



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

MINUTES

**MONDAY, FEBRUARY 27, 2023
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 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

President Wolk called the February Regular Meeting of the Board of Directors of the Fallbrook Public Utility District to order at 4:00 p.m. President Wolk deferred to General Counsel de Sousa to make the following statements on the record regarding the proceedings for this meeting:

General Counsel de Sousa announced, for the record that, this meeting was being conducted by web and teleconference. The agenda provided notice to members of the public on how they may participate in this meeting – either in person, or by using the call-in and weblink information included on the agenda. In addition the agenda provided notice to members of the public on how they may submit comments in advance of the meeting to be read at the appropriate portion of the meeting (up to a limit of 3 minutes per comment). She reported there were no written public comments submitted in advance of the meeting, for general public comment or for any agenda items.

General Counsel de Sousa announced that President Wolk would ask the Board Secretary if there were any members of the public who wished to make comments on the agenda item under consideration in person, or through Zoom webinar or Zoom teleconference. She announced in-person comments would be heard first, and virtual comments would be heard immediately thereafter. After public comments, President Wolk would then call on staff to make a presentation for the next item on the agenda. Thereafter, deliberations would proceed in the regular course of District Board discussion and possible action.

A quorum was established, and attendance was as follows:

Board of Directors

Present: Charley Wolk, Member/President
Jennifer DeMeo, Member/Vice President

Dave Baxter, Member
Ken Endter, Member
Don McDougal, Member

Absent: None

General Counsel/District Staff

Present: Jack Bebee, General Manager
Paul de Sousa, General Counsel
Dave Shank, Assistant General Manager/CFO
Matt Bench, Utility Worker I
Jodi Brown, Management Analyst
Nick Cannata, Utility Worker I
Justin Cameron, Utility Worker I
Aaron Cook, Engineering Manager
Josh Couveau, Crew Leader
Jamison Davis, Utility Worker II
Noelle Denke, Public Affairs Specialist
Kyle Drake, Collections Supervisor
Jason Jared, Customer Service Representative II
Donald Parker, Construction Supervisor
Jesse Perez, Chief Plant Operator
Carl Quiram, Operations Manager
Eddie Rodriguez, System Services Supervisor
Hugo Santillan, Utility Worker II
Colter Shannon, Utility Worker II
Kevin Stamper, Utility Worker II
Steve Stone, Field Services Manager
Bryan Wagner, Crew Leader
Austin Wendt, Crew Leader
Lauren Eckert, Executive Assistant/Board Secretary

Also present were others, including, but not limited to: Chris Palmer and Barry Willis

I. PRELIMINARY FUNCTIONS

CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM

PLEDGE OF ALLEGIANCE

President Wolk led the Pledge of Allegiance.

ADDITIONS TO AGENDA PER GC § 54954.2(b)

APPROVAL OF AGENDA

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

Barry Willis of Alpine Fire Protection District addressed the Board and announced he was a candidate for the Regular LAFCO Special District Member seat up for reelection in the 2023 Special Districts Election. He reported that he was the current incumbent for this seat, summarized his experience, and requested the Board's support.

A. CSDA PRESENTATION OF DISTRICT OF DISTINCTION ACCREDITATION

There were no public comments on agenda item A.

Chris Palmer from the California Special Districts Association virtually presented the District with the District of Distinction accreditation at the Gold level.

B. EMPLOYEE OF THE QUARTER FEBRUARY 2023 1. Hugo Santillan

There were no public comments on agenda item B.

The Board recognized Hugo Santillan as the Employee of the Quarter for February 2023.

C. EMPLOYEE PROMOTION ANNOUNCEMENT 1. Donald Parker – Construction Supervisor

There were no public comments on agenda item C.

The Board congratulated Donald Parker on his promotion to Construction Supervisor.

D. MANAGER'S AWARDS

1. Donald Parker
2. Austin Wendt
3. Bryan Wagner
4. Matt Perez
5. Colter Shannon
6. Hugo Santillan
7. Matt Bench
8. Martin Serrano
9. Nick Cannata
10. Josh Couveau
11. Kevin Stamper
12. Jamison Davis
13. Justin Cameron

There were no public comments on agenda item D.

The Board commended Donald Parker, Austin Wendt, Bryan Wagner, Matt Perez, Colter Shannon, Hugo Santillan, Matt Bench, Martin Serrano, Nick Cannata, Josh Couveau, Kevin Stamper, Jamison Davis, and Justin Cameron for receiving Managers Awards for working through the night on two separate four-valve replacement sites to ensure there was minimal impact on businesses during working hours the following day.

- E. NEW CERTIFICATIONS
1. Steve Wuerth – Water Treatment Grade 2

There were no public comments on agenda item E.

The Board recognized Steve Wuerth for receiving his Water Treatment, Grade 2 certification.

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

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.

- F. CONSIDER APPROVAL OF MINUTES
1. January 23, 2023 Regular Board Meeting

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

MOTION: Director McDougal moved to approve the Consent Calendar as presented; Director DeMeo seconded. Motion carried; VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

III. INFORMATION----- (ITEM G)

G. ENGINEERING AND OPERATIONS KEY PERFORMANCE INDICATORS

Presented by: Aaron Cook, Engineering Manager
Carl Quiram, Operations Manager

Staff presented a slideshow summarizing the key performance indicators for engineering, wastewater operations, water operations, meter services, wastewater collections, construction/maintenance, and customer service.

President Wolk asked if there was anything needed from the Board to get the meter exchanges closer to the goal. System Services Supervisor Rodriguez reported they are back on track to achieve the goal. General Manager Bebee also reported the meters left are the more complicated ones that require a larger shutdown, etc.

President Wolk asked if there was any recollection of the longest and shortest hold times for customers calling into the District and reaching a Customer Service Representative. General Manager Bebee reported that was a number they could pull. Director Baxter asked how many calls Customer Service fields in a day. Customer Service Representative Jared answered around 30 calls per representative.

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

H. CONSIDER CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD OF DIRECTORS CALL FOR NOMINATIONS – SEAT C

Recommendation: Staff supports the Board's direction.

There were no public comments on agenda item H.

General Manager Bebee announced there was a call for nominations for Seat C of the CSDA Southern Network and asked the Board if they wanted to nominate anyone for this seat.

The Board took no action.

I. CONSIDER CALL FOR NOMINATIONS, APPOINTMENT TO SERVE ON THE SAN DIEGO COUNTY CONSOLIDATED REDEVELOPMENT OVERSIGHT BOARD

Recommendation: The Board of Directors should determine if there is a desire to nominate a representative to serve on the Consolidated Redevelopment Oversight Board. If there is interest in submitting a nomination, upon a motion made and passed by the Board, staff will assist in completing the necessary paperwork for submittal to LAFCO by the deadline for nominations, which is Monday, March 6, 2023.

There were no public comments on agenda item I.

General Manager Bebee announced there was a call for nominations for appointment to serve on the San Diego County Consolidated Redevelopment Oversight Board and asked the Board if they wanted to nominate anyone for this seat.

The Board took no action.

J. CONSIDER APPROVAL FOR ONE-TIME PAVING SERVICES AT THREE SITES

Recommendation: That the Board approve a contract with Prestige Paving Company in the amount of \$107,970.00.

There were no public comments on agenda item J.

General Manager Bebee provided an overview of this project and noted it was planned for and included in the capital budget.

MOTION: Director DeMeo moved to approve a contract with Prestige Paving Company in the amount of \$107,970.00 for one-time paving services at three District sites; Director Endter seconded. Motion carried;
VOTE:

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

K. CONSIDER SUPPORT FOR FEDERAL FUNDING REQUEST FOR THE FALLBROOK DOWNTOWN PIPELINE REPLACEMENT PROJECT

Recommendation: That the Board approve the attached Resolution No. 5041 supporting the District's application for Fiscal Year 2024 Federal Funding for its Downtown Fallbrook Pipeline Replacement Project.

There were no public comments on agenda item K.

General Manager Bebee announced the Board was aware the District hired a federal lobbyist, Jacqueline Howell, to help look for alternatives to securing federal funding available under the inflation reduction act. He reported Ms. Howell was currently in Washington D.C. to lay groundwork for various funding. As part of this, our representatives on both the Congressional and Senate side are putting out their requests for appropriations. This item was for support from our Board. General Manager Bebee also stated we have put out requests to other local political entities to help get letters of support out, so we can put in our request through our representative to help obtain funding and offset our costs. He reported this was targeting pipeline replacement projects in the Downtown Fallbrook area to see if we can get some outside money.

