



**FALLBROOK PUBLIC UTILITY DISTRICT
MEETING OF THE COMMUNITY BENEFIT PROGRAM COMMITTEE**

AGENDA

**MONDAY, APRIL 10, 2023
10:00 A.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, Committee Member Marchand will be teleconferencing pursuant to Government Code section 54953 from the following location:
3315 19th Street SE, Auburn, WA 98092**

Join Zoom Meeting

<https://us06web.zoom.us/j/89613951789?pwd=TVpIRnZQOG8xbWZuS1NpTkRyZlZDZz09>

MEETING ID: 896 1395 1789

AUDIO PASSCODE: 651423

Dial by your location

+1 346 248 7799 US (Houston); +1 720 707 2699 US (Denver); +1 253 215 8782 US (Tacoma);
+1 312 626 6799 US (Chicago); +1 646 558 8656 US (New York); +1 301 715 8592 US (Washington DC)

Find your local number: <https://us06web.zoom.us/j/kvRWv7LrC>

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
- 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 Committee during the appropriate portion of the meeting. Please keep any written comments to 3 minutes.

REMOTELY MAKE COMMENTS DURING THE MEETING: The Committee Chair will inquire prior to Committee 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 Committee Chair will inquire prior to Committee 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 Board Secretary at (760) 999-2704 for assistance.

I. PRELIMINARY FUNCTIONS

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS TO AGENDA PER GC § 54954.2(b)

APPROVAL OF AGENDA

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.

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

A. MARCH 13, 2023 COMMUNITY BENEFIT PROGRAM COMMITTEE MEETING

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

B. ADMINISTRATIVE FUNCTION WORKGROUP

1. Mission and Vision Statements 3.5
2. Mission Statement Recommendation from Committee Member
3. Proposed Community Benefit Program Committee Operating Guidelines

C. PROPOSAL DEVELOPMENT WORKGROUP

1. Draft Community Benefit Program Application
2. Application Guidelines
3. CBP Grant Agreement
4. Scoring Rubric

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

D. PUBLIC OUTREACH

E. NEW BUSINESS

V. ADJOURNMENT OF MEETING – *Next meeting May 8, 2023 at 10:00 a.m.*

* * * * *

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.

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.

April 6, 2023
Dated / Fallbrook, CA

/s/ Lauren Eckert
Executive Assistant/Board Secretary

Minutes from the March 13, 2023
Community Benefit Program Committee Meeting



**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.

Chair, Community Benefit Committee

ATTEST:

Secretary, 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

Attachment B

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. A potential conflict of interest may also exist when a private interest conflicts with official responsibilities.

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

<u>ORGANIZATION</u>	<u>MEMBERSHIP</u> Past Date/Current	Director, Officer, Member
<u>Garden Club</u>	<u>current</u>	<u>member</u>
<u>Rotary</u>	<u>current</u>	<u>honorary member - no financial</u>

Community Benefit Program

Committee Member Disclosure

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Committee Member: Jerry Kalman

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

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>		

Community Benefit Program

Committee Member Disclosure

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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

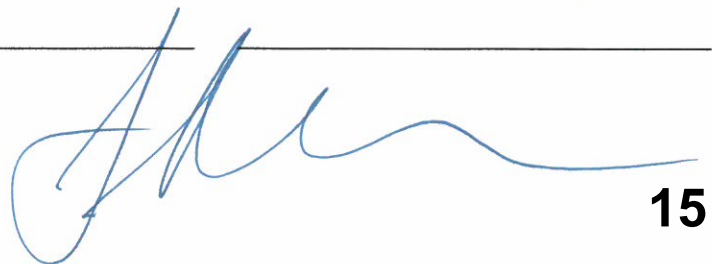
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Committee Member: Jim Mendelson

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



Community Benefit Program Committee Member Disclosure

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Committee Member: Elana Sterling

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

Community Benefit Program Committee Member Disclosure

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Committee Member: Rosie Redmond

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

Mission and Vision Statements 3.5

FALLBROOK PUBLIC UTILITY DISTRICT
COMMUNITY BENEFIT PROGRAM
MISSION STATEMENT

The Fallbrook Public Utility District's (FPUD) Community Benefit Program recommends, promotes, coordinates, and oversees **funding of** non-profit **and qualified** organizations' community projects related to parks, recreation facilities, roads and street lighting within FPUD's service area. The program intends to benefit Fallbrook residents by using unrestricted property tax revenue received by FPUD and allocated to the Community Benefit Program.

