

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, JUNE 27, 2022:**

*A regular meeting of the Board of Directors of the Palmdale Water District was held Monday, June 27, 2022, at 2029 East Avenue Q, Palmdale, CA 93550 and via teleconference. President, Gloria Dizmang, called the meeting to order at 6:00 p.m.*

**1) Pledge of Allegiance/Moment of Silence.**

At the request of President Dizmang, General Counsel Trindle led the pledge of allegiance followed by a moment of silence.

**2) Roll Call.**

**Attendance:**

Gloria Dizmang, President  
Vincent Dino, Vice President  
Don Wilson, Treasurer  
Kathy Mac Laren-Gomez, Secretary  
Scott Kellerman, Director

**Others Present:**

Dennis LaMoreaux, General Manager  
Adam Ly, Assistant General Manager  
G. Ross Trindle, General Counsel  
Dennis Hoffmeyer, Finance Manager  
Judy Shay, Public Affairs Director  
Scott Rogers, Engineering Manager  
Claudia Bolanos, Resource and Analytics Supervisor  
Dawn Deans, Executive Assistant  
0 members of the public

**3) Adoption of Agenda.**

It was moved by Director Kellerman, seconded by Director Wilson, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to adopt the agenda, as written:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

**4) Public Comments for Non-Agenda Items.**

There were no public comments for non-agenda items.

**5) Presentations:**

**5.1) None at This Time.**

There were no presentations.

**6) Action Items – Consent Calendar: (The Public Shall Have an Opportunity to Comment on Any Action Item on the Consent Calendar as the Consent Calendar is Considered Collectively by the Board of Directors Prior to Action Being Taken.)**

**6.1) Approval of Minutes of Regular Board Meeting Held June 13, 2022.**

**6.2) Payment of Bills for June 27, 2022.**

**6.3) Approval of Resolution No. 22-16 Being a Resolution of the Board of Directors of the Palmdale Water District Proclaiming a Local Emergency Persists, Ratifying the Proclamation of a State of Emergency by the Governor Issued March 4, 2020, and Re-Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Palmdale Water District for the Period Beginning July 1, 2022 and Ending July 30, 2022 Pursuant to Brown Act Provisions. (No Budget Impact – Assistant General Manager Ly)**

**6.4) Approval to Reject Claim Received From Nitin Patel and Refer to Joint Powers Insurance Authority. (No Budget Impact – Finance Manager Hoffmeyer)**

President Dizmang announced the items included in the Consent Calendar after which it was moved by Director Wilson, seconded by Director Kellerman, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to approve those items included in the Consent Calendar:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

Resolution No. 22-16 is hereby made a portion of the minutes of this meeting.

**7) Action Items - Action Calendar (The Public Shall Have an Opportunity to Comment on Any Action Item as Each Item is Considered by the Board of Directors Prior to Action Being Taken.)**

**7.1) Consideration and Possible Action on Approval of Resolution No. 22-17 Being a Resolution of the Board of Directors of the Palmdale Water District Implementing Additional Exceptions and Restrictions Under Mandatory Stage 2 of the Water Shortage Contingency Plan. (No Budget Impact – Resource and Analytics Supervisor Bolanos)**

Resource and Analytics Supervisor Bolanos provided an overview of Resolution No. 22-17, including the additional exceptions and restrictions under Mandatory Stage 2 of the District's Water Shortage Contingency Plan, after which it was moved by Director Mac Laren-Gomez, seconded by Director Wilson, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to approve Resolution No. 22-17 being a Resolution of the Board of Directors of the Palmdale Water District Implementing Additional Exceptions and Restrictions Under Mandatory Stage 2 of the Water Shortage Contingency Plan:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

Resolution No. 22-17 is hereby made a portion of the minutes of this meeting.

**7.2) Consideration and Possible Action on Resolution No. 22-18 Being a Resolution of the Board of Directors of the Palmdale Water District Authorizing the District's Application for Funding from the Bureau of Reclamation Watersmart: Water Energy Efficiency Grant for Federal Fiscal Year 2023 for the Palmdale Ditch Enclosure Project. (\$5,000,000 – Potential Revenue – Engineering Manager Rogers)**

Engineering Manager Rogers provided an overview of Resolution No. 22-18 and the potential revenue available under this grant opportunity after which it was moved by Director Wilson, seconded by Director Kellerman, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to approve Resolution No. 22-18 being a Resolution of the Board of Directors of the Palmdale Water District Authorizing the District's Application for Funding from the

Bureau of Reclamation Watersmart: Water Energy Efficiency Grant for Federal Fiscal Year 2023 for the Palmdale Ditch Enclosure Project:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

Resolution No. 22-18 is hereby made a portion of the minutes of this meeting.

