	APGN INC	09/04/2019	5,869.00
81754	06235	JACK BEBEE	09/04/2019	168.56
81755	05615	BOOT WORLD INC.	09/04/2019	601.80
81756	91429	BSK ASSOCIATES	09/04/2019	9,700.00
81757	06375	CALGON CARBON CORPORATION	09/04/2019	3,568.27
81758	04178	CALOLYMPIC SAFETY CO., INC.	09/04/2019	290.80
81759	91210	CORE & MAIN LP	09/04/2019	646.50
81760	06299	D & H WATER SYSTEMS, INC	09/04/2019	1,600.69
81761	91129	JENNIFER DEMEO	09/04/2019	107.65
81762	91123	DIGITAL DEVELOPMENT, INC.	09/04/2019	550.00
81763	03391	ELECTRICAL SALES INC	09/04/2019	2,761.96
81764	06507	EUROFINS EATON ANALYTICAL INC	09/04/2019	2,400.00
81765	91316	FALLBROOK HEATING & AIR CONDIT	09/04/2019	139.00
81766	00169	FALLBROOK OIL COMPANY	09/04/2019	1,167.95
81767	02411	FALLBROOK PRINTING CORP	09/04/2019	1,132.57
81768	05380	HACH CO	09/04/2019	145.14
81769	91473	HARRIS & ASSOCIATES	09/04/2019	3,025.00
81770	06329	HILL BROTHERS CHEMICAL COMPAN	09/04/2019	1,731.63
81771	05505	TODD JESTER	09/04/2019	60.00
81772	04027	JOES HARDWARE	09/04/2019	1,351.37
81773	91192	MISSION LINEN SUPPLY	09/04/2019	1,578.34
81774	91471	MICHAEL MUSTO	09/04/2019	232.35
81775	00718	NATIONWIDE RETIREMENT SOLUTIO	09/04/2019	3,377.00
81776	91446	NIGRO & NIGRO, PC	09/04/2019	5,192.80
81777	91167	NORTH COUNTY FORD	09/04/2019	70.53
81778	91270	PROFESSIONAL CONTRACTORS SUPP	09/04/2019	755.87
81779	UB*00277	KURT SCHAEFER	09/04/2019	51.88
81780	00236	SCRAPPYS	09/04/2019	409.47
81781	05415	STATE WATER RESOURCE CONTROL I	09/04/2019	60.00
81782	00159	SUPERIOR READY MIX	09/04/2019	3,355.64
81783	91385	VERONICA TAMZIL	09/04/2019	60.00
81784	06211	UNITED IMAGING	09/04/2019	441.85
81785	06231	WESTERN WATER WORKS SUPPLY CC	09/04/2019	5,681.45
81786	91130	LINCOLN NATIONAL LIFE INSURANC	09/04/2019	3,848.66
Total for 9/4/2019:				76,031.57
ACH	00152	FPUD EMPL ASSOCIATION	09/12/2019	507.50
ACH	00718	NATIONWIDE RETIREMENT SOLUTIO	09/12/2019	3,377.00
ACH	06758	US TREASURY - PAYROLL TAXES	09/12/2019	54,576.99
ACH	06759	STATE OF CA - PR TAXES	09/12/2019	8,684.65
ACH	06760	STATE OF CA - SDI	09/12/2019	2,053.48

Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	06761	LINCOLN FINANCIAL GROUP	09/12/2019	8,219.92
ACH	06763	PERS - PAYROLL	09/12/2019	38,053.85
81792	06359	INFRASTRUCTURE ENGINEERING CO	09/12/2019	8,661.20
81793	06555	LIEBERT CASSIDY WHITMORE	09/12/2019	98.00
81794	00231	SAN DIEGO COUNTY WATER AUTH	09/12/2019	1,387,620.11
81795	91286	AMAZON CAPITAL SERVICES, INC.	09/12/2019	3,418.14
81796	91216	APGN INC	09/12/2019	5,489.37
81797	06771	ART'S TRENCH PLAT & K-RAIL	09/12/2019	11,603.60
81798	02805	ASBURY ENVIRONMENTAL SERVICES	09/12/2019	1,027.80
81799	05088	AT&T	09/12/2019	789.74
81800	91206	BIRKSCO	09/12/2019	455.00
81801	91429	BSK ASSOCIATES	09/12/2019	2,425.00
81802	06375	CALGON CARBON CORPORATION	09/12/2019	313.26
81803	03978	CAMERON WELDING SUPPLY	09/12/2019	453.47
81804	01719	MICKEY M. CASE	09/12/2019	60.00
81805	03205	CITY OF OCEANSIDE	09/12/2019	3,222.15
81806	91210	CORE & MAIN LP	09/12/2019	3,337.78
81807	02176	CORELOGIC SOLUTIONS, LLC	09/12/2019	225.00
81808	05953	CORODATA RECORDS MANAGEMENT	09/12/2019	735.57
81809	06675	CORODATA SHREDDING, INC	09/12/2019	61.37
81810	02925	DATA NET SOLUTIONS	09/12/2019	495.00
81811	91475	DIAMOND AUTO REPAIR	09/12/2019	575.89
81812	03391	ELECTRICAL SALES INC	09/12/2019	318.68
81813	91469	ENVIRONMENTAL WATER SOLUTION	09/12/2019	4,129.06
81814	91316	FALLBROOK HEATING & AIR CONDIT	09/12/2019	1,110.00
81815	01099	FALLBROOK IRRIGATION INC	09/12/2019	37.26
81816	00169	FALLBROOK OIL COMPANY	09/12/2019	5,157.77
81817	02411	FALLBROOK PRINTING CORP	09/12/2019	1,132.57
81818	01155	FALLBROOK REFUSE	09/12/2019	159.00
81819	00170	FALLBROOK WASTE & RECYCLING	09/12/2019	1,284.40
81820	01432	FERGUSON WATERWORKS #1083	09/12/2019	152.57
81821	02972	FISHER SCIENTIFIC COMPANY LLC	09/12/2019	130.38
81822	02170	GRAINGER, INC.	09/12/2019	1,010.48
81823	05380	HACH CO	09/12/2019	1,184.29
81824	06062	HARRINGTON INDUSTRIAL PLASTICS	09/12/2019	2,841.17
81825	06577	INFOSEND INC	09/12/2019	10,915.87
81826	06463	IOTUM INC.	09/12/2019	38.77
81827	06267	J2 GLOBAL IRELAND LIMITED	09/12/2019	59.91
81828	04027	JOES HARDWARE	09/12/2019	386.44
81829	91029	MALLORY SAFETY AND SUPPLY CO	09/12/2019	813.46
81830	06596	MCS INSPECTION GROUP	09/12/2019	22,876.50
81831	90932	NAPA AUTO PARTS	09/12/2019	1,336.88
81832	03201	NATIONAL SAFETY COMPLIANCE INC	09/12/2019	262.35
81833	91167	NORTH COUNTY FORD	09/12/2019	376.03
81834	00370	NUTRIEN AG SOLUTIONS, INC.	09/12/2019	473.12
81835	91461	OCEANSIDE SECURITY AGENCY	09/12/2019	2,231.00
81836	06298	ONESOURCE DISTRIBUTORS, LLC	09/12/2019	1,563.18
81837	01267	PACIFIC PIPELINE	09/12/2019	8,165.02
81838	91430	PALOMAR RESEARCH SERVICES LLC	09/12/2019	105.00
81839	91207	PARRISH & SON SPECIALTIES	09/12/2019	544.20
81840	91270	PROFESSIONAL CONTRACTORS SUPP	09/12/2019	474.42
81841	91155	QUALITY GATE COMPANY	09/12/2019	735.95
81842	00232	SAN DIEGO GAS & ELECTRIC	09/12/2019	62,824.91
81843	06401	SONSRAY MACHINERY LLC	09/12/2019	1,838.69
81844	91107	SPECTRUM BUSINESS	09/12/2019	115.64
81845	05319	T.S. INDUSTRIAL SUPPLY	09/12/2019	581.87
81846	91419	TEMECULA TROPHY & DESIGN	09/12/2019	26.10