FALLBROOK PUBLIC UTILITY DISTRICT
COMMUNITY BENEFIT PROGRAM
VISION STATEMENT

Fallbrook Public Utility District's (FPUD) Community Benefit Program identifies, **and** solicits **and evaluates** requests from FPUD's service area non-profit organizations to foster projects that enhance the quality of life for Fallbrook residents. **The An FPUD Board appointed** seven-member committee ensures that funded projects result from fair and equitable consideration of proposals sponsored by qualified organizations during the selection process.

Mission Statement Recommendation from
Committee Member

MISSION STATEMENT RECOMMENDATION
FROM COMMITTEE MEMBER

I feel it imperative to include the verbiage that we are "committed to validate the completion of the projects and ensure that the funds were used appropriately" or some sort of statement along those lines.

Proposed Community Benefit Program Committee
Operating Guidelines

Proposed Community Benefit Program Committee Operating Guidelines

Fallbrook Public Utility District's Community Benefit Program Operating Guidelines
Adopted _____, 2023

I. PURPOSE AND AUTHORITY

The Fallbrook Public Utility District's Community Benefit Program Committee (Committee), established by the Fallbrook Public Utility District's Board of Directors, operating pursuant to the Fallbrook Public Utility District's Administrative Code, including but not limited to Article 23, herein outlines its general operating guidelines that also govern, and are specific to, the Committee.

II. MEETINGS

1. Meetings shall be conducted in accordance with Robert's Rules of Order.
2. Regular scheduled meetings will be at 10:00 a.m. on the second Monday of each month. In the event the second Monday of a month is a state or national holiday, that month's meeting shall be scheduled for the next business day.
3. Scheduling of future meetings may be modified by a majority of the Committee at a regularly scheduled meeting if additional or less meetings are necessary. This may be necessary, but is not limited to, satisfying the quorum requirements for any regularly scheduled meeting.
4. The Committee may create work groups of one to three Committee members to address specific matters of the Committee's business. Each work group shall report on its activity and make recommendations to the Committee during regularly scheduled meetings.

III. VOTING

1. All decisions determining a selection of services and projects to be recommended to the Fallbrook Public Utility District's Board of Directors for approval shall require a roll call vote and at least four or more members stating favor for the selection and recommendation. However, if recusals reduce the number of Committee members participating in the selection of a particular service or project, a majority vote of those members present participating in the selection and recommendation is sufficient.
2. Recusal

1. If Committee members:

a. Serve on the Board of Directors of an organization whose project is under consideration, Committee members shall recuse themselves and leave the room during discussion of the project. (See Fallbrook Public Utility District Administrative Code, Section 23.5.2, ¶¶ 3, 5.)

[Draft 2]

2. Serve as a director or an officer, or are current members, of an organization whose project is under consideration, Committee members shall recuse themselves and leave the room during discussion of the project.
3. Have previously served as a director or officer of an organization whose project is under consideration, Committee members may recuse themselves and leave the room during the discussion of the project.
4. Have been members of an organization whose project is under consideration or has any other personal or professional connection to an organization whose project is under consideration, the Committee members may recuse themselves and leave the room during discussion of the project. However, if the Committee members' prior involvement with any organization creates an appearance of conflict between the Committee members' official status on the Committee and the Committee members' affiliation with the organization, then Committee members shall recuse themselves and leave the room during the discussion of the project.

2. Once any Committee member has recused themselves from the discussion about a particular project, the Committee member shall continue to be recused from participating in any way in the discussion or Committee action regarding that project.