**7.3) Consideration and Possible Action on Authorizing Staff to Enter Into a Contract for Annual On-Call Traffic Engineering Services With Civiltec Engineering, Inc., Traffic Control Engineering, Inc., and Traffic Management, Inc. (\$50,000.00 Not-to-Exceed – Budgeted – Budget Item No. 1-02-5070-007-Consultants or Budget Item No. 1-04-4235-420-Water Lines – Engineering Manager Rogers)**

Engineering Manager Rogers provided an overview of the proposed contract for Annual On-Call Traffic Engineering Services after which it was moved by Director Mac Laren-Gomez, seconded by Director Kellerman, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to authorize staff to enter into a Contract for Annual On-Call Traffic Engineering Services With Civiltec Engineering, Inc., Traffic Control Engineering, Inc., and Traffic Management, Inc. in the not-to-exceed amount of \$50,000.00:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

**7.4) Consideration and Possible Action on Authorizing Staff to Enter Into a Contract for Annual On-Call Traffic Control Management Services With Traffic Management, Inc. (\$50,000.00 Not-to-Exceed – Budgeted – Budget Item No. 1-02-5070-007-Consultants or Budget Item No. 1-04-4235-420-Water Lines – Engineering Manager Rogers)**

Engineering Manager Rogers provided an overview of the proposed contract for Annual On-Call Traffic Control Management Services after which it was moved by

Director Kellerman, seconded by Director Wilson, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to authorize staff to enter into a Contract for Annual On-Call Traffic Control Management Services With Traffic Management, Inc. in the not-to-exceed amount of \$50,000.00:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

**7.5) Consideration and Possible Action on Authorizing Staff to Enter Into a Contract for Annual On-Call Services for Water Well and Pump Repairs, Maintenance, and Rehabilitation With L.O. Lynch Quality Wells & Pumps, Inc. (\$500,000.00 – Budgeted – Budget Item No. 1-04-4235-400-Maintenance and Repair Operations-Wells – Engineering Manager Rogers)**

Engineering Manager Rogers provided an overview of the proposed contract for Annual On-Call Services for Water Well and Pump Repairs, Maintenance, and Rehabilitation after which it was moved by Director Kellerman, seconded by Director Wilson, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to authorize staff to enter into a Contract for Annual On-Call Services for Water Well and Pump Repairs, Maintenance, and Rehabilitation With L.O. Lynch Quality Wells & Pumps, Inc. in the amount of \$500,000.00:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

**7.6) Consideration and Possible Action on Adopting the 2022 Annual Water Supply and Demand Assessment. (No Budget Impact – Resource and Analytics Supervisor Bolanos)**

Resource and Analytics Supervisor Bolanos provided an overview of the requirement to submit an annual Water Supply and Demand Assessment after which it

was moved by Director Wilson, seconded by Director Mac Laren-Gomez, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to adopt the 2022 Annual Water Supply and Demand Assessment:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

**7.7) Consideration and Possible Action on Casting the District’s Ballot in the California Special Districts Association Board of Directors Seat B Southern Network Election for the 2023-2025 Term. (No Budget Impact – Assistant General Manager Ly)**

Assistant General Manager Ly provided an overview of the options for casting the District’s vote in this election after which it was moved by Director Wilson, seconded by Director Kellerman, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote that President Dizmang cast the District’s ballot in the California Special Districts Association Board of Directors Seat B Southern Network Election for the 2023-2025 Term:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – aye  
Director Kellerman – aye

**7.8) Consideration and Possible Action on Authorization of the Following Conferences, Seminars, and Training Sessions for Board and Staff Attendance Within Budget Amounts Previously Approved in the 2022 Budget:**

a) **None at This Time.**

There were no conferences, seminars, or training sessions to consider.

