



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

**AGENDA**

**MONDAY, AUGUST 26, 2024  
4:00 P.M.**

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

**THIS MEETING WILL BE HELD AT THE ABOVE DATE, TIME, AND LOCATION AND MEMBERS OF THE PUBLIC MAY ATTEND IN PERSON AT THE DISTRICT OFFICE LOCATED AT 990 E. MISSION RD., FALLBROOK, CA 92028. FOR THE CONVENIENCE OF MEMBERS OF THE PUBLIC WHO DO NOT WISH TO ATTEND IN PERSON, FALLBROOK PUBLIC UTILITY DISTRICT PROVIDES A MEANS TO OBSERVE AND PROVIDE PUBLIC COMMENTS AT THE MEETING VIA WEB CONFERENCE USING THE BELOW CALL-IN AND WEBLINK INFORMATION. PLEASE NOTE THAT IN THE EVENT OF TECHNICAL ISSUES THAT DISRUPT THE ABILITY OF MEMBERS OF THE PUBLIC TO VIEW THE MEETING OR PROVIDE PUBLIC COMMENTS THROUGH THE WEB CONFERENCE OPTION, THE MEETING WILL CONTINUE.**

**TELECONFERENCE LOCATION**

In addition, Director McDougal will be teleconferencing pursuant to Government Code section 54953 from the following location: Sandy Creek Yacht Club Marina (A-28), 8714 Lime Creek Rd., Volente, TX 78641

**Join Zoom Meeting**

<https://us06web.zoom.us/j/82003172211?pwd=UU10YWltMkVwWGVAUFNkQnA2bHA4Zz09>

**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);

Find your local number: <https://us06web.zoom.us/j/82003172211?pwd=UU10YWltMkVwWGVAUFNkQnA2bHA4Zz09>

**Members of the public may participate in the meeting from any of the above locations.**

**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](mailto: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

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.*

- A. EMPLOYEE OF THE QUARTER FOR AUGUST 2024
  - 1. Christian Hernandez
  
- B. EMPLOYEE PROMOTION ANNOUNCEMENT
  - 1. Jason Jared, Environmental Compliance Technician
  - 2. Sierra Stephensen, Engineering Technician I
  
- C. MANAGER'S AWARD
  - 1. Steve Wuerth

**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. July 22, 2024 Regular Meeting

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

- E. CONSIDER PUBLICATION OF ANNUAL FINANCIAL STATEMENT

Recommendation: *That the Board approve the draft financial statement developed by staff for publication in the Village News in accordance with Section 6066 of the Government Code.*

- F. COMMUNITY BENEFIT WATER USERS FY 2023-24 ANNUAL REPORT

Recommendation: *This item is for information purposes, no action is required.*

G. ANNUAL STATUS REPORT OF PARCELS WITH DEFERRED WATER AVAILABILITY / STANDBY CHARGES

Recommendation: *This item is for information only; no action is required of the Board.*

H. CONSIDER ADVANCE APPROVAL TO ATTEND MEETINGS

Recommendation: *That the Board authorize and approve, in advance, Directors' attendance to the Eastern Municipal Water District Agricultural Customer Listening Session presented by Metropolitan Water District on August 29, 2024.*

I. CONSIDER NOTICE OF COMPLETION FOR ROSS LAKE PIPELINE REPLACEMENT PROJECT

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

III. **INFORMATION**-----**(ITEMS J-L)**

J. ENGINEERING & OPERATIONS KEY PERFORMANCE INDICATORS PRESENTATION

Presented by: *Aaron Cook, Engineering Manager  
Carl Quiram, Operations Manager*