IV. MEMBERSHIP

1. If the position of the Chair becomes vacant, the Vice Chair shall assume the office for not more than sixty days, by which time a new Chair shall be elected by the Committee members. The other officers, Vice Chair and/or Secretary, if vacant, shall be filled by appointment by the Chair.
2. A Committee member may refer any comments, questions, or other communications received outside of a regularly scheduled meeting from a member of the public to the Chair. A Committee member may provide a copy of the agenda to any requesting person or refer a person to the Fallbrook Public Utility District website to obtain the Committee's publications.
3. A Committee member may receive input from the public on a published agenda item. A Committee member must remain impartial on each agenda item until the agenda item is heard fully at a meeting.
4. Official business of the Committee shall be made via social media communications and/or other press releases, and public announcements shall be made or authorized only by the Chair. Individual Committee members shall not make any public comments about the Committee's business unless the specific action is directed by the Chair.

Draft Community Benefit Program Application

Mission Statement

Approved Mission Statement be added here.

Vision Statement

Approved Vision Statement to be added here.

Criteria:

1. Community project/activity located within FPUD’s service area.
2. Must show how proposed project/activity will benefit FPUD’s service area residents.
3. Funds may supplement County of San Diego or fund volunteer projects/activities by qualifying non-profit organizations.
4. List of expenditures and completion of project/activity within time frame set forth.
5. Application must be submitted to Community Benefit Program Committee by 00/00/0000.
6. Reconciliation form including all receipts, copies of canceled checks (front and back), proof of payments and/or copy of credit card activity will be due by 00/00/0000. (No cash payments or predated receipts/checks are allowed).
7. Project/activity to be completed within twelve months of approval date (unless an extension has been requested and granted).
8. Funds may NOT be spent on any item not part of the fund agreement, expenditures are only for purposes stated in the approved funding agreement.

Required documents (for application):

1. Form 990 - For nonprofits with gross receipts greater than \$50,000, please provide copy of pages 1-8 of the most recent IRS form 990 or pages 1-3 of 990EZ. For nonprofits with gross receipts of less than \$50,000, attach IRS form 990N e-postcard (not required for government/public agencies).
2. Attorney General proof of Nonprofit eligibility (nonprofits)
3. Secretary of State proof of eligibility (nonprofits)
4. Monthly financial statements or tax returns from year prior to application

What is the legal status of your organization?

Non-Profit Organization Governmental/Public Agency
 Federal Tax Identification Number (TIN or EIN): _____ Organization Name: _____

Project/ Activity is within FPUD’s service area Yes No

Organization:

Street Address _____	Mailing Address <input type="checkbox"/> Same as Street Address
Street Address _____	Address _____
City _____ State _____ Zip _____	City _____ State _____ Zip _____

Proposal:

Total amount requested: _____ Other funding: _____

**Fallbrook Public Utility District
Community Benefit Program
Application for Community Benefit funding**

List other entities funding proposed project/activity:

Proposed Project(s)/Activity(ies) to be funded (in order of priority):

Project/Activity number one: _____ Amount requested: _____

Brief description of Project/Activity one:

How will project/activity one benefit the residents of FPUD?

Proposed timeline for project/activity one:

Proposed budget for project/activity one:

Project/Activity two: _____ Amount requested: _____

Fallbrook Public Utility District
Community Benefit Program
Application for Community Benefit funding

Brief description of Project/Activity two:

How will project/activity two benefit the residents of FPUD?

Proposed timeline for project/activity two:

Proposed budget for project/activity two:

Project/Activity three: _____ Amount requested: _____

Brief description of Project/Activity three:

**Fallbrook Public Utility District
Community Benefit Program
Application for Community Benefit funding**

How will project/activity three benefit the residents of FPUD?

