



**FALLBROOK PUBLIC UTILITY DISTRICT
MEETING OF THE ENGINEERING & OPERATIONS COMMITTEE**

AGENDA

**MONDAY, JUNE 20, 2022
11:00 A.M.**

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

THIS MEETING WILL BE HELD PURSUANT TO GOVERNMENT CODE SECTION 54953(e)(1)(A), WHICH WAIVES CERTAIN BROWN ACT TELECONFERENCING REQUIREMENTS DURING A PROCLAIMED STATE OF EMERGENCY WHEN STATE OR LOCAL OFFICIALS HAVE IMPOSED OR RECOMMENDED MEASURES TO PROMOTE SOCIAL DISTANCING, AND ALLOWS SOME OR ALL OF THE MEMBERS OF THE ENGINEERING & OPERATIONS COMMITTEE TO ATTEND THIS MEETING TELEPHONICALLY OR VIA VIDEO CONFERENCE. MEMBERS OF THE PUBLIC WHO DO NOT WISH TO ATTEND IN PERSON ARE ENCOURAGED TO PARTICIPATE IN THE MEETING VIA WEB CONFERENCE USING THE BELOW CALL-IN AND WEBLINK INFORMATION. MEMBERS OF THE PUBLIC MAY ALSO PARTICIPATE IN THIS MEETING BY ATTENDING IN PERSON AT THE DISTRICT OFFICE LOCATED AT 990 E. MISSION RD., FALLBROOK, CA 92028.

Join Zoom Meeting

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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
- 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 Board during the appropriate portion of the meeting. Please keep any written comments to 3 minutes.

REMOTELY MAKE COMMENTS DURING THE MEETING: The Board President will inquire prior to Board 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 Board President will inquire prior to Board 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

PUBLIC COMMENT

II. ACTION / DISCUSSION -----(ITEMS A-C)

- A. PERIMETER FENCE REPLACEMENT AT THE SANTA MARGARITA GROUNDWATER TREATMENT PLANT ON ALTURAS RD
- B. UPDATE OF EMERGENCY DECLARATION FOR PIPELINE REPLACEMENTS
- C. FEDERAL ADVOCACY SERVICES

ADJOURN TO CLOSED SESSION

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

- 1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION INITIATION OF LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9:

One (1) potential case

RECONVENE TO OPEN SESSION

REPORT FROM CLOSED SESSION (*As Necessary*)

IV. ADJOURNMENT OF MEETING

* * * * *

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.

June 16, 2022
Dated / Fallbrook, CA

/s/Lauren Eckert
Executive Assistant/Board Secretary

M E M O

TO: Engineering & Operations Committee
FROM: Aaron Cook, Engineering Manager
DATE: June 20, 2022
SUBJECT: Perimeter fence replacement at the Santa Margarita Groundwater Treatment Plant on Alturas Rd

Description

Contract award for replacement of the perimeter fence on the District property along Alturas Road.

Purpose

The existing fence on the District property line along Alturas Road from the Mobile Home Park to Good Earth Nursery was constructed many years ago and has suffered damage from fallen tree limbs, overgrown plant material and erosion that has raised and lowered the grade. This is one part in a comprehensive project to improve security and aesthetics along the frontage of Alturas Road. In May of 2022, staff distributed an RFP to collect proposals to remove the existing fence and install a new fence in its place that will incorporate recommendations from a Department of Homeland Security review of District facilities. Red Hawk Fence as the low bidder in the amount of \$97,780.32.

Budgetary Impact

There is no budgetary impact. The cost of the project is included in the FY2022/23 capital budget.

Recommended Action

That the Committee recommend to the Board authorization to award the contract to Red Hawk Fence in the amount of \$97,780.32 to remove the existing fence and install a new security fence.

M E M O

TO: Engineering & Operations Committee
FROM: Kevin Collins, Purchasing/Warehouse/Fleet Supervisor
Aaron Cook, Engineering Manager
DATE: June 20, 2022
SUBJECT: Update of Emergency Declaration for Pipeline Replacements

Description

California Public Contract Code Section 22050 authorizes special contracting procedures in case of an emergency; the General Manager may take immediate action required by the emergency to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids. However, the GM must report to the Board of Directors with an update at each regularly scheduled meeting to determine that there is a need to continue the action. When the Board reviews the emergency action, it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

