



Phelan Piñon Hills Community Services District

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**PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT
REGULAR BOARD MEETING
February 3, 2010 – 7:00 p.m.
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371**

MINUTES

Board Members Present: Charlie Johnson, President
Joe Fahrlander, Vice President
Ken Anderson, Director
Al Morrissette, Director
Mark Roberts, Director

Board Member Absent: None

Staff Present: Don Bartz, General Manager
Lori Lowrance, Administrative Services Manager
Debbie Bishop, Board Secretary
Steve Lowrance, Parks Lead

Call to Order

President Johnson called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was conducted.

Roll Call

All Board Members were present.

1. Approval of Agenda

Mr. Bartz asked to remove the Closed Sessions for the Anticipated Litigation and the Antelope Valley Adjudication. Director Roberts moved approval of the Agenda as modified. Director Morrissette seconded the motion. All were in favor.

2. Public Comment

Mr. Bartz introduced Sgt. Lon Jacobs with the Sheriff's Department. He introduced himself to the Board and stated he can be contacted at the Phelan Office if anyone has any questions 760-868-1006.

Bart Inglese of 8928 Arena Rd. (meter on Sunnyslope) spoke to the Board regarding a high bill he received from the District for \$519.00. President Johnson stated the General Manager will look into it for him.

James Lushia stated he just moved to the area and had a few comments regarding the Parks. He suggested the District have a community effort to put the park together and utilize the talents of the community to keep the funds in the community.

3. Consent Items

Director Anderson asked to move agenda Item 3e to Item 4 for discussion. Director Roberts asked to move agenda Item 3c to Item 4 for discussion. Director Morrisette motioned to approve the Consent Items. Director Anderson seconded the motion and all were in favor.

4. Matters Removed from Consent Items

In regards to agenda Item 3c, Director Roberts asked if on Item 9, Page 8 the budget numbers come as a division of twelve. President Johnson stated it did this year because they did not have enough information to budget this item.

In regards to agenda Item 3e, Director Anderson stated number 5 of the Supplemental Income Plan designates ING to administer the plan and all things related to the administration; however, on the fourth paragraph of the Resolution it states the Board has appointed ING to perform administrative services under the CalPERS Plan and to act as the Board's agent in all matters relating to the administration of the CalPERS Plan. He asked Mr. Kennedy to clarify. Mr. Kennedy stated the term "CaPERS Plan" is defined as the California Public Employees Deferred Compensation Plan.

Director Morrisette moved approval of the items. Director Roberts seconded the motion and all were in favor.

5. Presentations/Appointments

None

6. Continued/New Agenda Items – Action Items**a. Discussion and Possible Approval of Addendum No. 1 to Scope of Work for PPHCSD Water Master Plan and Urban Water Management Plan**

Mr. Bartz introduced Brian Powell of ID Modeling. Mr. Powell gave the Board a brief presentation regarding the progress that has been made on the Water Master Plan. He also briefed the Board on the need for the change order going before the Board tonight.

Director Roberts asked if the usage curve was based on a complete build out. Mr. Powell stated they assume a 2% growth rate. A discussion took place regarding the formula they use to figure out a complete build out.

Director Anderson asked if they were far enough along with the Water Master Plan to determine if there will be a need for any more changes. Mr. Powell stated typically there aren't usually any more changes from this point forward and they don't anticipate any more.

Director Morrisette asked if the fire hydrants were picked at random. Mr. Powell stated they were picked at random and stated they tested about sixteen fire hydrants.

Vice President Fahlender asked if the District will have the ability to change the model as the community changes. Mr. Powell stated that the District will have the ability and he recommended checking the model every few years.

Vice President Fahlender asked what the proposal is based on and is there anything else the District can be missing. Mr. Powell stated there wasn't anything further that they would need to calibrate the system.

President Johnson clarified that staff will be trained to use the model. Mr. Powell stated yes, and explained how the model works. Mr. Bartz stated he wasn't sure if the training was included in the RFP.

Director Anderson asked if staff can update the model as work is done. Mr. Powell stated yes, it would be done by staff and explained the process. A discussion took place regarding the cost of the software to run the model. Mr. Powell stated he believed the software cost approximately \$10,000 and noted there is also an annual fee.

Director Roberts moved to approve the item. Director Morrissette seconded the motion and all were in favor.

