

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: 885 7550 3534 Meeting Password: 745277
REGULAR MEETING MINUTES FOR THURSDAY, MARCH 14, 2024, 6:00PM
Additional Teleconference Locations: 820 Elm Trail, Frazier Park, CA 93225

1. Call to Order: 6:00pm.

a. Pledge to the Flag.

b. Roll Call of Directors.

Present: Garcia, Kelling, Neyman and Schoenberg.

Teleconference: Gipson

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 Pam Jarecki.
- Self-Help Enterprises (SHE) - Carlos Bravo and Oscar Cisneros.
- Dee Jaspar & Associates (DJA) - Dee Jaspar.
- Mountain Communities Chamber of Commerce (MCCOC) - BJ Saidi and Deborah Turner.
- One member of the public.

2. Discussion/Vote/Adjust Agenda if Necessary.

Motion: Move that we remove Item #20 from the agenda, that we table Item #17, and that we move #19 to after #8.

Kelling/Neyman 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

3. Public Comments: - None.

4. Report of Officers:

President: Director Schoenberg reported she signed two claims.

Vice-President: No report.

Secretary: Director Neyman signed meeting minutes, and sent an email to USDA about the funds they didn't withdraw from the payment account.

Treasurer: Director Kelling made two transfers from the FP/LOW Planning Fund into the Revenue/Operating Fund.

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The first was for \$300 for board fees from Claim #37, and the other was \$65.00 for staff recovery from the same claim.

JPIA Representative: No report.

5. Board Member Initiatives - None.

6. Manager's Report.

General Manager (GM) Jonnie Allison reported that a JPIA rep came in yesterday to do their annual site inspection. They found that the nitrate analyzer needed to be added to the insurance. Now that the generators have been placed, they will need to be added to the insurance as well.

The Lead Operator will be attending three days of basic leadership training in Palmdale.

a. Administrative Assistant's Report - No report.

7. 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.

State Update Meeting Committee.

This committee will meet with the State next Thursday.

8. Ad Hoc Committee Reports

Project Committee.

This committee has not met.

Financial Committee.

This committee met and is working on the budget. They are scheduled to meet two more times next week.

Generator Pad Construction Committee.

Director Garcia met with GM Allison and went over the project. The generators have been placed at their permanent locations and Director Garcia plans to do a final check next week.

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19. Discussion/Vote on the Billboard Lease Agreement. (Moved per adjustment of the agenda).

The MCCOC informed the Board that the solar batteries used to illuminate the signs at night have been stolen twice since last year, as well as the solar panel. They discussed with GM Allison ideas to better secure the equipment which included a locking box and razor wire. They agreed that attaching the signs to the power lines would be cost prohibitive.

The group also discussed securing the property with fencing, but that would have to be done by Kern County since they are the responsible agency for that item.

Both parties agreed to continue the lease for another year with no changes to the agreement.

Motion: Move that we approve the lease agreement for another year, and that we can revisit it in a year.

Neyman/Kelling 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

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

Deborah Angel reported that 36 checks were cut out of the Revenue/Operating Account for a total of \$39,134.50.

Three checks were cut out of the Meter/Well Account for a total of \$32,566.80 for Brough Construction Progress Payment #1 and Claim #21.

Four checks were cut out of the FP/LOW Planning Account for a total of \$5,541.00 for Claim #37.

The checks and check detail were reviewed by the Board for accuracy. Deborah reviewed the items over \$3,000.00.

Motion: Move that we pay our bills.

Neyman/Kelling 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

10. Discussion/Vote on the District Budget.

The financial ad hoc is still working on the budget so this item will carry over to the next meeting.

State Funded Grant Projects - Discussion began at 6:53pm.

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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 Garcia recused himself from the closed session discussions and any possible vote.

Director Schoenberg announced the closed session at 6:55pm.

11. **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
12. **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
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 7:11pm.

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.

