



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

MINUTES

**MONDAY, MAY 24, 2021
4:00 P.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 DeMeo called the May Regular Meeting of the Board of Directors of the Fallbrook Public Utility District to order at 4:01 p.m. President DeMeo deferred to General Counsel de Sousa to make the following statements on the record regarding the proceedings for this meeting:

General Counsel de Sousa announced, for the record, that this meeting was conducted by teleconference using the call-in and web link on the agenda, pursuant to the Brown Act waivers to certain provisions under the Governor's Executive Order in response to the COVID-19 State of Emergency.

General Counsel de Sousa also announced 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 have also emailed public comments and comments on agenda items in advance of the meeting by mailing them to the District, dropping them in the District's payment drop box, or emailing them to the Board Secretary. Any such written comments would be read on to the record at the appropriate portion of the meeting – up to a limit of three (3) minutes per comment.

General Counsel de Sousa noted, for the record, there were no written public comments for any agenda items submitted prior to the submission deadline.

A quorum was established, and attendance was as follows:

Board of Directors

Present: Jennifer DeMeo, Member/President
Dave Baxter, Member/Vice President

Ken Endter, Member
Don McDougal, Member
Charley Wolk, Member
Absent: None

General Counsel/District Staff

Present: Jack Bebee, General Manager
Paul de Sousa, General Counsel
Dave Shank, Assistant General Manager/CFO
Jason Cavender, Operations Manager
Aaron Cook, Engineering Manager
Steve Stone, Field Services Manager
Owni Toma, Chief Plant Operator
Jodi Brown, Management Analyst
Lauren Eckert, Executive Assistant/Board Secretary
Soleil Develle, Engineering Technician III
Annalece Bokma, Accounting Technician II
Mavis Canpinar, Customer Service Specialist

Also present were others, including, but not limited to: Craig Balben and Michael Powers

PLEDGE OF ALLEGIANCE

President DeMeo led the Pledge of Allegiance.

General Counsel de Sousa announced that President DeMeo would ask the Board Secretary if there were any members of the public who had submitted written comments in advance of the meeting or who wished to make comments on the item through Zoom webinar or Zoom teleconference. After public comments, President DeMeo would then call on staff to make a presentation for the next item on the agenda. After the presentation was made, to avoid everyone speaking at once, President DeMeo would then call on each Director to see if there were questions for staff regarding their presentation. After the round of questions, President DeMeo would then ask for a motion and request that each Director identify themselves when making a motion or seconding a motion. Next, President DeMeo would call on each Director to see if there were any comments. General Counsel de Sousa announced all votes would be done by roll call.

ADDITIONS TO AGENDA PER GC § 54954.2(b)

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
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.

President DeMeo stated, as permitted under the Brown Act, the Board would hear public comments on items within the subject matter jurisdiction of the District that were not on the agenda.

President DeMeo requested that members of the public, who wished to speak on non-agenda items, raise their hand via Zoom Webinar by clicking on the 'Raise Hand' button and via phone by pressing star nine. President DeMeo then asked the Board Secretary if there were any members of the public who would have liked to be heard, or if any written public comments for non-agenda items had been received via mail, email, or deposit.

There were no public comments on non-agenda items or agenda items A through B.

- A. EMPLOYEES OF THE QUARTER FOR MAY 2021
 - 1. Annalece Bokma
 - 2. Soleil Develle

The Board recognized Annalece Bokma and Soleil Develle for being selected as Employees of the Quarter for May 2021.

- B. YEARS OF SERVICE
 - 1. Owni Toma – 5 years
 - 2. Kelly Laughlin – 5 years
 - 3. Annalece Bokma – 5 years
 - 4. Jake Robinson – 5 years

The Board recognized Owni Toma, Kelly Laughlin, Annalece Bokma and Jake Robinson for their 5 years of service to the District.

- II. **CONSENT CALENDAR**----- (ITEMS C – F)
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.

There were no public comments on Consent Calendar agenda items.

