

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

MINUTES

**MONDAY, SEPTEMBER 23, 2019
4:00 P.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 McDougal called the regular meeting of the Board of Directors of the Fallbrook Public Utility District to order at 4:03 p.m. A quorum was established, and attendance was as follows:

Board of Directors

Present: Don McDougal, Member/President
Jennifer DeMeo, Member/Vice-President
Dave Baxter, Member
Ken Endter, Member
Charley Wolk, Member

Absent: None

General Counsel/District Staff

Present: Nicholaus Norvell, General Counsel
Jack Bebee, General Manager
Dave Shank, Assistant General Manager/CFO
Lisa Chaffin, Human Resources Manager
Aaron Cook, Senior Engineer
Mick Cothran, Engineering Technician
Noelle Denke, Public Affairs Specialist
Todd Lange, System Service/Shop Supervisor
Juliana Luengas, Environmental Compliance Tech
Mary Lou West, Secretary

Also present were others, including, but not limited to: Jason Foster of the San Diego County Water Authority, Elizabeth Germon-Cocking, and Deana Weelborg.

PLEDGE OF ALLEGIANCE

President McDougal led the Pledge of Allegiance.

ADDITIONS TO AGENDA PER GC § 54954.2(b)

There were no additions to the agenda.

APPROVAL OF AGENDA

MOTION: Director Endter moved to approve the agenda as presented; Vice-President DeMeo seconded. Motion passed; 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.

Elizabeth Germon-Cocking stepped to the podium and stated she would be speaking on behalf of Deana Weelborg. Mrs. Weelborg's July bill was \$1,928.84 because of a water leak on the lower part of her property that went unnoticed. Both Mrs. Weelborg and her husband were dealing with serious health issues at the time and were not aware of the leak until they received the bill in the mail. Mrs. Weelborg is requesting a 40% to 50% credit due to hardship.

President McDougal explained the District does not have the legal authority to forgive charges; however, the District is able to discount water to its wholesale cost and offer a long repayment plan. It was also identified that there are other non-profit programs to help in these instances, and the District would help Mrs. Weelborg connect to these programs.

A. YEARS OF SERVICE

1. Josh Hargrove, Mechanical Technician – 5 Years
2. Mary Lou West, Secretary – 10 Years
3. Todd Lange, System Service/Shop Supervisor – 30 years

The Board recognized Josh Hargrove, Mary Lou West, and Todd Lange for their respective years of service with the District.

B. JULIANA LUENGAS, NEW ENVIRONMENTAL COMPLIANCE TECH

The Board welcomed Juliana Luengas as the new Environmental Compliance Tech.

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

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.

C. CONSIDER APPROVAL OF MINUTES

1. August 26, 2019 Regular Meeting

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

MOTION: Director Wolk moved to approve the Consent Calendar as presented; Director Endter seconded. Motion passed; **VOTE:**

AYES: Directors Baxter, DeMeo, Endter, McDougal, and Wolk

NOES: None

ABSTAIN: None

ABSENT: None

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

D. COMMEMORATION OF 75 YEARS OF WATER DELIVERIES TO SAN DIEGO

Jason Foster, Director of Administrative Services for the San Diego County Water Authority, provided an overview of support services available to its member agencies and the ways those services could potentially benefit the District.

IV. ACTION / DISCUSSION CALENDAR -----(ITEMS E–G)****

E. CONSIDER BOARD STANDING COMMITTEE MEETING PRACTICES

Recommendation: Staff supports Board direction.

The Board discussed revising the Board Standing Committees' meeting practices. The Board took no action.

F. CONSIDER PROPOSED CHANGES TO SECRETARY JOB TITLE AND JOB DESCRIPTION; RESOLUTION NO. 4981

Recommendation: That the Board adopt Resolution No. 4981 amending Article 11 of the Administrative Code to approve the changes to the position title and job description.

President McDougal noted the proposed changes will update the Secretary job title and job description, and the Personnel Committee has reviewed the proposed changes and is recommending the proposal to the Board.

