



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

AGENDA

**MONDAY, MAY 23, 2022
4:00 P.M.**

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

THIS MEETING WILL BE HELD PURSUANT TO GOVERNMENT CODE SECTION 54953(e)(1)(A), WHICH WAIVES CERTAIN BROWN ACT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY WHEN STATE OR LOCAL OFFICIALS HAVE IMPOSED OR RECOMMENDED MEASURES TO PROMOTE SOCIAL DISTANCING, AND ALLOWS SOME OR ALL OF THE MEMBERS OF THE FALLBROOK PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS TO ATTEND THIS MEETING TELEPHONICALLY OR VIA VIDEO CONFERENCE. MEMBERS OF THE PUBLIC WHO DO NOT WISH TO ATTEND IN PERSON ARE ENCOURAGED TO PARTICIPATE IN THE MEETING VIA WEB CONFERENCE USING THE BELOW CALL-IN AND WEBLINK INFORMATION. MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE IN THIS MEETING BY ATTENDING IN PERSON AT THE DISTRICT OFFICE LOCATED AT 990 E. MISSION RD., FALLBROOK, CA 92028.

Join Zoom Meeting

<https://us06web.zoom.us/j/82003172211?pwd=UU10YWltMkVwWGVAUFNkQnA2bHA4Zz09>

MEETING ID: 820 0317 2211

AUDIO PASSCODE: 363170

Dial by your location

+1 346 248 7799 US (Houston); +1 720 707 2699 US (Denver); +1 253 215 8782 US (Tacoma);
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Find your local number: <https://us06web.zoom.us/j/82003172211?pwd=UU10YWltMkVwWGVAUFNkQnA2bHA4Zz09>

PUBLIC COMMENTS: Members of the public may submit public comments and comments on agenda items in one of the following ways:

SUBMIT COMMENTS BEFORE THE MEETING:

- By emailing to our Board Secretary at leckert@fpud.com
- By mailing to the District Offices at 990 E. Mission Rd., Fallbrook, CA 92028
- By depositing them in the District's Payment Drop Box located at 990 E. Mission Rd., Fallbrook, CA 92028

All comments submitted before the meeting by whatever means must be received at least 1 hour in advance of the meeting. All comments will be read to the Board during the appropriate portion of the meeting. Please keep any written comments to 3 minutes.

REMOTELY MAKE COMMENTS DURING THE MEETING: The Board President will inquire prior to Board discussion if there are any comments from the public on each item.

- Via Zoom Webinar go to the "Participants List," hover over your name and click on "raise hand." This will notify the moderator that you wish to speak during oral communication or during a specific item on the agenda.
- Via phone, you can raise your hand by pressing *9 to notify the moderator that you wish to speak during the current item.

MAKE IN-PERSON COMMENTS DURING THE MEETING: The Board President will inquire prior to Board discussion if there are any comments from the public on each item, at which time members of the public attending in person may make comments.

THESE PUBLIC COMMENT PROCEDURES SUPERSEDE THE DISTRICT'S STANDARD PUBLIC COMMENT POLICIES AND PROCEDURES TO THE CONTRARY.

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

I. PRELIMINARY FUNCTIONS

CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM

- A. CONSIDER FINDINGS TO CONTINUE HOLDING REMOTE/ TELECONFERENCE MEETINGS PURSUANT TO ASSEMBLY BILL 361

Recommendation:

1. *That the FPUD Board of Directors make the following findings by majority vote:*
 - a. *The Governor-declared COVID-19 State of Emergency remains in effect and the Board of Directors has reconsidered the circumstances of the COVID-19 State of Emergency; and*
 - b. *State or local officials continue to impose or recommend measures to promote social distancing.*
2. *That the FPUD Board of Directors determine that, for the next thirty (30) days, the meetings of the Board and committees shall be held pursuant to the provisions of Government Code section 54953(e), allowing legislative body members and members of the public to participate in meetings remotely in accordance with that section.*

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.

- B. EMPLOYEE OF THE QUARTER FOR MAY 2022
1. Donald Parker
- C. YEARS OF SERVICE
1. Jason Jared – 5 years
 2. Christian Hernandez – 5 years
- D. NEW EMPLOYEE ANNOUNCEMENT
1. Jorge Lopez, Instrumentation, Electrical & Controls Technician I
- E. INTRODUCTION OF NEW OPERATIONS MANAGER
1. Carl Quiram
- F. JPIA PROFESSIONAL DEVELOPMENT PROGRAM COMPLETION

1. Chad Wodarczyk

II. CONSENT CALENDAR----- (ITEMS G – J)

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.

