

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

**MINUTES**

**MONDAY, MARCH 27, 2023  
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 Wolk called the March Regular Meeting of the Board of Directors of the Fallbrook Public Utility District to order at 4:00 p.m. President Wolk deferred to Assistant General Counsel Norvell to make the following statements on the record regarding the proceedings for this meeting:

Assistant General Counsel Norvell announced, for the record that, this meeting was being conducted by web and teleconference. The agenda provided notice to members of the public on how they may participate in this meeting – either in person, or by using the call-in and weblink information included on the agenda. In addition the agenda provided notice to members of the public on how they may submit comments in advance of the meeting to be read at the appropriate portion of the meeting (up to a limit of 3 minutes per comment).

Assistant General Counsel Norvell announced that President Wolk would ask the Board Secretary if there were any members of the public who wished to make comments on the agenda item under consideration in person, or through Zoom webinar or Zoom teleconference. He announced in-person comments would be heard first, and virtual comments would be heard immediately thereafter. After public comments, President Wolk would then call on staff to make a presentation for the next item on the agenda. Thereafter, deliberations would proceed in the regular course of District Board discussion and possible action.

A quorum was established, and attendance was as follows:

**Board of Directors**

**Present:** Charley Wolk, Member/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  
Nick Norvell, Assistant General Counsel  
Dave Shank, Assistant General Manager/CFO  
Jacob Hyink, Equipment Mechanic  
Jodi Brown, Management Analyst  
Peter Marshall, Crew Leader  
Donald Parker, Construction Supervisor  
Steve Stone, Field Services Manager  
Veronica Tamzil, Accounting Supervisor  
Lauren Eckert, Executive Assistant/Board Secretary

Also present were others, including, but not limited to: Lila Hargrove, Ross Pike, Luisa Cano, Stephani Baxter, Jacqueline Howells, and Eileen Delaney.

**I. PRELIMINARY FUNCTIONS**

CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM

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.*

Assistant General Counsel Norvell read a written public comment, received from Mr. Lou Ballou, onto the record. Mr. Ballou requested the Board address various concerns he had with the Community Benefit Program as well as concerns as to how the Santa Margarita Conjunctive Use Project has benefited ratepayers.

A. NEW EMPLOYEE ANNOUNCEMENT  
1. Peter Marshall, Crew Leader

There were no public comments for agenda item A.

The Board welcomed Peter Marshall as the new Crew Leader in Department 3 – Collections.

B. YEARS OF SERVICE  
1. Donald Parker – 15 years  
2. Jacob Hyink – 5 years

There were no public comments for agenda item B.

The Board recognized Donald Parker for his 15 years of service to the District and Jacob Hyink for his five years of service to the District.

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

*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.*

C. CONSIDER APPROVAL OF MINUTES  
1. February 27, 2023 Regular Board Meeting/Public Hearing

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

There were no public comment on Consent Calendar items.

President Wolk requested the reason employees received a Manager's Award be added to the minutes.

MOTION: Director McDougal moved to approve the Consent Calendar, with an amendment to the February 27, 2023 minutes to include the reason employees received a Manager's Award; Director DeMeo seconded. Motion carried; VOTE:

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

**III. INFORMATION------(ITEM D)**

**D. EMPLOYEE SATISFACTION SURVEY RESULTS**

Presented by: Lisa Chaffin, HR Manager

There were no public comments for agenda item D.

General Manager Bebee reviewed a summary of the employee satisfaction survey results.

**IV. ACTION / DISCUSSION -----(ITEMS E-K)**

**E. CONSIDER ADOPTING RESOLUTION NO. 5042 CONCURRING IN NOMINATION OF OLIVER SMITH TO THE ACWA-JPIA EXECUTIVE COMMITTEE**

Recommendation: That the Board adopt Resolution No. 5042 concurring in nomination of Oliver Smith for election to the ACWA-JPIA Executive Committee.

There were no public comments for agenda item E.

General Manager Bebee announced two Districts were seeking concurring nominations for one of their Directors to the ACWA-JPIA Executive Committee. He explained there was no downside to adopting resolutions for this.