Need to Add who moved and approved consent calendar

- C. CONSIDER APPROVAL OF MINUTES
1. April 26, 2021 Regular Board Meeting

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

- D. CONSIDER ADOPTION OF 2020-21 APPROPRIATION GROWTH RATE;
RESOLUTION NO. 5009

Recommendation: That the Board adopt attached Resolution No. 5009 setting the tax appropriation limit for 2021-22 at \$3,497,966, which includes the Fallbrook and DeLuz service areas and Improvement District "S".

- E. CONSIDER AGREEMENT FOR OUT OF AGENCY SERVICE REQUEST
FOR PARCEL IN RMWD

Recommendation: Staff supports the Board's direction. If approved, staff will provide an Agreement for Out of Service Area, to be signed by Owners, both District General Managers and recorded.

- F. CONSIDER QUITCLAIM FOR RANCHO RYAN EASEMENT

Recommendation: That the Board approve the Quitclaim request.

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

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

III. INFORMATION----- (ITEM G)

- G. DRAFT UPDATE OF THE 2020 URBAN WATER MANAGEMENT PLAN

Presented by: Engineering Department

There were no public comments on agenda item G.

General Manager Bebee gave an overview of the 2020 Urban Water Management Plan, and advised the Board that a Public Hearing and presentation

for this item will be held in June. General Manager Bebee reported that since the last Urban Water Management Plan in 2015, local water demands have declined significantly while water supplies have increased. He also reported that the District was in the process of finalizing terms and conditions with Camp Pendleton and the SMRCUP regarding supply amounts in 2015, and now the agreement is final the SMRCUP supplies are better characterized in the 2020 plan. Overall, water supplies will be more than sufficient to fulfill water demands moving forward.

General Manager Bebee commended both Mick Cothran and Ken Weinberg on their work putting the 2020 Urban Water Management Plan together.

General Manager Bebee made a request to the Board to submit any comments they have regarding the UWMP to Staff in advance so they can be incorporated into the presentation at the June meeting.

IV. ACTION / DISCUSSION CALENDAR -----(ITEMS H – J)

H. CONSIDER SOLIDS MANAGEMENT OPTIONS

Recommendation: Staff recommends Option 3: Continuing to Haul, as the preferred solids management strategy at this time.

There were no public comments on agenda item H.

Chief Plant Operator Toma presented the solids management options to the Board, and gave an overview of the how the water reclamation plant processes wastewater and waste solids. The solids typically get processed through the digesters, centrifuge, and then get dried in a dryer. Chief Plant Operator Toma reported that as of right now, the solids are being discharged into a trailer that hauls the biosolids to Arizona, as the dryer has been taken out of service due to safety issues.

Chief Plant Operator Toma advised the Board that with the labor savings, reliability, ease of operation and lowest projected annual cost, continuing to haul the biosolids would be the greatest benefit to the District, as opposed to buying a new dryer. Chief Plant Operator Toma assured the Board that Staff would continue to analyze information on smaller dryer applications to ensure hauling continues to remain the most cost-effective path for the District.

Director McDougal asked if we have a back-up trailer, which Chief Plant Operator Toma confirmed that we do, and asked if we will be notified if the trailer is over filled or under filled, as charges fluctuate based on weight. Chief Plant Operator Toma confirmed that we will start getting digital weight notifications.

Director McDougal raised concerns about rising diesel and energy costs. General Manager Bebee advised that we are locked into a dollars per ton contract and there is no fuel surcharge

MOTION: Director Endter moved to authorize staff to continue to haul as the preferred solids management strategy; Director McDougal seconded. Motion passed; VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

I. CONSIDER MOU AGREEMENT BETWEEN NORTH COUNTY FIRE PROTECTION DISTRICT AND FALLBROOK PUBLIC UTILITY DISTRICT

Recommendation: *That the Board approve the proposed MOU revisions.*

There were no public comments on agenda item I.

