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REGULAR BOARD MEETING MINUTES

May 19, 2021

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

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

Board Members Absent: None

Staff Present: Don Bartz, General Manager
Lori Lowrance, Administrative Services Manager
George Cardenas, Engineering Manager
Sean Wright, Water Operations Manager
Kim Ward, HR Manager/Executive Secretary

District Counsel: Steve Kennedy, General Counsel

REGULAR BOARD MEETING – 6:00 p.m.

Call to Order

President Hoffman 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

Director Philips moved to approve the Agenda. Vice President Kujawa seconded the motion. Motion carried 5-0.

2) Public Comment

- a) **General Public** – None
- b) **Community Reports** – None

3) Consent Items

Director Roberts moved to approve the Consent Items. Director Johnson seconded the motion. Motion carried 5-0.

4) Matters Removed from Consent Items

None



5) **Presentations/Appointments**

- 2021 Earth Day Art Contest Winners

6) **Continued/New Agenda Items**

- a) **Ordinance No. 2021-01; Enabling Water Rates, Fees and Charges, and Establishing the Rules and Regulations for Water Service Within the District Superseding Ordinance No. 2019-02 Entitled, "Enabling Water Rates, Fees & Charges, & Establishing the Rules & Regulations for Water Service Within the District"**

1) **Second Reading of Ordinance No. 2021-01**

Staff Recommendation: For the Board to waive the second reading of Ordinance No. 2021-01

Mr. Bartz introduced this item.

Director Philips moved to approve the staff recommendation. Director Roberts seconded the motion. Motion carried 5-0.

2) **Public Hearing on Ordinance No. 2021-01**

President Hoffman declared the Public Hearing open at 6:10 p.m.

(a) **Secretary's Report**

Mr. Bartz reported the District received zero written protests, objections, or comments relating to Ordinance No. 2021-01.

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

Mr. Kennedy reported Notice of Hearing was published in the Mountaineer Progress on April 29th, May 6th and May 13th, 2021. Additionally, the Notice of Hearing and Ordinance were published on the District's website, and made available in the District office, on April 29th, 2021. Compliance with all legal requirements for this hearing were within the manner and time specified in the Government Code.

(c) **Staff's Report**

The District is revising its ordinance that enables water rates, fees & charges, and establishes the rules and regulations for water service within the District due to the addition of a bulk water filling station.

The Ordinance revisions were introduced, and the first reading of the Ordinance was waived, on May 5, 2021; the second reading was waived this evening. A complete copy of the Ordinance has been available on the District's website and in the District office.

In order for the Ordinance to be adopted, a public hearing must first be held. After the public hearing and adoption of the Ordinance, the revisions to the Ordinance will be published within 15 days. The Ordinance will go into effect 30 days after adoption.



(d) Public Comments, Protests, and Objections

There were no public comments.

Vice President Kujawa moved to close the Public Hearing. Director Philips seconded the motion. Motion carried 5-0 and the Public Hearing was closed at 6:12 p.m.

3) Discussion & Possible Adoption of Ordinance No. 2021-01

Staff Recommendation: For the Board to adopt Ordinance No. 2021-01

Mr. Bartz introduced this item.

After discussion, Director Philips moved to approve the staff recommendation. Director Roberts seconded the motion. Motion carried 5-0.

b) Discussion & Possible Action Regarding Groundwater Well Permits

Staff Recommendation: None

Mr. Kennedy presented this item.

After discussion, consensus of the Board was to send a letter to the County of San Bernardino advising them of the California Supreme Court Opinion regarding the CEQA for well permits and to request certain actions by the County of San Bernardino.

c) Discussion & Possible Action Regarding Resolution No. 2021-08; Establishing Bulk Water Filling Station User Rates

Staff Recommendation: For the Board to adopt Resolution No. 2021-08; Establishing Bulk Water Filling Station User Charges.

Ms. Lowrance presented this item.

After discussion, Director Johnson moved to adopt Resolution No. 2021-08 as amended. Director Philips seconded the motion. Motion carried 5-0.

d) Discussion & Possible Action Regarding 2021/2022 Solid Waste & Recycling Rates

Staff Recommendation: For the Board to accept the solid waste and recycling collection rates, effective July 1, 2021.

Ms. Ward presented this item.

After discussion, Director Philips moved to approve the staff recommendation with the addition of tax. Vice President Kujawa seconded the motion. Motion carried 5-0.

e) Update on the Proposed Phelan Park Expansion Project

Staff Recommendation: None



Mr. Cardenas reported the site plan is being submitted to the county in 4-6 weeks. At the next Board meeting, staff will request approval of the PSA for the environmental impact report.

No action taken; not an action item.

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

Staff Recommendation: None

Mr. Cardenas reported the state approved the work plan for IEC in the amount of \$650,000.

No action taken; not an action item.

7) **Committee Reports/Comments**

- a) **Antelope Valley Adjudication Committee (Ad Hoc)** – Nothing to report.
- b) **Engineering Committee (Standing)** – Met last week. A percolation test is in process. Well 9 passed water quality testing. Well 6A is producing 400gpm. The Committee reviewed the UWMP.
- c) **Finance Committee (Standing)** – Nothing to report.
- d) **Legislative Committee (Standing)** – Met last week and reviewed AB339 and AB703.
- e) **Parks, Recreation & Street Lighting Committee (Standing)** – Nothing to report.
- f) **Waste & Recycling Committee (Standing)** – Nothing to report.

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

Mr. Cardenas reported that KTUA is working on a flyover rendering of the report.

9) **Reports**

a) **Director's Report**

Philips – Attended ACWA and CSDA Legislative Days.

Kujawa – Attended ASBCSD where Assemblyman Smith spoke about the illegal grows and AB1138.

Roberts – Noted the letter from the local representative and the news coverage regarding illegal grows.

Johnson – Provided an update on the status of vaccines in the community and encourages everyone to get vaccinated.

b) **President's Report** – Nothing further to report.

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** – None

12) **Set Agenda for Next Meeting**

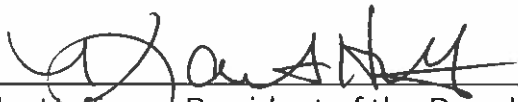


- **Regular Board Meeting** – June 2, 2021
 - PSA for Environmental Impact Report
 - Budget Hearing and Ordinance
 - Circle Green Lease
 - Review of Vacant District Properties

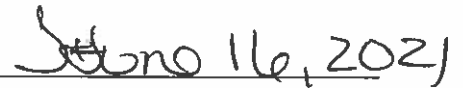
13) **Adjournment**

With no further business before the Board, the meeting was adjourned at 7:20 p.m.

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



Kathy Hoffman, President of the Board



Date



Kimberly Ward, HR Manager/Executive Secretary



Date

