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## REGULAR BOARD MEETING MINUTES

May 18, 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 (Zoom)  
Kathy Hoffman, Director  
Charlie Johnson, Director  
Mark Roberts, Director

**Board Members Absent:** None

**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  
Jennifer Oakes, Executive Management Analyst  
Steve Lowrance, Parks Supervisor (Zoom)

**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 remove Item 6e from the Agenda and to add a closed session to this meeting. Director Johnson moved to approve the Agenda as amended. Director Hoffman seconded the motion. A roll call vote was conducted, and the motion passed by the following vote:

AYES: Hoffman, Johnson, Kujawa, Philips, Roberts

NOES: None

#### 2) Public Comment

##### a) General Public

None

**b) Community Reports**

- **County Supervisor** – Sam Shoup, Field Representative for Supervisor Cook, was in attendance but had no update.

**3) Consent Items**

Director Johnson moved to approve the Consent Items. Director Roberts seconded the motion. A roll call vote was conducted, and the motion passed by the following vote:

AYES: Hoffman, Johnson, Kujawa, Philips, Roberts

NOES: None

**4) Matters Removed from Consent Items**

None

**5) Presentations/Appointments**

None

**6) Continued/New Agenda Items**

**a) Discussion & Possible Action Regarding Proposed Civic Center & Phelan Park Expansion Projects**

Staff Recommendation: For the Board to approve the proposed revision to the Phelan Park site diagram.

Mr. Bartz introduced this item.

Matthew Wilkins, a consultant with KTUA, gave a presentation on the proposed revision of the park layout.

Director Hoffman moved to approve the proposed revision to the Phelan Park site diagram. Director Johnson seconded the motion. A roll call vote was conducted, and the motion passed by the following vote:

AYES: Hoffman, Johnson, Kujawa, Philips, Roberts

NOES: None

**b) Public Hearing on Mitigated Negative Declaration for Wells Nos. 15 & 16 Development Project**

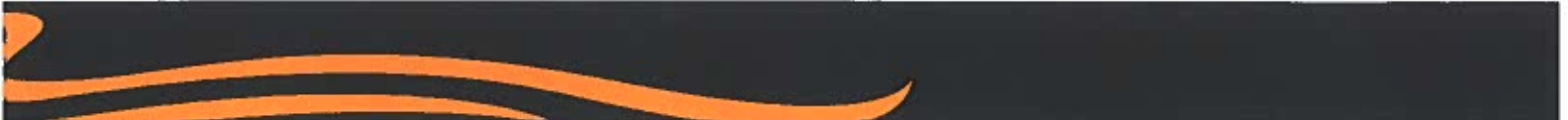
President Kujawa declared the Public hearing open at 6:11 pm.

**1) Secretary's Report**

Ms. Ward reported the District received zero written protests, objections, or comments relating to the hearing on the Mitigated Negative Declaration for Well Numbers 15 & 16 Development Project.

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

Mr. Kennedy reported Notice of Public Hearing was posted on the District websites and in the District office on May 4, 2022, and published in the Daily Press on May 4<sup>th</sup> and May 11<sup>th</sup>, 2022. A copy of the Mitigated Negative Declaration for Well



Numbers 15 & 16 Development Project has been available to view on the District website and in the District office. Compliance with all legal requirements for this hearing were within the manner and time specified in the Government Code.

### **3) Staff's Report**

In June of 2021, the District pursued acquiring a 5-acre portion of a 40-acre parcel (APN 3101-31-01) at Azalea Road and Victor Street for a new production well (Well No. 15). In October of 2021, the Board approved the contract with Dodson and Associates to prepare a CEQA study for two (2) wells and transmission pipeline.

In March of 2022, the District received comments from the Mojave Desert Air Quality Management District (MDAQMD), California Department of Fish and Wildlife (CDFW), and Lahontan Regional Water Quality Control Board (LRWQCB). As per AB 52, notices were mailed out on September 28, 2021. General comment was received from the Native American Heritage Commission.

Staff anticipates moving ahead with the drilling of Well No. 15 in late May, should the Board approve the contract for South West Pump and Drilling. The site for future Well No. 16 is located on the District's 40-acre parcel on Sheep Creek Road (APN 3098-071-05), the parcel of the existing water fill station.