- e. **Discussion and Possible Approval of Parks Grant and Proposal from Bucknam & Associates**
Mr. Bartz stated Justin Powers was invited to address the Board regarding the proposal from Bucknam & Associates. Mr. Powers gave the Board a cost estimate for the infrastructure of the park and reviewed it with them. He stated the CEQA requirements would need to be fulfilled within a year of receiving the grant.

Director Roberts asked what portion of the grant would need to go to the infrastructure. Mr. Powers stated the District would want to do most of the basic infrastructure. Director Roberts stated it would be approximately 1.2 million. Mr. Powers agreed. Director Roberts stated then the remaining would go to the walkways, soccer fields, equestrian areas, etc. Mr. Powers agreed.

The Board members clarified several items regarding the cost estimate and the phasing of the park with Mr. Powers. Mr. Powers stated he would like to have three meetings; one for input, one to review the draft and a final meeting. Director Morrissette asked the timeframe for the meetings. He suggested a meeting take place in two weeks.

Mr. Bartz stated the Board needs to come to a consensus as to whether it would like to move forward with the grant at this time.

A discussion took place regarding the \$19,800 proposal for the grant and the \$15,000 proposal for the color design and what they entail.

Director Anderson asked if there was an advantage in being involved in the grant application both years. Mr. Powell stated the grant reviewers provide valuable information on how to make the grant application better. He stated the knowledge of how they are reviewing the applications is beneficial for the next round.

Mr. Bart Inglese asked how much the District is requesting. Mr. Powers stated the District will request five million dollars for the first phase of the park.

Mr. James Lucia asked what would happen if the District did not use the entire five million. Mr. Powers stated they typically add alternatives.

Mr. Ken Bender stated if the Board does decide to move forward with this process, there is a Citizen's Advisory Committee Meeting scheduled for Monday.

Ms. Anona Gasca, Chair of the Equestrians stated a lot of time and energy was used to gather input on the needs of the community. She stated she hoped some of the verbiage the Citizen's Advisory Committee put together would be used in the grant application.

President Johnson asked for a consensus from the Board regarding moving forward with the grant by March 1st. After discussion, the Board agreed to move forward with the grant.

A discussion took place regarding what direction the Board would like to see Mr. Bartz take in moving forward with the grant.

Director Morrissette asked how much time Mr. Powers would need to meet with the Board for the first meeting. Mr. Powers stated he budgeted two hours.

A discussion took place regarding the District's budget and the ability to maintain the park.

Director Anderson stated he felt the District did not need to get in debt with this park at this time.

Director Morrissette motioned to approve the engagement of Bucknams firm for \$19,800 and the Color Design for \$15,000. President Johnson seconded the motion.

Ms. Gasca stated it was her understanding that they did not need a big rendition of the park for the grant. She also stated there are volunteers who will come in and do the layout for the design plan. Mr. Bartz stated with the deadline of March 1st, it would not be beneficial to have different volunteers come in to do this.

Mr. Brandon stated you cannot submit a forty million dollar picture of the park for a five million dollar grant. He also stated the Board will need to agree that it can support the park.

Mr. Inglese stated he agreed with Director Anderson regarding the District not needing to get in debt with this park at this time.

President Johnson, Director Morrissette and Director Roberts were in favor of the motion. Vice President Fahlender and Director Anderson were against the motion. The motion was passed.

President Johnson recommended the Board have a Special Board Meeting to get the Boards input for the park grant.

Mr. Bartz asked Mr. Kennedy if the Board could add an agenda item to this meeting agenda as an emergency item that came up after the agenda was posted. Mr. Kennedy stated it could.

After discussion, the majority of the Board agreed the most viable and underserved element of the community was an equestrian area.

Vice President Fahlender motioned for Mr. Powers to concentrate on the infrastructure and equestrian facility for grant application. Director Roberts seconded the motion. Director Anderson felt that the five million dollars didn't need to be spent all on the equestrian area and he asked for consideration of playground areas. Vice President Fahlender amended his motion to include infrastructure, equestrian and whatever facilities the board may deem affordable. Director Roberts agreed with the amendment. All were in favor except President Johnson.

b. **Discussion and Possible Action with the Kiwanis Club regarding 4th of July Fireworks and Summer Park and Recreation Programs**

Gene Knight briefed the Board on the Kiwanis Club's proposal for a Summer Park and Recreation Program. They asked the District for \$1,000 in funding for the Summer Park and Recreation Program consisting of 10 movie nights for this summer. The Kiwanis Club will come back to the District next year with a proposal to increase the Summer Park and Recreation Program.