Operations Manager Cavender informed the Board about an existing MOU agreement between FPUD and North County Fire Protection District which states NCFPD would maintain District fire hydrants if they are within their boundaries. This maintenance included painting, exercising valves, conducting pressure tests and overall general site maintenance. Due to funding issues, hydrant maintenance has been discontinued.

Operations Manager Cavender informed the Board the new MOU states FPUD will maintain hydrants as part of its valve maintenance program, and in return, NCFPD will provide Staff with CPR, First-Aid, Hazardous Materials, AED, Confined Space, Emergency Preparedness and Incident Command training. They will also assist the District with emergency and disaster planning response procedures.

Director Endter asked if the County had an obligation to provide hydrant maintenance. General Manager Bebee stated if FPUD decided not to proceed with the MOU revisions, then neither the County nor NCFPD would maintain the hydrants.

Director Wolk asked about who would be financially responsible to replace the hydrants when they are hit by a vehicle, and General Manager Bebee advised reimbursements would be handled through the offending parties' insurance company.

Director Baxter asked about FPUD's responsibility in terms of an emergency response due to wildfires. General Manager Bebee responded that we

do have an Emergency Response Plan, and Staff is trained to be available to communicate with Emergency Responders about issues related to water supply.

MOTION: Director McDougal moved to approve the proposed MOU revisions; Director Endter seconded. Motion passed; VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

J. CONSIDER ELECTION TO ALTERNATE SPECIAL DISTRICT MEMBER ON LAFCO COMMISSION

Recommendation: The Board consider the nominations for the Alternate Special District Member on LAFCO Commission and authorize the President to cast its vote on the ballot provided.

There were no public comments on agenda item J.

MOTION: Director Wolk authorized President DeMeo to submit the Board's unanimous vote for Hayden Hamilton as the Alternate District Member on LAFCO Commission; Director Endter seconded. Motion passed; 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 announced that Legislative leaders agreed on a 12 Bill limit per member.
- General Counsel de Sousa gave an overview of 3 new Bills that pertain to the Brown Act concerning virtual meetings.
- General Counsel de Sousa gave an overview of a report from by the Legislative Analyst's Office concerning the COVID-19 pandemic, and will provide a copy of the report to the Board.

2. SDCWA Representative Report

- General Manager Bebee provided an overview of the written report included in the agenda packet.
- a. Engineering and Operations Report

- General Manager Bebee reported meter and valve replacements continue to be a priority for the District.
- 3. 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 reports included in the agenda packet.
 - AGM/CFO Shank gave an overview of the County's outreach efforts to reach utility companies about their program for rent and utility relief for residents.
- 4. Public Affairs Specialist
- 5. Notice of Approval of Per Diem for Meetings Attended
- 6. Director Comments/Reports on Meetings Attended
 - President DeMeo presented a 55-year Member Recognition Certificate awarded to FPUD from the Fallbrook Chamber of Commerce.
- 7. Miscellaneous

ADJOURN TO CLOSED SESSION

General Counsel de Sousa announced that members of the public were welcome to continue to stay on the teleconference line while the Board was in Closed Session, however they would only hear silence. Following Closed Session and prior to adjournment, an oral announcement of reportable action, should there be any, would be made to the public on the teleconference line.

There were no public comments on any Closed Session agenda items.

The Board of Directors adjourned to Closed Session at 5:12 p.m. following an oral announcement by General Counsel de Sousa of Closed Session Items VI.1 through VI.2.

VI. CLOSED SESSION -----(ITEMS 1-2)

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

Discuss Performance Evaluation of General Manager

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

Discuss Performance Evaluation of General Counsel

RECONVENE TO OPEN SESSION

The Board returned from Closed Session and reconvened to Open Session at 5:51 p.m.

REPORT FROM CLOSED SESSION (*As Necessary*)

There was no reportable action in Closed Session.

VII. ADJOURNMENT OF MEETING

There being no further business to discuss, President DeMeo adjourned the May Regular Meeting of the Fallbrook Public Utility District at 5:55 p.m.

ATTEST:



Acting Secretary, Board of Directors



President, Board of Directors