

FRAZIER PARK PUBLIC UTILITY DISTRICT
4020 Park Drive, P.O. Box 1525, Frazier Park, CA. 93225
Teleconference Via: Zoom.com - Phone in +1 (408) 638-0968
Meeting ID: 829 3299 4216 Meeting Password: 947179
REGULAR MEETING MINUTES FOR THURSDAY, JULY 8, 2021, 6:00PM
Schoenberg/Gipson 4/0/1 - Director Neyman Abstain
Minutes Approved on August 12, 2021

1. Call to Order: 6:07pm.

a. Pledge to the Flag.

b. Roll Call of Directors:

Teleconference: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

Director Garcia was present as the chairperson.

Also present: Jonnie Allison, Linda Wilke, and Tiffany Matte.

2. Discussion/Vote/Adjust Agenda if Necessary.

Motion: Move that we add an item to the agenda based on the need to take immediate action, and that the need for action came to the attention of the local agency subsequent to the agenda being posted. A closed session pursuant to Government Code Section 554957: Conference with Legal Counsel - Anticipated Litigation. Section 54956.9(b) 1 item, placed between #15 and #16.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

3. Public Comments - None. Present: Dave Warner, Carlos Bravo, Oscar Cisneros, Dee Jasparr, and seven members of the public.

4. Report of Officers:

President: No report.

Vice-President: Absent.

Secretary: No report.

Treasurer: Director Schoenberg reported that after the meeting she will make the transfer for the Wolfe Project progress payment.

JPIA Representative: Director Gipson reported that JPIA has approved and renewed the District's cyber security insurance policy for the 2021-2022 fiscal year.

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After they have reviewed all of the information from their insured's questionnaires, they may require a stand alone policy for the next year's renewal.

5. Board Member Initiatives - None.

6. Manager's Report.

General Manager (GM) Jonnie Allison reported that on June 10th, he received the results of water quality tests run on Well #5. The results showed the water met the legal limit for nitrates at 10ppm. GM Allison immediately notified the State Water Resources Control Board, who advised him to take the well offline. An additional water sample was taken on June 14th, which showed a nitrate level of 11ppm. At that time the State required the District to issue a notice to all the residents of Frazier Park advising pregnant women and infants under six months not to drink the water. Anyone with health concerns was advised to consult their doctor.

In order to remediate the nitrate levels, a drilling rig will be brought out to lower the pumping heads deeper in the water where there is less intrusion. There is also a plan to try and blend water from Well #6 with the water from Well #5, but there is concern that Well #6 may not be able to keep up with customer demand. More stringent conservation measures will be put into place to help with the blending as well as the current drought emergency.

GM Allison explained that on the most recent test on Well #5, the nitrate level was below the legal limit. The State will not lift the warning until they're satisfied that there is no longer a risk. This takes time and several water quality samples that show the nitrates below the legal limit.

a. Administrative Assistant's Report.

Tiffany Matte reported she has finalized the Special Assessments that were turned in to Kern County. The total Stand-By Fees assessed came out to \$6,070.00, and the total for delinquent accounts came out to \$9,995.19.

7. Ad Hoc Committee Reports:

Local Information Committee.

No report.

Project Committee.

The ad hoc attended the meeting with the State. Updates will be given under the agenda items.

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Rate Study Committee.

This committee met once recently. The District will need to ask for an extension in order to get everything in for the Prop 218 Public Hearing to be scheduled in October.

Budget Committee.

Director Garcia reported he met with Linda Wilke and the office staff twice to work on the Chart of Accounts. The Bookkeeper sent the updated chart to the auditors at BHK, who approved of the changes and also gave their own suggestions.

Cyber Security Committee.

The ad hoc finished the questionnaire. Additional information will be given under the agenda item.

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

Bookkeeper Linda Wilke reported the total cash balance in all accounts is \$2,099,828.16. The Revenue/Operating Account has \$256,335.46. Checks were cut for the billed invoices for a total of \$76,265.50 and reviewed by the Board for accuracy. There was a fraudulent charge on the GM's credit card. The charges were contested, the card canceled, and a new one ordered. The ad hoc committee will review the statement further when all of the receipts are attached. Included in the checks was Progress Payment #7 for the Wolfe Project, in the amount of \$26,609.50.

Motion: Move that we pay our bills including Partial Payment #7 for Wolfe Tank, with a contingency on the credit card bills so if there are any issues we may need to revisit the credit card charges.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

9. Discussion/Vote on Compensation for Bookkeeping Services.

The Bookkeeper wrote a letter to the Board expressing concerns, and requesting increased compensation. The letter was read out loud by the Board President. The Board addressed the topic at length and asked Linda Wilke to draft a contract to be presented at the regular planning meeting on July 22nd.