**8) Information Items:**

**8.1) Reports of Directors:**

**a) Standing Committees; Organization Appointments; Agency Liaisons:**

**1) California Special Districts Association (CSDA) Chapter Meeting/Lunch – June 7/June 22. (Director Dino, Chapter Chair/President Dizmang)**

Director Dino reported that he attended a CSDA Chapter Meeting on June 7 and will provide a report at the next meeting; that he attended a CSDA Special Districts North Los Angeles County Chapter Luncheon on June 22 where Los Angeles County Auditor-Controller Arlene Barrera presented information on annual property taxes; and that a copy of this presentation will be provided to the Directors.

President Dizmang then reported that Centrica Business Solutions also presented information at the Luncheon on protection of the environment and reduction in carbon production.

**2) Antelope Valley East Kern Water Agency (AVEK) – June 14. (Director Dino/Director Mac Laren-Gomez, Alt.)**

Director Dino reported that he attended an AVEK Board Meeting on June 14 where they provided guidance to their Antelope Valley Watermaster Representative regarding the selection of a Watermaster Administrator.

**3) Finance Committee Meeting – June 21. (Director Wilson, Chair/President Dizmang)**

Director Wilson reported that he attended the Finance Committee Meeting on June 21; that he submitted a written report earlier today; and then provided an overview of the Committee's discussions on the 2021 Annual Financial Report, which will be presented to the full Board for consideration at the next Regular Board Meeting.

**4) Outreach Committee Meeting – June 22. (Director Mac Laren-Gomez, Chair/Director Wilson)**

Director Mac Laren-Gomez reported that she attended the Outreach Committee Meeting on June 22 where they discussed the District's response to the drought, the issuance of 405 Water Waste Door-tags, 2022 outreach activities and upcoming events, and lobbying activities.

**b) General Meetings Reports of Directors.**

Director Kellerman reported that on June 22, he attended the CSDA Special Districts North Los Angeles County Chapter Luncheon; that also on June 22, he attended the Outreach Committee meeting; that on June 23, he attended a Board Briefing; and that on June 27 he attended a CSDA "How and Why Special Districts Need to be Involved in LAFCO" Webinar.

Director Wilson reported that on June 21, he attended the Finance Committee Meeting; that on June 22, he attended the Outreach Committee Meeting; that on June 23, he attended a Board Briefing; and that on June 27, he is attending the Palmdale Water District Regular Board Meeting.

Director Mac Laren-Gomez reported that on June 22, she attended the Antelope Valley Watermaster Meeting where they discussed usual Watermaster business and narrowed the applicants for the Watermaster Administrator to three firms with a final selection to be made at a special meeting in August; that on June 22, she attended the Outreach Committee Meeting; and that on June 23, she attended a Board Briefing.

Director Dino reported that on June 14, he attended an AVEK Board Meeting; that on June 15, he attended the District's All-Hands Lunch; that on June 16, he attended a CSDA "Navigating the Surplus Land Act" Webinar; that on June 21, he attended an AVEK Budget Meeting; that on June 22, he attended the CSDA Special Districts North Los Angeles County Luncheon; that on June 23, he attended a Board Briefing; that on June 27, he is attending the Palmdale Water District Regular Board Meeting; and that on June 28, he will be attending an AVEK Board Meeting.

President Dizmang reported that on June 7, she attended the CSDA Chapter Meeting; that on June 9, she attended a Board Briefing; that on June 16, she attended an Agenda Review Meeting; that on June 21, she attended a Board Briefing; that also on June 21, she attended the Finance Committee Meeting; that on June 22, she attended the CSDA Special Districts North Los Angeles County Luncheon; that on June 23, she attended a Board Briefing; and that on June 27, she is attending the Palmdale Water District Regular Board Meeting.

**8.2) Report of General Manager.**

General Manager LaMoreaux thanked Assistant General Manager Ly and staff for their assistance during his absence.



He then stated that in addition to the written report included with the agenda packets, he distributed a supplemental written report highlighting customers' response to the drought and their efforts to reduce water use in May by 17% compared to 2020 water production and that June's reports are indicating a similar trend followed by discussion of reporting water waste.

He then reported that due to District staff reporting several cases of COVID-19, some meetings have been rescheduled to reinforce social distancing, masks have been provided to employees to wear if they choose, and procedures outlined in the District's COVID-19 Prevention Program are being followed.

**8.3) Report of General Counsel.**

General Counsel Trindle provided an overview of SB427 and AB2505 regarding administrative fines for water theft and an irrigation district's ability to determine the amount of these fines and then stated that he will be in Sacramento this week but will be available via cell phone, if needed.

