

MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, OCTOBER 24, 2022:

A regular meeting of the Board of Directors of the Palmdale Water District was held Monday, October 24, 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, Director Wilson 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
Angelica Barragan-Garcia, Human Resources Director
Scott Rogers, Engineering Manager
Mynor Masaya, Operations Manager
Bob Egan, Financial Advisor
Dawn Deans, Executive Assistant
1 member of the public

3) Adoption of Agenda.

It was moved by Director Dino, 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.

Public Affairs Director Shay stated that the District received one of the top PRism awards from the Public Relations Society of America Los Angeles Chapter in the category of Community Relations Government for the District's Luv Our H2O drought campaign and that it is an honor and achievement to receive this award.

The Board then congratulated staff on this achievement.

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 Strategic Plan Special Meeting Held October 3, 2022.

6.2) Approval of Minutes of Regular Meeting Held October 24, 2022.

6.3) Payment of Bills for October 24, 2022.

6.4) Approval of Resolution No. 22-27 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 November 1, 2022 and Ending November 30, 2022 Pursuant to Brown Act Provisions. (No Budget Impact – Assistant General Manager Ly)

6.5) Approval to Declare District Vehicles/Equipment as Surplus Property. (Potential Revenue – Facilities Manager Bligh/Operations Manager Masaya/Facilities Committee)

President Dizmang announced the items included in the Consent Calendar 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 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. 22-27 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 Funding of 2023 Rate Assistance Program. (\$170,000.00 – Budgeted – Finance Manager Hoffmeyer/Finance Committee)

Finance Manager Hoffmeyer provided an overview of increasing funding for the 2023 Rate Assistance Program and changing the assistance to a fixed amount to provide assistance to more customers, and after a brief discussion of an average water bill, 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 to increase funding for the 2023 Rate Assistance Program to \$170,000.00 and to cap assistance at \$20.00 per customer:

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

7.2) Consideration and Possible Action to Cast the District’s Ballot for Special District Local Agency Formation Commission (LAFCO) Voting Member for the Term Expiring May 2026. (No Budget Impact – General Manager LaMoreaux)

General Manager LaMoreaux provided an overview of the LAFCO Voting Member position 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 that President Dizmang cast the District's ballot for Special District Local Agency Formation Commission (LAFCO) Voting Member for the term expiring May 2026:

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

7.3) Consideration and Possible Action to Add a Senior/Associate Engineer, an Operations Technician, and a Human Resources Analyst to the Organization Chart. (\$527,518.00 Maximum Salary Impact – Budgeted 2023 – Human Resources Director Barragan-Garcia/Personnel Committee)

Human Resources Director Barragan-Garcia provided an overview of the need for the proposed positions after which it was moved by Director Dino, 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 add a Senior/Associate Engineer, an Operations Technician, and a Human Resources Analyst to the Organization Chart at a maximum salary impact of \$527,518.00:

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

7.4) Consideration and Possible Action to Add a Part-Time I.T. Technician to the I.T. Department. (\$35,800.00 – Potential Budget Impact – Budgeted 2023 – Human Resources Director Barragan-Garcia/Personnel Committee)

Human Resources Director Barragan-Garcia provided an overview of the need for the proposed position after which it was moved by Director Kellerman, 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 add a part-time I.T. Technician to the I.T. Department at a potential budget impact of \$35,800.00:

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

7.5) Consideration and Possible Action to Approve 2022 Palmdale Water District Strategic Plan Initiatives. (No Budget Impact – General Manager LaMoreaux)

General Manager LaMoreaux stated that the Strategic Initiatives presented are summarized from two Strategic Plan Workshops after which it was moved by Director Dino, 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 approve the 2022 Palmdale Water District Strategic Plan Initiatives:

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

7.6) 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) Finance Reports:

a) Status Report on Cash Flow Statement and Current Cash Balances as of September 2022. (Financial Advisor Egan/Finance Committee)

