

**FALLBROOK PUBLIC UTILITY DISTRICT
COMMUNITY BENEFIT PROGRAM COMMITTEE**

MINUTES

MONDAY, MARCH 13, 2023
10:00 A.M.

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

I. PRELIMINARY FUNCTIONS

CALL TO ORDER / ROLL CALL / ESTABLISH A QUORUM

Committee Chair Mendelson called the Fallbrook Public Utility District's Community Benefit Program ("FPUD CBP") Committee meeting to order at 10:00 a.m.

A quorum was established and attendance was as follows:

Committee Members

Present: Jim Mendelson, Chair
Elana Sterling, Vice Chair
Anna Marchand, Secretary
Lila Hargrove
Jerry Kalman
Leticia Maldonado/Stamos
Rosie Redmond

Absent: None

District Staff

Present: Jack Bebee, General Manager
Noelle Denke, Public Affairs Specialist
Lauren Eckert, Executive Assistant/Board Secretary

Also present were others, including, but not limited to nine members of the public attending personally and remotely.

PLEDGE OF ALLEGIANCE

Chair Mendelson led the Pledge of Allegiance.

ADDITIONS TO AGENDA PER Government Code § 54954.2(b) - None

APPROVAL OF AGENDA

MOTION: Committee Member Maldonado/Stamos moved to approve the agenda, as presented; Vice Chair Sterling seconded. Motion passed.
VOTE:

AYES: Unanimous
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC COMMENT

Members of the public are invited to address the Committee on any item that is within the subject matter jurisdiction of the legislative body. The Committee Chair may limit comments to three (3) minutes.

A written statement was submitted to the Fallbrook Public Utility District (FPUD) Board of Directors from a member of the public, Lou Ballou, who was not present for the Committee meeting. Chair Mendelson read the written comment aloud. A copy of the written statement is attached hereto as Attachment "A."

II. APPROVAL OF MINUTES-----(ITEM A)****

A. FEBRUARY 13, 2023 COMMUNITY BENEFIT COMMITTEE MEETING

MOTION: Committee Member Kalman moved to approve the February 13, 2023 FPUD CBP Committee Meeting minutes, as presented; Committee Member Redmond seconded. Motion passed. VOTE:

AYES: Unanimous
NOES: None
ABSTAIN: None
ABSENT: None

III. WORKGROUP REPORTS **(ITEMS B-C)**

B. ADMINISTRATIVE FUNCTION WORKGROUP

1. Meeting Procedures for Remote Participation

Chair Mendelson discussed the current state of the Brown Act and explained that the FPUD Board of Supervisors has determined FPUD will not incorporate the optional terms of Assembly Bill 2449, but instead will conduct business pursuant to the traditional Brown Act provisions. General Manager Bebee explained Assembly Bill 2449 will likely be modified by proposed Assembly Bill 1944. Discussion ensued, and no

further formal action was necessary or taken with the understanding the Committee will follow the Board of Directors' direction.

2. Mission and Vision Statements (*voting item*)

Public comment was made by Jackie Heyneman who also provided the *Recommended change MISSION STATEMENT*, attached to the March 13, 2023 Agenda Package at page 23.

Discussion ensued. Comments suggested the Mission and Vision Statements more clearly state that the FPUD CBP Committee's purpose is to oversee funding of community projects, as set forth in the FPUD Administrative Code at Article 23.

Further Mission Statement suggestions for revisions were as follows:

The Fallbrook Public Utility District's (FPUD) Community Benefit Program recommends, promotes, coordinates, and oversees **funding of** nonprofit **and qualified** organizations ... [Revisions in bold print.]

Committee Member Maldonado/Stamos suggested that attachments to future agenda packages identify the source of the attachment or item if the source is different from a Committee member or Committee Workgroup.

A vote on the Mission and Vision Statements was tabled so that further consideration could be given to the specific proposed language in connection with a better understanding of the other documents being drafted that address application and funding.

3. Committee Member Disclosure (*voting item*)

Workgroup Chair Marchand distributed the *Proposed Community Benefit Program Committee Member Disclosure* and addressed the purpose and intent of the document. Discussion ensued.