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Motion: Move that we table this until our planning meeting which is in two weeks, that you bring us a new contract that deals with your entire company and what you are proposing for a flat rate so we can talk about that at the next meeting, that way we can move on, and I propose that we back compensate Linda for this meeting once we agree on a price.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

10. Discussion/Vote on Book Asset Detail.

The ad hoc will continue to work on the asset detail and talk to David from RCAC about an extension.

FP - LOW Area Annexation Planning Project - Discussion began at 7:29pm.

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

a. Discussion/Vote on Test Wells.

Tom Dodson & Associates visited the two test well sites last week to conduct the archeological survey.

Johnson Drilling started work on test well site #2 on Monday. Dee Jaspar reported that they are at 80ft depth and anticipate hitting water at 100ft. They will collect samples throughout the process to check the water quality. The targeted depth for this well is 300ft.

b. Discussion/Vote on Memorandum of Understanding (MOU).

A check was issued to Young Wooldridge in the amount of \$1,180 for his review of the MOU. A line item will need to be added to the budget to cover this cost.

c. Discussion/Vote on Changing to Monthly Claims.

Since drilling has started and invoices will be coming in, the Board agreed it was time to move to monthly claims.

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Motion: Move that we start monthly claim payments starting in August for the Consolidation Planning Project.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

d. Discussion/Vote/Update on Claims and Payouts.

Carlos Bravo was sent the signed copies of the cover letter and claim summary for Claim #8 this morning. He will be submitting this to the State.

Tiffany reminded the Board that the District has not received reimbursement for the Dee Jaspar & Associates (DJA) invoices that were paid while Self-Help Enterprises (SHE) awaited Technical Assistance (TA) funds. Dee Jaspar will follow up with his staff to see if that check was mailed.

FP - LOW Area Annexation Planning Project - Discussion concluded at 7:48pm.

12. Discussion/Vote/Update on Frazier Park Public Utility District Meter Replacement Project and Emergency Replacement Well and Water Supply Project.

a. Discussion/Vote/Approve the Project Funding Agreement.

The funding agreement was provided in the meeting packet. This item will be carried over to the next regular meeting so the Board will have a chance to review it.

Motion: Move that Item #12a be carried over and put on the planning meeting in July so everyone can have a chance to read it thoroughly.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

In order to submit the funding agreement, the District will need to provide an Opinion of General Counsel letter drafted and signed by Young Wooldridge (YW).

b. Discussion/Vote on Plans and Specifications for Well #7.

Dee is reviewing the final drafts of the Plans and Specifications sent by Curtis. He will send out copies next week to the District and the State. This item will carry over to the next meeting.

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c. Discussion/Vote on Going Out to Bid for Well #7.

This item will carry over to the next meeting so the Plans and Specifications can be reviewed.

d. Discussion/Vote on Claims and Payouts.

There were no new claims for this project.

13. Discussion/Vote on Pipeline Replacement Project.

a. Discussion/Review of the Pre-Construction Engineering Budget/Scope of Work.

Dee provided the Engineering Budget and Scope of Work last month but it still needs to be reviewed by the Board.

GM Allison spoke with the Kern County Supervisor's office about the letter sent requesting funds. They explained that they do not have money set aside for the project, but offered to provide information on other funding sources.

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

a. Discussion/Vote on Project Fee Estimate.

DJA has conducted a field survey and is putting together the site layouts for the proposed locations of the generators. Once that work is done, and the Board agrees on the layouts, the site plans will be sent to the electrical engineer to work on the design.

b. Discussion/Vote on Professional Engineering Cost Proposal.

Covered in the previous discussion.

c. Discussion/Vote on Going Out to Bid.

There was no update.

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15. Discussion/Vote on Emergency Repairs to the Wolfe Booster and Tank Site.

a. Discussion/Vote/Update on Project.

The building air conditioner was delivered and installed. The painter came to match the color of Well #6. Unified Field Services estimates the work will be finished by July 16th.

b. Discussion/Vote on Progress Payment #7.

Progress Payment #7 is for \$26,609.50. This covers work for the month of June. The payment was approved under the agenda item for the financials.

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.

**Conference with Legal Counsel - Anticipated Litigation. Gov't. Code §54956.9(b):
1 item.**

New Item: CLOSED SESSION pursuant to Gov't Code §54957.