Financial Advisor Egan introduced Mr. Jim Giordano, of UBS Financial Services, and then provided an overview of the monthly Major Account Activity Report, the quarterly Major Account Activity Report, Investment Funds Report, and Cash Flow Statement through September 2022, including scheduled bond payments, assessments, interest, transfers, increases to the Rate Stabilization Fund, CDs and bonds, the cost for the Littlerock Sediment Removal Project and grant funding for this Project, and projected year-end cash.

b) Status Report on Financial Statements, Revenue, and Expense and Departmental Budget Reports for September 2022. (Finance Manager Hoffmeyer/Finance Committee)

Finance Manager Hoffmeyer reviewed in detail the balance sheet, profit and loss statement, quarterly comparison report, departmental budgets versus actual, and individual departmental budgets for the period ending September 2022 and stated that most departments are operating at or near the historical trend average of 75.9% for revenues, the historical trend average of 75.3% for expenses, and the traditional budgetary percentage of 75%.

c) Status Report on Committed Contracts Issued. (Finance Manager Hoffmeyer/Finance Committee)

Finance Manager Hoffmeyer provided an overview of the Contractual Commitments and Needs Report for new and replacement capital projects, consulting and engineering support projects, new and replacement equipment, water quality fee funded projects, committed and projected capital expenditures, and projects paid out through the 2021A Series Water Revenue Bonds through September 2022.

d) Other Financial Reports. (Finance Manager Hoffmeyer/Finance Committee)

1) Accounts Receivable Overview.

Finance Manager Hoffmeyer stated that as of September 2022, there are approximately 1,000 residential accounts with a balance of \$50 or more and over sixty days past due with a total past due amount of \$358,008; that the amount of \$37,559 is over ninety days past due; that there are a total of 19 commercial/industrial/multi-family residential accounts with a balance of \$50 or more and over sixty days past due with a total past due amount of \$15,486; that the amount of \$1,375 is over ninety days

past due; and that staff continues to offer payment arrangements encouraging the payment of outstanding balances.

2) Revenue Projections.

He then stated that based on selling 17,000 AF of water, 2022 revenue is behind projections by approximately \$586,000 as of September 2022 due to water conservation.

3) Payment Transactions by Type.

He then stated that electronic payments continue to increase over other payment options.

4) Billing and Collection Statistics.

He then stated that 11% - 12% of customer accounts are delinquent and have been issued shut-off notices.

8.2) Reports of Directors:

a) Standing Committees; Organization Appointments; Agency Liaisons:

**1) Antelope Valley East Kern Water Agency (AVEK) – October 11.
(Director Dino, Board Liaison/Director Mac Laren-Gomez, Alt.)**

Director Dino stated that on October 11, he attended an AVEK meeting where they discussed a purchase order to repair a 4,000-gallon FRP tank at the Rosamond Water Treatment Plant in the not-to-exceed amount of \$30,935.00.

**2) Personnel Committee Meeting – October 12. (Director Mac Laren,
Chair/Director Kellerman)**

Director Mac Laren-Gomez stated that on October 12, she attended a Personnel Committee meeting where they discussed Agenda Item No.'s 7.3 and 7.4 considered earlier this evening and received a legislative report.

**3) Resource and Facilities Committee Meeting – October 13.
(Director Dino, Chair/Director Kellerman)**

Director Dino stated that on October 13, he attended a Resource and Facilities Committee meeting where Woodard-Curran Consultants presented information on the updated Strategic Water Resources Plan, and a copy of this presentation has been placed in the Directors' mailboxes.

4) Antelope Valley State Water Contractors Association (AVSWCA)– October 13. (Director Mac Laren-Gomez/Director Wilson/President Dizmang, Alt.)

Director Mac Laren-Gomez stated that on October 13, she attended an AVSWCA meeting where they discussed the Big Rock Creek Joint Groundwater Recharge Project, the A.V. Watermaster, and other joint efforts of the three member agencies, and Jennifer Pierre, of the State Water Contractors, presented information on the Delta Conveyance Project.

