



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

MINUTES

**FRIDAY, JULY 14, 2023
11:30 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

President Wolk called the July 14, 2023 Special Meeting of the Board of Directors of the Fallbrook Public Utility District to order at 11:31 a.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
Ken Endter, Member
Don McDougal, Member

Absent: None

General Counsel/District Staff

Present: Jack Bebee, General Manager
Paula de Sousa, General Counsel
Isabel Casteran, Safety and Risk Officer
Noelle Denke, Public Information Officer
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 Endter moved to approve the agenda, as presented; Director DeMeo 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.

There were no public comments on non-agenda items.

II. ACTION/DISCUSSION CALENDAR -----(ITEM A)

A. CONSIDER ADOPTION OF RESOLUTION NO. 5055 REGARDING IMPLEMENTATION OF SAN DIEGO LOCAL AGENCY FORMATION COMMISSION'S JULY 10, 2023 APPROVAL OF THE DISTRICT'S PROPOSAL TO DETACH FROM THE SAN DIEGO COUNTY WATER AUTHORITY (SDCWA) AND ANNEX INTO THE EASTERN MUNICIPAL WATER DISTRICT

Recommendation: The Board adopt Resolution No. 5055, declaring its intent to take actions with due haste to satisfy the terms and conditions of LAFCO's approval of the District's reorganization application, including conducting an election on detaching from SDCWA, and directing the General Manager to take all necessary actions required to accomplish this intent.

General Manager Bebee provided a high-level overview of the status of the District's detachment, announcing that LAFCO approved the District's proposal to detach from the SDCWA and annex into the Eastern Municipal Water District with a 5-3 vote. He also reported on AB 399 efforts and the SDCWA special Board meeting that took place on July 13, 2023.

President Wolk asked if there were any criticisms given at the SDCWA Board Meeting. General Manager Bebee General stated most of the meeting took place in closed session, in which he was required to recuse himself. Counsel de Sousa announced LAFCO submitted a public comment at the SDCWA Board meeting.

Director Baxter asked who was required to pay for the election. General Counsel de Sousa answered that the District would have to pay for it. General Manager Bebee explained this is an additional problem associated with AB 399,

as it would require Fallbrook and Rainbow ratepayers to vote three times on this item. General Manager Bebee asked if the ballot language would be a "yes or no" vote. General Counsel de Sousa responded that it would be.

Director Endter asked if we were allowed to end our discussion with the Legislature nothing we have already paid for \$300M in infrastructure we do not utilize and that it would be unfair to hold a county-wide election. General Manager Bebee responded that we have a lot of great arguments. He also explained Cal LAFCO and other LAFCO's have expressed their opposition of AB 399.

President Wolk asked if there had been thoughts on when to hold the election. General Manager Bebee reported we are still working through the provisions.

MOTION: Director Baxter moved to adopt Resolution No. 5055, regarding implementation of San Diego Local Agency Formation Commission's July 10, 2023 approval of the District's proposal to detach from the San Diego County Water Authority (SDCWA) and annex into the Eastern Municipal Water District; Director McDougal seconded. Motion carried; VOTE:

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

III. ADJOURNMENT OF MEETING

There being no further business to discuss, President Wolk adjourned the July 14, 2023 special meeting of the Board of Directors of the Fallbrook Public Utility District at 11:56 a.m.



President, Board of Directors

ATTEST:



Secretary, Board of Directors