Check No	Vendor No	Vendor Name	Check Date	Check Amount
81847	00724	UNDERGROUND SERVICE ALERT	09/12/2019	634.39
81848	00458	VERIZON WIRELESS	09/12/2019	2,321.77
81849	04290	VILLAGE NEWS, INC.	09/12/2019	820.00
81850	91310	VOLT WORKFORCE SOLUTIONS	09/12/2019	412.62
81851	06554	VOLVO CONSTRUCTION EQUIPMENT	09/12/2019	10,069.96
81852	02960	VWR INTERNATIONAL INC	09/12/2019	167.04
81853	91474	ARMSTRONG STEEL CORPORATION	09/12/2019	7,787.00
81854	05192	DIAMOND ENVIRONMENTAL SERVIC	09/12/2019	266.20
81855	00161	FALLBROOK CHAMBER OF COMMER	09/12/2019	30.00
81856	91110	GOVERNMENTJOBS.COM, INC.	09/12/2019	4,685.63
81857	05936	SAN DIEGO COUNTY RECORDER	09/12/2019	50.00
81858	91423	SUPER FRAME & ART	09/12/2019	10.88

Total for 9/12/2019:

1,709,189.27

ACH	06763	PERS - PAYROLL	09/18/2019	500.00
81859	00101	ACWA JPIA	09/18/2019	93,342.02
81860	UB*00281	PROPERTY ADVANTAGE	09/18/2019	202.12
81861	91286	AMAZON CAPITAL SERVICES, INC.	09/18/2019	1,242.52
81862	04995	AMERICAN MESSAGING	09/18/2019	232.57
81863	91229	AMP UNITED LLC	09/18/2019	105,252.11
81864	06431	BLACK & VEATCH CORPORATION	09/18/2019	20,638.54
81865	91241	LISA CHAFFIN	09/18/2019	60.00
81866	91271	COUNCIL OF WATER UTILITIES	09/18/2019	45.00
81867	02925	DATA NET SOLUTIONS	09/18/2019	385.00
81868	05180	NOELLE DENKE	09/18/2019	59.16
81869	05985	SOLEIL DEVELLE	09/18/2019	622.60
81870	05192	DIAMOND ENVIRONMENTAL SERVIC	09/18/2019	213.15
81871	04944	DLT SOLUTIONS LLC	09/18/2019	2,629.63
81872	06303	EXECUTIVE LANDSCAPE INC.	09/18/2019	700.00
81873	91316	FALLBROOK HEATING & AIR CONDIT	09/18/2019	618.00
81874	02972	FISHER SCIENTIFIC COMPANY LLC	09/18/2019	120.45
81875	06286	GARDA CL WEST, INC.	09/18/2019	267.08
81876	09517	GENCO	09/18/2019	366.35
81877	UB*00279	JOSH GUERRETTAZ	09/18/2019	26.66
81878	06359	INFRASTRUCTURE ENGINEERING CO	09/18/2019	9,793.43
81879	06380	JANI-KING OF CALIFORNIA, INC - SAI	09/18/2019	2,777.45
81880	00190	JCI JONES CHEMICALS INC.	09/18/2019	3,385.23
81881	UB*00287	JESSICA KOBLE	09/18/2019	8.16
81882	04926	KONICA MINOLTA PREMIER FINANCE	09/18/2019	1,845.14
81883	91304	LEARNSOFT CONSULTING INC	09/18/2019	250.00
81884	UB*00283	TJRF ASSOCIATES LLC	09/18/2019	96.53
81885	UB*00286	TY MCMAHON	09/18/2019	14.54
81886	UB*00278	ANTHONY & ALISA MORETTO	09/18/2019	14.41
81887	06338	MYTHOS TECHNOLOGY INC	09/18/2019	1,681.94
81888	04581	NEIMAN'S COLLISION CENTER, INC.	09/18/2019	1,773.51
81889	UB*00285	ALL COUNTY COMMUNITY PROPERT	09/18/2019	108.63
81890	04075	RAYNE WATER SYSTEMS	09/18/2019	130.00
81891	UB*00284	MARK & DEBRA RIESENBERG	09/18/2019	41.69
81892	UB*00280	VALENCIA SAADAT	09/18/2019	115.21
81893	00236	SCRAPPYS	09/18/2019	1,970.26
81894	02927	TIM STERGER	09/18/2019	60.00
81895	91223	STERLING HEALTH SERVICES INC.	09/18/2019	125.00
81896	91082	TELETRAC, INC	09/18/2019	2,033.18
81897	91404	UPS STORE #3607	09/18/2019	143.14
81898	UB*00282	JOSEPH VOLK	09/18/2019	8.62
81899	91310	VOLT WORKFORCE SOLUTIONS	09/18/2019	412.62

