



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

MINUTES

**MONDAY, SEPTEMBER 25, 2023
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 Wolk called the September Regular Meeting of the Board of Directors of the Fallbrook Public Utility District to order at 4:00 p.m.

A quorum was established, and attendance was as follows:

Board of Directors

Present: Charley Wolk, 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
Paula de Sousa, General Counsel
Dave Shank, Assistant General Manager/CFO
Jodi Brown, Management Analyst
Aaron Cook, Engineering Manager
Mick Cothran, Engineering Technician
Steve Stone, Field Services Manager
Jesse Perez, Chief Plant Operator
Carl Quiram, Operations Manager
Lauren Eckert, Executive Assistant/Board Secretary

Also present were others, including, but not limited to: Mark Mervich, Jacqueline Howells, and Jackie Heyneman

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.

There were no public comments.

- A. NEW EMPLOYEE ANNOUNCEMENT
1. Sierra Stephensen, Engineering Intern

The Board welcomed Sierra Stephensen as the new Engineering Intern.

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

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.

- B. CONSIDER APPROVAL OF MINUTES
1. August 21, 2023 Regular Meeting
2. August 31, 2023 Special Meeting

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

There were no public comments on Consent Calendar items.

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

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

ABSTAIN: None
ABSENT: None

III. INFORMATION----- (ITEM C)

C. WATER RECLAMATION PLANT OPERATIONS

Presented by: Jesse Perez, Chief Plant Operator

There were no public comments on agenda item C.

Chief Plant Operator Perez presented a slideshow on the Water Reclamation Plant Operations including the goals and objectives for the year, the flows and power data, and projects and changes.

Director Baxter asked about the months that showed lower solar energy projection. General Manager Bebee responded that we have had problems with solar system outages, and we have been figuring out how to get the O&M agreement in place to deal with these outages.

IV. ACTION / DISCUSSION CALENDAR ----- (ITEMS D-F)

D. CONSIDER UPDATE OF EMERGENCY DECLARATION FOR PIPELINE REPLACEMENTS

Recommendation: That the Board continue emergency action to replace the failed pipelines.

There were no public comments on agenda item D.

General Manager Bebee reported this is a continuation of the emergency declaration that appears on the agenda each month until the emergency action is complete.

MOTION: Director Endter moved to continue emergency action to replace the failed pipelines; Director DeMeo seconded. Motion carried; **VOTE:**

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

E. CONSIDER RESOLUTION NO. 5062 IN RECOGNITION OF JACKIE HEYNEMAN AND THE FALLBROOK VILLAGE ASSOCIATION

Recommendation: That the Board adopt Resolution No. 5062 of recognition of Jackie Heyneman and the Fallbrook Village Association.

There were no public comments on agenda item E.

Engineering Technician Cothran presented a slideshow on the Heyneman Park Turf Removal Project. He also recognized Jackie Heyneman and the Fallbrook Village Association for their efforts to complete their this conversion from turf grass to low water use plants at Heyneman Park.

Jackie Heyneman stepped to the podium to recognize Engineering Technician Cothran for his assistance with this project as well.

MOTION: Director McDougal moved to adopt Resolution No. 5062 in recognition of Jackie Heyneman and the Fallbrook Village Association; Director DeMeo seconded. Motion carried; VOTE:

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

F. CONSIDER APPROVAL FOR ROOF REPAIR/REPLACEMENT AT MAIN OFFICE BUILDING

Recommendation: That the Board approve a contract with Bishop, Inc., in the amount of \$393,898.00, for roof repair/replacement at the main office building.

There were no public comments on agenda item F.

General Manager Bebee provided an overview of the roof replacement and reported this went through the Engineering and Operations Committee. He noted there was a fair amount of water damage that needs to be addressed as well.

Director Baxter asked how long the schedule was. General Manager Bebee responded that it would take a couple of months. The hope was to do this over the winter. He also addressed that we would need to come up with a plan on how to work during the construction.

President Wolk asked how some of the roofing issues were know and asked if there was a crawl space. Field Services Manager Stone reported there was a crawl space, and they had gone up in the crawl space previously to assess a few of the issues. President Wolk anticipated future issues arising that would be more than the \$393,898.

MOTION: Director McDougal moved to approve a contract with Bishop, Inc., in the amount of \$393,898, for roof repair/replacement at the main office building; Director Endter seconded. Motion carried; 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 de Sousa reported on an initiation of a change in the public records acts.
2. SDCWA Representative Report
 - General Manager Bebee provided an overview of the written report included in the packet.
3. General Manager
 - a. Engineering and Operations Report
 - b. Federal Funding Update
 - Jacqueline Howells provided an update on the federal funding efforts. She also provided an update on the CropSwap initiative.
 - President Wolk noted it's hard for a layman to understand the difference in the CropSwap of one avocado variety to another, which uses less water.
4. Assistant General Manager/Chief Financial Officer
 - a. Financial Summary Report
 - b. Treasurer's Report
 - c. Budget Status Report
 - d. Warrant List
 - AGM/CFO Shank provided an overview of the written report included in the packet.
5. Public Information Officer
6. Notice of Approval of Per Diem for Meetings Attended
7. Director Comments/Reports on Meetings Attended
 - Director Baxter reported on the 100th anniversary book signing event.
 - Director McDougal recognized Public Information Officer Denke for all of her hard work with the 100th anniversary. President Wolk recognized her contributions to the detachment efforts as well.
8. Miscellaneous

ADJOURN TO CLOSED SESSION

General Counsel de Sousa announced the Board would be going into Closed Session to discuss items VI.1 through 3. She announced members of the public participating via Zoom would only hear silence and see a black screen while the Board was in Closed Session. She also announced there would be a report heard on the Zoom line once the Board came out of Closed Session and reconvened to Open Session.

The Board adjourned to Closed Session at 5:00 p.m.

VI. Closed Session----- (ITEMS 1-3)

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4):

One (1) potential case

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1):

NAME OF CASE: *San Diego County Water Authority v. San Diego Local Agency Formation Commission, Fallbrook Public Utility District, et al. (37-2023-000036018-CU-TT-CTL)*

3. CONFERENCE TO PROVIDE DIRECTION TO REAL PROPERTY NEGOTIATORS PER GC § 54956.8

Property: *A 5,068 square foot portion of APN 1054921800*

Agency Negotiators: *Aaron Cook, Engineering Manager*

Negotiating Parties: *Barsky Family Trust, Daniel Barsky*

Under Negotiation: *Price and Terms*

RECONVENE TO OPEN SESSION

The Board came out of Closed Session and reconvened to Open Session at 5:45 p.m.

REPORT FROM CLOSED SESSION (*As Necessary*)

There was no reportable action taken in Closed Session.

VII. ADJOURNMENT OF MEETING

There being no further business to discuss, President Wolk adjourned the September regular meeting of the Board of Directors of the Fallbrook Public Utility District at 5:45 p.m.



President, Board of Directors

ATTEST:



Secretary, Board of Directors