



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

MINUTES

**MONDAY, FEBRUARY 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: Brian Albright, San Diego County Parks Director. There were six members of the public in attendance. Remote access was also available and utilized for the public.

APPROVAL OF AGENDA

MOTION: Committee Member Hargrove 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.

There were no public comments for non-agenda items.

Chair Mendelson announced copies of the agenda were available on the Fallbrook Public Utility District ("FPUD") website and at regularly scheduled public meetings.

There was discussion about beginning Committee meetings with the Pledge of Allegiance.

MOTION: Committee Member Hargrove moved that the FPUD CBP Committee begin its regularly scheduled public meetings with the Pledge of Allegiance; Committee Member Maldonado/Stamos seconded. Motion passed; VOTE:

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

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

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 Committee 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 Committee.

- A. CONSIDER APPROVAL OF MINUTES
 - 1. January 9, 2023 Community Benefit Committee Meeting

Recommendation: *The Committee approve the minutes of the aforementioned meeting of the Community Benefit Committee of the Fallbrook Public Utility District.*

MOTION: Vice Chair Sterling moved to approve the Consent Calendar, which included the approval of the minutes from the January 9, 2023 Community Benefit Committee Meeting; Committee Member Redmond seconded. Motion passed. VOTE:

AYES: Unanimous
NOES: None

ABSTAIN: None
ABSENT: None

III. WORKGROUP REPORTS.....(ITEMS B–C)

- B. PROPOSAL DEVELOPMENT WORKGROUP
1. San Diego County Parks Director Brian Albright

San Diego County Parks Director Brian Albright presented information about current projects underway and planned for the Fallbrook and surrounding areas. Mr. Albright stated San Diego County Parks is looking forward to supporting, partnering and enhancing the efforts of the FPUD CBP. He briefly discussed the San Diego Parks Master Plan and offered to provide a copy to General Manager Bebee for distribution to the Committee Members, explaining that the Master Plan may be further amended per the San Diego Board of Supervisors' direction. Mr. Albright answered miscellaneous questions.

Chair Mendelson requested General Manager Bebee provide the Committee with a map of the Fallbrook Public Utility District's service area.

Committee Member Hargrove presented the Committee with the Workgroup's January 23 and January 30 meeting notes attached as Attachment "A" and "B," respectfully, hereto. Also attached hereto as Attachment "C" is a draft of the FPUD Community Benefit Program Application guidelines. Also attached hereto as Attachment "D" is a draft of the FPUD Community Benefit Application for Community Benefit Program funding.

Discussion ensued. General Manager Bebee explained that any award of funding will require a contract between FPUD and the organization receiving funding. The contract will be developed by FPUD and will possibly include terms addressing indemnification purposes.

Discussion ensued about the items proposed to be excluded from funding, including, but not limited to, whether funding should be available for "events/activities" and for volunteers or administrative costs. Comments from the public addressed requests for definition of "events" and "activities," clarification of the FPUD Administrative Code, Article 23, and whether a single person could request funding.

Discussion continued with the Committee representing an individual person is able to identify a qualifying project, but that funding will be provided by and through a non-profit organization, requiring the individual person to associate the project to a non-profit organization.

Further discussion ensued which addressed proposed required tax documentation in the application process. Efforts will be made to avoid

unintentional exclusion of non-profit organizations from eligibility to apply for funding.

- C. ADMINISTRATIVE FUNCTION WORKGROUP
 - 1. Administrative Rules of Order
 - 2. Recusal
 - 3. Scheduling
 - 4. By-Laws Question
 - 5. Mission And Vision Statements

Chair Mendelson presented an update on the current Brown Act. Discussion ensued about the restrictions for teleconferencing. General Manager Bebee explained that the FPUD Board will also be addressing the recent legislative changes to the Brown Act and restrictions to teleconferencing following Governor Brown's recall of the State of Emergency and public meeting requirements as set out in Assembly Bill 361. The subject was tabled to the next meeting.

Committee Member Marchand requested discussion to address a 2023 schedule for the regular public meetings and the procedure for those meetings. Discussion ensued, followed by four motions.

MOTION: Committee Member Marchand moved that the Fallbrook Public Utility Community Benefit Program Committee hold its regularly scheduled meetings one time per month. Vice Chair Sterling seconded. Motion passed; VOTE:

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

MOTION: Committee Member Kalman moved the regularly scheduled public meetings occur on the second Monday of each month, with the exception that in the event a state or national holiday occurs on that same date, that the meeting commence the next following business day; Chair Mendelson seconded. Motion passed. VOTE:

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

MOTION: Committee Member Kalman moved the regularly scheduled public meetings occur at 10:00 a.m. Committee Member Redmond seconded. Motion passed. VOTE:

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

MOTION: Committee Member Hargrove moved the Committee adopt the Roberts Rules of Order in conducting its regularly scheduled public meetings; Committee Member Kalman seconded. Motion passed.
VOTE:

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

Committee Member Marchand distributed two drafts of a proposed Intent to Disclose form, explaining the Administrative Functions Workgroup was tasked with this assignment following discussion at the January 13, 2023 Committee meeting. Discussion ensued and the matter was tabled to the next meeting.

Committee Member Marchand explained the possible perspectives for recusing a member's participation based on potential conflict and that a more strict restriction than that set out in the FPUD Administrative Code, Article 23, would need to be further defined in a writing. Discussion ensued and the matter was tabled to the next meeting.