K. FISCAL YEAR 2023-24 YEAR-END BUDGET STATUS REPORT

Presented by: *Dave Shank, Assistant General Manager/CFO*

L. EMPLOYEE WELLNESS PROGRAM

Presented by: *Isabel Casteran, Safety and Risk Officer*

IV. **ACTION / DISCUSSION CALENDAR**-----**(ITEMS M-S)**

M. CONSIDER EDU CLASSIFICATION FOR MULTI-UNIT RESIDENTIAL CONVERSION AND CAPACITY CHARGE FINANCING AGREEMENT TERMS

Recommendation: *Staff recommends that the Board determine that no grounds for a redetermination of equivalent dwelling units (EDUs) to identify the corresponding sewer capacity and fees exists under the District's Administrative Code and that the standard apartment classification be used to revise the existing sewer permit. Staff also recommends that the Board authorize the General Manager cause a financing agreement to be prepared providing for an extended*

*financing term and consistent with the terms specified above to facilitate payment of the additional capacity fee over time.*

N. CONSIDER CONTINUATION OF STATE ADVOCACY SERVICES

Recommendation: *That the Board authorize the continued engagement of Fernandez, Jensen, Kimmelshue Government Affairs for external state advocacy services for an additional one-year period.*

O. CONSIDER REAPPOINTMENT OF COMMUNITY BENEFIT PROGRAM COMMITTEE MEMBERS

Recommendation: *That the Board reappoint the three current Community Benefit Program Committee Members, whose initial terms are expiring at the end of 2024, for one additional full three-year term.*

P. CONSIDER RESOLUTION NO. 5082 ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

Recommendation: *That the Board adopt Resolution No. 5082 adopting the amended Conflict of Interest Code pursuant to the Political Reform Act of 1974.*

Q. CONSIDER UPDATE ON ERP REPLACEMENT PROJECT AND APPROVE A PROFESSIONAL SUPPORT SERVICES CONTRACT

Recommendation: *That the Board execute the plan to procure new ERP software and approve the Professional Services Contract with Soft Resources.*

R. CONSIDER PURCHASE OF A REPLACEMENT CHLORINE GAS SCRUBBER FOR THE WASTEWATER TREATMENT PLANT

Recommendation: *That the Board authorize staff to enter into a contract with PureAir to purchase the PureAir EGS-8 scrubber for \$315,583.13.*

S. CONSIDER THE PURCHASE OF THREE FORD F150 LIGHTNING EV TRUCKS IN ACCORDANCE WITH THE APPROVED FLEET AND HEAVY EQUIPMENT REPLACEMENT PLAN

Recommendation: *That the Board authorize staff to procure three Ford F150 Lightning EV trucks for \$154,612.89 from Fritts Ford.*

V. **ORAL/WRITTEN REPORTS**-----**(ITEMS 1-7)**

1. General Counsel
2. General Manager

- a. MWD/EMWD Update
- b. Engineering and Operations Report
- c. Federal Funding Update
3. Assistant General Manager/Chief Financial Officer
  - a. Financial Summary Report
  - b. Treasurer's Report
  - c. Budget Status Report
  - d. Warrant List
  - e. Annual Disclosure of Reimbursements over \$100
  - f. Fiscal Year 2023-2024 District Memberships and Dues
4. Public Information Officer
5. Notice of Approval of Per Diem for Meetings Attended
6. Director Comments/Reports on Meetings Attended
7. Miscellaneous

ADJOURN TO CLOSED SESSION

**VI. CLOSED SESSION----- (ITEM 1)**

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

Name of Cases:

Aqueous Film-Forming Foams Product Liability Litigation, Master Docket No. 2:18-mn-2873-RMG:

- City of Camden, et al., v. 3M Company, Civil Action No.: 2:23-cv-03147-RMG;
- City of Camden v. E.I. du Pont de Nemours & Company, Civil Action No.: 2:23-cv-03230-RMG; and
- City of Camden, et al. v. BASF Corporation, Civil Action No.: 2:24-cv-03174-RMG;
- City of Camden et. al. v. Tyco Fire Products LP, Civil Action No.: 2-24-cv-02321-RMG

RECONVENE TO OPEN SESSION

REPORT FROM CLOSED SESSION (*as needed*)

**VII. ADJOURNMENT OF MEETING**

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### 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.

August 21, 2024  
Dated / Fallbrook, CA

/s/ Lauren Eckert  
Executive Assistant / Board Secretary