MOTION: Committee Member Kalman moved to accept the form as presented and that each Committee Member submit a completed form to the Secretary following the meeting; Committee Member Redmond seconded. Motion passed. VOTE:

AYES: Unanimous
NOES: None
ABSTAIN: None
ABSENT: None

Each completed form is attached hereto as Attachment "B."

4. CBP Operating Guidelines

Workgroup Chair Marchand requested each Committee Member review the Operating Guidelines, Draft 2, which was included in the March 2013 Agenda Package at page 33.

5. Email Correspondence Considerations

Committee Member Kalman suggested each Committee Member create an email address dedicated to communications for FPUD CBP business. General Manager Bebee discussed possible scenarios for turning over email communications in the event of a Public Records Request or litigation.

C. PROPOSAL DEVELOPMENT WORKGROUP

1. Grant Application Status
2. FPUD Attorney has Developed Draft Agreement
3. Scoring Rubric
4. Online Application Proposal (*voting item*)

Public comment was made by Jackie Heyneman requesting clarification of the words "events/activities," explaining that there has been three years of work incurred, resulting in the FPUD CBP. The goals established during this period were to support organizations in creating community benefits. An event or an activity will likely not accomplish the originally considered goals and purpose of the FPUD CBP.

Workgroup Chair Hargrove explained that the FPUD CBP will consider funding for new projects and facilities and maintenance and enhancements of parks and recreation, roads and streets and street lighting. FPUD CBP will not consider funding for events such as the Avocado Festival. The words, "Events/activities," discussed at the February 2023 meeting addressed the types of things that will not be considered for funding. (See February 13, 2023 FPUD CBP Minutes at Attachment C, page 2; Page 15 of the February 2023 Agenda package.)

Workgroup Chair Hargrove reported further revisions will be made to the documents offered at the February 13, 2023 FPUD CBP meeting in light of an anticipated contract being drafted by the Board of Supervisors, by and through the assistance of legal counsel. The contract will be implemented once a project has been determined to be funded. She also explained a scoring rubric, to be utilized in the application process, is a work in progress.

Workgroup Chair Hargrove requested a motion provide for an online application process. Discussion ensued. There may be some cost to this process. The FPUD CBP Workgroup will collaborate with FPUD to address the details of this implementation.

MOTION: Vice Chair Sterling moved to adopt an on-line application process; Committee Member Kalman seconded. Motion passed. VOTE:

AYES: Unanimous

NOES: None

ABSTAIN: None

ABSENT: None

IV. ACTION / DISCUSSION -----(ITEMS D-E)

D. PUBLIC OUTREACH

1. Tag Paragraph
2. Draft Press Release

Committee Member Kalman discussed the boilerplate language that will be provided with every news release and discussed the sample press release included in the March 13, 2023 Agenda Package at page 38. Discussion ensued.

E. NEW BUSINESS

Secretary Marchand announced she will be attending the April 10, 2023 regular meeting remotely.

V. ADJOURNMENT OF MEETING – *Next meeting April 10, 2023 at 11:19 a.m.*

There being no further business to discuss, on a motion made by Committee Member Hargrove, seconded by Committee Member Maldonado/Stamos and passed unanimously, the Community Benefit Committee Meeting of the Fallbrook Public Utility District was adjourned at 11:19 a.m.

ATTEST:


Secretary, Community Benefit Committee


Chair, Community Benefit Committee

Attachment A

To: FPUD Board of Directors (BOD)

13 March 2023

Re: Community Benefit Committee

As a FPUD ratepayer, I protest having to pay a fee to support charitable organizations. The US Constitution, under the first amendment prohibits FPUD from depriving me the "freedom of speech", to support charitable organizations of MY choice, if I so desire. **I do NOT relinquish my right** to any organization (FPUD) to make that decision on my behalf. Furthermore, I refuse to pay additional administration fee to FPUD to monitor/collect and distribute the **illegally** acquired funds. My belief as a FPUD ratepayer is that FPUD admin fees are already bloated and this new activity only adds to that excess.

