

MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, SEPTEMBER 26, 2022:

A regular meeting of the Board of Directors of the Palmdale Water District was held Monday, September 26, 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, Engineering Manager Rogers led the pledge of allegiance and 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
Angelica Barragan-Garcia, Human Resources Director
Peter Thompson II, Resource and Analytics Director
Dawn Deans, Executive Assistant
0 members of the public

3) Adoption of Agenda.

It was moved by Director Dino, 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 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 September 12, 2022.

6.2) Payment of Bills for September 26, 2022.

6.3) Approval of Resolution No. 22-25 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 October 1, 2022 and Ending October 30, 2022 Pursuant to Brown Act Provisions. (No Budget Impact – Assistant General Manager Ly)

President Dizmang announced the items included in the Consent Calendar 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 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. 22-25 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) Presentation, Consideration, and Possible Action on Approval of Pure Water AV Logo. (Engineering Manager Rogers/Public Affairs Director Shay)

Engineering Manager Rogers provided an overview of the Pure Water AV Logo design, as well as an update on the timeline, funding, site layout, and building design for the Pure Water AV project, and after a brief discussion of public access, 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 approve the Pure Water AV project and logo, as presented:

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

7.2) Consideration and Possible Action on Changing the District’s 2023 Medical Benefit Coverage from the Advantage Lower Cost Family Plan to the Kaiser High Deductible Plan (CDHP). (Budget Impact – Additional \$127,411.00 – Human Resources Director Barragan-Garcia/Personnel Committee)

Human Resources Director Barragan-Garcia provided an overview of benefit plans and premium changes for 2023 and staff and the Personnel Committee’s recommendation to change from the Advantage Lower Cost Family Plan to the Kaiser High Deductible Plan (CDHP) for the District’s 2023 medical benefit coverage base plan after which it was moved by Director Dino, 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 changing the District’s 2023 medical benefit coverage from the Advantage Lower Cost Family Plan to the Kaiser High Deductible Plan (CDHP):

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

7.3) Consideration and Possible Action on Authorization to Enter Into a Long-Term Water Transfer Agreement Between Littlerock Creek Irrigation District and Palmdale Water District. (Resource and Analytics Director Thompson II)

Resource and Analytics Director Thompson II provided an overview of the proposed Long-Term Water Transfer Agreement with Littlerock Creek Irrigation District after which it was moved by Director Wilson, seconded by Director Dino, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to authorize entering into a Long-Term Water Transfer Agreement between Littlerock Creek Irrigation District and Palmdale Water District:

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

7.4) 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) United Water Conservation District 2022 Summit for Water Sustainability to be Held October 19, 2022 in Oxnard.
- b) AWWA Annual Fall Conference to be Held October 23 – 26, 2022 in Sacramento.

After a brief discussion of these conferences, seminars, and training sessions, it was moved by Director Kellerman, seconded by Director Dino, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to approve the following conferences, seminars, and training sessions for Board and staff attendance within budget amounts previously approved in the 2022 Budget: United Water Conservation District 2022 Summit for Water Sustainability to be held October 19, 2022 in Oxnard and AWWA Annual Fall Conference to be held October 23 – 26, 2022 in Sacramento.

8) Information Items:

8.1) Reports of Directors:

a) Standing Committees; Organization Appointments; Agency Liaisons:

1) Antelope Valley East Kern Water Agency (AVEK) – September 13. (Director Dino/Director Mac Laren-Gomez, Alt.)

Director Dino stated that on September 13, he attended an AVEK Board Meeting where they approved the purchase of one submersible pump for their Quartz Hill Water Treatment Plant from Brax Company Process and Pump Equipment in the amount of \$60,202.05.

2) Personnel Committee Meeting – September 13. (Director Mac Laren-Gomez, Chair/Director Kellerman)

Director Mac Laren-Gomez stated that on September 13, she attended a Personnel Committee meeting where they discussed Agenda Item No. 7.2 considered earlier this evening regarding medical benefit coverage for 2023.

3) Outreach Committee Meeting – September 15. (Director Mac Laren-Gomez, Chair/Director Wilson)

Director Mac Laren-Gomez stated that on September 15, she attended an Outreach Committee meeting and will provide a report at the next Board meeting.

4) Finance Committee Meeting – September 21. (Director Wilson, Chair/President Dizmang)

Director Wilson stated that on September 15, he attended an Outreach Committee meeting and provided a written report and that on September 21, he attended a Finance Committee meeting and provided a written report.

b) General Meetings Reports of Directors.