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

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

The Board received Amendment #2 for the planning project funding agreement. It extends the work completion, final disbursement request, and records retention end dates for the project by one year.

Some of the dates for the project timeline are still not updated but the State wanted this amendment signed before any additional changes were made.

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Motion: Move that we approve Amendment #2 of the Frazier Park/Lake of the Woods Regional Consolidation Project, Project No. 1510007-001P, Calstars Agreement No. D18-02015, Fiscal Agreement No. SWRCBD1802015, Project Funding Amount: \$1,014,892, Eligible Work Start Date: July 1, 2016, Work Completion Date: June 30, 2025, Final Disbursement Request Date: December 31, 2025, Records Retention End Date: June 30, 2061, with the understanding that there will be further negotiations on the dates and in the costs. Neyman/Kelling 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

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

There was no update on this item.

c. Discussion/Vote on Resolution FP-20240314-01: Authorizing Resolution.

Lawrence Sanchez requested the Board update the authorizing resolution to give the Board President or authorized designee approval to sign amendments for the project.

Motion: Move that we approve - Before The Board Of Directors Of The Frazier Park Public Utility District Resolution No. FP-20240314-01 In The Matter Of: Authorizing Resolution, changing and adding the line of "any amendments" to the resolution.

Neyman/Kelling 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

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

The Work Plan was submitted to the State and is still under review.

e. Discussion/Vote on the Project Technical Memo.

Dee Jaspar is finishing the memo and expects to have it completed next week.

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

The District will speak to Lawrence Sanchez at the State Update Meeting about project funding.

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

The District is waiting for a map from Jeff French showing the 100 year flood line.

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h. Discussion/Vote on District Sphere of Influence Map for the Annexation - Submitted/Tabled.

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

All comments from FP and LOW were provided to Bravish from Stanley Hoffman Associates for review. Dee anticipates the final draft of the MSR will be available in the next few days.

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

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

The following notes were provided by Lake of the Woods:

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

Pressure testing is happening as we speak, bringing sections of the sub-division online over the next few weeks. Because of weather delays the project is looking to finish at the end of March or early April. Most of the remaining permanent pavement patch will be done based on weather.

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

P&P hope to have a draft report and preliminary plans any day now. We are still working with Forestry on what they need.

The Generator Project:

We will not hear anything until the later part of 2024.

Well #4:

Still offline, we are collecting data on the high iron and manganese.

Blending Station:

Nitrates are between 4.2 and 6.5 for the month of February. Weirdly, the 6.5 was the middle sample of the 3 samples we took. The 2 other samples came back at 4.2. With the weather, the next few months are when we see the rise. By April of last year is when we got concerned.

Wells have dropped 1.5 to 4 feet from January but are up 15.5 to 28.5 ft depending on the well from this time last year.

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Blending station consists of wells 1, 2 & 7.

Lawrence Sanchez will be doing the walk through on the 21st.

I. Discussion/Vote on Claims and Payouts.

Claim #40 will be prepared for review at the State Update Meeting.

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

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

The District is still waiting for approval from the State to abandon the well and replace the fencing.

b. Discussion/Vote/Update on Meter Replacement.

Dee Jaspar will hold a preconstruction meeting on March 20th with Brough Construction at the District office. Ferguson is about to receive the ¾" meters, but Brough does not want to take possession of them. The District would be willing to store the meters, provided that Brough signs and agrees that they are still responsible for them until the project is complete.

c. Discussion/Vote on Claims and Payouts.

Claim #25 will be prepared for review at the State Update Meeting.

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

The District has a loan out in the amount of \$32,227.80 to pay for the 1" and 2" meters.

15. Discussion/Vote on Pipeline Replacement Project.

a. Discussion/Vote/Update on Potholing and Mapping - Completed.

b. Discussion/Vote on Engineering and Design.

The plans have been completed to 95% and have been submitted in the construction application.

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c. Discussion/Vote on the Engineering Contract with DJA.

