

DRAFT TO BE APPROVED
FRAZIER PARK PUBLIC UTILITY DISTRICT
Meeting Located at 4020 Park Drive, Frazier Park, CA. 93225
Teleconference Option Via: Zoom.com - Phone in +1 (408) 638-0968
Meeting ID: 861 9991 3340 Meeting Password: 035829
State Planning & Project Meeting
REGULAR MEETING MINUTES FOR THURSDAY, JUNE 27, 2024, 4:00PM
Additional Teleconference Locations: 820 Elm Trail, Frazier Park, CA 93225

1. Call to Order: 4:01pm.

a. Pledge to the Flag.

b. Roll Call of Directors.

Present: Gipson, Kelling, Neyman and Schoenberg.

Absent: Garcia.

Director Schoenberg was present as the chairperson.

Also Present:

- Frazier Park Public Utility District (FPPUD) - Jonnie Allison, Deborah Angel and Tiffany Matte.
- Lake of the Woods MWC (LOW) - Mary Dreier and Joan Kotnik.
- Self-Help Enterprises (SHE)
- Dee Jaspar & Associates (DJA) - Dee Jaspar.

2. Discuss/Vote/Adjust Agenda if Necessary.

Motion: Move that we move the closed session Items #8, #9, and #10 after #5.

Neyman/Kelling 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

3. Public Comments - None.

4. Standing Committee Reports:

Accounts Payable Committee.

Directors Kelling and Neyman met with the Bookkeeper and reviewed the checks that will be paid under the financial information agenda item. One of the checks was for Brough Construction Progress Payment #3, since the bridge loan that covered that payment was received.

State Update Meeting Committee.

Directors Schoenberg and Neyman attended the State Update Meeting. Updates will be given under the corresponding agenda items.

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5. Ad Hoc Committee Reports:

Project Committee.

This committee has not met.

Financial Committee.

This committee has not met.

State Funded Grant Projects - Discussion began at 4:05pm.

Oral Announcement Prior to Closed Session. Gov't Code §54957.7(a): A representative of the legislative body to orally announce the items to be discussed in closed session prior to any closed session meeting.

Director Schoenberg announced the closed session at 4:07pm.

8. CLOSED SESSION pursuant to Gov't Code §54957.

**Conference with Legal Counsel - Existing Litigation. Gov't. Code §54956.9(d)(1).
Frazier Park Public Utility District v. C&C Elite Properties LLC, et al.
Kern County Superior Court, Case No. BCV-24-100199**

9. CLOSED SESSION pursuant to Gov't Code §54957.

**Conference with Legal Counsel - Existing Litigation. Gov't Code §54956.9(d)(1).
C&C Elite Properties LLC, and Hacienda Saucedo, Inc v. Frazier Park Public Utility
District
Kern County Superior Court, Case No. BCV-24-101972**

10. CLOSED SESSION pursuant to Gov't Code §54957.

**Conference with Real Property Negotiators. Gov't Code §54956.8
Property: 256-070-54, 256-070-55, and 256-520-13
Agency Negotiators: Lisa Schoenberg, Brahma Neyman, Dee Jaspar.
Negotiating Parties: Jeff French, Emilie Wainright
Under Negotiation: Price and Terms of Payment**

Returned from closed session at 4:30pm.

Oral Announcement Following Closed Session. Gov't Code §54957.1(a): The legislative body of any local agency shall publicly report any action taken in closed session and the vote or abstention on that action of every member present thereon.

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Actions in Closed Session pursuant to Gov't Code §54957.1(a), §54957.7(b):

Director Schoenberg announced that in the closed session there was no action taken.

State Funded Grant Projects - Discussion paused at 4:31pm.

6. Discussion/Vote on Accounts Payable and Financial Information.

Deborah Angel reported that one check was cut out of the Meter/Well Account for Progress Payment #3, in the amount of \$292,510.70.

11 checks were cut out of the Revenue/Operating Account for a total of \$10,346.20.

The checks and check detail were reviewed by the Board for accuracy. There were no additional items over \$3,000.00.

The check to Pace Analytical will be held until GM Allison calls them and addresses the additional fees.

Motion: Move that we pay our bills.