Director Kellerman stated that on September 8, he attended a Board Briefing; that on September 13, he attended the Personnel Committee meeting; that on September 19 to 21, he attended Special District Leadership Academy training to ensure the District maintains its Certificate of Transparency; and that on September 22, he attended a Board Briefing.

Director Wilson reported that on September 15, he attended the Outreach Committee Meeting; that on September 21, he attended the Finance Committee Meeting; that also on September 21, he attended the AVEDGE luncheon; and that on September 22, he attended a Board Briefing.

Director Mac Laren-Gomez reported that on September 13, she attended the Personnel Committee meeting; that on September 15, she attended the Outreach Committee meeting; that on September 19, she attended an Antelope Valley Watermaster briefing; that on September 21, she attended the AVEDGE luncheon; and that on September 22, she attended a Board Briefing.

Director Dino reported that on September 13, he attended an AVEK Board Meeting; that on September 21, he attended the AVEDGE luncheon; that on September 22, he attended a Board Briefing; that on September 26, he is attending the Palmdale Water District Regular Board Meeting; and that on September 27, he will be attending a Special Board Meeting.

President Dizmang reported that on September 15, she attended an Agenda Review Briefing; that on September 21, she attended the AVEDGE luncheon; that also on September 21, she attended the Finance Committee Meeting; that on September 22, she attended a Board Briefing; that on September 26, she is attending the Palmdale Water District Regular Board Meeting; and that on September 27, she will be attending a Special Board Meeting.

8.2) Report of General Manager.

a) September 2022 Written Report of Activities Through August 2022.

General Manager LaMoreaux stated that a written report is included with the agenda packets if there are any questions and then reviewed the District's customers consistent 17% conservation efforts under Stage 2 of the Water Shortage Contingency Plan followed by discussion of potential additional restrictions.

He then stated that updates regarding the Memorandum of Understanding with United Water Conservation District are included in the written report; that 14 leaks have been reported to date; that the recent ACWA Region 8 meeting was held in Burbank, and they have a much higher leak rate than the District; that applications for the District's Water Wise Landscape Conversion Program have increased; and that

sediment is now being removed from Littlerock Reservoir followed by discussion of Directors touring this site.

8.3) Report of General Counsel.

General Counsel Trindle provided an update on legal matters regarding the classification of bumblebees as an endangered species and the correct venue for filing a discrimination case from a remote worker.

He then stated that AB2449 regarding teleconferencing for meetings that will go into effect when the provisions of AB361 expire in 2023 has been signed by the Governor; that AB1711 was vetoed regarding public agencies posting a link on their websites for notices of security breaches; and that AB2188 regarding it being unlawful for an employer to discriminate against the hiring, termination, or condition of employment for an employee's use of cannabis products outside of work hours has been signed by the Governor.

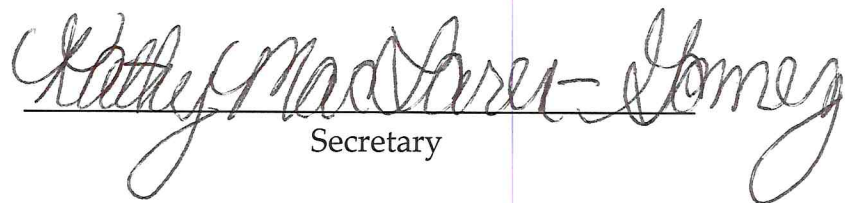
9) Board Members' Requests for Future Agenda Items.

President Dizmang inquired about the status of the New Director Handbook after which General Manager LaMoreaux stated that an Ad Hoc Committee meeting is scheduled for October 10.

There were no requests for future agenda items.

10) Adjournment.

There being no further business to come before the Board, the meeting was adjourned at 6:56 p.m.


Secretary

RESOLUTION NO. 22-25

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 OCTOBER 1, 2022 AND ENDING OCTOBER 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 October 1, 2022 and shall be effective until the earlier of (i) October 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 26th day of September, 2022, by the following vote:

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



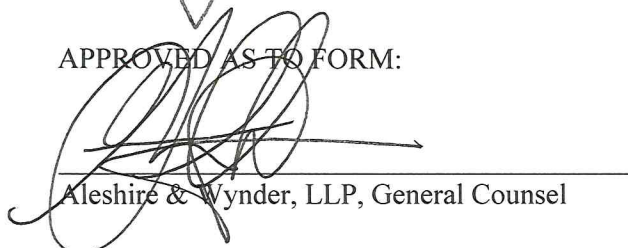
President, Board of Directors

ATTEST:



Secretary, Board of Directors

APPROVED AS TO FORM:



Aleshire & Wynder, LLP, General Counsel