

## **REGULAR BOARD MEETING MINUTES**

June 15, 2022

Phelan Community Center  
4128 Warbler Road, Phelan, CA 92371  
& Remotely Via Zoom or Conference Call

**Board Members Present:** Rebecca Kujawa, President  
Deborah Philips, Vice President  
Kathy Hoffman, Director  
Charlie Johnson, Director

**Board Members Absent:** Mark Roberts, Director

**Staff Present:** Don Bartz, General Manager  
George Cardenas, Engineering Manager  
Kim Ward, HR Manager/Executive Secretary  
Sean Wright, Water Operations Manager  
Chris Cummings, Water Operations Assistant Manager

**District Counsel:** Steve Kennedy, General Counsel (Zoom)

**Public:** None

### **Call to Order**

President Kujawa called the meeting to order at 6:00 p.m. and the Pledge of Allegiance was conducted.

### **Roll Call**

All Directors were present at roll call.

### **1) Approval of Agenda**

Mr. Bartz requested to add an item to the Agenda: "Discussion & Possible Action Regarding Purchase of a District Vehicle." Vice President Philips moved to approve the Agenda as amended. Director Johnson seconded the motion. Motion carried 4-0.

### **2) Public Comment**

#### **a) General Public**

None

#### **b) Community Reports**

- **School District** – Dr. Holman noted the end of the school year activities and the students and staff in attendance for the Earth Day Art Contest. He thanked the District for partnering with Snowline School District in support of the students.

**3) Consent Items**

Director Johnson requested to remove Item 3a. Director Johnson moved to approve the remainder of the Consent Items. Vice President Philips seconded the motion. Motion carried 4-0.

**4) Matters Removed from Consent Items**

Director Johnson noted an error on the Minutes. Director Johnson moved to approve the Minutes with the correction. Director Hoffman seconded the motion. Motion carried 4-0.

**5) Presentations/Appointments**

President Kujawa and Ms. Ward presented the 2022 Earth Day Art Contest Winners.

**6) Continued/New Agenda Items****a) Public Hearing on Resolution No. 2022-19; Imposing Stage II Mandatory Restrictions on Water Use**

President Kujawa declared the Public hearing open at 6:17 pm.

**1) Secretary's Report**

Ms. Ward reported that the District received zero written protests, objections, or comments on Resolution No. 2022-19; Imposing Stage Two Mandatory Restrictions on Water Use.

**2) Attorney's Report on Action Taken Prior to this Hearing**

Mr. Kennedy reported Notice of public hearing was published on June 2 and June 9, 2022, in the Daily Press and Notice of public hearing was also published on the District website and posted in the District office beginning June 1, 2022. The draft Resolution was available for public review in the District office or by request. Copies of the Resolution were made available in the District office and upon request Compliance with all legal requirements for this hearing within the manner and time specified in the Government Code.

**3) Staff's Report**

Mr. Bartz reported as follows:

On March 28, 2022, Governor Newsom directed the State Water Board to consider adopting an emergency regulation for urban water conservation. On May 24, 2022, the State Water Board adopted an emergency regulation. The emergency regulation was expected to take effect on or around June 16, 2022, dependent on the Office of Administrative Law process, but was filed on June 10th and went into immediate effect. The emergency regulation will remain in effect for one year from the effective date, unless the State Water Board acts to end, modify, or readopt it.

Stage Two Water Shortage measures include all of the existing Stage One measures and add, among other things:

- agricultural and commercial irrigation requirements
- prohibition of excessive irrigation and free flow of water



- the required use of a pool cover and filling of pools between specified hours only
- Drone surveillance, where necessary, to enforce the District's water conservation ordinance

Because the District is not anticipating a water shortage and is already experiencing an almost 20% reduction in water consumption over last year due to less agricultural activity, the individual conservation requirements with penalties are not being implemented at this time.

#### **4) Public Comment, Protests, and Objections**

There were no public comments, protests, or objections.

Vice President Philips moved to close the Public Hearing. Director Hoffman seconded the motion. Motion carried 4-0.

The Public Hearing was declared closed at 6:20 p.m.

#### **b) Discussion & Possible Adoption of Resolution No. 2022-19; Imposing Stage II Mandatory Restrictions on Water Use**

Staff Recommendation: For the Board to adopt Resolution No. 2022-19; Imposing Stage II Mandatory Restrictions on Water Use.

Mr. Bartz presented this item.