Proposed timeline for project/activity three:

Proposed budget for project/activity three:

Contact Information:

Contact Person: (Individual must be knowledgeable of organization's projects/activities and application)

Name: _____ Title: _____
Telephone Number: _____ Fax Number: _____ Email: _____

Fund administrator: (Individual that would be responsible for overseeing the expenditures. Must be different person than contact person)

Name: _____ Title: _____
Telephone Number: _____ Fax Number: _____ Email: _____

Application Guidelines

Fallbrook Public Utility District Community Benefit Program Application guidelines

Mission & Purpose

Insert Approved here

What it is: This new program will provide additional funding to help develop community projects within the district's service area. It includes potential funding for new projects and facilities, or for maintenance and community enhancements of parks and recreation, roads and streets, and street lighting.

How it will be implemented: A group of seven community volunteers will implement the program. This committee will include representatives from nonprofits, residents, and business owners. This group will work with the community to identify potential projects, lead the selection process, and oversee the proper use of funds of the projects selected.

The funding range is from xxx-xxxx. The committee will evaluate all submittals. Priorities on allocation of funding will be based on the broadest community benefit.

Deadline for submitting/completing application is 00/00/0000

Eligibility Criteria

To be eligible, all applicants must meet the following criteria:

- ❖ Be a nonprofit organization, or government agency. CBP does not fund organizations or private entities.**
- ❖ Provide recent tax return.
- ❖ Provide asset sheet if funding requested over \$60,000.
- ❖ Must be located in the FPUD service area. *map located on website
- ❖ Project must be completed within twelve months from funding date.
- ❖ Proof of expenditures due twelve months after funding.

What reporting is required?

All receipts, bank statements, credit card statements and proof of project completed.

What will committee not fund?

- ❖ Events/activities
- ❖ Administrative costs/Volunteer compensation
- ❖ Scholarships
- ❖ Existing obligations/debit
- ❖ Any purposes prohibited by laws governing the use of public funds, including but not limited to, religious, political campaigning, or purely private purposes or activities.

Who can I contact if I have questions?

For program questions, please contact:

Website to view application:

- ❖ ** Private entities can propose a project.

Community Benefit Program Grant Agreement

**Fallbrook Public Utility District
Community Benefit Program Grant Agreement**

This Community Benefit Program Grant Agreement (“Agreement”) is made and entered into as of [Insert Date] by and between the Fallbrook Public Utility District (“District”) and [Insert Community Organization Name] (“Recipient”).

1. Purpose

The District allocates funding each fiscal year to its Community Benefit Program, which grants funding to community organizations. Accordingly, this Agreement grants funding under the District’s Community Benefit Program to Recipient in order to [Describe project/service for which funds will be used] as outlined in Recipient’s Proposal submitted on or about [Insert Date]. Recipient’s work plan for its Community Benefit Program Grant Proposal is incorporated herein by reference.

2. CBP Funds

The award amount of \$[Insert amount] (“CBP Funds”) granted to Recipient pursuant to this Agreement is payable in *four (4) payments* on or around the week of the following dates:

[Insert Date] Payment: \$

Term of Agreement

The term of this Agreement is from [Insert Date] through [Insert Date], except in the event that this Agreement is terminated earlier as set forth herein.

3. Budget and Payment Schedule

Unless Recipient and District agree upon alternative arrangements, CBP Funds shall be allocated quarterly upon District’s receipt of a report with appropriate back-up documentation. If Recipient fails to timely provide the report, Recipient may be subject to discontinuance of funding or return of CBP Funds to District.

Recipient must submit quarterly reports to [Insert Name & Title] via email at [Insert Email Address] by the following due dates:

[Insert Date] Report

4. Recipient Obligations

Recipient shall cooperate in efforts undertaken by District to evaluate the effectiveness and use of the CBP Funds. Recipient shall participate in and comply with all on-site evaluation and contract monitoring procedures, including interviews with Recipient's staff. Recipient shall also provide written status reports to District as set forth herein. Recipient shall attend at least one (1) regular meeting of the District during the Agreement term.