Purpose

Due to numerous leaks in damaged pipeline disrupting essential service to customers on sections of Ivy St, Minnesota Ave, Alvarado St, Via Arroyo and Alta Vista, an agreement was made with SRK Engineering, the pipeline contractor already under contract for the Gum Tree Pipeline Replacement, to additionally replace these sections of pipeline. Catastrophic pipe failure at these locations has required temporary measures to maintain service, including abandonment of looped sections of pipe and high lined services. These temporary remedies need to be permanently replaced to maintain reliable water service. The typical design, bid, build process would take 10 to 15 months. By working with SRK Engineering, who is already mobilized for pipeline replacements in the District, this work can be completed in 2 to 4 months, minimizing the time the District is dependent on less reliable temporary remedies. The District has agreed to provide materials for the emergency replacements while the contractor charges for labor under the District's standard time and materials agreement. The total length of pipe to be replaced will be as much as 2,000 linear feet, with pipe sizes ranging from 6-inch to 12-inch diameter.

As of June 3, the Ivy St and Alvarado St replacements are complete. The contractor will begin work on the Minnesota Ave pipeline on June 15th.

Budgetary Impact

The revised estimated installation cost of these repairs is \$600,000 in total. The final Ivy St costs were \$158,212.69. The costs will be covered by the capital budget pipeline

replacement funds. Because of procurement delays on planned pipeline replacement projects, unused capital funds are available to prioritize these emergency replacements within the approved budget. Year end projections below include estimated emergency replacement costs.

	FY 2021/22 Budget	Projected Year End
Total PAYGO	\$7,388,000	\$5,615,000
Pipeline Replacement	\$3,488,000	\$2,900,000

Recommended Action

The Committee recommend to the Board that there is a need to continue the emergency action to replace failed pipelines and restore essential service to customers.

Also that the Committee recommend to the Board approval of a change order in the amount of \$158,212.69 for the installation of the Ivy St Pipeline.

M E M O

TO: Engineering and Operations Committee
FROM: Jack Bebee, General Manager
DATE: June 20, 2022
SUBJECT: Federal Advocacy Services

Purpose

For the Committee to consider engaging external federal advocacy services to support seeking federal funding for projects.

Summary and Background

There has been a recent increase in the amount of federal funding available for water/wastewater projects. The District has not pursued many federal funding opportunities or utilized an external federal advocacy support resources since the funding was secured for the Santa Margarita Conjunctive Use Project (SMRCUP). There are several potential opportunities to seek funding under the current programs. Two of the most likely funding candidates would be to expand the District's recycled water system and support construction of the Camp Pendleton Indirect Potable Reuse Project, which will increase the yield of the SMRCUP and water available to the District. Staff reached out to Jaqueline Howells with Howells Government Relations who has been providing similar services to Valley Center MWD for many years since they have an understanding of the needs for rural/agricultural agencies in North San Diego County. A copy of the proposal is attached.

Budget Impact

The attached proposal would result in an annual cost of \$90,000, which would be included in the office of the General Manager operating budget.

Recommended Action

That the Committee consider engaging federal advocacy services for an initial one-year period to help try and secure grant funding to reduce District ratepayer funding needs for key projects.

HOWELLS GOVERNMENT RELATIONS

PROPOSED AGREEMENT FOR HOWELLS GOVERNMENT RELATIONS FEDERAL ADVOCACY SERVICES TO BE PROVIDED TO FALLBROOK PUBLIC UTILITY DISTRICT

1. General Purpose of Federal Advocacy Agreement

With the passage of the Infrastructure Investment and Jobs Act—termed by the Biden Administration as the “Bipartisan Infrastructure Law” (“BIL”)—and the additional over \$1 Trillion in federal funds available for the nation’s infrastructure, Fallbrook Public Utility District (“District” or “FPUD”) has determined it wants to pursue federal funding for its infrastructure projects. According to the White House, the BIL “will invest \$55 Billion to expand access to clean drinking water for households, businesses, schools, and childcare centers all across the country”. The White House has promised “. . . from rural towns to struggling cities, the legislation will invest in water infrastructure and eliminate lead service pipes, including in Tribal Nations and disadvantaged communities that need it most”.

The Biden Administration has indicated the additional funds will be disseminated over the next 5 years. With the prospect of so many more dollars for water infrastructure, FPUD wants to again be an active participant in the federal arena—with the ultimate goal of securing federal funding to offset District costs for its water reclamation and other critical infrastructure needs. To reach that goal, FPUD plans to engage Howells Government Relations (“HGR”) to begin the path toward establishing a strong “presence” for the District in Washington, D.C.