Check No	Vendor No	Vendor Name	Check Date	Check Amount
81900	91480	WAVE CONNECTS	09/18/2019	599.63
Total for 9/18/2019:				254,911.28
ACH	00152	FPUD EMPL ASSOCIATION	09/26/2019	507.50
ACH	00718	NATIONWIDE RETIREMENT SOLUTIO	09/26/2019	3,377.00
ACH	06758	US TREASURY - PAYROLL TAXES	09/26/2019	52,618.33
ACH	06759	STATE OF CA - PR TAXES	09/26/2019	8,345.18
ACH	06760	STATE OF CA - SDI	09/26/2019	1,981.48
ACH	06761	LINCOLN FINANCIAL GROUP	09/26/2019	8,219.92
ACH	06763	PERS - PAYROLL	09/26/2019	37,944.08
81906	00805	ACWA/JOINT POWERS INS.	09/26/2019	42,605.28
81907	91184	4IMPRINT INC	09/26/2019	669.85
81908	05317	ACWA JPIA	09/26/2019	95.00
81909	03223	AIR POLLUTION CONTROL DISTRICT	09/26/2019	460.00
81910	91286	AMAZON CAPITAL SERVICES, INC.	09/26/2019	2,628.51
81911	05778	AQUATIC BIOASSAY AND CONSULTIN	09/26/2019	1,400.00
81912	06235	JACK BEBEE	09/26/2019	140.64
81913	06374	BOOT BARN INC.	09/26/2019	125.05
81914	91069	BRENNTAG PACIFIC INC.	09/26/2019	1,960.63
81915	03134	CALIFORNIA WATER ENVIRONMENT	09/26/2019	384.00
81916	03205	CITY OF OCEANSIDE	09/26/2019	958.87
81917	91272	KEVIN COLLINS	09/26/2019	60.00
81918	03391	ELECTRICAL SALES INC	09/26/2019	827.72
81919	01099	FALLBROOK IRRIGATION INC	09/26/2019	67.88
81920	00169	FALLBROOK OIL COMPANY	09/26/2019	3,723.39
81921	91198	FIRST BANKCARD	09/26/2019	1,599.98
81922	91201	FIRST BANKCARD	09/26/2019	735.21
81923	91202	FIRST BANKCARD	09/26/2019	3,446.35
81924	91225	FIRST BANKCARD	09/26/2019	285.00
81925	91235	FIRST BANKCARD	09/26/2019	1,844.87
81926	91313	FIRST BANKCARD	09/26/2019	337.50
81927	02972	FISHER SCIENTIFIC COMPANY LLC	09/26/2019	270.59
81928	91025	FRITTS FORD	09/26/2019	105,437.36
81929	91232	FTR, LTD	09/26/2019	599.00
81930	04958	GOSCH FORD TEMECULA	09/26/2019	1,340.96
81931	02767	GRANGETTO FARM & GARDEN SUPPI	09/26/2019	8.72
81932	06062	HARRINGTON INDUSTRIAL PLASTICS	09/26/2019	37.25
81933	06577	INFOSEND INC	09/26/2019	1,429.06
81934	06243	JIM'S SIGN SHOP	09/26/2019	2,162.50
81935	91224	KEN WEINBERG WATER RESOURCES	09/26/2019	6,857.50
81936	06479	KNOCKOUT PEST CONTROL & TERMI	09/26/2019	500.00
81937	06633	MAINTENANCE CONNECTION INC	09/26/2019	756.20
81938	06270	MEASUREMENT TECHNOLOGIES, INC	09/26/2019	3,390.79
81939	91077	MULTI SERVICE TECHNOLOGY SOLU	09/26/2019	699.49
81940	06707	NATIONAL METER & AUTOMATION	09/26/2019	12,822.25
81941	91167	NORTH COUNTY FORD	09/26/2019	108.87
81942	06298	ONESOURCE DISTRIBUTORS, LLC	09/26/2019	278.57
81943	04900	PARADISE CHEVROLET CADILLAC	09/26/2019	438.10
81944	91007	PFM ASSET MANGEMENT LLC	09/26/2019	1,253.84
81945	91155	QUALITY GATE COMPANY	09/26/2019	1,890.00
81946	06704	SMOG BROS	09/26/2019	856.00
81947	06401	SONSRAY MACHINERY LLC	09/26/2019	10,823.15
81948	90929	SOUTHWEST ANSWERING SERVICE, I	09/26/2019	841.25
81949	91454	TEXAS UNDERGROUND, INC.	09/26/2019	535.00
81950	04296	TRENCH PLATE RENTAL CO	09/26/2019	520.00
81951	06211	UNITED IMAGING	09/26/2019	136.61