I have also noted on my new 2023 billing statements (January and February) that the FPUD BOD has authorized FPUD to change the itemized billing to a lump sum billing called "Water Service Charges". I presume that was done to make the **illegal** community service fee hidden from the ratepayers. **GO BACK TO THE ITEMIZED BILLING** statement. Ratepayers have the **right to know** the components on their bills!

It is my intent to publish the above for public comment, and if necessary seek legal remedy.

Lou Ballou

550 Golden Road, Fallbrook

Community Benefit Program
Committee Member Disclosure

A potential conflict of interest within the service of a political official is measured by an economic standard. A public official cannot use a public position to influence decision making where there is reasonable foreseeability that the decision will affect the official's economic interest.

The Fallbrook Public Utility District's Community Benefit Program Committee Members are appointed by the Fallbrook Public Utility District's Board of Directors. The Committee Members represent persons who may be affiliated with nonprofit organizations and are residents and/or business owners within the Fallbrook Public Utility District's service area.

Each Committee Member acknowledges the public trust vested in appointment to the Community Benefit Program Committee. Each Committee Member has submitted a Statement of Economic Interests. Each Committee Member must provide transparency of any appearance of, or potential for, a conflict of interest by disclosing membership in other organizations that may benefit from the Community Benefit Program.

Committee Member: Lila Hargrove

Table with 3 columns: ORGANIZATION, MEMBERSHIP (Past Date/Current), and Director, Officer, Member. Handwritten entries include Garden Club (member) and Rotary (honorary member - no financial).

Community Benefit Program

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Committee Member: Jerry Kalman

<u>ORGANIZATION</u>	<u>MEMBERSHIP</u> Past Date/Current	Director, Officer, Member
FALLBROOK LAND CONSERVANCY	Current	Member/Contributor

Community Benefit Program Committee Member Disclosure

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Committee Member: Anna M. Marchand

<u>ORGANIZATION</u>	<u>MEMBERSHIP</u> Past Date/Current	Director, Officer, Member
<i>None</i>		

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Committee Member: Leticia Maldonado/Stamos

<u>ORGANIZATION</u>	<u>MEMBERSHIP</u> Past Date/Current	Director, Officer, Member
<u>Angels Society</u>	<u>current</u>	<u>member</u>
<u>Fallbrook A Leer/Reading</u>	<u>current</u>	<u>member</u>
<u>V.O. C. E.S.</u>	<u>current</u>	<u>member</u>

Community Benefit Program Committee Member Disclosure

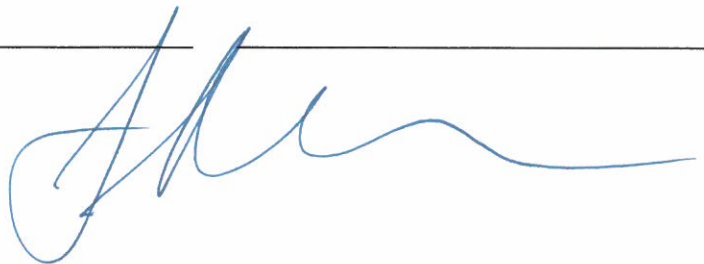
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Committee Member: Jim Mendelson

<u>ORGANIZATION</u>	<u>MEMBERSHIP</u> Past Date/Current	Director, Officer, Member
_____	none	_____
_____	other than	_____
Rotary District 5340		Assistant Govern...
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Committee Member: **Elana Sterling**

<u>ORGANIZATION</u>	<u>MEMBERSHIP</u> Past Date/Current	Director, Officer, Member
FUHSID Fallbrook Union High School District	2018 -> 2022	Clerk / Board Member
Live Oak Park Coalition	2015 -> 2022	Member

Community Benefit Program

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Committee Member: Rosie Redmond

<u>ORGANIZATION</u>	<u>MEMBERSHIP</u> Past Date/Current	Director, Officer, Member
Fallbrook Motors Inc	10/99 to current	officer
Zion Lutheran School marketing committee	2010-2012	member