**9) Board Members' Requests for Future Agenda Items.**

Director Wilson withdrew his previous request for "Status on the operation of the District's wind turbine" as his questions have been addressed.

There were no further requests for future agenda items.

**10) Adjournment.**

There being no further business to come before the Board, the meeting was adjourned at 6:50 p.m.

  
Secretary

## RESOLUTION NO. 22-16

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ISSUED MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE PALMDALE WATER DISTRICT FOR THE PERIOD BEGINNING JULY 1, 2022 AND ENDING JULY 30, 2022 PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the Palmdale Water District is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of Palmdale Water District's ("District") legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, a State of Emergency has been proclaimed by the Governor of the State of California on March 4, 2020 in response to the global outbreak of the novel Coronavirus disease ("COVID-19"); and

WHEREAS, meeting in person would present an imminent risk to the health and safety of attendees due to the continued impact of the COVID-19 pandemic; and

WHEREAS, the Board of Directors does hereby find that a State of Emergency has been proclaimed as a result of the threat of COVID-19 and the contagious nature of COVID-19 have caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Board of Directors does hereby find that the legislative bodies of the Palmdale Water District shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the Palmdale Water District offers the option of teleconferencing to ensure access for the public to attend meetings.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the District, and meeting in person would present imminent risks to the health and safety of attendees due to the serious and contagious nature of COVID-19.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The staff, General Manager, and legislative bodies of the Palmdale Water District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect on July 1, 2022 and shall be effective until the earlier of (i) July 30, 2022, which is 30 days from the adoption of this Resolution, or (ii) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Palmdale Water District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the Palmdale Water District this 27<sup>th</sup> day of June, 2022, by the following vote:

AYES: President Dizmang, Directors Dino, Wilson, Mac Laren-Gomez, Kellerman  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
\_\_\_\_\_  
President, Board of Directors

ATTEST:

  
\_\_\_\_\_  
Secretary, Board of Directors

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Aleshire & Wynder, LLP, General Counsel

**PALMDALE WATER DISTRICT  
RESOLUTION NO. 22-17  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
PALMDALE WATER DISTRICT IMPLEMENTING ADDITIONAL EXCEPTIONS AND  
RESTRICTIONS UNDER MANDATORY  
STAGE 2 OF THE WATER SHORTAGE CONTINGENCY PLAN**

**WHEREAS**, Palmdale Water District (“District”) is a water district empowered to provide water service within District boundaries; and

**WHEREAS**, California is experiencing a third consecutive dry year with 93% of the State classified as being in a severe drought; and

**WHEREAS**, due to inadequate precipitation and legal restrictions on the flow of State Water Project water to Southern California, California is experiencing shortages in water supplies; and

**WHEREAS**, the State Water Project allocation for 2022 has been established at a critically low 5% and deliveries have, therefore, been drastically curtailed in response to the inadequacy of water supplies; and

**WHEREAS**, groundwater supplies which provide a supplemental source of water to the District, are limited in nature and local aquifer levels have declined to the post 2013-2015 drought levels that occurred in 2016, when the District produced a limited supply of 8,473 acre feet of groundwater; and

**WHEREAS**, current available supplies are insufficient to meet projected customer demand in 2022; and

**WHEREAS**, conservation of water by all District customers that have not already conserved will help relieve the problems caused by the shortage in water supplies; and

**WHEREAS**, Palmdale Water District customers have responded effectively in previous droughts by conserving and preserving available water supplies.

**WHEREAS**, Palmdale Water District has made significant investments in local programs and projects to improve water supply reliability, including supplemental water supply contracts, local water storage projects, water conservation, water recycling and other strategies to stretch supplies, and will continue to do so; and

**WHEREAS**, on April 21, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency due to drought for two counties in the state of California; and

**WHEREAS**, the District adopted Stage 1 of its 2015 Water Shortage Contingency Plan on April 26, 2021, and urged customers to voluntarily reduce their water use by 15%; and

**WHEREAS**, on May 21, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency due to drought for forty-one counties in the state of California; and

**WHEREAS**, on July 8, 2021, Governor Gavin Newsom issued Executive Order N-10-21 recognizing the continued state of drought in California and called on all Californians to voluntarily reduce their water use by 15%; and