MOTION: Director McDougal moved to adopt Resolution No. 5041 supporting the District's application for Fiscal Year 2024 federal funding for its Downtown Fallbrook Pipeline Replacement Project; Director Baxter seconded. Motion carried; VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

V. **PUBLIC HEARING** -----(ITEM L)

L. POTENTIAL INCREASE IN COMPENSATION FOR MEMBERS OF THE BOARD OF DIRECTORS (ADMINISTRATIVE CODE SECTION 2.12); ORDINANCE NO. 355

Recommendation: Hold the public hearing and consider adoption of Ordinance No. 355, to increase Board compensation from \$121.55 to \$127.63 for each day's service to the District and to update Section 2.12 of the District's Administrative Code to reflect the updated amount.

General Counsel de Sousa summarized the process for considering an increase in Board compensation. She announced that, after following the necessary public notification procedures, the District's Governing Board would be

holding a public hearing to receive public comments prior to its consideration of Ordinance No. 355, related to increasing Board compensation from \$121.55 to \$127.63 per meeting. She reported, should this ordinance be adopted, the change in compensation would take effect April 29, 2023.

At 4:58 p.m., President Wolk opened the Public Hearing to receive public comments on agenda item L.

Hearing no public comments, President Wolk closed the Public Hearing at 4:59 p.m.

MOTION: Director McDougal moved to increase Board compensation by five percent for each day's service to the District; Director Endter seconded. Motion carried; VOTE:

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

MOTION: Director McDougal moved to adopt Ordinance No. 355, increasing Board compensation from \$121.55 to \$127.63 for each day's service to the District and to update Section 2.12 of the District's Administrative Code to reflect the updated amount; Director DeMeo seconded. Motion carried; VOTE:

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

VI. ORAL/WRITTEN REPORTS-----(ITEMS 1-8)****

1. General Counsel
 - General Counsel de Sousa provided an update on AB 361 and AB 2449.
2. SDCWA Representative Report
 - General Manager Bebee provided a high-level summary of the written report included in the packet.
 - General Manager Bebee reported he received an updated schedule from LAFCO regarding the detachment process.
 - President Wolk requested the FPUD ad-hoc committee take a look at the best strategy for outreach.
3. General Manager
 - a. Engineering and Operations Report

- General Manager Bebee reported on the Community Benefit Program.
- 4. Assistant General Manager/Chief Financial Officer
 - Financial Summary Report
 - Treasurer's Report
 - Budget Status Report
 - Warrant List
 - AGM/CFO Shank provided an overview of the written reports included in the packet.
 - There was a lengthy discussion regarding how the District pays Camp Pendleton for the cost of operations and water.
 - Director Baxter inquired why the District was over budget for administrative services. AGM/CFO Shank explained this was a trend and included items like the rate study. General Manager Bebee also explained there were additional costs associated with the increased length of the LAFCO schedule.
- 5. Public Information Officer
 - Public Information Officer Denke reported on the ACEC Award the District received as well as social media postings.
 - Director Wolk requested Public Information Officer Denke provide outreach on the budget award, District of Distinction award, and the ACEC award the District has received.
- 6. Notice of Approval of Per Diem for Meetings Attended
- 7. Director Comments/Reports on Meetings Attended
- 8. Miscellaneous

ADJOURN TO CLOSED SESSION

General Counsel de Sousa announced the Board would be going into Closed Session to discussion item VII.1 She announced members of the public participating via web conference were welcome to continue to stay on the line while the Board is in closed session, however, they will only hear silence. Following closed session, and prior to adjournment of the meeting, an oral announcement of reportable action by the Board in closed session would be made, if any. The oral announcement of any reportable action would be heard on the teleconference line. Thereafter this meeting would adjourn.

The Board of Directors adjourned to Closed Session at 5:35 p.m.

VII. CLOSED SESSION------(ITEM 1)

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(2)

One (1) Potential Case

RECONVENE TO OPEN SESSION

The Board came out of Closed Session and reconvened to Open Session at 5:52 p.m.

REPORT FROM CLOSED SESSION (*As necessary*)

There was no reportable action taken during Closed Session.

VII. ADJOURNMENT OF MEETING

There being no further business to discuss, the February Regular Meeting of the Board of Directors of the Fallbrook Public Utility District was adjourned at 5:52 p.m.



President, Board of Directors

ATTEST:



Secretary, Board of Directors