Check No	Vendor No	Vendor Name	Check Date	Check Amount
81952	91310	VOLT WORKFORCE SOLUTIONS	09/26/2019	412.62
81953	06231	WESTERN WATER WORKS SUPPLY CC	09/26/2019	8,624.31
81954	91276	WOLFE DOOR INDUSTRIES, INC.	09/26/2019	325.00
Total for 9/26/2019:				340,704.21
Report Total (212 checks):				2,380,836.33



Jack Bebee

General Manager

Public Affairs activities for October 2019

- Recommended and initiated crewmembers' traveling to Paradise Irrigation District to help with repairs of devastating fire
- Wrote/promoted crewmembers' work at Paradise Irrigation District, which received significant publicity – through Village News, the SDCWA website, FPUD website, the Department of Water Resources, Maven's Notebook
- Coordinated social media posts, which received hundreds of views
- Gave classroom presentations in 10 4th grade classes
- Found a grant source for elderly customer at last board meeting with high water bill due to large leak. Worked with Jen DeMeo to file application for her; unfortunately, customer did not qualify due to her income
- Staffed a booth all day at the Harvest Faire
- Began work on Calendar Contest, including developing entry form, and outreach to teachers and students
- Securing dates for presentations with Jack on things FPUD is doing to lower water rates to customers (potential de-annex and Santa Margarita River Conjunctive-use Project)
- Attended community meetings and gave update
- Working on ad for upcoming Village News ad/mini newsletter
- Working on Fall external newsletter
- Worked with Water Authority to provide FPUD employees' photos and narratives for inclusion in their giveaway calendar and their daily Instagram posts
- Working with Mick on Plant Voucher giveaway event here on Oct. 26
- Promoted rain barrel pick-up event with the County and the Solana Center

FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS

DIRECTOR'S REPORT OF CONFERENCE / MEETING ATTENDANCE

Director Name: Jennifer DeMeo

Name & Location of Function: 2019 CSDA Annual Conference
Anaheim Marriott, 700 W Convention Way, Anaheim CA

Date(s) of Attendance: Thursday, Sept 26th + Friday Sept 27th 2019

Purpose of Function: Education / Networking

Sponsoring Organization: CSDA - California Special Districts Assoc

Summary of Conference or Meeting: THURSDAY
Attended opening Keynote Breakfast
with speaker Mark Scharenbroich. His speech -
Making Connections that Move people was Funny +
helpful in learning how to interact with peers.
11:15 - APPLICATION OF CEQA TO DISTRICT PROJECT
helped me understand how our district
interacts with State Government
2:15 - BUILDING TRUST OF MGMT + STAFF by BHI Mgmt
3:45 - DISTRICT DISSOLUTIONS - LAFCO helped me
understand the role of local govt interactions
FRIDAY'S Keynote was amazing ERIC QUALMAN
11:00 - Vesting Rights + PUBLIC PENSIONS
2:15 - Dealing with Difficult People
LUNCH WITH THE LEGISLATIVE UPDATE revealed
we are making an impact in SACRAMENTO
5^{00pm} - Anniversary Celebration with food trucks + auction. silent

Director Signature: Jennifer DeMeo Date: 9/30/2019

The Administrative Code requires reports of conferences or meetings for which a director requests per diem or expense reimbursement. Reports must be submitted to the secretary no later than one (1) week prior to the board meeting.