Karen Frazier clarified this proposal is for the Districts Park and Recreation program not the Kiwanis Clubs.

Director Morrisette motioned to approve the Summer Park and Recreation Program with the Kiwanis. Director Anderson seconded and all were in favor.

Gene Knight briefed the Board on the Kiwanis Club's proposal for the 4th of July Fireworks Display. They asked the District to support the Fireworks Display in the amount of \$22,000. Mr. Knight stated the Kiwanis club will make a very public demonstration of the Districts support. He also stated this could be the end of the Phelan tradition if the District does not support it this year because they will lose their spot with the Fireworks Display Company and the fees will go up. Ms. Frazier stated the Fireworks Display Company will give the Kiwanis Club until the end of February to give them a contract. Director Anderson asked how much the Kiwanis Club was able to put towards the 4th of July Fireworks. Ms. Frazier stated it was \$5,000 last year. President Johnson stated it runs between five and six thousand. Ms. Frazier stated she didn't believe the Kiwanis Club could raise the \$11,000 it raised last year.

President Johnson asked what Ms. Frazier believed the attendance would be if the District charged a fee. Ms. Frazier felt the attendance would go back down. Director Roberts asked what the charge was in the past. Ms. Frazier stated they charged \$5.00 per person or \$17.00 for a family. President Johnson stated the tickets for \$3.00 were for the fireworks only and did not include the concert.

Director Roberts asked if there was an interest in charging the attendees to offset the costs. A discussion took place regarding the possibility of an agreement between the Kiwanis Club and the District regarding the fees charged at the gate.

Mr. Kennedy stated there is a need to have a tight nexus due to the issue of gifting public funds. President Johnson stated he believes the nexus is two things; a recreational element of the District and opportunity to promote the PPHCSD and talk about water conservation and the Districts efforts.

A discussion took place regarding carrying this item over to the next Board Meeting to determine if there would be a charge and how any revenues would be handled.

The Board agreed to continue the item to the next Board meeting.

Mr. Bartz recommended moving item 6d to be discussed next. The Board agreed.

d. **Discussion and Possible Approval of High Desert Underground Service Contract**

Mr. Sandwick briefed the Board on the handouts provided to the Board in the Meeting Packet. Mr. Sandwick stated there is approximately 4 to 5.5 months worth of work to complete the Hydrant Valve Maintenance Program. Mr. Bartz asked the Board to approve

\$86,400 to complete the Hydrant Valve Maintenance Program in 4 months. Mr. Sandwick stated the hourly rate was reduced from \$145.00 to \$135.00.

Director Anderson asked why the District doesn't use its staff to complete the project. Director Roberts stated he was not comfortable with this item coming back to the Board.

A discussion took place regarding the work that has been completed by HDU and how it helped with the Map for the District Model. Director Roberts stated the model will be completed with the information the District has currently. Mr. Bartz stated he agreed with Mr. Roberts regarding the model; however, he noted the location and access of the valves is important to the District in the case of an emergency. President Johnson stated you cannot run the District as efficiently as possible if you don't know where the valves are.

Director Morrissette recalled a time when it took the Zone L over an hour to find a shut-off valve when a fire hydrant was hit. He asked what will happen if this happens in an emergency situation. He stated the District needs to get the job done.

A discussion took place regarding GPSing the valves.

Mr. Bartz stated he would like to get the program completed so the District has the location of the valves for the future.

Director Morrissette moved to approve \$86,400 towards HDU for 4 months of work on the Hydrant/Valve Maintenance Program. President Johnson seconded the motion.

Vice President Fahrlander asked for any other alternatives. President Johnson stated Director Anderson's alternative was to have the work done by staff. Director Anderson added that 80% of the Wells were refurbished, all PRV valves were redone, half of the dead-end valves were flushed, and the radio read meters were installed in the year and he felt there will be time for the employees to work on this program this year.

Director Morrissette and President Johnson voted in favor of the motion, Vice President Fahrlander, Director Anderson and Director Roberts voted against the motion. The motion failed.

c. Approval of Park Ordinance #2010-01

Mr. Kennedy briefed the Board on the Park Ordinance.

Vice President Fahrlander motioned to waive the reading of the Park Ordinance. Director Roberts seconded the motion and all were in favor.