**WHEREAS**, the District adopted Voluntary Stage 2 of its 2020 Water Shortage Contingency Plan on August 9, 2021 and continued to urge rate payers to voluntarily reduce their water use by 15%; and

**WHEREAS**, on October 9, 2021, Governor Gavin Newsom further issued a Proclamation of a State of Emergency due to drought for the entire state of California, reaffirmed the call for all Californians to reduce their water use by 15%, and called on the State Water Resource Control Board to adopt emergency regulations prohibiting certain wasteful water practices; and

**WHEREAS**, on March 28, 2022, Governor Gavin Newsom further issued Executive Order N-7-22 that reaffirmed the April 21, 2021, May 10, 2021, and October 9, 2021 proclamations of State of Emergency due to drought and the provisions of Executive Order N-10-21 and called on the State Water Resource Control Board to adopt an emergency regulation that would require all urban water suppliers who have submitted a Water Shortage Contingency Plan to, at a minimum, adopt level 2 of their Plan and to consider banning non-functional turf in the commercial, industrial, and institutional sectors; and

**WHEREAS**, on June 10, 2022, the State of California Office of Administrative Law approved the emergency action taken by the State Water Resources Control Board pursuant to sections 11346.1 and 11349.6 of the Government Code to adopt the new regulation which requires urban water suppliers to ban the irrigation of non-functional turf with potable water in commercial, industrial, and institutional sectors; and

**WHEREAS**, Water Code Section 1058.5 grants the State Water Resources Control Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation;” and

**WHEREAS**, following the making of findings as required by law, the District has the power and authority to adopt mandatory water conservation measures within its boundaries pursuant to Part 5 of the Irrigation District Law, codified at Division 11 of the California Water Code.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Directors of the Palmdale Water District as follows:

**Section 1: Findings:** The Board of Directors of the District hereby finds and declares as follows:

- 1) The State Water Project water available to the District is a critically low (5%) allocation.
- 2) Production of water from the PWD’s groundwater wells beyond the 2016 production of 8,473 acre-feet may have undesirable effects on the local aquifer levels and ground water production equipment.

3) Voluntary water conservation measures have not resulted in the recommended 15% reduction in consumption when compared to 2020.

4) At present, without supplemental supplies, the anticipated water available to the District is insufficient to meet anticipated demands.

5) Should existing drought conditions continue, or should the District lose its water production capacity, there may be insufficient water available for human consumption, sanitation, and fire protection.

**Section 2: Declaration of Stage 2 Water Shortage Emergency:** The Board of Directors of the District, in accordance with the foregoing findings, hereby determines and declares the existence of an emergency condition of water shortage within its service area and further determines and declares that the regulations and restrictions on delivery of water and consumption of water within its service area as hereinafter set forth are necessary, in the sound discretion of the Board of Directors of the District, to conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection.

**Section 3: Authorization to Implement Restrictions on Water Consumption:** The Board of Directors of the District hereby authorizes the General Manager of the District to take specific steps to meet water conservation goals, regulations, and restrictions on water consumption as hereinafter set forth.

**Section 4: Conservation Goal and Authorized Actions.** The conservation goal of the District is a reduction in water use of twenty percent (20%) when compared against usage in 2020, this goal is mandatory through May 1, 2023. The General Manager is authorized to implement Action 1 of this Resolution to meet said conservation goal.

**Action 1. Mandatory Water Conservation Regulations.** The General Manager shall take all steps necessary to advise the District's customers of the following water waste prohibitions and mandatory regulations and to enforce them in accordance with the District's existing Waste of Water Policy:

1. Water Waste Prohibitions:
  - a. Application of potable water to outdoor landscapes in a manner that causes runoff.
  - b. Failure to repair water leaks or to adjust sprinkler overspray in a timely manner.
  - c. Hosing of hardscape surfaces, except where health and safety needs dictate.
  - d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
  - e. Irrigation with potable water of ornamental turf on public street medians.
  - f. Watering of outdoor landscapes within 48 hours of measurable rainfall.
  - g. Car washing and outside cleaning activities except when performed with buckets and automatic hose shutoff devices.

- h. The serving of drinking water other than upon request in eating or drinking establishments.
- i. Failure of operators of hotels and motels to provide guests with the option of choosing not to have towels and linens laundered daily. (The hotel or motel shall prominently display notice of this option in each guestroom.)
- j. Inefficient use of water for construction purposes.
- k. Irrigation with potable water outside of newly constructed homes and buildings not delivered by drip or microspray.