**MOTION:** Director Baxter moved to adopt Resolution No. 5042 concurring in nomination of Oliver Smith for election to the ACWA-JPIA Executive Committee; Director McDougal seconded. Motion carried; **VOTE:**

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

**F. CONSIDER ADOPTING RESOLUTION NO. 5043 CONCURRING IN NOMINATION OF JAMES PENNOCK TO THE ACWA-JPIA EXECUTIVE COMMITTEE**

Recommendation: That the Board adopt Resolution No. 5043 concurring in nomination of James Pennock for election to the ACWA-JPIA Executive Committee.

There were no public comments for agenda item F.

MOTION: Director Baxter moved to adopt Resolution No. 5043 concurring in nomination of James Pennock for election to the ACWA-JPIA Executive Committee; Director Endter seconded. Motion carried; VOTE:

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

G. CONSIDER ELECTION TO REGULAR AND ALTERNATE SPECIAL DISTRICT MEMBER ON LAFCO COMMISSION

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

Ross Pike distributed copies of his resume to the Board and then stepped to the podium seeking the Board's vote for the Regular Special District Member on LAFCO Commission.

Director Baxter acknowledged Mr. Pike's talent and then explained his reasoning for voting for Mr. Willis. This included that Mr. Willis was the current incumbent, and there was no current compelling event that would warrant a change. Director McDougal agreed.

MOTION: Director Baxter moved authorize President Wolk to cast the Board's vote for Barry Willis as the Regular Special District Member on LAFCO Commission and David Drake as the Alternate Special District Member on LAFCO Commission; Director McDougal seconded. Motion carried; VOTE:

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

H. CONSIDER CALL FOR BALLOTS FOR THE SAN DIEGO COUNTY CONSOLIDATED REDEVELOPMENT OVERSIGHT BOARD

*Recommendation: The Board consider the nominations for the San Diego County Consolidated Redevelopment Oversight Board and authorize the President to cast its vote on the ballot provided.*

There were no public comments for agenda item H.

General Manager Bebee provided a brief summary of this item and added that he had no opinion of either nominee.

Director McDougal explained his choice would be Patrick Sanchez, as Vista Irrigation District is much closer to Fallbrook than Lakeside. It would be advantageous to have representative closer to North County.

MOTION: Director McDougal moved to authorize President Wolk to cast the Board's vote for Patrick Sanchez for the San Diego County Consolidated Redevelopment Oversight Board; Director Baxter seconded. Motion carried; VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

#### I. CONSIDER ON-CALL EMERGENCY PIPELINE REPAIR SERVICES

*Recommendation: The Board approve three prequalified contractors for on-call emergency pipeline repair services: J.R. Filanc Construction Company, Inc., SCW Contracting Corp., and TC Construction Company, Inc.*

There were no public comments for agenda item I.

General Manager Bebee explained this item went through the E&O Committee. He also noted this is to just to keep a pre-qualified list of contractors for emergency pipeline repair services, but that he would still need to come back to the Board and declare an emergency each time.

Director McDougal reported these are three companies we have already worked with in the past and know the job they do. By having these contractors already approved, it would help speed things up for short-term emergency repair work.

Director Endter noted there was no preferential treatment for any of these three contractors and that we would use them in a cycle. When one was utilized, they would then go to the end of the list.

Director Baxter asked if we were stuck warehousing a lot of the materials for this pipeline replacement. General Manager Bebee explained we have the pipe, but not the labor. This is more for labor and equipment.

MOTION: Director Endter moved to approve three prequalified contractors for on-call emergency pipeline repair services: J.R. Filanc Construction Company, Inc., SCW Contracting Corp., and TC Construction Company, Inc.; Director McDougal seconded. Motion carried;  
VOTE:

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

J. CONSIDER MODIFICATIONS TO THE DISTRICT'S SUPPORT FOR FALLBROOK AS AN INTERNATIONAL DARK SKY COMMUNITY

Recommendation: Staff supports Board direction.