5. Procurement Requirements

All services and projects procured using CBP Funds shall comply with the District's procurement and competitive bidding procedures set forth in Article 5 of the District's Administrative Code, which includes but is not limited to the following bidding requirements:

- a. Purchases under \$10,000 shall be purchased in the most prudent and economical manner possible.
- b. Purchases of \$10,000 or more shall be made only after obtaining three (3) written quotations.
- c. Purchases greater than \$60,000 up to \$200,000 require compliance with the District's Informal Bid Procedures.
- d. Purchases greater than \$200,000 require compliance with the District's Formal Bid Procedures. In the event that CBP Funds exceed \$200,000, additional terms and conditions related to the use of such funds will apply.

If the services and/or project undertaken by Recipient pursuant to this Agreement constitute a "public works" or "maintenance" project, Recipient shall comply with all applicable Labor Code requirements, including but not limited to, payment of prevailing wage rates, employment of apprentices, hours of labor, submission of payroll records and registration with the Department of Industrial Relations (DIR). The performance of such services and/or project may be subject to compliance monitoring and enforcement by the DIR.

6. Acknowledgement Requirement

Recipient shall provide acknowledgement of the District with an official sponsor line as well as the Fallbrook Public Utility District logo on all print and electronic materials, press releases, website references, and any other form of written and verbal publicity that relates to the funded service(s) and/or project. Recipient shall have no other permission to otherwise publicize or use the Fallbrook Public Utility District logo without the prior written consent of the District. District will provide Recipient with monthly content to be used for social media promotion of the District.

7. Changes or Modifications to the Use of District CBP Funds

Recipient shall submit to District, in writing, any requests for revisions prior to implementation of any proposed changes in the use of CBP Funds. The District must receive such requests at least thirty (30) days prior to the date that requested changes are to be implemented.

8. Legal Responsibility/Liability

In authorizing execution of this Agreement, the governing body of Recipient is solely responsible for ensuring that CBP Funds are allocated for the purpose or purposes for which this Agreement was intended, as outlined in Recipient's Proposal. Recipient shall be responsible for compliance with all terms of this Agreement. In no event shall District be legally responsible or liable for Recipient's performance or failure to perform under the terms of this Agreement.

9. Reduction of Awarded Funds

District may reduce, suspend, or terminate the payment or amount of the CBP Funds if the Recipient is not meeting the objectives of the Agreement as determined in the District's sole discretion. Recipient understands and agrees that its failure to comply with its obligations under this Agreement, including, without limitation paragraphs 13, 18, and 20 herein, may result in Recipient's disqualification from participation in subsequent contract cycles with the District. Recipient hereby expressly waives any and all claims against District for damages arising from the termination, suspension, or reduction of the CBP Funds.

10. Other Funding Sources

Recipient shall make available, as requested by District, information regarding any other funding sources for the project or service(s) provided by Recipient.

11. Fund Use Description

Recipient shall make available for prospective participants or others a description detailing the nature of the project or service(s) that are being funded by District. This written project description may be a separate document or incorporated in the overall project materials developed by Recipient. Upon request, Recipient shall provide a copy of the project or service(s) description to the District.

12. Independent Contractor Status

The relationship between District and Recipient, and the agents, employees, and subcontractors of Recipient, in the performance of this Agreement shall be one of independent contractors, and no agent, employee, or subcontractor of Recipient shall be deemed an officer, employee, or agent of District.

13. Use of Funds for Lobbying or Political Purposes

Recipient is prohibited from using CBP Funds provided by District for any political campaign or to support attempts to influence legislation by any governmental body.

14. Federal, State, Local Laws, Regulations, and Organizational Documents

Recipient shall comply with all federal, state, and local laws and regulations, including but not limited to labor laws, occupational and general safety laws, and licensing laws. All licenses, permits, notices, and certificates as are required to be maintained by Recipient shall be in effect throughout the term of this Agreement. District shall immediately notify District if any required licenses or permits are canceled, suspended, or otherwise become ineffective.