Neyman/Gipson 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

7. Discussion/Vote on Changing the Monthly Transfers.

After reviewing the bond book for the USDA loans, the ad hoc committee determined the District was not putting enough money in the replacement fund. In order to cover that increased transfer amount, the Board proposed stopping the automatic deposits into the Capital Reserve Account.

Motion: Move that we stop putting \$10,000.00 into the Capital Improvement Fund, and that we start putting through October of 2024, \$5,185.50 for Loan #4, then starting November 2024 through October 2025, we put \$5,102.50. Then, I move that for Loan #3, we start putting \$2,258.13 through October 2024, then start transferring \$2,216.88 starting November 2024, through October 2025. Then immediately, starting next month, we start putting in \$2,500.00 into the Replacement Account to make up for the money that has not been going in there, with no end date. Everything else we leave as it is now, and we can revisit those transfers if we need to look at it again.

Neyman/Kelling 3/0/1, Motion Passed.

Aye: Kelling, Neyman, and Schoenberg.

Absent: Garcia.

Abstain: Gipson.

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8. **CLOSED SESSION** pursuant to Gov't Code §54957. (Moved per adjustment of the agenda)
9. **CLOSED SESSION** pursuant to Gov't Code §54957. (Moved per adjustment of the agenda)
10. **CLOSED SESSION** pursuant to Gov't Code §54957. (Moved per adjustment of the agenda)

State Funded Grant Projects - Discussion resumed at 5:11pm.

11. Discussion/Vote/Update on FP/LOW Consolidation Planning Project.

a. Discussion/Vote/Review on the Project Timeline.

The District is still waiting on an update from the State.

b. Discussion/Vote on the Budget and Adjustment Request.

The District is still waiting on an update from the State.

c. Discussion/Vote/Update on the Stand-By Fee Assessment and Funding.

NBS, the contractor for the assessment, has signed the contract and begun work. Tiffany Matte sent them the first documents they asked for. She also let them know that the new stand-by fee needs to be in place by May 2025, if possible, for the District to see the revenue in the 2025-2026 tax year.

d. Discussion/Vote on the Acquisition and Development of Well #8 and #9 Property.

There was no update on this item.

e. Discussion/Vote on the Acquisition and Development of Well #9 Booster and Tank Site.

Dee Jaspar sent some suggested layouts for the booster site to the property owners and discussion is moving forward.

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f. Discussion/Vote on Project Municipal Service Review (MSR): Quote; Draft MSR; Data Collection; Scope of Work; and LAFCo.

Bravish is still working on the final draft of the MSR but it should be available early next week.

g. Discussion/Vote on the Memorandum of Understanding - Tabled.

h. Discussion/Vote on Lake of the Woods Projects and Consolidation.

The following updates were provided by Lake of the Woods:

3.5-million-dollar grant - Line Replacement & Permanent Generators:

LOW is working with their legal team and the State to modify the resolution in order to complete the funding agreement. For the line replacement, they are finishing up the paving and then they will begin demobilization.

5-million-dollar grant - South Tank & Line Replacement & SCADA Grant Phase 3 update:

They are reviewing the plans on the line replacement and moving forward with the Forestry permit.

Well #4

The well is still offline but they will be doing the labs on that well next month.

Blending Station:

Nitrates were at 5.1 on June 4th and at 5.0 on June 12th. The well levels have increased anywhere from a half foot to six feet from last month.

i. Discussion/Vote on Claim #43 and Other Claims and Payouts.

Claim #43 - \$5,610.70.

Director Fees - \$566.66.

Staff Recovery Costs - \$53.04.

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Dee Jaspar & Associates Invoice for May 2024

Invoice #24-00511, dated 5/30/2024, in the amount of \$1,302.00

Invoice #24-00510, dated 5/30/2024, in the amount of \$3,689.00

Motion: Move that we approve Claim #43 in the amount of \$5,610.70 with the invoices that I stated.

Neyman/Kelling 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

12. Discussion/Vote/Update on the FPPUD Meter Replacement Project and Emergency Well Supply Project.

a. Discussion/Vote/Update on Well #7.

There was no update on this item.

b. Discussion/Vote/Update on Meter Replacement.

All of the meters have been replaced with the exception of the additional meters that had to be ordered. Brough Construction is patching up any asphalt they had to cut into. Neptune 360 sent Johnny Ho out to do some additional training for the crew.

c. Discussion/Vote on Claim #28 and Other Claims and Payouts.