2. Mandatory Regulations:

- a. No lawn, landscape, or other turf area shall be watered more often than three (3) days per week nor during the hours between 10:00 a.m. and 6:00 p.m. Water days will be set as follows: Mondays, Wednesdays and Saturdays only.
  - i. Exemptions:
    - 1. Watering hour restrictions are lifted during the months of November, December, January, February, and March.
    - 2. Watering of turf in athletic fields, turf used for recreation, or turf used for community purposes.
    - 3. Commercial nurseries, golf courses, parks, school yards, and other public open spaces may request approval of a modified watering schedule in the event that public use necessitates it.
    - 4. Watering schedules must be adhered to at all times. The District requires advance written notice of any maintenance activities requiring water use between the hours of 10:00 a.m. and 6:00 p.m.
    - 5. Watering delivered by microspray, drip irrigation, or by hand.
- b. The issuance of potable water construction meters shall be suspended.
- c. Irrigating turf at commercial, industrial, and institutional properties is banned per State Water Resources Control Board.

**Action 2: Mandatory Water Rationing:** Upon specific authorization by the Board of Directors, the General Manager shall implement a phased water rationing to protect the water supply of the District and to guarantee adequate supply for domestic use, sanitation, and fire protection as follows:

- 1. Stage 2: Water Rationing: A twenty percent (20%) reduction in water deliveries to all District customers.

**Action 3: Adoption of a 0.8 Drought Factor:** Upon specific authorization by the Board of Directors, the General Manager shall apply a phased drought factor to the outdoor allocation usage tier (Tier 2).

1. Stage 2: Drought Factor: A 0.8 drought factor (twenty percent - 20%) reduction will be applied to the outdoor usage tier (Tier 2). This will be effective on water use as of June 1, 2022.

**Action 4: Adoption of Drought Surcharge:** Upon specific authorization by the Board of Directors, the General Manager shall implement a phased drought surcharge to cover costs due to lost revenue during mandatory water cutbacks.

1. Stage 2: Drought Surcharge: A 40-cent surcharge on all non-essential usage tiers (Tiers 3-5). This will be effective on water use as of June 1, 2022.

**Section 5: Duration of Water Emergency:** The regulations, restrictions, and actions set forth herein shall take full force and effect on May 1, 2022 and shall remain in full force and effect through May 1, 2023 or until otherwise changed or lifted by authorization of the Board of Directors.

**Section 6: Appeal:** Decisions made by the District under the regulations set forth in this Resolution may be appealed by customers in accordance with the procedure set forth in the District's Rules and Regulations.

**Section 7: Violation:** A violation of the regulations and restrictions set forth herein will result in progressive warnings, fines, or result in the discontinuance of service to customers willfully violating the conservation measures set forth herein or such other penalty or restriction as may be allowed by law. The Stage 2 fines and assessment period under the 2020 Water Shortage Contingency Plan will be set as follows:

1. First violation-The customer shall be notified in writing. The notice shall include a warning that further violations could result in stricter penalties.
2. A second violation is punishable by a fine of up to \$50.
3. A third violation is punishable by a fine of up to \$250.
4. A fourth violation is punishable by a fine of up to \$500.
5. A fifth violation may result in termination of service and a \$1,000 reconnection fee.
6. Any violations occurring within twelve months of each other will be considered consecutive and result in escalating penalties. The period for assessing consecutive penalties may be extended beyond 12 months by resolution of the Board.

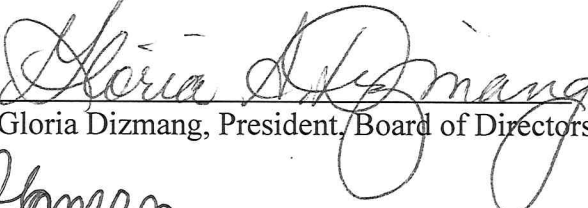
**Section 8: Severability:** If any portion of this Resolution is found to be unconstitutional or invalid, the District hereby declares that it would have enacted the remainder of this Resolution regardless of the absence of any such valid part.

**Section 9: Effective Date:** May 1, 2022

**BE IT FURTHER RESOLVED,** that the Board of Directors finds that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions and as a rate setting measure pursuant to Public Resources Code §21080(b)(4) and (8).