The Board received the contract that was reviewed by the attorney. He had a few suggestions and one item he wanted clarified. The Board reviewed the changes but still had an additional question for the attorney.

Motion: Move that we approve the changes to Dee Jaspar & Associates Consulting Civil Engineer Contract that are shown in red, and that we get from Alan any other wording into #21, and upon doing that it is considered approved. Neyman/Kelling 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

d. Discussion/Vote on the Project Application.

Carlos Bravo is continuing to work on the application but still needs the engineering contract, three year budget, the approved Notice of Exemption, and the TMF package.

State Funded Grant Projects - Discussion concluded at 8:04pm.

16. Discussion/Vote/Update on CalOES Community Power Resiliency Allocation to Special Districts Grant.

a. Discussion/Vote/Update on the Purchase of the Generators.

There was no update on this item.

b. Discussion/Vote/Update on the Final Placement of the Generators.

All of the generators but one have been placed at their permanent locations. The smallest is at the Harrison Tank location, but because of the limited space for maneuverability, may not be able to be placed where originally thought.

17. Discussion/Vote/Update on the Water Tank/s Repair and/or Replacement and Funding. (Tabled per adjustment of the agenda.)

18. Continue Discussion/Vote on the District's Record Retention Policy.

The Board continued to review the Record Retention Policy and noted their corrections.

GM Allison asked to return to the Manager's Report agenda item.

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6. Manager's Report.

GM Allison suggested the Board allow him to submit the Employee Handbook to the attorney annually to make any changes needed for new laws. This way, the handbook will always be up to date. All of the Directors agreed.

19. Discussion/Vote on the Billboard Lease Agreement. (Moved per adjustment of the agenda.)

20. Discussion/Vote on Resolution FP-20240314-01: Authorizing Resolution. (Duplicate item removed per adjustment of the agenda.)

21. Discussion/Vote on the Mainline Extension for Kiwanis Trail.

Santana Plumbing was able to supply the required bonds with the corrected description of the project. He included a check for 6% of the bond as required by the District's policy under Section II(h). Section I(c) also asked for 5% of the bond to cover the engineering and administrative costs. GM Allison asked the Board to waive the 5% for this project. Santana still needs to provide proof of Workers Compensation.

Motion: Move that we approve the mainline extension for Kiwanis Trail, and waive the 5% of the bond for administration at this point, and that he get the Workman's Comp, and then we can go forward and finish this.

Neyman/Garcia 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

22. Discussion/Vote on the Quote for Audio/Video Meeting Equipment.

Tiffany Matte explained that in her opinion the District has three options. The first is to pay the \$12,000.00 that was quoted, go back and look into the Zoom options, which were less expensive, or leave the system as is. The Board agreed to remove this item and look into it again if the need arises.

Motion: Move that we remove Item #22 from the agenda until there is a further need for it, then at that time we can revisit it.

Neyman/Kelling 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

23. Review and Approve Meeting Minutes for 02/06/2024 AP Standing Committee, 02/08/2024 Regular Meeting, 02/20/2024 AP Standing Committee, 02/22/2024 Regular State Planning and Project Meeting.

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Motion: Move that we approve the Accounts Payable Standing Committee Meeting Minutes for Tuesday, February 6, 2024, and the Regular Meeting Minutes for Thursday, February 8, 2024, and Accounts Payable Standing Committee Meeting Minutes for Tuesday, February 20, 2024, and the State Planning and Project Meeting Regular Minutes for Thursday, February 22, 2024, with any of the amendments 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 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

24. Discussion/Vote on Future Agenda Items.

Regular State Planning and Project Meeting March 28, 2024.

Regular Meeting April 11, 2024.

25. Adjournment.

Motion: Move that we adjourn.

Neyman/Kelling 5/0/0, Motion Passed.

Aye: Garcia, Gipson, Kelling, Neyman, and Schoenberg.

Meeting Adjourned: 8:39pm.

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