MOTION: Director Endter moved to adopt Resolution No. 4981 amending Article 11 of the Administrative Code to approve the changes to the Secretary job title and job description; Director Baxter seconded. Motion passed; VOTE:

AYES: Directors Baxter, DeMeo, Endter, McDougal, and Wolk

NOES: None

ABSTAIN: None

ABSENT: None

G. CONSIDER SECOND AMENDMENT TO GENERAL MANAGER EMPLOYMENT AGREEMENT WITH JACK BEBEE

Recommendation: That the Second Amendment to the Employment Agreement for General Manager Jack Bebee be approved effective September 23, 2019.

President McDougal noted the Board has reviewed the Second Amendment to the Employment Agreement document, and the action requested is for formal approval of that document.

General Counsel Norvell reported the Seconded Amendment would (1) delete language that reduces the General Manager's annual compensation when the General Manager serves as the District's representative to the San Diego County Water Authority (CWA); and (2) move language regarding the General Manager's service on CWA committees and boards of other agencies or entities to the "Duties" paragraph of the Employment Agreement.

MOTION: Director Endter moved to approve the Second Amendment to General Manager Jack Bebee's Employment Agreement; Director Baxter seconded. Motion passed; VOTE:

AYES: Directors Baxter, DeMeo, Endter, McDougal, and Wolk

NOES: None

ABSTAIN: None

ABSENT: None

V. ORAL/WRITTEN REPORTS------(ITEMS 1-8)

1. General Counsel

- General Counsel Norvell provided information on AB 1184 that will require public agencies to implement a two-year retention period for

emails. The Bill is currently on the Governor's desk and will take effect January 1, 2020, if not vetoed.

2. SDCWA Representative Report
3. General Manager
 - a. Engineering and Operations Report
 - General Manager Bebee stated expenditures were added to the Engineering and Operations Report for the Santa Margarita River Conjunctive Use Project; all future reports will track the project's progress and expenditures.
4. Assistant General Manager/Chief Financial Officer
 - a. Treasurer's Report
 - b. Budget Status Report
 - c. Warrant List
 - Assistant General Manager/CFO Shank stated a Financial Summary Report was added to condense information from more detailed reports to an "at-a-glance" format.
5. Public Affairs Specialist
 - Public Affairs Specialist Denke provided an overview of community outreach activities.
6. Notice of Approval of Per Diem for Meetings Attended
 - a. Notification of Approval for Directors to Meet with the Board President to Discuss District Business
 - President McDougal announced he approved Directors' attendance to meetings with the Board President to discuss the structure of the three Board Standing Committees, committee assignments, and the roles and responsibilities of committee members.
7. Director Comments/Reports on Meetings Attended
 - a. Notice of Appointments to Board Standing Committees
 - President McDougal announced he revised the Board Standing Committee assignments as follows: (1) President McDougal will Chair and serve on the Personnel Committee with Vice-President DeMeo; (2) Director Endter will Chair and serve on the Engineering & Operations Committee with Director Baxter; and (3) Director Wolk will Chair and serve on the Fiscal Policy & Insurance Committee with President McDougal.
 - Director Baxter reported he and Mr. Bebee worked with a ratepayer from District 1 relative to their service; and afterwards, the ratepayer reached out to Director Baxter to express their satisfaction.
 - Director Endter provided an update of the September 17, 2019 Council of Water Utilities meeting.
 - Vice-President DeMeo reported she attended the CSDA quarterly dinner meeting.
8. Miscellaneous

ADJOURN TO CLOSED SESSION

The Board of Directors adjourned to Closed Session at 5:15 p.m. following an oral announcement of Closed Session Item VI.1 by President McDougal.

VI. CLOSED SESSION

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

One (1) Potential Case

RECONVENE TO OPEN SESSION

The Board returned from Closed Session and reconvened to Open Session at 5:33 p.m.

REPORT FROM CLOSED SESSION

The Board took no reportable action in Closed Session.


VII. ADJOURNMENT OF MEETING

There being no further business to discuss, President McDougal adjourned the regular meeting of the Board of Directors of the Fallbrook Public Utility District at 5:34 p.m.



President, Board of Directors

ATTEST:



Secretary, Board of Directors