



FALLBROOK PUBLIC UTILITY DISTRICT  
MEETING OF THE COMMUNITY BENEFIT PROGRAM COMMITTEE

AGENDA

MONDAY, MARCH 11, 2024  
10:00 A.M.

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

**THIS MEETING WILL BE HELD AT THE ABOVE DATE, TIME, AND LOCATION AND MEMBERS OF THE PUBLIC MAY ATTEND IN PERSON AT THE DISTRICT OFFICE LOCATED AT 990 E. MISSION RD., FALLBROOK, CA 92028. FOR THE CONVENIENCE OF MEMBERS OF THE PUBLIC WHO DO NOT WISH TO ATTEND IN PERSON, FALLBROOK PUBLIC UTILITY DISTRICT PROVIDES A MEANS TO OBSERVE AND PROVIDE PUBLIC COMMENTS AT THE MEETING VIA WEB CONFERENCE USING THE BELOW CALL-IN AND WEBLINK INFORMATION. PLEASE NOTE THAT IN THE EVENT OF TECHNICAL ISSUES THAT DISRUPT THE ABILITY OF MEMBERS OF THE PUBLIC TO VIEW THE MEETING OR PROVIDE PUBLIC COMMENTS THROUGH THE WEB CONFERENCE OPTION, THE MEETING WILL CONTINUE.**

**Join Zoom Meeting**

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**MEETING ID: 896 1395 1789**

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**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](mailto: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 Committee during the appropriate portion of the meeting. Please keep any written comments to 3 minutes.

**REMOETLY MAKE COMMENTS DURING THE MEETING:** The Committee Chair will inquire prior to Committee 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 Committee Chair will inquire prior to Committee 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 Board Secretary at (760) 999-2704 for assistance.*

**I. PRELIMINARY FUNCTIONS**

CALL TO ORDER / ROLL CALL

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 Committee on any item that is within the subject matter jurisdiction of the legislative body but not on today's agenda. Prior to each subsequent agenda item, the Committee Chair will inquire if there are any comments from the public. The Committee Chair may limit comments to three (3) minutes.*

**II. APPROVAL OF MINUTES..... (ITEM A)**

A. FEBRUARY 12, 2024 COMMUNITY BENEFIT PROGRAM COMMITTEE MEETING (ATTACHMENT A)

**III. ACTION/DISCUSSION ..... (ITEMS B–F)**

B. MICROPHONE USE

C. ARTICLE 23 POSTING

D. DISCUSSION OF SUGGESTIONS RECEIVED (ATTACHMENT B)

E. CONTRACTS

F. INDEMNITY

**IV. WORKING GROUP REPORTS .....(ITEMS G–J)**

G. ADMINISTRATIVE PROCEDURES

H. PROPOSAL DEVELOPMENT

I. CONTRACT OVERSIGHT

J. PUBLIC OUTREACH

**V. NEW BUSINESS**

**VI. ADJOURNMENT OF MEETING – Next meeting April 8, 2024 at 10:00 a.m.**

\* \* \* \* \*

### 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.

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.

March 6, 2024  
Dated / Fallbrook, CA

/s/ Lauren Eckert  
Executive Assistant/Board Secretary

Attachment A  
February 12, 2024 Community Benefit Program  
Committee Meeting Minutes



**FALLBROOK PUBLIC UTILITY DISTRICT  
MEETING OF THE COMMUNITY BENEFIT PROGRAM COMMITTEE**

**MINUTES**

**MONDAY, FEBRUARY 12, 2024  
10:00 A.M.**

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

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**I. PRELIMINARY FUNCTIONS**

**CALL TO ORDER / ROLL CALL**

Committee Chair Mendelson called the Fallbrook Public Utility District's Community Benefit Program ("FPUD CBP") Committee meeting to order at 10:00 a.m.

A quorum was established and attendance was as follows:

Committee Members

Present: Jim Mendelson, Chair  
Elana Sterling, Vice Chair  
Anna Marchand, Secretary  
Lila Hargrove  
Jerry Kalman  
Leticia Maldonado/Stamos  
Rosie Redmond

Absent: None

District Staff Present:

Jack Bebee, General Manager  
Ken Endter, Director of Subdistrict No. 2  
Don McDougal, Vice President, and Director of Subdistrict No. 4.  
Kelly Laughlin, Administrative Office Specialist

Also present: 14 people in attendance, and 2 persons attending via teleconferencing.

PLEDGE OF ALLEGIANCE - Committee Chair Mendelson led the Pledge of Allegiance.

ADDITIONS TO AGENDA PER GC § 54954.2(b) – One; added, L. Fallbrook Arts, Inc. to VI. COMMITTEE FEEDBACK TO APPLICANTS, (ITEMS H-K).

