



FALLBROOK PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS  
SPECIAL BOARD MEETING

MINUTES

WEDNESDAY, NOVEMBER 15, 2023  
2:00 P.M.

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

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I. PRELIMINARY FUNCTIONS

CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM

President Wolk called the November 15, 2023 Special Meeting of the Board of Directors of the Fallbrook Public Utility District to order at 2:06 p.m.

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  
Don McDougal, Member

Absent: Ken Endter, Member

General Counsel/District Staff

Present: Jack Bebee, General Manager  
Paula de Sousa, General Counsel  
Andre Monette, Special Counsel  
Lauren Eckert, Executive Assistant/Board Secretary

Also present were others, including, but not limited to: no others were present.

PLEDGE OF ALLEGIANCE

President Wolk led the Pledge of Allegiance.

APPROVAL OF AGENDA

MOTION: Director McDougal moved to approve the agenda, as presented;  
Director DeMeo seconded. Motion carried; VOTE:

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

**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.*

There were no public comments on non-agenda items.

**ADJOURN TO CLOSED SESSION**

General Counsel de Sousa announced the Board would be going into Closed Session to discuss items II.1 and 2. She announced members of the public participating via Zoom would only hear silence and see a blank screen while the Board was in Closed Session. She also announced there would be a report heard on the Zoom line once the Board came out of Closed Session and reconvened to Open Session.

The Board adjourned to Closed Session at 2:08 p.m.

**II. CLOSED SESSION -----(ITEMS 1–2)**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d)(4):

*Three (3) potential cases*

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

NAME OF CASE: *San Diego County Water Authority v. San Diego Local Agency Formation Commission, Fallbrook Public Utility District, et al. (37-2023-000036018-CU-TT-CTL)*

**RECONVENE TO OPEN SESSION**

The Board came out of Closed Session and reconvened to Open Session at 2:50 p.m.

**REPORT FROM CLOSED SESSION (As Necessary)**

For two of the three potential cases listed for Item II.1, on motion of Director McDougal, seconded by Vice President DeMeo, the Board, on a vote of 4-0 (with Director Endter absent), authorized opting into the PFAS class action settlements for all compensation available in the following actions:

*City of Camden, et al., v. 3M Company*, No. 2:23-cv-XXXX-RMG, MDL No. 2:18-mn-2873-RMG; and

*In Re: Aqueous Film-Forming Foams Product Liability Litigation*, MDL No. 2:18-mn-2873.


There was no reportable action on other Closed Session items.

### III. ADJOURNMENT OF MEETING

There being no further business to discuss, President Wolk adjourned the November 15, 2023 special meeting of the Board of Directors of the Fallbrook Public Utility District at 2:53 p.m.

  
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President, Board of Directors

ATTEST:

  
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Secretary, Board of Directors