Director Roberts motioned to approve the Park Ordinance. Director Morrissette seconded the motion and all were in favor except Director Anderson.

f. Update and Board Direction regarding Solid Waste Powers

Vice President Fahrlander briefed the Board on the Solid Waste Powers. He stated the District would need to assume all of the solid waste powers. Vice President Fahrlander noted the District would also take over the tax assessment collected for these services. Vice President Fahrlander asked if there was still a Board consensus to move forward with the Solid Waste Powers since the process is more difficult than he originally thought. He noted that there could be some consultant fees to the District if the District chooses to move forward. The Board consensus was to move forward with this item.

7. Review of Action Items (10 min.)

Mr. Bartz stated the District is in the process of working on the Kilowatt hours with Edison and he announced the District will see an annual savings of \$20,000 with the new Chlorinators.

8. Citizens Advisory Committee for Parks, Recreation & Street Lighting (15 min.)**a. Update by Steve Lowrance**

Mr. Bartz had nothing further to report. Next meeting is next Monday.

b. Agenda's, Minutes, Etc.

None

9. Committee Reports

a. Engineering Committee (Standing) – Director Roberts reported the next meeting is scheduled for February 10, 2010 at 11:00.

b. Parks, Recreation & Street Lighting Committee (Standing) – A discussion took place regarding bringing the Fees back to the Board. Mr. Kennedy stated he did not recommend there be different levels of fees based upon whether it is for non profit or profit. Mr. Bartz stated he can bring some different options to the Committee. Mr. Kennedy stated the fees charged should be equal to the costs to the District. He stated there shouldn't be any other social or value related items associated with the fees.

c. Finance Committee (Standing) – President Johnson stated the Committee is meeting next Wednesday at 7:00 p.m.

d. Building Committee (Standing) – Director Anderson stated they have not met since the last Board Meeting. The next meeting is scheduled for next Wednesday at 5:00 p.m. Mr. Bartz stated there may be some preliminary floor plans to review.

e. Adjudication Committee (Ad Hoc) – Vice President Fahrlander stated they continue to meet with the principals.

f. General Manager Review Committee (Ad Hoc) – President Johnson stated the Committee met and took into consideration the comments from Director Anderson and Vice President Fahrlander and have incorporated them into the document. They will add this item to the next meeting.

g. Solid Waste Powers (Ad Hoc) – Nothing further to report.

h. Legislative & Grant Committee (Standing) – The Committee met with Congressman McKeon's office last Thursday. There is a meeting tomorrow with Congressman Dryer's office. Mr. Bartz stated the main items that were suggested the District put in for were for the tanks, an emergency response center, and for a photovoltaic system for the new office building.

i. Mission & Vision Statement Committee (Ad Hoc) – The information will be collected soon and the Committee will meet soon.

10. General Manager's Report

Mr. Bartz submitted a written report and had nothing further to report.

11. Reports

a. **Director’s Report**

Anderson – Nothing further to report.

Fahlender – Nothing further to report.

Morrisette – Director Morrisette stated he understands it would be nice to get out of the meetings early; however, if there is business that needs to be done, the Board needs to take care of business.

Roberts – Nothing further to report.

b. **President’s Report** – Nothing further to report.

13. **Correspondence/Information**

None

Set Agenda for Next Meeting – February 3, 2010

- Discussion and Possible Approval of 4th of July Fireworks Proposal by Kiwanis Club
- Discussion and Possible Approval of General Manager Goals
- Approval and Presentation of Resolutions for Reg Adams, Paul Davis and Sue Gates

Future Board Meeting

- Approval and Presentation of Resolution thanking Supervisor Metzfelt for his support to the District
- Approval and Presentation of Resolution thanking Bill Postmus for his support to the District
- District Policies and Procedures
- Request for Proposal for Enterprise Management System

Adjourn

The meeting was adjourned at 11:00 p.m. for the Closed Session.

Closed Session – Conference with Real Property Negotiators

(Government Code §54956.8)

Properties: APN#3066-331-26/APN #3066-441-05, 06 & 07/APN #3066-221-29 & 33/
APN#3066-221-25

District Negotiators: Mr. Bartz/Mr. Kennedy

Negotiating Parties: Lee & Associates/Kevin Anderson/Harry Marinelli/Zimbro Realty

Under Negotiation: Price and terms of payment

Announcements of Any Reportable Closed Session Actions

There was no reportable action in the Closed Session.

Adjourn

With no further business, the meeting was adjourned at 11:05 p.m.

Board approved the above Minutes on February 17, 2010:

Charlie Johnson, President

Date

Debbie Bishop, Board Secretary

Date