



Phelan Piñon Hills Community Services District

4176 Warbler Road • P. O. Box 294049 • Phelan, CA 92329-4049 • (760) 868-1212 Fax (760) 868-2323

**SPECIAL & REGULAR BOARD MEETING
July 17, 2019
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371**

MINUTES

Board Members Present: Alex Brandon, President
Kathleen Hoffman, Director
Deborah Philips, Director
Mark Roberts, Director

Board Members Absent: Charlie Johnson, Vice President

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

District Counsel: Steve Kennedy, General Counsel

SPECIAL BOARD MEETING – 5:00 p.m.

Call to Order

President Brandon called the Meeting to order at 5:00 p.m.

Roll Call

Vice President Johnson was absent.

- 1. Approval of Agenda**
The Agenda was approved.
- 2. Public Comment – None**
- 3. Recess to Closed Session**

Closed Session: Public Employee Performance Evaluation
(Government Code Section 54957)
Title: General Manager

- 4. Return to Open Session – Announcement of Reportable Action**
There was no reportable action.
- 4. Adjournment**
With no further business before the Board, the meeting adjourned at approximately 5:45 p.m.

BOARD MEETING – 6:00 p.m.

Call to Order

Office (760) 868-1212
Fax (760) 868-2323

**Phelan Piñon Hills
Community Services District**

P.O. Box 294049, Phelan, CA 92329
E-mail: PPHCSD.org

President Brandon called the Meeting to order at 6:01 p.m.

Roll Call

Vice President Johnson was absent.

5. Approval of Agenda

The Agenda was approved.

6. Public Comment

a. **General Public** – Mr. Nielsen thanked the District for moving forward on parks projects for the community.

b. **Community Reports** – None

- **Supervisor** – Susan Drake, Representative for Supervisor Lovingood, thanked the District for the use of the community center for disaster training. A second workshop will be happening on Sept 19, 2019, at 6:00 p.m. at the Victor Valley Association of Realtors' office in Hesperia. She provided an update on the community of Trona.

7. Consent Items

Director Roberts moved to approve the Consent Items as amended. Director Philips seconded the motion. Motion passed unanimously.

8. **Matters Removed from Consent Items** – None

9. **Presentations/Appointments** – None

10. **Continued/New Agenda Items** – Action Items

a. **Public Hearing on Standby & Availability Fees for 2019/2020**

President Brandon declared the Public Hearing open at 6:12 p.m.

Note: The time was 6:07 p.m. even though it was stated it was 6:12 p.m.

1) **Secretary's Report on Standby & Availability Fees for 2019/2020**

Mr. Bartz reported the District received zero written protests, objections, or comments on the water standby assessments.

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

Mr. Kennedy reported that Notice of Hearing was published in the Mountaineer Progress on June 27, 2019, July 4, 2019, and July 11, 2019. Additionally Notice of Hearing was posted in the District office and District website beginning June 20, 2019. Compliance with all legal requirements for this hearing within the manner and time specified in the Government Code.

3) **Staff's Report**

The preliminary water standby charge report was filed with the Secretary on May 14, 2019, and details 3,757 parcels for a total assessment of \$291,047.10. The final report will be filed with the County by the August 2019, deadline.

The water standby charge report reflects each parcel of land within the District's boundaries; for acreage within 660 feet of a water line.

4) Public Comments, Protests, and Objections

None

Director Hoffman moved to close the public hearing. Director Philips seconded the motion. Motion passed unanimously and the public hearing closed at 6:09 p.m.

b. Discussion & Possible Adoption of Resolution No. 2019-12; Establishing Standby & Availability Fees for 2019/2020

Staff Recommendation: For the Board to approve Resolution No. 2019-12; Establishing Standby & Availability Fees for 2019/2020.

Mr. Bartz introduced this item.

Director Philips moved to approve staff recommendation. Director Hoffman seconded the motion. Motion passed unanimously.

c. Public Hearing on Delinquent Water User Charges

President Brandon declared the Public Hearing open at 6:12 p.m.

1) Secretary's Report on Delinquent Water User Charges

Mr. Bartz reported the District received zero written protests, objections, or comments on the delinquent water user charges.

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

Mr. Kennedy reported that Notice of Hearing was published in the Mountaineer Progress on June 27, 2019, July 4, 2019 and July 11, 2019. Additionally Notice of Hearing was posted in the District office and District website beginning June 20, 2019. Notice of delinquency and the hearing was also mailed to delinquent users on June 12, 2019. Compliance with all legal requirements for this hearing within the manner and time specified in the Government Code.

3) Staff's Report

The Delinquent Water User Charges Report was filed with the Secretary on June 20, 2019, and details 82 customer accounts amounting to a total of \$33,353.56.

The Delinquent Water User Charges Report reflects each affected parcel of real property and the total amount of charges and delinquencies for each affected parcel as of June 30, 2019.

