



FALLBROOK PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS  
SPECIAL BOARD MEETING

MINUTES

TUESDAY, JUNE 2, 2020  
9:00 A.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 Endter called the Special Meeting of the Board of Directors of the Fallbrook Public Utility District to order at 9:01 a.m. President Endter made clear for the record that this meeting was conducted by teleconference using the call-in and web link pursuant to the Brown Act waivers to certain provisions of the Brown Act provided under the Governor's Executive Orders in response to the COVID-19 State of Emergency.

President Endter also announced that the agenda provided notice that members of the public were encouraged to participate in the Board Meeting via teleconference using the call-in and web link information, and that members of the public could also email public comments and comments on agenda items in advance of the meeting by depositing them in the District's payment drop box, mailing them to the District, or emailing them to the Board Secretary. Any such written comments would be read onto the record at the appropriate portion of the meeting, up to a limit of three (3) minutes per comment.

President Endter made clear for the record that all actions taken by the Board, if any, would be done by roll call.

A quorum was established, and attendance was as follows:

Board of Directors

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

Absent: None

General Counsel/District Staff

Present: Alison Alpert, Board Counsel  
Lisa Chaffin, Human Resources Manager  
Steve Stone, Field Services Manager  
Lauren Eckert, Executive Assistant/Board Secretary

Also present were others, including, but not limited to: Frances Rogers, Andy Lotrich, Todd Lange

PLEDGE OF ALLEGIANCE

President Endter led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION: Director McDougal moved to approve the agenda as presented; Director Wolk seconded. Motion passed; VOTE:

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

NOES: None

ABSTAIN: 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.

**II. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE PER GOVERNMENT CODE SECTION 54957**

**A. EMPLOYEE TERMINATION APPEAL HEARING OF TODD LANGE**

Board Counsel Alpert summarized the procedures of the hearing with the Board and the District and Employee Representatives and noted this hearing was conducted publicly, at the request of the employee.

MOTION: Director McDougal moved that witnesses be excluded from the hearing prior to testimony; Director Wolk seconded. Motion passed; VOTE:

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

NOES: None  
ABSTAIN: None

At 9:24 a.m., President Endter announced the Board would take a brief recess.

At 9:34 a.m., the Board returned from recess and reconvened to Open Session.

Board Counsel Alpert announced that since this meeting took place via WebEx, any members of the public could make a request for a copy of the documents included in the administrative record.

Opening argument occurred by District Representative, Frances Rogers.

Opening argument occurred by Employee Representative, Andy Lotrich.

Lisa Chaffin, Human Resources Manager, was called to testify, under oath, as a witness by District Representative, Frances Rodgers.

At 12:06 p.m., President Endter announced the Board would take a recess for lunch.

At 12:45 p.m., the Board returned from recess and reconvened to Open Session.

Testimony of Lisa Chaffin, Human Resources Manager continued, and subsequent cross-examination then occurred by Employee Representative, Andy Lotrich.

### **ADJOURN TO CLOSED SESSION**

*At any time during the Open Session, the Board may adjourn to Closed Session to consider litigation, or discuss with Legal Counsel matters within the Attorney/Client Privilege, subject to the appropriate disclosures. Discussion of litigation is within the Attorney/Client Privilege and may be held in Closed Session. (Pursuant to Government Code Section 54956.9)*

The Board of Directors adjourned to Closed Session at 2:13 p.m. following an oral announcement by Board Counsel Alpert of Closed Session Item III.1.

### **III. CLOSED SESSION -----(ITEM 1)**

1. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE PER GOVERNMENT CODE SECTION 54957

### **RECONVENE TO OPEN SESSION**

The Board returned from Closed Session and reconvened to Open Session at 2:37 p.m.

REPORT FROM CLOSED SESSION (*As Necessary*)

Board Counsel Alpert announced there was no reportable action taken in Closed Session.

Cross-examination of Lisa Chaffin continued by Employee Representative, Andy Lotrich.

At 3:31 p.m., President Endter announced the Board would take a brief recess to gather the next witness.

At 3:39 p.m., the Board returned from recess and reconvened to Open Session.

Steve Stone, Field Services Manager, was called to testify, under oath, as a witness by District Representative, Frances Rodgers. Subsequent cross-examination then occurred by Employee Representative, Andy Lotrich.

**IV. ADJOURNMENT OF MEETING**

At 5:04 p.m., President Endter recessed the Special Meeting of the Board of Directors of the Fallbrook Public Utility District until June 3, 2020 at 9:00 a.m.

  
\_\_\_\_\_  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors