



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

AGENDA

**MONDAY, JUNE 27, 2022
4:00 P.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 FALLBROOK PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS 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

<https://us06web.zoom.us/j/82003172211?pwd=UUJ1OYWlMkVwWGVAUFNkQnA2bHA4Zz09>

MEETING ID: 820 0317 2211

AUDIO PASSCODE: 363170

Dial by your location

+1 346 248 7799 US (Houston); +1 720 707 2699 US (Denver); +1 253 215 8782 US (Tacoma);
+1 312 626 6799 US (Chicago); +1 646 558 8656 US (New York); +1 301 715 8592 US (Washington DC)

Find your local number: <https://us06web.zoom.us/j/82003172211?pwd=UUJ1OYWlMkVwWGVAUFNkQnA2bHA4Zz09>

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 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

- A. CONSIDER FINDINGS TO CONTINUE HOLDING REMOTE/ TELECONFERENCE MEETINGS PURSUANT TO ASSEMBLY BILL 361

Recommendation:

1. *That the FPUD Board of Directors make the following findings by majority vote:*
 - a. *The Governor-declared COVID-19 State of Emergency remains in effect and the Board of Directors has reconsidered the circumstances of the COVID-19 State of Emergency; and*
 - b. *State or local officials continue to impose or recommend measures to promote social distancing.*
2. *That the FPUD Board of Directors determine that, for the next thirty (30) days, the meetings of the Board and committees shall be held pursuant to the provisions of Government Code section 54953(e), allowing legislative body members and members of the public to participate in meetings remotely in accordance with that section.*

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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.

- B. H.R. LABOUNTY SAFETY AWARDS RECIPIENT
1. Kyle Drake

- C. NEW EMPLOYEE ANNOUNCEMENT
1. Jorge Ibarra, Utility Worker I

II. CONSENT CALENDAR----- (ITEMS D-I)

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.

- D. CONSIDER APPROVAL OF MINUTES
1. May 23, 2022 Regular Board Meeting

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

- E. CONSIDER ADOPTION OF RESOLUTION NO. 5030 PLACING FIXED CHARGE SPECIAL ASSESSMENTS TO ADD DELINQUENT AND UNPAID CHARGES ON THE TAX ROLL

Recommendation: *That the Board adopt Resolution No. 5030 placing fixed charge special assessments to add delinquent and unpaid charges on the annual tax roll for 2022-23 by the San Diego County Treasurer-Tax Collector.*

- F. CONSIDER ADOPTION OF ORDINANCE NO. 352 FIXING WATER STANDBY OR AVAILABILITY CHARGES FOR 2022-23

Recommendation: *The Board adopt Ordinance No. 352 as prepared and authorize the Secretary of the Board of Directors to send a certified copy to the Board of Supervisors of the County of San Diego and Auditor and Controller of the County of San Diego.*

- G. CONSIDER NOTICE OF COMPLETION FOR SEWER MAINLINE RELINING

Recommendation: *That the Board authorize staff to file the attached Notice of Completion with the San Diego County Recorder.*

- H. CONSIDER ADVANCED APPROVED TO ATTEND MEETINGS

Recommendation: *That the Board authorize and approve, in advance, Directors' attendance to the California Special Districts Association (CSDA) Annual Conference, scheduled for August 22-25, 2022 in Palm Desert, California.*

- I. CONSIDER APPROVAL OF THE AMENDED SALARY SCHEDULE (EFFECTIVE JULY 1, 2022) FOR ALL DISTRICT EMPLOYEES, EXCEPT THE GENERAL MANAGER, BY ADOPTION OF RESOLUTION NO. 5033

Recommendation: *That the Board adopt Resolution No. 5031 adopting the amended salary schedule (effective July 1, 2022) for all District employees, except the General Manager*

III. INFORMATION----- (ITEMS J–K)

- J. RECOGNITION FROM THE BOARD FOR STAFF PLANNING AND STAFFING THE DISTRICT'S 100TH YEAR ANNIVERSARY EVENT

- K. ADDITIONAL LEGAL DAMAGES AND INTEREST PAYMENT RECEIVED FROM THE SAN DIEGO COUNTY WATER AUTHORITY (SDCWA)

IV. PROPOSED FISCAL YEAR 2022-23 BUDGET----- (ITEM L)

- L. REVIEW OF PROPOSED BUDGET AND CONSIDER ADOPTION OF RESOLUTION NO. 5032 ADOPTING THE DISTRICT FISCAL YEAR 2022-23 RECOMMENDED ANNUAL BUDGET AND ADOPTION OF RESOLUTION NO. 5033 AMENDING ARTICLE 12 OF THE ADMINISTRATIVE CODE

Recommendation: That the Board adopt Resolution No. 5032 adopting the final budget for Fiscal Year 2022-23 and adopt Resolution No. 5033 amending the Administrative Code to reflect the new RTS charge.

V. ACTION / DISCUSSION CALENDAR----- (ITEMS M-R)

- M. CONSIDER AMENDMENT OF ADMINISTRATIVE CODE SECTION 5 – PURCHASING PROCEDURES

Recommendation: The Board adopt Resolution No. 5034, amending Article 5 of the FPUD Administrative Code with the changes noted above.

- N. CONSIDER AWARD OF ALTURAS PROPERTY SECURITY FENCE PROJECT

Recommendation: That the Board 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.

- O. CONSIDER 2022 CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD OF DIRECTORS ELECTION, (SEAT B), SOUTHERN NETWORK

Recommendation: That the Board select one candidate from the slate of candidates in the 2022 California Special Districts Association Board of Directors Election, (Seat B), Southern Network for the 2023-2025 term and authorize the District Secretary to cast its vote by electronic ballot.

- P. CONSIDER UPDATE OF EMERGENCY DECLARATION FOR PIPELINE REPLACEMENTS

Recommendation: That the Board authorize continued emergency action to replace failed pipelines and restore essential service to customers. Also that

the Board approve a change order in the amount of \$478,863.48 with SRK Engineering for the installation of the Ivy St and Alvarado St Pipelines.

- Q. CONSIDER DISCUSSION OF LETTER SENT BY SAN DIEGO COUNTY WATER AUTHORITY GENERAL COUNSEL TO THE BAY DELTA WATERMASTER ON MAY 31, 2022

Recommendation: Staff supports Board direction.

- R. CONSIDER FEDERAL ADVOCACY SERVICES

Recommendation: That the Board 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.

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

1. General Counsel
2. SDCWA Representative Report
3. General Manager
 - a. Engineering and Operations Report
4. Assistant General Manager/Chief Financial Officer
 - a. Financial Summary Report
 - b. Treasurer's Report
 - c. Budget Status Report
 - d. Warrant List
5. Public Affairs Specialist
6. Notice of Approval of Per Diem for Meetings Attended
 - a. Notification of Approval for Directors' Attendance to help set up at 100th Anniversary Event on June 2, and June 3, 2022.
7. Director Comments/Reports on Meetings Attended
8. Miscellaneous

ADJOURN TO CLOSED SESSION

VII. CLOSED SESSION-----(ITEMS 1-4)****

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

One (1) Potential Case

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

One (1) potential case

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PER GOVERNMENT CODE SECTION 54957:

Discuss Performance Evaluation of General Manager

4. CONFERENCE WITH LABOR NEGOTIATORS PER GC § 54957.6

Agency Designated Representative: Board President Baxter

Unrepresented Employee: General Manager

RECONVENE TO OPEN SESSION

REPORT FROM CLOSED SESSION (*As Necessary*)

VIII. 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(a).

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 22, 2022
Dated / Fallbrook, CA

/s/ Lauren Eckert
Executive Assistant/Board Secretary