4) Public Comments

None

Director Roberts moved to close the public hearing. Director Hoffman seconded the motion. Motion passed unanimously and the public hearing closed at 6:14 p.m.

d. Discussion & Possible Adoption of Resolution No. 2019-13; Confirming, or Modifying and then Confirming, the Report of Delinquent Water User Charges for the Purpose of Collecting Said Charges on the San Bernardino County Tax Roll

Staff Recommendation: For the Board to adopt Resolution No. 2019-13; Confirming, or Modifying and then Confirming, the Report of Delinquent Water User Charges for the Purpose of Collecting Said Charges on the San Bernardino County Tax Roll.

Mr. Bartz introduced this item.

Director Roberts moved to approve staff recommendation. Director Philips seconded the motion. Motion passed unanimously.

e. **Presentation & Discussion Regarding Assessment Credits**

Staff Recommendation: For the Board to review and discuss the presentation given by Mr. Isaac from Raftelis Financial Consultants.

Note: This item was discussed after Item 6f.

Mr. Bartz introduced this item.

Mr. Isaac noted he is no longer with Raftelis and has started his own firm, however he is still completing some items for Raftelis. He provided a presentation regarding the District's Assessment Credits.

Note: The presentation is available online at www.pphcsd.org

No action taken; a report will be brought back with a recommendation.

f. **Discussion & Possible Action Regarding Proposed Sheep Creek Water Company Consolidation Plan**

Staff Recommendation: For the Board to review and discuss the proposed consolidation plan prepared by Sheep Creek Water Company, as referenced in their letter dated June 18, 2019, and determine how to proceed.

Mr. Bartz introduced this item.

Kathy Everhart stated she and her husband are in support of a consolidation but not in favor of the District having to buy Sheep Creek.

Cheryl Rhoden read a statement (attached to these minutes).

Andy Zody, board member for Sheep Creek Water Company clarified that the state has asked Sheep Creek to explore consolidation but that Sheep Creek has other options available to them. He stated there is value to Sheep Creek Water Company. He stated there are a lot of assets and that he is aware that the community doesn't want to pay for it. Thanked the Board for their consideration. Their next board meeting is August 8, 2019. Their next shareholders meeting is August 17, 2019.

After much discussion, consensus of the Board was to reject the proposed consolidation plan presented by Sheep Creek Water Company.

The Board recessed at 6:33 p.m. and returned at 6:44 p.m.

g. **Discussion & Possible Action Regarding the Community & Senior Center, District Office, and Phelan Park Parking Lot Rehabilitation and Improvements Project**

Staff Recommendation: For the Board to reject the bid received by Senitica Construction, Inc., to postpone the Community & Senior Center, District Office, and Phelan Park Parking Lot Rehabilitation and Improvements Project until a later date, and to authorize staff to have basic repair and maintenance performed.

Mr. Bartz introduced this item.

Director Hoffman moved to approve the staff recommendation. Director Philips seconded the motion. Motion passed unanimously.

h. Discussion & Possible Action Regarding Call to Action by CSDA Concerning AB1486 and/or SB13

Staff Recommendation: For the Board to determine whether or not they wish to formally oppose AB1486 and/or SB13.

Mr. Bartz introduced this item.

Consensus of the board was to formally oppose AB1486 and SB13 and authorize staff to issue letters of opposition.

7. Committee Reports & Comments

- a. **Antelope Valley Adjudication Committee (Ad Hoc)** – Nothing further to report.
- b. **Employee Compensation & Benefits Committee (Ad Hoc)** - Nothing further to report.
- c. **Engineering Committee (Standing)** – Nothing further to report.
- d. **Finance Committee (Standing)** – Nothing further to report.
- e. **Legislative Committee (Standing)** – Nothing further to report.
- f. **Mojave Adjudication Committee (ad hoc)** – Nothing to report.
- g. **Parks, Recreation & Street Lighting Committee (Standing)** – Nothing further to report.
- h. **Property Management Committee (Standing)** – Meeting date may change.
- i. **Waste & Recycling Committee (Standing)** – The meeting scheduled for tomorrow has been cancelled.

8. Staff and General Manager’s Report – Noted he attended the last Sheep Creek Water Company meeting and the District’s request to serve itself was granted; future Board action item.

9. Reports

a. Director Reports

Hoffman – Nothing to report.

Philips – Attended ASBCSD.

Roberts – Noted the schedule and upcoming briefings for the Antelope Valley Adjudication.

- b. **President’s Report** – Met with the General Manager, County Supervisor, and Sheriff on July 8, 2019, to see if they are interested in renting space in the future civic center building. Attended an Adjudication Committee Meeting. He again stated his displeasure at how District staff arranged the Association of San Bernardino County Special District’s meeting the District hosted.

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

11. Review of Action Items

- a. **Previous Meeting** – None
- b. **Current Meeting**
 - Letter regarding opposition to AB1486 and SB13

12. Set Agenda for Next Meeting

- CEQA
- Surplus property
- Social Media Policy

13. Recess to Closed Session

With no further business before the Board, the meeting adjourned at 7:36 p.m.

Link to Agenda Materials and Handouts: <http://www.pphcsd.org>

Alex Brandon, President of the Board

Date

Kim Ward, HR Manager/Executive Secretary

Date