HGR will monitor and track federal activity and funding opportunities relating to the District’s projects. HGR’s President, Jacqueline Howells, has the expertise, qualifications, experience and history of accomplishments in the federal arena to assist FPUD to achieve its objective of securing federal funding to alleviate the pressure on the District’s ratepayers—especially its agricultural customers who have suffered greatly due to the ongoing drought, and other competitive issues. HGR will assist the District to accomplish its short- and long-range federal funding, legislative, and regulatory goals by building relationships on behalf of FPUD and crafting a well-defined political, legislative and financial strategy. The District wishes to enter into a formal agreement with HGR to accomplish these goals.

2. Objectives of the Agreement

The objectives to be accomplished via this agreement are as follows:

Advocacy Strategy

HGR will work with the District to explore issues of interest, identify opportunities and potential threats, define goals and objectives—as outlined in this agreement—and then will create a feasible political and legislative strategy to achieve these goals and objectives. HGR then will assist FPUD in executing that strategy employing day-to-day tactics as needed and trading on HGR’s relationships to carry out the provisions of this agreement.

District Profile

HGR will raise the profile of FPUD on Capitol Hill and with the various federal Departments and Agencies with jurisdiction over water issues and funding and will establish a political footprint for the District with key elected and appointed officials and their staff. HGR will assist to position FPUD as a leading provider of high-quality water, sewer and reclamation services; a leader in water conservation efforts and the myriad of services the District provides. Commencing with the next two years and well beyond, HGR looks forward to assisting FPUD in achieving its goals and objectives at the federal, regional and local levels.

HGR Relationships

Only by building a solid foundation of key relationships can FPUD succeed with its federal funding, legislative, and regulatory agenda. In this regard, HGR possesses strong relationships with the California Congressional delegation, key Members of Congress, other important elected officials and staff; and key staff on the committees of jurisdiction over appropriations and other water issues. These contacts include but are not limited to the Senate and House Appropriations Committees, the Senate Environment and Public Works Committee, the House Transportation and Infrastructure Committee, the House and Senate Budget Committees, the Senate and House Agriculture Committees, the Senate Energy and Natural Resources Committee, the House Natural Resources Committee, the House Energy and Commerce Committee; the U.S. Department of the Interior; the Bureau of Reclamation, which manages water in the West; the U.S. Department of Agriculture; the U.S. Environmental Protection Agency; the Office of Management and Budget, and the Federal Energy Regulatory Commission—to name a few. These and other HGR relationships will be crucial in assisting the District to meet its short- and long-term goals. As soon as FPUD retains HGR, we will begin meeting with Congressional and Executive Branch officials and staff on the District's behalf. And under the direction of and in conjunction with the General Manager and senior management/department heads, HGR will map out a short- and long-range strategy for obtaining federal funding for FPUD projects and to meet the District's other legislative and regulatory goals.

3. Specific Tasks and Services to be Provided by HGR

The specific tasks HGR will undertake on behalf of the District under the terms of this agreement are as follows:

1. Develop and execute a comprehensive, coordinated strategy involving congressional relations/lobbying, government, and public relations at the federal, regional and local levels in support of the achievement of the District's objectives.
2. Monitor and track all federal legislation and regulations introduced with potential economic and operations impacts on the District. Keep FPUD General Manager, Board of Directors and senior management/department heads up-to-date on federal issues of interest and concern to the District.
3. Assess potential for passage of relevant legislation/regulations and provide a political assessment of pertinent federal legislation/regulations to District General Manager and Board of Directors.
4. Meet with District General Manager and senior management/department heads to ascertain issues of interest and concern to various divisions of FPUD and assist in prioritizing those issues.