APPROVAL OF AGENDA

MOTION: Committee Secretary Marchand moved to approve the agenda, as amended, adding Fallbrook Arts, Inc. to the agenda at Section VI, L. Committee Member Hargrove seconded. A vote commenced and the motion passed. VOTE:

AYES: Unanimous  
NOES: None  
ABSTAIN: None  
ABSENT: None

#### PUBLIC COMMENT

Committee Chair Mendelson called for public comment on non-agenda items. Elizabeth Leader, President of Fallbrook Arts, Inc., reminded Committee Chair Mendelson this organization had requested to be included on the agenda. While the agenda had previously been approved, as published, Committee Chair Mendelson added the agenda item and called for the above motion which adopted the agenda, as amended.

### **II. APPROVAL OF MINUTES------(ITEM A)**

#### A. JANUARY 8, 2024 COMMUNITY BENEFIT PROGRAM COMMITTEE MEETING

MOTION: Committee Vice Chair Sterling moved to approve the January 8, 2024 FPUD CBP Committee Meeting Minutes, as presented; Committee Member Hargrove seconded. A vote commenced and the motion passed. VOTE:

AYES: Unanimous  
NOES: None  
ABSTAIN: None  
ABSENT: None

### **III. ACTION/DISCUSSION .....(ITEMS B-D)**

#### B. BOARD PROCEDURE

Committee Chair Mendelson addressed the procedures for the FPUD CBP meetings by explaining the Committee had previously adopted Roberts Rules of Order. (See Attachment A.) Within those Rules, there are informal procedures that promote the Committee's business meetings. Committee Chair Mendelson read a section of the Rules aloud which focused on the ability to discuss matters without a pending motion. There being no further discussion or objections, the Committee will proceed conducting its regularly scheduled meetings accordingly.

Committee Chair Mendelson also announced receipt of an email from Ross Pike, dated February 8, 2024, asking why the FPUD CBP Minutes do not list the names of each Committee Member's cast votes. (See Attachment B.) Committee Chair Mendelson explained that the Committee Members are appointed, not elected, officials. Because of the advisory nature of the Committee there is no requirement that specific votes be reported.

#### C. CONTRACT DEVELOPMENT

Committee Chair Mendelson introduced the funding and timing issues related to executing contracts for the Fallbrook Public Utility District's Board approved projects. Vice Chair Sterling opened discussion about revisions to the contract to include easements to secure ongoing public access. Discussion ensued and the Committee requested General Manager Jack Bebee to address questions about executing contracts and supervising projects.

General Manager Bebee explained that the current contract includes the approved provision addressing ongoing public access. Committee Chair Mendelson drew attention to the contract included in the agenda package at Attachment B, page 18, paragraph 9. General Manager Bebee explained legal counsel considered the provision protected the interests of ongoing public access.

General Manager Bebee answered questions, explaining that the Fallbrook Public Utility District Board is the party to the contract and that the contract is within the scope of the District. As such, the District will enforce the contract.

The Committee may consider easements for future contracts.

#### D. OVERSIGHT COMMITTEE PROPOSAL

Discussion ensued about the next steps to complete the necessary contracts for approved projects and ongoing supervision of compliance with each contract. General Manager Bebee and Director McDougal explained that Fallbrook Public Utility District resources remain available to the Committee, but expenses for resources will be charged to the Committee's funding budget.

Following discussion, the Committee formed a work group to execute contracts.

**MOTION:** Committee Member Kalman moved to form a contract workgroup, including Workgroup Chair, Secretary Marchand, and Committee Members Hargrove and Maldonado/Stamos; seconded by Vice Chair Sterling, A vote commenced and the motion passed. **VOTE:**

**AYES:** Unanimous

NOES: None  
ABSTAIN: None  
ABSENT: None

**IV. VERBAL PRESENTATION.....(ITEM E)**

**E. FPUD BOARD MEMBER CONCERNS, DIRECTORS McDOUGAL AND ENDTER**

Directors McDougal and Endter addressed the written comments attached to the agenda package at Attachment C and provided the Committee with feedback.

Director McDougal stated that the Committee should not be bogged down in legal issues and the District's attorney has provided the Board with sufficient counsel. Further, the Board intentionally limited administrative costs by creating the Committee. The goal is to invest the funding directly into the community. Director McDougal also made points addressing disqualifying projects, supplementing other governmental funding and services, considering projects located on private property where there is a community benefit and that an appeal process may be advantageous.

Director Endter pointed out that the Committee should obtain clarifying information to avoid incorrect information weighing into any funding decisions. Further comments addressed supplementing funding where other government resources are also available, consideration of applications in full and not piecemealed, and that a reconsideration process may be advantageous.