Reports must be submitted before the District will pay per diem or reimbursement for the conference or meeting. Reports are not required for board or committee meetings or meetings with board or committee officers, the general manager, or the general counsel.

FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS

DIRECTOR'S REPORT OF CONFERENCE / MEETING ATTENDANCE

Director Name: Jennifer DeMeo

Name & Location of Function: Fallbrook Village Toastmasters
Hill St, Fallbrook CA

Date(s) of Attendance: Mon Sept 30th

Purpose of Function: Education / Public Speaking

Sponsoring Organization: Toastmasters

Summary of Conference or Meeting:

Attended weekly club meeting

Director Signature: 

Date: 9/30/2019

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FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS

DIRECTOR'S REPORT OF CONFERENCE / MEETING ATTENDANCE

Director Name: Jennifer DeMeo

Name & Location of Function: Fallbrook Village Toastmasters
Hill St, Fallbrook, CA

Date(s) of Attendance: Monday, Oct 7th

Purpose of Function: Education / Public Speaking

Sponsoring Organization: Toastmasters

Summary of Conference or Meeting:

Attended club meeting
performed role of Evaluator

Director Signature: [Signature]

Date: 10/9/2019

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FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS

DIRECTOR'S REPORT OF CONFERENCE / MEETING ATTENDANCE

Director Name: Kenneth Endter

Name & Location of Function: COWU
The Butcheshop Restaurant, San Diego, CA

Date(s) of Attendance: 9-17-19

Purpose of Function: Presentation

Sponsoring Organization: COWU

Summary of Conference or Meeting:

Dan Denham of the SDCWA introduced the program featuring water transportation plans for the future along with programs designed to include private entities in the planning of water storage and transportation.

Kelly Rodgers gave a powerpoint of all the current storage and water transportation areas and proposed future storage areas in the private sector.

Director Signature:  Date: 9-17-19

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FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS

DIRECTOR'S REPORT OF CONFERENCE / MEETING ATTENDANCE

Director Name: Kenneth Endter

Name & Location of Function: Butcher Block Restaurant
San Diego, CA

Date(s) of Attendance: Oct. 15th, 2019

Purpose of Function: Community Water Educational Lectures

Sponsoring Organization: C.O.W.U.

Summary of Conference or Meeting:

Jennifer Pierre of the State Water Conservancy spoke on water delivery problems in the "Delta." The Delta supplies 750 Thousand A/F of water to over 27 million customers. Usage spike on April 1st through May 1st. This coincides with fish in the Delta. By encouraging Agencies to rely more on present and/or future storage plans, the fish can be preserved, and water use can be decreased in Dry years.

Director Signature: Kenneth Endter

Date: Oct. 15th - 2019

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FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS

DIRECTOR'S REPORT OF CONFERENCE / MEETING ATTENDANCE

Director Name: Kenneth Endter

Name & Location of Function: Bay Delta / San Joaquin Inspection Tour
Oroville Dam and Delta Area

Date(s) of Attendance: Oct. 18th - 19th 2019

Purpose of Function: Inspection Tour of Delta Facilities

Sponsoring Organization: MWA / SDCWA

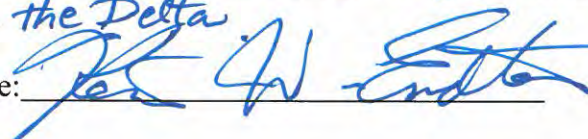
Summary of Conference or Meeting:

Toured the Oroville Dam and spillway that was
damaged. Viewed the Fish Ladder area.

Discussed the proposing and opposing views of
the Newson "Tunnel" Proposal. Viewed the
Delta Islands and Confluence of the

San Joaquin and Sacramento rivers. Toured
the MWD Pump Plant and "Prebay Area."

Carl Schmutte Lecture on: Salt Intrusion, Subsidence, & Seismic
effects on the Delta.

Director Signature:  Date: 10-21-19

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