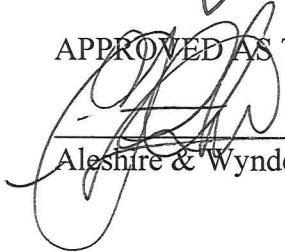


**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of Palmdale Water District held on June 27, 2022.

  
Gloria Dizmang, President, Board of Directors

  
Kathy Mac Laren-Gomez, Secretary, Board of Directors

APPROVED AS TO FORM:

  
Aleshire & Wynder, LLP, District Legal Counsel

**RESOLUTION NO. 22-18**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT AUTHORIZING THE DISTRICT'S APPLICATION FOR FUNDING FROM THE BUREAU OF RECLAMATION WATERSMART: WATER ENERGY EFFICIENCY GRANT FOR FEDERAL FISCAL YEAR 2023 FOR THE PALMDALE DITCH ENCLOSURE PROJECT**

**WHEREAS**, Palmdale Water District is an irrigation district established pursuant to Section 20500 et seq. of the California Water Code.

**WHEREAS**, water supply in the Palmdale area is facing a growing list of challenges associated with reductions in allowed groundwater pumping due to groundwater adjudication, regulatory cutbacks on State Water Project deliveries, Bay-Delta instability, climate change, aging infrastructure, and growing population; and

**WHEREAS**, the United States Department of the Interior, Bureau of Reclamation under the Water Energy Efficiency Grant makes funding available to qualifying applicants; and

**WHEREAS**, the Board of Directors of the Palmdale Water District has identified a project that exemplifies the objectives of the WaterSMART Grant in the Palmdale Ditch Enclosure; and

**WHEREAS**, Palmdale Water District agrees to the administration and cost sharing requirements of the WaterSMART Grant criteria.

**NOW, THEREFORE, LET IT BE RESOLVED** by the Board of Directors of the Palmdale Water District as follows:

**SECTION 1.** Palmdale Water District is hereby authorized to receive, if awarded, the WaterSMART: Water and Energy Efficiency for 2023 grant funding in an amount up to \$5,000,000 and will make a good faith effort to enter into a cooperative agreement with Reclamation for the receipt and administration of said grant funds.

**SECTION 2.** The General Manager, Dennis LaMoreaux, or his designee, is hereby authorized to take any and all action which may be necessary for the completion and execution of the project agreement and to take any and all other action which may be necessary for the receipt and administration of the grant funding in accordance with the requirements of the Bureau of Reclamation.

**SECTION 3.** This resolution officially becomes a component part of the Palmdale Water District's grant application.

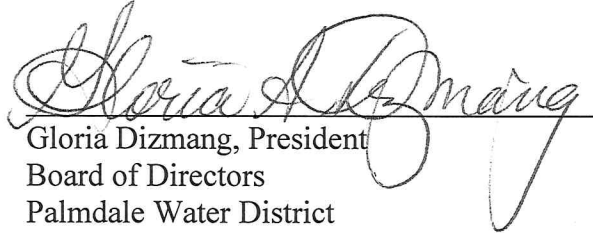
**SECTION 4.** The Board of Directors has reviewed and supports the application to be submitted.


**SECTION 5.** Palmdale Water District is capable of providing the amount of funding and/or in-kind contributions specified in the grant application funding plan.

**SECTION 6.** This Resolution shall be effective as of the date of adoption.

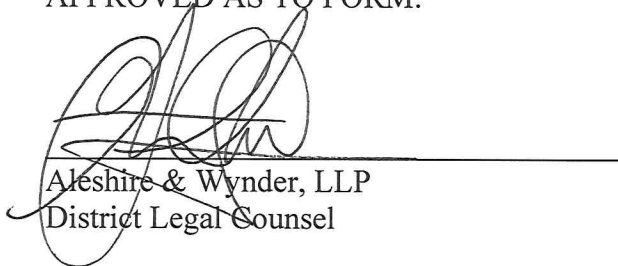
**CERTIFICATION**

PASSED, APPROVED and ADOPTED this 27<sup>th</sup> day of June 2022.

  
Gloria Dizmang, President  
Board of Directors  
Palmdale Water District

  
Kathy Mac Laren-Gomez, Secretary  
Board of Directors  
Palmdale Water District

APPROVED AS TO FORM:

  
Aleshire & Wynder, LLP  
District Legal Counsel