



**FALLBROOK PUBLIC UTILITY DISTRICT
BOARD OF DIRECTORS
SPECIAL BOARD MEETING / WORKSHOP**

MINUTES

**WEDNESDAY, SEPTEMBER 21, 2022
9:00 A.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

Vice President Wolk called the September 21, 2022 Special Meeting of the Board of Directors of the Fallbrook Public Utility District to order at 9:00 a.m.

Acting General Counsel Kharuf announced, for the record that, this meeting was being conducted by web and teleconference pursuant to Government Code Section 54953(e)(1)(A), which waives certain Brown Act teleconferencing requirements in certain circumstances, including the current state of emergency declared by Governor Newsom, in order to promote social distancing during the evolving COVID-19 pandemic and allows some or all of the members of the Board of Directors to attend this meeting telephonically or via video conference.

Acting General Counsel Kharuf also announced the agenda provided notice that members of the public may participate in this meeting by attending in person, and that members of the public who did not wish to attend in person were encouraged to participate in the Board meeting electronically using the call-in and weblink information included on the agenda. Members of the public may also participate in the meeting by attending in person at the District office.

A quorum was established, and attendance was as follows:

Board of Directors

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

Absent: Jennifer DeMeo, Member

General Counsel/District Staff

Present: Jack Bebee, General Manager
Dave Shank, Assistant General Manager/CFO
Lutfi Kharuf, Acting General Counsel

Mick Cothran, Engineering Technician
Noelle Denke, Public Affairs Specialist
Soleil Develle, Engineering Technician
Lauren Eckert, Executive Assistant/Board Secretary

Also present were others, including, but not limited to: Erik Helgeson, Alex Handlers, and Craig Balben

- 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.*

MOTION: Director McDougal moved to find that 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 State or local officials continue to impose or recommend measures to promote social distancing and that meetings of the Board of Directors and Committees shall be held pursuant to provisions of the Government Code section 54953(e), allowing legislative body members and members of the public to participate in meetings remotely in accordance with that section; Director Endter seconded. Motion passed; VOTE:

AYES: Directors Baxter, Endter, McDougal and Wolk
NOES: None
ABSTAIN: None
ABSENT: Director DeMeo

PLEDGE OF ALLEGIANCE

Vice President Wolk led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION: Director McDougal moved to approve the agenda, as presented; Director Endter seconded. Motion carried; VOTE:

AYES: Directors Baxter, Endter, McDougal, and Wolk
NOES: None
ABSTAIN: None
ABSENT: Director DeMeo

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.

There were no public comments for non-agenda items.

II. ACTION / DISCUSSION CALENDAR -----(ITEM B)

B. PRESENT THE FINAL DRAFT OF THE 2022 WATER, WASTEWATER AND RECYCLED WATER RATE STUDY AND PROPOSITION 218 CALENDAR YEARS 2023-2027 RATES AND CHARGES NOTICE

Recommendation: That the Board approve the substantially complete Final Draft of the 2022 Water, Wastewater and Recycled Water Rate Study and the Draft Proposition 218 Notice setting the time and place of the public hearing.

There were no public comments for agenda item B.

General Manager Bebee explained this meeting will be to obtain Board approval of the draft Prop 218 notice. He then explained the process after the Prop 218 notices is sent, which includes a 45-day period where ratepayers could submit written protests, and at the end of the 45-day period there would be a public hearing to adopt the proposed rate increases. He reminded the Board that this process sets the maximum rates allowed and that the Board will still review rate increase each year. He announced the comprehensive presentation from this meeting would be uploaded to the FPUD website.

Vice President Wolk suggested Mr. Helgeson highlight the changes to the proposed final draft of the rate study and presentation, as the Board and the FP&I Committee had already seen the presentations multiple times. Director McDougal agreed.

Erik Helgeson of Bartle Wells presented a slideshow highlighting the ongoing rate study, including recommendations for water, wastewater, and recycled water rates which were also presented at the last special Board meeting on August 17, 2022.

General Manager Bebee stated the lower increase on recycled water will eventually give us a bigger incentive to sell recycled water, as it will be the cheapest rate.

General Manager Bebee directed the Board to the draft Prop 218 notice in the agenda packet.

Vice President Wolk requested there be two separate motions; one for approving the final draft of the rate study and one for approving the Proposition 218 notice.

MOTION: Director McDougal moved to approve the final draft of the 2022 Water, Wastewater and Recycled Water Rate Study; Director Endter seconded. Motion carried; VOTE:

AYES: Directors Baxter, Endter, McDougal, and Wolk
NOES: None
ABSTAIN: None
ABSENT: Director DeMeo

MOTION: Director McDougal moved to approve and the draft Proposition 218 Notice setting the time and place of the public hearing for November 16, 2022 at 9:00 a.m.; Director Endter seconded. Motion carried; VOTE:

AYES: Directors Baxter, Endter, McDougal, and Wolk
NOES: None
ABSTAIN: None
ABSENT: Director DeMeo

III. ADJOURNMENT OF MEETING

There being no further business to discuss, Vice President Wolk adjourned the September 21, 2022 special meeting of the Board of Directors of the Fallbrook Public Utility District at 9:24 a.m.



President, Board of Directors

ATTEST:



Secretary, Board of Directors