5. Address more specific needs of the District in the monitoring and tracking process.
6. Ascertain and communicate to the FPUD potential for change in legislation/regulations under consideration, which may meet the District's needs and concerns or alternatively which could have a potentially negative financial impact on District priorities.
7. Communicate to Congressional staff, the Executive Branch and federal Departments and Agencies FPUD's positions on legislative and regulatory issues.
8. Monitor and track general opportunities for potential present and future funding opportunities/sources for FPUD projects.
9. Develop recognition and heighten awareness of the District within the Congress, the Executive Branch and at key regulatory Departments and Agencies, creating a "presence" for FPUD in Washington, D.C., thus making the District more competitive at the federal level.
10. Actively seek out opportunities to educate public policy officials in Congress, the Executive Branch and various federal Departments and Agencies about District priorities and the "federal nexus"/justification for federal tax dollars to be used to facilitate building FPUD projects. Plan and carry out informational and relationship-building meetings on behalf of the District.
11. Continue to nurture existing relationships with the U.S. Congress, the Executive Branch and federal Departments and Agencies on behalf of FPUD.
12. Direct the District's efforts to pursue authorization legislation—as appropriate—and federal appropriations and other federal funding opportunities.
13. To accomplish the task described in numeral 12, HGR will assist the District in drafting and getting authorization legislation introduced—as needed—securing Committee hearings, attaining passage of that legislation at the Sub- and Full-Committee levels, with the ultimate goal of obtaining final passage of said authorization legislation in both chambers of Congress and ultimately having the bill signed into law by the President of the United States.
14. To accomplish the federal appropriations task described in numeral 12, HGR will stay abreast of and aggressively pursue federal funding opportunities for FPUD. We will help the District position itself to effectively compete for federal appropriations as well as other sources of federal funding.
15. Leverage HGR relationships with Members of Congress, key Committee Members, and other key federal policy makers on behalf of the District. This will be accomplished by making introductions of the General Manager, the Board President and/or any interested Board Members, and other key staff member(s) as designated by the General Manager and Board President to key policy makers and staff during planned lobbying and "educational" visits to Washington, D.C. Additionally, HGR will continue to meet with the above-mentioned federal contacts separately on behalf of the District.
16. Forge a strategic public relations campaign designed to educate key Members of Congress and their staff, key committee staff, and key policy makers in federal Departments and Agencies regarding FPUD's mission and objectives and its prominent role in the communities it serves. Raise the profile, awareness, and visibility of the District at the federal, regional and local levels.

17. Work with District staff to develop and draft effective lobbying documents. As past experience demonstrates, this process continues and evolves with each visit with our federal contacts, as we work to keep “educational” documents about FPUD up-to-date regarding progress on projects for which the District is or will be pursuing federal support and funding. This process will enable HGR to present FPUD in the best possible light.
18. Work with local and regional communities, leaders (e.g., city councils and relevant community groups and business organizations), and legislators (county supervisors) to garner support for the District’s projects and communicate that support to federal legislators and the Administration.
19. Be available to advise the District on the political, legislative, and regulatory process and answer other questions as they arise.
20. Brief Board, General Manager, and key District staff—as requested—on federal issues of interest and HGR’s efforts and progress on behalf of FPUD.
21. As an additional service, HGR can—as warranted by federal activities—provide periodic written reports to the Board, General Manager, and senior management/department heads to update them on federal issues of interest as well as HGR’s efforts and progress on behalf of FPUD.
22. Ultimately achieve the ability to influence the federal decision-making process—especially as it relates specifically to the District—through relationships built on behalf of FPUD.

4. Terms of the Agreement

HGR agrees to perform the services outlined in this agreement for the District for a monthly retainer of \$7,500 plus reasonable, agreed-upon incidental expenses incurred in representing FPUD, such as travel, lodging, taxis, meals, parcel delivery, mass-production of lobbying and other documents, etc.—effective July 1, 2022, and continuing for a period of 2 years through June 30, 2024. By 60 days prior to the end of the second year, the District and HGR will jointly evaluate the benefits and desirability of extending the existing contract for the following 2 years.

The monthly retainer covers *all* expenses, including travel to the District offices, ordinary mailing expenses, faxes, and copies with the exception of those items listed in the previous paragraph. Those and special projects which may require the participation of vendors, special graphic design projects, printing, and other substantial expenses will be subject to General Manager approval. Invoices are mailed at the beginning of the month preceding the month for which services will be rendered, and payment is due in full by the 10th of the month for which services are provided.

5. Termination of Agreement

With 60 days notice, either party to this agreement may—upon written notification—terminate this agreement for services.

6. HGR Comments

On behalf of HGR, we look forward to engaging with Fallbrook Public Utility District and entering into an agreement to provide strategic counsel, as well as congressional-, government- and public relations assistance to the District. We are delighted to be

considered to be a part of FPUD’s team and anxiously anticipate the opportunity to develop and execute a highly effective strategy to meet your federal funding, government relations, and public outreach objectives in an efficient and cost-effective manner. We look forward to leveraging our relationships in the Congress and within various federal Departments and Agencies on the District’s behalf toward meeting your long-range objective of obtaining federal funding and achieving your federal funding, legislative and regulatory goals.

7. Agreement

Should the District desire to enter into the previously-described agreement, said agreement will be put into effect with the signatures below.

We look forward to a mutually-rewarding long-term relationship.

Jack Bebee, General Manager
Fallbrook Public Utilities District

Date: _____

Jacqueline A. Howells, President
Howells Government Relations

Date: _____