Claim #28 - \$270,951.45.

Brough Construction Progress Payment #4 for April 2024 - \$236,863.50

Dee Jaspar & Associates Invoice for May 2024

Invoice #24-00515, dated 05/30/2024, in the amount of \$33,417.58.

Young Wooldridge Invoices for May 2024

Invoice #112034, dated 05/30/2024, in the amount of \$97.50.

Invoice #112035, dated 05/30/2024, in the amount of \$350.00.

Invoice #112036, dated 05/30/2024, in the amount of \$222.87.

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Motion: Move that we submit Claim #28 in the total amount of \$270,951.45.

Neyman/Kelling 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

d. Discussion/Vote/Update on the Bridge Loan Extension and Requests.

Motion: Move that we request the remaining money in the bridge loan of \$207,489.30 to pay Progress Payment #4 to Brough Construction.

Neyman/Kelling 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

13. Discussion/Vote/Update on Pipeline Replacement Project.

a. Discussion/Vote on Engineering and Design.

There was no update on this item.

b. Discussion/Vote on the Project Application.

The application has been submitted.

State Funded Grant Projects - Discussion concluded at 5:43pm.

14. Discussion/Vote/Update on CalOES Community Power Resiliency Allocation to Special Districts Grant: Final Testing and Purchase of the Generators.

GM Allison reported only one or two generators are working correctly. He will be setting up a meeting with Greg from PTS, himself, and Dee and Curtis from DJA to discuss how to get the project finished.

15. Discussion/Vote on Alternates for the Ad Hoc Committees.

Motion: Move that on the Project Ad Hoc Committee that we allow an alternate of Director Garcia, Director Gipson, and Director Kelling, to be able to substitute in case we need them.

Neyman/Kelling 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

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Motion: Move that we allow Director Neyman, Director Gipson, and Director Garcia to be on the Financial Ad Hoc Committee as an alternate in case of emergencies. Neyman/Gipson 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

16. Discussion/Vote on Loaning/Selling Water Meters to the Golden Valley Water District.

Golden Valley Water District asked the FPPUD if they would be willing to loan or sell one of the Districts scrap 1” meter. Now that the FPPUD is using smart meters, they no longer have need for the older meters. Golden Valley will either purchase the meter at the original price or replace the meter with a new one.

Motion: Move that we approve loaning or selling the 1” water meter to Golden Valley Water District, at this time. They can return it or repay the cost. In addition, we are able to loan, in the same manner, to other water districts on the hill if they are in need.

Neyman/Kelling 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

17. Discussion/Vote on the Update to the District Bylaws.

Tiffany Matte provided an amended Bylaws to the Board which included updates for pricing, procedure, and policy. The Board reviewed the document and approved the changes.

Motion: Move that we approve the: Resolution Before the Board of Directors of the Frazier Park Public Utility District Adopting Bylaws and Rules and Regulations, Adopted at the Regular Meeting on June 27. 2024, with the changes that were stated.

Neyman/Gipson 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

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18. Review and Approve Meeting Minutes for 06/20/2024 State Update Meeting.

Motion: Move that we approve the State Update Standing Committee Meeting Minutes for Thursday, June 20, 2024 with any of the amendments that were sent to Tiffany previous to and after the meeting, as well as any additional amendments for typos or other errors that we may not have caught or that may need to be corrected.

Neyman/Kelling 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

19. Discussion/Vote on Future Agenda Items.

Regular Meeting July 11, 2024.

Regular State Planning & Project Meeting July 25, 2024.

20. Adjournment.

Motion: Move that we adjourn.

Neyman/Gipson 4/0/0, Motion Passed.

Aye: Gipson, Kelling, Neyman, and Schoenberg.

Absent: Garcia.

Meeting Adjourned: 6:07pm.

At every regular meeting, the legislative body shall provide the public with an opportunity to directly address the body on any item of interest to the public before or during the legislative body's consideration of the item that is within the subject matter jurisdiction of the legislative body. (Brown Act Code Sec 54954.3(a)).

Tiffany Matte, Clerk of the Board

Attest: Brahma Neyman, Secretary

Seal