**V. WRITTEN INPUT/COMMENTS RECIEVED .....(ITEMS F-G)**

- F. FALLBROOK VILLAGE ASSOCIATION AND FALLBROOK ARTS, INC.
- G. FALLBROOK LAND CONSERVANCY

Committee Chair Mendelson addressed the application process feedback received per his prior invitation. Written comments and feedback received are included in the agenda package. Additionally, Fallbrook Village Association and Fallbrook Arts, Inc. submitted Suggested Improvements for Community Benefit Program, via email, dated January 23, 2024. (See Attachment C.)

Committee Chair Mendelson announced that the Committee would not entertain further comment beyond the written submissions. Additionally, the Proposal Development Workgroup will review all feedback received and previously discussed by the Committee. Following analysis, the Proposal Development Workgroup will present the feedback and propose changes and revisions to the existing application and funding process.



**VI. COMMITTEE FEEDBACK TO APPLICANTS .....(ITEMS H-L)**

Items H. through L.:

- H. FALLBROOK LAND CONSERVANCY (PALOMARES HOUSE PROJECT)
- I. FALLBROOK GEM AND MINERAL SOCIETY
- J. FALLBROOK VILLAGE PLAZA PARKING LOT PUBLIC SAFETY RENOVATION
- K. FALLBROOK SPORTS ASSOCIATION – INGOLD PARK
- L. FALLBROOK ARTS, INC.

Committee Chair Mendelson called for public comment. Karla Standridge and Mike Griffith made comments on behalf of the Fallbrook Land Conservancy and Fallbrook Village Association, respectfully. Elizabeth Leader made comment on behalf of Fallbrook Arts, Inc.

Committee Chair Mendelson and Proposal Development Workgroup Chair Hargrove explained the purpose for this agenda item was to provide application feedback to the requesting organizations. General and specific comments were made by several Members. Some of the comments explained the application must satisfy the Community Benefit Committee’s mission and that applications should be framed according to the Fallbrook Public Utility District’s Administrative Code, Article 23.

Committee Chair Mendelson thanked the public and Directors for their feedback and stated that the Committee has much work to do going forward.

**VII. PUBLIC OUTREACH – No Report**

**VII. NEW BUSINESS - None**

**VII. ADJOURNMENT OF MEETING – Next meeting March 11, 2024 at 10:00 a.m.**

There being no further business to discuss, on a motion made by Committee Member Maldonado/Stamos, seconded by Committee Member Kalman and passed unanimously, the Community Benefit Committee Meeting of the Fallbrook Public Utility District adjourned at 12:51 p.m.

\_\_\_\_\_  
Chair, Community Benefit Committee

ATTEST:

\_\_\_\_\_  
Secretary, Community Benefit Committee

## D. PROCEDURE IN BOARDS

As a board member, what you need to know to participate properly in board meetings depends on their size. If there are more than about a dozen board members at a meeting, the same procedures are followed as at other meetings, exactly as described in the rest of this book.

If, however, not more than about a dozen board members are present, a more informal procedure is followed [RONR (12<sup>th</sup> ed.) 49:21]:

### Informal Procedure in Small Boards

- + Board members may raise a hand instead of standing when seeking to obtain the floor, and may remain seated while making motions or speaking.
- + Motions need not be seconded.
- + A board member may speak any number of times (not just twice) on a debatable question, except that the regular rules apply to appeals (see pp. 90–91).
- + Informal discussion of a subject is permitted while no motion is pending.
- + Votes can be taken initially by a show of hands.
- + If a proposal is perfectly clear to everyone, it may be voted on even though no formal motion has been made.
- + In putting questions to a vote, the chairman need not stand.
- + If the chairman is a member of the board, he or she can, without giving up the chair, participate in debate, make motions, and vote on all questions.

## ATTACHMENT B

From: Ross Pike <fallbrook@rosspike.us>  
Date: Thursday, February 8, 2024 at 4:39 PM  
To: Lauren Eckert <leckert@fpud.com>  
Subject: FPUD CBC Minutes

Hi Lauren,

These minutes do not list the names of committee members of how they voted. For example, some say 4 AYE and 3 NAY. While the "unanimous" makes sense, but who voted which way for split votes? As a public agency, shouldn't the minutes reflect the vote of each member of the public body for the public to know how these votes went?