15. Conflict of Interest/Self-Dealing

Recipient and Recipient's officers and employees shall not have a financial interest or acquire any financial interest, direct or indirect, in any business entity or source of income that could be financially affected by, or otherwise conflict in any manner or degree with, the performance of services required under this Agreement

16. Authorization and License to Use Commercial Image in Promotional Materials

Recipient understands that District may wish to utilize Recipient's name and logo, along with any photographic or video images of Recipient's premises, operations, and activities in promotional materials designed to publicize the District's mission and service to the community served by the District. By entering into this Agreement, Recipient hereby grants permission and license to the District to utilize Recipient's name, logo, and commercial image, along with any photographs, videotape footage, or other graphic illustrations of Recipient's premises, operations, and activities, as further consideration for receipt of the CBP Funds.

17. Indemnification

To the fullest extent permitted by law, Recipient shall indemnify, defend and hold District harmless against and from any and all claims or suits for damages or injury arising from Recipient's performance of this Agreement or from any activity, work, or thing done, permitted or suffered by Recipient in conjunction with the performance of this Agreement. Recipient shall further indemnify, defend and hold District harmless against and from any and all claims or suits arising from any breach or default of any performance of an obligation of Recipient hereunder, and against and from all costs, attorneys' fees, expenses and liabilities related to any claim or any action or proceeding brought within the scope of this indemnification. This indemnification obligation shall survive termination of this Agreement.

18. Documentation of Revenues and Expenses

Recipient shall maintain an accounting system that accurately reflects and documents all fiscal transactions for which the CBP Funds are used. Recipient shall maintain full and complete documentation of all revenue and expenses (including subcontracted, overhead, and indirect expenses) and procurement documentation associated with use of the CBP Funds. During the term of this Agreement and thereafter, District and its authorized representative(s) shall have the right to review all Recipient financial records, including records related to the use of CBP Funds.

19. Reports and Record Retention

All Recipient records pertaining to the use of CBP Funds shall be maintained at Recipient's main local office for at least five (5) years following the year in which funds were granted and will be made available for District review upon request.

20. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of California. Any action brought to enforce these terms and conditions shall be brought in a state or federal court in the County of San Diego.

21. Assignment or Transfer

Recipient shall not assign or transfer any interest in this Agreement or entitlement to CBP Funds without the written consent of District.

22. Entire Agreement, Amendment

This Agreement represents the entire understanding of the parties as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. This Agreement may not be modified or altered except in writing signed by both parties.

23. Notices

Any notice required or permitted thereunder may be given by a party to the other party at the address set forth in the signature block of this Agreement. Either party may change its address for purposes of notice by complying with the requirements of this section.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

FALLBROOK PUBLIC UTILITY DISTRICT

[INSERT RECIPIENT NAME]

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Address: _____

Address: _____

Scoring Rubric

Fallbrook Community Benefit Program
Scoring Rubric

Scoring Rubric for Application Proposals

The application proposal scoring rubric will be used to evaluate the applications submitted for consideration.

Applications will be reviewed by the Community Benefit Program committee appointed by the FPUD Board. The committee will use this rubric to guide its deliberations.

Scoring Definitions

1. Does Not Meet Criteria - information not provided
2. Met Some but Not All Identified Criteria
3. Addressed Criteria but Did Not Provide Thorough Detail - adequate response, but not thoroughly developed or high-quality clarification/project goal
4. Addressed Criteria and Provided Some Detail, but Not Thoroughly Developed - adequate project goal
5. Met All Criteria with High Quality - clear, concise, and coherent project goal

Need/Focus	___/20
Sustainability	___/20
Value of Investment	___/20
Priority	___/20
Innovation	___/20
Total:	_____/100

GENERAL COMMENTS: Indicate support for scoring by including overall strengths and weaknesses. These comments will be provided to applicants with their final scores.
will be provided to applicants with their final scores.

RECOMMENDATION:

- _____ I am in support of awarding funding to this project.
 _____ I am in support of awarding funding to this project with funding changes to _____.
 _____ I am not in support of awarding funding to this project.