Director Johnson moved to approve the staff recommendation. Vice President Philips seconded the motion. Motion carried 4-0.

#### **c) Discussion & Possible Action Regarding Solid Waste Collection Rates & Update of SB 1383 Compliance Timeline**

Staff Recommendation: For the Board to accept the attached residential and commercial solid waste rate changes for FY 2022/2023 and to delay the implementation of commercial SB 1383 service until January 1, 2023.

Ms. Ward presented this item.

After discussion, Vice President Philips moved to approve the staff recommendation. President Kujawa seconded the motion. Motion carried 4-0.

#### **d) Discussion & Possible Adoption of Resolution No. 2022-20; Establishing an Appropriations Limit for Fiscal Year 2022/2023**

Staff Recommendation: For the Board to adopt Resolution 2022-20; Establishing an Appropriations Limit for Fiscal Year 2022/2023.

Mr. Bartz presented this item.

Director Johnson moved to approve the staff recommendation. Director Hoffman seconded the motion. Motion carried 4-0.



**e) Update on the Proposed Civic Center & Phelan Park Expansion Projects**

Staff Recommendation: None

Mr. Cardenas provided an update on the hearing for listing of the Western Joshua Tree as endangered, pending a decision following the public hearing. KTUA is working on a proposal for design of Phase III which includes the grant request portions. Notification as to whether or not the District received the \$2.7 million Land and Water Conservation Grant should be received by the end of the month.

No action taken; not an action item.

**f) Update on the Status of Negotiations for the Consolidation of Sheep Creek Mutual Water Company into the District**

Staff Recommendation: None

Mr. Cardenas reported that a determination regarding funding the water rights will not be made until August or September and the state is waiting on the District's connection fee study for additional information.

No action taken; not an action item.

**g) Discussion & Possible Action Regarding Purchase of a Replacement Truck**

Staff Recommendation: For the Board to authorize staff to purchase a replacement vehicle in an amount not to exceed \$50,000.

Mr. Bartz presented this item,

After discussion, Director Hoffman moved to approve the staff recommendation. Vice President Philips seconded the motion. Motion carried 4-0.

**7) Committee Reports/Comments**

- a) **Antelope Valley Adjudication Committee (Ad Hoc)** – Director Johnson reported he attended the hearing on rampdown. He noted that unauthorized water production is to be addressed as well as metering wells.
- b) **Engineering Committee (Standing)** – The meeting was cancelled.
- c) **Finance Committee (Standing)** – Has not met.
- d) **Legislative Committee (Standing)** – Had not met.
- e) **Parks, Recreation & Street Lighting Committee (Standing)** – Has not met.
- f) **Waste & Recycling Committee (Standing)** – Met and discussed the item presented tonight.

**8) Staff and General Manager's Report**

Mr. Bartz reported the upcoming hearing on water producers that are not adjudicated. He noted that MWA provided maps on known wells and greenhouses in the District and staff will be requesting backflows be installed for customers with greenhouses.



Mr. Wright reported on the Sheep Fire and noted the utilization of the generators purchased with the CalOES grant.

Mr. Bartz noted Sheep Creek’s tunnel caught on fire and that the District can provide water to Sheep Creek, if necessary.

Mr. Kennedy reported on the status of electricity and cell service in Wrightwood and noted that there was no loss of life or structural damage as a result of the Sheep Fire. He thanked District staff for their assistance. Discussion about a mutual aid agreement.

9) **Reports**

a) **Director’s Report**

**Hoffman** – Nothing to report.

**Philips** – Nothing to report.

**Johnson** – Nothing to report.

b) **President’s Report** – A written report was in the packet.

10) **Correspondence/Information** – The items in the packet were noted.

11) **Review of Action Items**

a) **Prior Meeting Action Items** – None

b) **Current Meeting Action Items**

- Quarterly SB 1383 Progress Report
- Distribute Consolidation Tech. Memo’s Appendices to Board
- Forward Rampdown Email from MWA to Board


12) **Set Agenda for Next Meeting**

- Regular Board Meeting – July 6, 2022

15) **Adjournment**

With no further business before the Board, the meeting was adjourned at 7:02 p.m.

Agenda materials can be viewed online at <https://www.pphcsd.org>

  
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 Rebecca Kujawa, President of the Board

  
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 Date

  
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 Kim Ward, HR Manager/Executive Secretary

  
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 Date