Committee Member Marchand introduced a discussion about whether by-laws were needed. General Manager Bebee explained that the FPUD Board did not anticipate the Committee would have a need for by-laws, but explained that some sort of operating guidelines may be of assistance as long as the operating guidelines do not alter any portion of the Administrative Code. Discussion ensued and the matter was tabled to the next meeting.

Committee Member Kalman distributed drafts of a Mission Statement and a Vision Statement. A brief discussion ensued and the matter was tabled to the next meeting.

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

D. COMMUNITY OUTREACH

Committee Member Kalman presented the tag paragraph, attached as Attachment "E," that will be included in future press releases newspapers and/or on social media.

E. NEW BUSINESS

Chair Mendelson requested each Committee Member send Lauren Eckert their telephone numbers and email addresses for purposes of an internal committee contact list.

Chair Mendelson requested Committee Member nameplates. General Manager Beebe reported there are available program funds for this purpose.

V. **ADJOURNMENT OF MEETING** – *Next meeting March 13, 2023 at 10:00 a.m.*

There being no further business to discuss, on a motion made by Committee Member Kalman, seconded by Committee Member Redmond, and passed unanimously, the Community Benefit Committee Meeting of the Fallbrook Public Utility District was adjourned at 11:50 a.m.



Chair, Community Benefit Committee

ATTEST:


Secretary, Community Benefit Committee

Attachment A

Community Benefit Program Committee Meeting

Notes

January 23, 2023, 10:30 am

Present: Rosie Redmond, Elana Sterling, Lila Hargrove

I. CBP Contract "Grant" program application

- Paper versus Computer

Suggest Computer. FHD has great model. Drag and drop method of set up. Proven work. Mainstream process. Ability to upload. Can have a seminar for all nonprofits on how to apply. FHD willing to help. Not reinventing the process. Would be accessed through FPUD website.

- Eligibility

Questions will be part of application process. Will "weed out" if not eligible. One page explanation of program to be able to hand out. Suggest including map area link on both paper and web explanation sheet.

- Organization

Information Suggested to ask for Tax return for all applicants. If over a certain threshold, suggested asking for an asset sheet.

- Program/Service for which funding is being asked.

Funding is not for events/programs/interns. Should include this language in explanation.

- Funding amount

10k don't need multiple bids. 10K-60K (3) quotes required unless product or service is specialized. Over 60K more complicated. All must comply with rules. It should be stated that all must be procured in compliance with district. In regard to CEQA, a simple check list can be made and an exception filed at time project is funded.

II. Reporting requirements *Suggested all reports due one year after funding. Nonprofits must follow up with documentation of how funding was spent. Suggest a committee to verify all documentation is included. Sufficient*

safeguards set up to show committee is spending funds appropriately and it can be easily audited.

- III. Solicitation Process *Announcement to be included in bill. Mass mailer. Website. Social Media. Newspaper. Direct contact with nonprofits.*

Additional Notes: Requested Brian come to talk to us about county project plans.

Attachment B

Community Benefit Program Committee Meeting Minutes

January 30, 2023, 12:00 pm

Present: Rosie Redmond, Elana Sterling, Lila Hargrove

I. CBP Contract application

Updated

Add "funding" after oversee in goal.

1. To add word "located" in.

3. Removed word: "volunteer". Remove CS-81. ~~Remove CS-81 through~~ application.

5. Removed date.

6. Remove date, add one year from funding.

Add:

- Monthly Financial statement (asset sheet) as part of eligibility.*
- Attorney General Proof of eligibility*
- Secretary of State Proof of eligibility*

Move Community Benefit in between Brief description and proposed timeline on application.

II. Info sheet

Under what will foundation not fund? Remove activities done by volunteers.

III. Any other items

2. Discuss term usage. Can it only benefit FPUD residents or only done in the district but can benefit all?

3. Clarification of supplementing County, specifically calling out CS-81 or leaving generic as County of SD?

Follow-up: Is insurance required to name FPUD ?

Attachment C

Fallbrook Public Utility District Community Benefit Program Application guidelines

Mission & Purpose

The mission and purpose of the Community Benefit Program (CBP) is to Promote, coordinate and oversee funding for community projects in the FPUD District that benefit Fallbrook and its residents.

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 coordinate implementation 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, a school 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. *see map 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 foundation not fund?

- ❖ Events/activities
- ❖ Interns/Volunteer salaries or 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:

Attachment D

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

Community Benefit Program's goal is to promote, coordinate and oversee community projects in FPUD's service area that benefit the district's residents.

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 (CSA No 81) or fund volunteer projects/activities by non-profit organizations (501c3).
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
3. 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 Same as Street Address

Street Address _____

Address _____

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Proposal:

Total amount requested: _____ Other funding: _____

List other entities funding proposed project/activity:

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

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: _____

Brief description of Project/Activity two:

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

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:

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

Proposed timeline for project/activity three:

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

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: _____

Attachment E

Established by the Fallbrook Public Utility District's Board of Directors in late 2022, the Community Benefit Program's seven members meet on the second Monday of each month. The group has a framework for considering requests by FPUD-area nonprofit organizations seeking financial assistance for parks and recreation, street lighting and roads and other projects that benefit the community. Funding proceeds are from existing San Diego County property tax revenues received by the utility. Jim Mendelson (949-201-9967), jsmclmax@aol.com, is the chair.