Janet Kitzner stepped to the podium to ask the Board to rescind its support of the Fallbrook as an International Dark Sky Community, pointing out the lighting requirements that would become mandatory, along with her security concerns.

Luisa Cano stepped presented a slideshow of light pollution maps in California and the San Diego area specifically. She also asked the Board for a continuance on any action until next month.

Director Baxter agreed that the District should not be taking a position on a matter like this.

Director McDougal expressed his concerns with the mandatory requirements and the unintended future consequences. He also noted that Fallbrook is not the same as Julian or Borrego Springs, as there are many cities very close by, unlike the other dark sky communities. Director McDougal also expressed his concerns about safety.

General Manager Bebee announced the District will write a brief letter to the County rescinding its support.

Director Endter agreed that the District should remain neutral and represent everyone as a whole, instead of supporting an initiative that may only benefit a few.

MOTION: Director McDougal moved to rescind the Board's endorsement of Fallbrook as an International Dark Sky Community, as this does not meet the District's Mission Statement; Director Endter seconded. Motion carried; VOTE:

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

K. CONSIDER A REQUEST BY THE BOARD PRESIDENT OF THE HELIX MUNICIPAL WATER DISTRICT REGARDING EFFORTS TO REDUCE THE PROPOSED RATE INCREASES FROM THE SAN DIEGO COUNTY WATER AUTHORITY

Recommendation: Staff supports Board direction.

There were no public comments on agenda item K.

President Wolk explained the Board President of the Helix Municipal Water District requested signatories on a letter sent to the San Diego County Water Authority in regards to the proposed rate increases. President Wolk went on to explain, due to timing, and the fact that he did not see anything concerning, he had already signed the letter.

General Manager Bebee presented a slideshow summarizing the proposed rates and budget for the San Diego County Water Authority.

Director McDougal found it hard to believe that the Water Authority, with two of the member agencies pushing for detachment due to high costs, still came up with a 14% increase.

MOTION: Director McDougal moved to support the letter sent by the Helix Municipal Water District regarding efforts to reduce the proposed rate increase from the San Diego County Water Authority; Director DeMeo 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



- Assistant General Counsel Norvell provided an update on the Brown Act teleconferencing requirements.
- 2. SDCWA Representative Report
  - General Manager Bebee reported LAFCO had released their draft report. He also provided an update on detachment efforts.
- 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
    - AGM/CFO Shank reported the District had no exposure to the recent SVB collapse and that he had been in contact with both PFM and PARS regarding this issue.
    - AGM/CFO Shank provided an overview of the written reports included in the packet.
- 5. Public Affairs Specialist
- 6. Notice of Approval of Per Diem for Meetings Attended
- 7. Director Comments/Reports on Meetings Attended
- 8. Miscellaneous
  - Jacqueline Howells provided a brief update on the lobbying efforts for federal funding.

#### ADJOURN TO CLOSED SESSION

Assistant General Counsel Norvell announced the Board would be going into Closed Session to discussion items VI.1 and 2. He announced members of the public participating via web conference were welcome to continue to stay on the line while the Board is in closed session, however, they will only hear silence. Following closed session, and prior to adjournment of the meeting, an oral announcement of reportable action by the Board in closed session would be made, if any. The oral announcement of any reportable action would be heard on the teleconference line. Thereafter this meeting would adjourn.

The Board of Directors adjourned to Closed Session at 5:45 p.m.

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

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 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(2)

*One (1) Potential Case*

RECONVENE TO OPEN SESSION

The Board came out of Closed Session and reconvened to Open Session at 6:05 p.m.

REPORT FROM CLOSED SESSION (*As necessary*)

There was no reportable action taken during Closed Session.

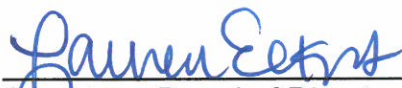
**VII. ADJOURNMENT OF MEETING**

There being no further business to discuss, the March Regular Meeting of the Board of Directors of the Fallbrook Public Utility District was adjourned at 6:06 p.m.



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President, Board of Directors

ATTEST:



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Secretary, Board of Directors