- G. CONSIDER APPROVAL OF MINUTES
 1. April 25, 2022 Regular Board Meeting

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

- H. CONSIDER ADOPTION OF 2022-23 APPROPRIATION GROWTH RATE; RESOLUTION NO. 5027

Recommendation: *That the Board adopt attached Resolution No. 5027 setting the tax appropriation limit for 2022-23 at \$3,748,770, which includes the Fallbrook and DeLuz service areas and Improvement District "S".*

- I. CONSIDER ADVANCE APPROVAL (LAFCO PROTEST HEARING)

Recommendation: *That the Board authorize and approve, in advance, Directors' attendance to the Protest Hearing, noticed by SDLAFCO, scheduled for May 31, 2022 at the FPUD District office.*

- J. CONSIDER NOTICE OF COMPLETION – SANTA MARGARITA CONJUNCTIVE USE PROJECT

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

III. INFORMATION----- (ITEMS K – M)

- K. RATE STUDY UPDATE

Presented by: *Dave Shank, Assistant General Manager/CFO*

- L. REVIEW PRELIMINARY DRAFT FISCAL YEAR 2022-23 OPERATING AND CAPITAL BUDGET

Presented by: *Dave Shank, Assistant General Manager/CFO*

M. EMPLOYEE SATISFACTION SURVEY RESULTS

Presented by: Lisa Chaffin, Human Resources Manager

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

N. CONSIDER REAPPOINTING THE GENERAL MANAGER TO SERVE AS THE DISTRICT'S REPRESENTATIVE TO THE SAN DIEGO COUNTY WATER AUTHORITY BOARD OF DIRECTORS, AND ADOPTING RESOLUTION NO. 5028

Recommendation: That the Board adopts Resolution No. 5028 reappointing General Manager Jack Bebee to serve as the District's representative on the SDCWA Board of Directors.

O. CONSIDER SMRCUP CHANGE ORDER

Recommendation: That the Board approve of the change order for Filanc-Alberici to complete all additional work at a cost of \$758,582, and to approve the professional services agreement amendment for Terrapin Group to complete all Construction Management services.

P. CONSIDER UPDATE ON THE EMERGENCY DECLARATION FOR PIPELINE REPLACEMENTS

Recommendation: That the Board determine there is a need to continue the emergency action to replace failed pipelines and restore essential service to customers.

Q. CONSIDER DECLARING A "WATER SHORTAGE RESPONSE LEVEL 2 – WATER SHORTAGE WATCH"

Recommendation: That the Board declare of a "Water Shortage Response Level 2 – Water Shortage Watch". Upon declaration, public announcement would be made on all FPUD water bills, physical posting in the District lobby, on the District website and social media outlets, and by publication in the Village News. Given the voluntary nature of the state's order to reduce water use by 20 percent, and the District's expanding educational approach to promoting water conservation, it is not recommended that drought rates would be implemented.

R. CONSIDER APPROVAL OF MEMORANDA OF UNDERSTANDING (MOUS) WITH FPUDEA AND FMEA (EFFECTIVE JULY 1, 2022-JUNE 30, 2027) BY ADOPTION OF RESOLUTION NO. 5029

Recommendation: That the Board adopt Resolution No. 5029 approving the Memoranda of Understanding (MOUs) with FPUDEA and FMEA for July 1, 2022-June 30, 2027.

S. CONSIDER INTERNSHIP PROGRAM

Recommendation: That the Board approve the addition of a second intern to the program.

T. CONSIDER REQUEST FOR APPROVAL TO AWARD ONE-TIME PAVING PROJECT TO ASPHALT & CONCRETE ENTERPRISES, INC.

Recommendation: The Board approve a one-time paving project to Asphalt & Concrete Enterprises, Inc. for \$52,800.00.

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**----- (ITEMS 1-2)

1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PER GOVERNMENT CODE SECTION 54957:

Discuss Performance Evaluation of General Manager

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PER GOVERNMENT CODE SECTION 54957:

Discuss Performance Evaluation of General Counsel

RECONVENE TO OPEN SESSION

REPORT FROM CLOSED SESSION

VII. ADJOURNMENT OF MEETING

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DECLARATION OF POSTING

I, Lauren Eckert, Executive Assistant/Board Secretary 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, Lauren Eckert, further declare under penalty of perjury and under the laws of the State of California that the foregoing is true and correct.

May 18, 2022
Dated / Fallbrook, CA

/s/ Lauren Eckert
Executive Assistant/Board Secretary