**Conference with Legal Counsel - Anticipated Litigation. Gov't. Code §54956.9(b):
1 item.**

Motion: Move that we take a short break so that Tiffany can set that [the new zoom meeting link for the closed session*] up.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

Director Garcia announced the closed session at 8:11pm.

Returned from closed session at 9:29pm.

**Actions in Closed Session Pursuant to Gov't Code §54957.1(a), §54957.7(b):
Director Garcia reported that the Board authorized legal counsel to file a petition in Kern County Superior Court for precondemnation access to the SEA Property. By separate motion, the Board also authorized legal counsel to take such additional legal action as may be necessary to secure access to the test well site on the SEA Property. Both motions were approved unanimously by the Directors present.**

*** Motion amended for clarity.**

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Motion: Move that we extend our time until the close of business.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

16. Discussion/Vote on Resolution FP-20210708-01: Authorizing Kern County to Act as the Agent in the Collection of Taxes.

The Board was given a copy of the annual resolution authorizing Kern County to collect the District's Stand-By Fees and outstanding balances for delinquent accounts. The Board noted one amendment to the wording for clarity.

Motion: Move that we approve Resolution FP-20210708-01 In The Matter Of: Water Availability Or Standby Charges Assessment; Delinquent Accounts Assessment; Resolution Authorizing Kern County To Act As FPPUD's Agent In The Collection Of Assessment Taxes For The 2021 - 2022 Tax Year, with one amendment.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

17. Discussion/Vote on Resolution FP-20210708-02: Amending Resolution 543 Which Adopted the Water Conservation Plan.

The Board was given a copy of the resolution. They noted amendments for typos and corrections for clarity.

Motion: Move that we adopt the amendment of Resolution FP-20210708-02 In The Matter Of: Amending Resolution 543 - Adoption Of Water Conservation Plan And Amending The Water Conservation Plan Adopted February 20, 2014, with the amendments mentioned.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

18. Discussion/Vote on Mailing Information to Customers Regarding the End of Modified Services.

According to the Governor's orders, the moratorium on utility shut-offs for non-payment, and the suspension of The Brown Act requirements for teleconferencing, will end on

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September 30, 2021. The Board agreed that customers will need to be notified of those changes, as well as the FPPUD's modified services. Approval of this letter will be added to the first regular meeting agenda in August.

19. Discussion/Vote on Changing Internet Service Providers.

GM Allison was not able to find any viable options for internet providers in the Frazier Park area, so the District will continue using services from AT&T.

Motion: Move that we remove this item from the agenda.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

20. Review and Approve Meeting Minutes for 06/10/2021, 06/17/2021, 06/22/2021 Public Hearing, 06/22/2021 Special Meeting, 06/24/2021 Planning Meeting and 06/24/2021 Special Meeting.

Motion: Move that we approve the regular meeting minutes for Thursday, June 10, 2021, with the possibility for additional amendments for typos or other errors that we may not have caught or that may need to be corrected.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

Motion: Move that we approve the state update meeting minutes for Thursday, June 17, 2021, with the possibility for additional amendments for typos or other errors that we may not have caught or that may need to be corrected.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

Motion: Move that we accept the public hearing meeting minutes for Tuesday, June 22, 2021, with the possibility for additional amendments for typos or other errors that we may not have caught or that may need to be corrected.

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

Aye: Garcia, Gipson, Kelling, and Schoenberg.

Absent: Neyman.

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Motion: Move that we table the special meeting minutes for Tuesday, June 22, 2021 to the planning meeting in two weeks.
Schoenberg/Gipson 4/0/0, Motion Passed.
Aye: Garcia, Gipson, Kelling, and Schoenberg.
Absent: Neyman.

The meeting minutes for the two meetings on June 24, 2021 were not prepared for this meeting so approval will carry over to the next meeting.

21. Discussion/Vote on Future Agenda Items.

Planning Meeting July 22, 2021:

- Carry over the discussion/vote on the contract for bookkeeping services.
- Carry over approval of the well/meter project funding agreement.
- Carry over the discussion/vote on the plans and specs for Well #7.
- Carry over the discussion/vote on going out to bid for Well #7.
- Carry over the discussion/approval of the meeting minutes.

Regular Meeting August 12, 2021:


- An agenda item to approve a letter to customers regarding the end of modified services.

22. Adjournment.

Motion: Move that we adjourn.
Kelling/Gipson 4/0/0, Motion Passed.
Aye: Garcia, Gipson, Kelling, and Schoenberg.
Absent: Neyman.
Meeting Adjourned: 9:54pm.

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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: Terry Kelling, Secretary

seal