



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

AGENDA

PURSUANT TO WAIVERS TO CERTAIN BROWN ACT PROVISIONS UNDER EXECUTIVE ORDERS ISSUED BY GOVERNOR NEWSOM RELATED TO THE COVID-19 STATE OF EMERGENCY THIS MEETING WILL BE CONDUCTED VIA TELECONFERENCE USING THE BELOW INFORMATION, AND THERE WILL BE NO PHYSICAL LOCATION FROM WHICH MEMBERS OF THE PUBLIC MAY PARTICIPATE.

INSTEAD MEMBERS OF THE PUBLIC ARE ENCOURAGED TO PARTICIPATE IN THE BOARD MEETING VIA TELECONFERENCE USING THE BELOW CALL-IN AND WEBLINK INFORMATION.

MEMBERS OF THE PUBLIC MAY ALSO SUBMIT PUBLIC COMMENTS AND COMMENTS ON AGENDA ITEMS IN ADVANCE IN ONE OF THE FOLLOWING WAYS:

- **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 BY WHAT EVER MEANS MUST BE RECEIVED AT LEAST ONE 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. THESE PUBLIC COMMENT PROCEDURES SUPERSEDE THE DISTRICT'S STANDARD PUBLIC COMMENT POLICIES AND PROCEDURES TO THE CONTRARY.

**AUDIO CALL-IN 1-408-418-9388
ACCESS CODE 622 268 033
AUDIO PASSWORD 39758439**

<https://fallbrookpublicutilitydistrict.my.webex.com/fallbrookpublicutilitydistrict.my/j.php?MTID=m03840e6674d891fca362539b1205c627>

**MONDAY, APRIL 27, 2020
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

PLEDGE OF ALLEGIANCE

ADDITIONS TO AGENDA PER GC § 54954.2(b)

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.

- A. YEARS OF SERVICE
1. Mavis Canpinar – 5 years

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

- B. APPROVAL OF MINUTES
1. March 23, 2020 Regular Board Meeting

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

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

- C. INVENTORY ITEMS PURCHASED FOR VALVE AND PIPELINE REPLACEMENT PROGRAM

Presented by: Kevin Collins, Purchasing/Warehouse Supervisor

- IV. **ACTION / DISCUSSION CALENDAR**----- **(ITEMS D – F)**

- D. CONSIDER UPDATES TO PERSONNEL SECTIONS OF THE ADMINISTRATIVE CODE

Recommendation: That the Board adopt Resolution 4993, repealing Administrative Code Sections 4-13 and replacing with the attached Section 4.

- E. CONSIDER ADOPTION OF RESOLUTION 4994 TO DESIGNATE AGENTS FOR PURPOSES OF OBTAINING STATE AND/OR FEDERAL FINANCIAL DISASTER

ASSISTANCE THROUGH THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CALOES FORM 130) AND CONSIDER ADOPTION OF RESOLUTION 4995 CONFIRMING THE EXISTENCE OF A STATE OF EMERGENCY IN RESPONSE TO COVID-19 PANDEMIC

Recommendation: *The Board:*

1. *Adopt the attached Resolution 4994, designating the General Manager and Assistant General Manager to serve as the District's agents to secure potential disaster relief funding from the state and/or federal government, administered through the Governor's Office of Emergency Services and/or FEMA in a timely manner, if funds become available and*
2. *Adopt the attached Resolution 4995, confirming the existence of a state of emergency in response to the COVID-19 Pandemic.*

- F. CONSIDER CONTINUED NEED FOR UTILIZATION OF LONG-TERM RESERVES CURRENTLY HELD IN LAIF TO BRIDGET FUND THE SANTA MARGARITA CONJUNCTIVE USE PROJECT (SMCUP)

Recommendation: *The Board approve the use of the Long-term Reserves (LAIF) to fund the SMCUP expenditures.*

V. 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
7. Director Comments/Reports on Meetings Attended
8. Miscellaneous

ADJOURN TO CLOSED SESSION

VI. CLOSED SESSION------(ITEMS 1-4)

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

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(1):

Name of Case: *Otay Water District v. Fallbrook Public Utility District, San Diego Co. Sup. Ct. No. 37-2020-00004572-CU-MC-CTL*

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PER GC § 54956.9 (d)(2)

One (1) Potential Case

RECONVENE TO OPEN SESSION

REPORT FROM CLOSED SESSION (*As Necessary*)

VII. ADJOURNMENT OF MEETING

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DECLARATION OF POSTING

I, Lauren Ecker, 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.

April 22, 2020
Dated / Fallbrook, CA

/s/ Lauren Eckert
Executive Assistant/Board Secretary