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

There were no public comments, protests, or objections.

Director Johnson moved to close the Public Hearing. Vice President Philips seconded the motion. A roll call vote was conducted, and the motion passed by the following vote:

AYES: Hoffman, Johnson, Kujawa, Philips, Roberts

NOES: None

The Public Hearing was closed at 6:14 pm.

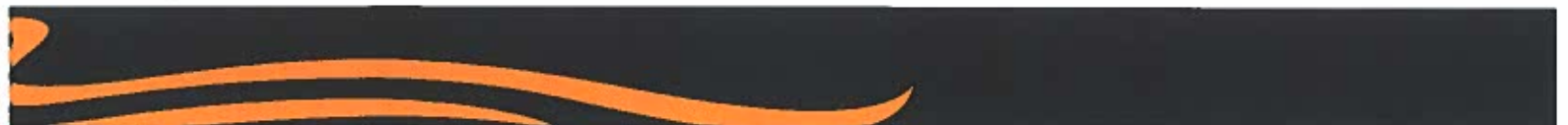
### **c) Discussion & Possible Adoption of Resolution No. 2022-15; Adopting the Mitigated Negative Declaration and Approving the District's Wells Nos. 15 & 16 Development Projects**

Staff Recommendation: For the Board to adopt Resolution No. 2022-15; Adopting the Mitigated Negative Declaration and Approving the District's Well No. 15 and 16 Projects (SCH# 2022030213)

Mr. Bartz introduced this item.

Caitlin Dodson Hamilton, a consultant with Dodson & Associates, noted comments received were standard and the main concerns were regarding Joshua trees. She stated they followed the county procedures.

Tom Dodson, a consultant with Dodson & Associates, reported that it was established to stay 40-feet away from Joshua trees, even though California Department of Fish



and Wildlife (CDFW) wants the distance to be 200-feet away. He reported that lack of a CDFW letter or presence indicates acceptance of project mitigation. He also provided an update on the current Joshua tree status.

After discussion, Director Roberts moved to adopt Resolution No. 2022-15. Director Hoffman seconded the motion. A roll call vote was conducted, and the motion passed by the following vote:

AYES: Hoffman, Johnson, Kujawa, Philips, Roberts

NOES: None

d) **Discussion & Possible Adoption of Resolution No. 2022-16; Approving Award of Agreement for the Construction of Well No. 15 to South West Pump and Drilling, Inc.**

Staff Recommendation: For the Board to adopt Resolution No. 2022-16; Approving Award of Agreement for Services to South West Pump and Drilling, Inc. for Construction of Well No. 15.

Mr. Wright introduced this item.

After discussion, Director Hoffman moved to adopt Resolution No. 2022-16. Director Roberts seconded the motion. A roll call vote was conducted, and the motion passed by the following vote:

AYES: Hoffman, Johnson, Kujawa, Philips, Roberts

NOES: None

e) **Discussion & Possible Action Regarding Solid Waste Rates**

Staff Recommendation: For the Board to accept the following residential and commercial solid waste rate changes for FY 2022/2023.

NOTE: This item was removed from the agenda.

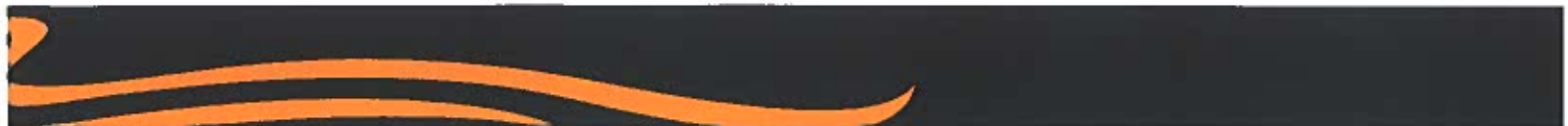
f) **Discussion & Possible Action Regarding Possible Initiation of Stage II Water Shortage Measures**

Staff Recommendation: For the Board to authorize staff to begin the process to initiate Stage II water shortage conservation measures.

Ms. Oakes gave a presentation regarding water conservation and the emergency executive order from the state.