Thank you,  
Ross

<https://www.fpud.com/files/0858b9f21/2024-02-12+-+CBP+Agenda+Packet.pdf>

# ATTACHMENT C

**Suggested Improvements for Community Benefit Program  
Submitted jointly by Fallbrook Village Association and  
Fallbrook Arts, Inc.  
January 23, 2024**

- If a submitted project is beneficial to the community at large, that should be the overwhelming decision point on awarding grant funds. The scoring process should be used for guidance, but not as a disqualifying factor. When there are more funds available than the nonprofits in total have requested, it is not in the best interest of the community to NOT award the funds when the projects are worthy. If there are more funds requested than available, then the scoring process can be helpful in determining which projects to award. The committee should understand that most individuals from local nonprofits are not paid and are not expert or even experienced grant writers. Just because the only person available or willing to write the difficult application does not submit a stellar application, that doesn't mean the project is not worthy of consideration.
- An arbitrary, unplanned scoring minimum should not have been selected without being previously announced and planned. Certainly, the four projects that fell under this hastily determined cutoff score should have been given consideration to respond to Committee concerns. All applications should be reviewed and questioned publicly with an opportunity to ask questions and hear answers.
- Committee members should not make decisions on funding a lesser amount than applied for based on assumptions, feelings, and misinformed perspectives. Many times, committee members stated the funding should be lower because they "just felt" it was too high (with no knowledge of the actual costs or impacts of prevailing wage requirements). Once the committee heard feedback about their concerns, in virtually every circumstance they increased the amount to the requested level. Perhaps the arbitrarily disqualified projects that scored under seventy-five had valid points that the committee did not understand. The applicants of the four rejected projects should be provided with an opportunity to explain and defend Committee misperceptions just like all the other applicants.
- Committee members made erroneous assumptions and comments about some projects and did not provide any additional time for the public to correct these misunderstandings once the initial public comment section was completed. There should be a process for the public to correct erroneous comments.
- The committee should be attempting to help as many worthy nonprofits and their projects as possible, and not underutilize the funds available. There appeared to be a level of satisfaction from committee members that they did not award all grants, did not fully fund all grants, and did not fully utilize the funds available. Was there some direction given to them to not use all the funds? If not, why were there so many attempts to underfund projects? The overall committee attitude should be: We are here to give your organization money unless a reason is given for us not to do so.
- The perspective that awards should not go to government agencies, private property owners, or activities that "may" be performed by the County should be changed. The very reason an application is submitted by a nonprofit is for needed funds that will help the community. Arbitrary rules preventing worthy projects from consideration are not in the best interest of the community that this very process is supposed to be benefiting. If there are concerns with some of these situations, the awarded grant can stipulate certain

requirements to ensure the award is used for the benefit of the community. The end result question should always be: Will this be a benefit to the community?

- The application process should be improved and simplified. It is currently unnecessarily difficult. Not being able to save work or submit charts or other necessary information with the application makes the process cumbersome, difficult, and limits the ability to provide essential information to the committee.
- The timeline should not require the committee members to read and score the grants over the holidays. This will only cause less attention to be available for their review since everyone has other obligations at that time of the year. You might consider changing the timeline to Aug.-Oct.
- The Committee should be composed of a mix of individuals with and without current nonprofit participation. It is important that committee members understand the realities of running a nonprofit in these times of reduced donations and volunteers. In most cases, Grants are the only source of funding for projects of significant Community benefit. As the terms of current Committee members end, 50% of the replacement Committee members should be composed of active nonprofit volunteers and/or Board members.

Attachment B  
Suggestions for Improving CBP Process  
and/or Application

## **Attachment B**

### **Suggestions for improving CBP process and or application**

1. Request for funding be scored as eligible or non-eligible.
2. Mechanism for clarification of incorrect information after public comment is over.
3. Clarification on funding projects that county performs similar.
4. Funding government agencies.
5. Method to deal with private property used for community benefit funding.
6. Appeal process for substandard applications.
7. Mid-year funding
8. Adjust contract to add deed restriction or easement.
9. Speaker card prior to start of meeting/or allow to speak with out.
10. When to accept clarifying statements
11. Identify all projects that are not eligible.
12. Identify what is not eligible in application. I.e. equipment, educational expenses etc.
13. Specify a minimum score on Rubric needed for discussion.
14. Add maintenance to rubric Under Priority "Overall, how well does the project affect/enhance community improvement by providing funds needed to sustain an important existing program though maintenance.
15. Develop a formal budget template and add to application.
16. A place to upload bids to an application.
17. A place to upload Visual Renderings
18. Was the project approved by FPG?
19. Request exact location of project.
20. Request property holder/title information.
21. A place to upload a map of a project proposal.
22. More financial information
23. A place to add whether nonprofit owned or privately owned.
24. Look to match rubric more closely with application questions/requests.
25. Site visits as part of application process?
26. Clear up gray areas.
27. Make it clear that these are public agency funds and are subject to State requirements.
28. Rather than a cut off, share ranks with members, then they can vote to fund or not fund. If the majority votes to fund, it goes forward.