Note: The presentation is available on the District's website.

After discussion, there was a Board consensus to move forward with initiating Stage II water shortage conservation measures.



g) **Discussion & Possible Action Regarding Resolution No. 2022-17; Authorizing Remote Teleconference Meetings for the Period of May 31, 2022, to June 30, 2022**

Staff Recommendation: For the Board to adopt Resolution No. 2022-17; Authorizing Remote Teleconference Meetings for the Period of May 31, 2022, to June 30, 2022, should the Board desire to continue holding remote teleconference meetings.

Ms. Ward introduced this item and read an emailed comment from Ms. McAfee regarding her support to continue remote meeting access.

Director Johnson moved to adopt Resolution No. 2022-17. Director Hoffman seconded the motion. Motion passed unanimously.

NOTE: Vice President Philips left the meeting preceding this item.

h) **Discussion & Possible Adoption of Resolution No. 2022-18; Authorizing the General Manager to Sign and File, for and on Behalf of the District, a Financial Assistance Application for a Financing Agreement from the State Water Resources Control Board for the Consolidation of the Sheep Creek Mutual Water System with the District**

Staff Recommendation: For the Board to adopt Resolution No. 2022-18; Authorizing the General Manager to Sign and File, for and on Behalf of the District, a Financial Assistance Application for a Financing Agreement from the State Water Resources Control Board for the Consolidation of the Sheep Creek Mutual Water System with the District

Ms. Oakes introduced this item.

Director Roberts recused himself.

This agenda item will be brought back to the next meeting.

i) **Update on the Wilson Ranch Road Project**

Staff Recommendation: None

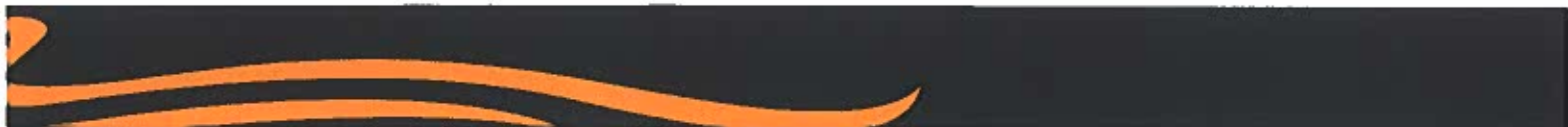
Ms. Oakes & Mr. Wright gave a presentation on the Wilson Ranch Road Project.

Note: The presentation is available on the District's website.

No action taken; not an action item.

7) **Committee Reports/Comments**

- a) **Antelope Valley Adjudication Committee (Ad Hoc)** – None.
- b) **Engineering Committee (Standing)** – Discussed Stage II conservation measures & the state required Drought Assessment.
- c) **Finance Committee (Standing)** – Minutes are in the packet.
- d) **Legislative Committee (Standing)** – Brief meeting with representatives.
- e) **Parks, Recreation & Street Lighting Committee (Standing)** – None.
- f) **Waste & Recycling Committee (Standing)** – None.



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

Mr. Bartz thanked staff and stated that he would like a town hall meeting regarding consolidation.

**9) Reports****a) Director's Report**

**Hoffman** – Nothing further to report.

**Philips** – Absent.

**Roberts** – Nothing further to report.

**Johnson** – Nothing further to report.

**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**

- Technical memo on consolidation to the Board
- Bring the drought assessment back as consent item
- Schedule town hall meeting for consolidation
- Add Item 6h to next meeting
- Solid Waste Rates

**12) Set Agenda for Next Meeting**

- Regular Board Meeting – June 1, 2022

**13) Recess to Closed Session**

With no further business before the Board, the Board recessed to closed session at 7:37 p.m.

**Closed Session:** Conference with Legal Counsel – Anticipated Litigation  
Initiation of Litigation Pursuant to Government Code  
Section 54956.9(d)(4)  
One Potential Case

**14) Return to Open Session** – Announcement of Reportable Action

The Board returned to open session at 8:43 p.m.; there was no reportable action.


**15) Adjournment**


With no further business before the Board, the meeting was adjourned at 8:43 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

  
\_\_\_\_\_  
Date