5) Palmdale Fin & Feather Club – October 15. (President Dizmang, Board Liaison/Director Wilson, Alt.)

President Dizmang stated that on October 15, she attended a Palmdale Fin & Feather Club meeting where they discussed their membership of 1,137, issues with front desk staff duties, several organizations thanked the Board and requested donations, and the Board requested a tour of the Leslie O. Carter Water Treatment Plant.

6) Palmdale Recycled Water Authority (PRWA) – October 17. (Director Dino/Director Wilson/Director Mac Laren-Gomez, Alt.)

Director Dino stated that on October 17, he attended a Palmdale Recycled Water Authority meeting and thanked Director Wilson for his written report on this meeting, which has been placed in the Directors' mailboxes.

7) Finance Committee Meeting – October 18. (Director Wilson, Chair/President Dizmang)

Director Wilson stated that on October 18, he attended a Finance Committee meeting where they discussed Agenda Item No.'s 7.1 and 8.1 considered earlier this evening.

8) Special District Association North Los Angeles County (SDANLAC) Board Meeting – October 19. (Director Dino, CSDA Chapter Chair/President Dizmang)

Director Dino stated that on October 19, he attended a SDANLAC meeting where they discussed the issue of whether or not to charge membership dues and that this discussion will continue at the next meeting with a presentation.

9) Outreach Committee Meeting – October 19. (Director Mac Laren, Chair/Director Wilson)

Director Mac Laren-Gomez stated that on October 19, she attended an Outreach Committee meeting where they discussed the outstanding Prism award received by the District and all outreach activities for the drought and water conservation.

b) General Meetings Reports of Directors.

Director Kellerman stated that on October 12, he attended the Personnel Committee Meeting; that on October 13, he attended the Resource and Facilities Committee Meeting; that on October 17, he attended the PRWA Meeting; that on October 20, he attended a Board Briefing; and that on October 24, he attended an Ad Hoc Director Handbook/Reference Guide Committee Meeting.

Director Wilson reported that on September 8, he attended a Board Briefing; that on October 13, he attended the AVSWCA Meeting; that on October 17, he attended the PRWA Meeting and submitted a written report; that on October 18, he attended the Finance Committee Meeting; that on October 19, he attended the Outreach Committee Meeting and submitted a written report; that on October 20, he attended a Board Briefing; that on October 24, he attended an Ad Hoc Director Handbook/Reference Guide Committee Meeting; and that on October 26, he will be attending an Environmental Restoration Advisory Board (ERAB) tour in the morning followed by an ERAB Meeting later that night.

Director Mac Laren-Gomez reported that on October 12, she attended the Personnel Committee Meeting; that on October 13, she attended the AVSWCA Meeting; that on October 17, she attended the PRWA Meeting and commended General Manager LaMoreaux on clarifications made at the meeting regarding the use of purple pipe; and that on October 19, she attended the Outreach Committee Meeting.

Director Dino reported that on October 11, he attended an AVEK Board Meeting; that on October 13, he attended the Resource and Facilities Committee Meeting; that on October 17, he attended the PRWA Meeting; that on October 19, he attended the SDANLAC Chapter Meeting; that on October 20, he attended a Board Briefing; that on October 24, he is attending the Palmdale Water District Regular Board Meeting; that on October 25, he will be attending an AVEK Board Meeting; and that on October 26, he will be attending an Environmental Restoration Advisory Board (ERAB) tour in the morning followed by an ERAB Meeting later that night.

President Dizmang reported that on October 13, she attended an Agenda Review Briefing; that on October 15, she attended a Palmdale Fin & Feather Club Board Meeting; that on October 18, she attended the Finance Committee Meeting; that on October 19, she attended United Water Conservation District's 2022 Summit where they provided information on their projects and safety issues, an agricultural perspective panel, a conveyance expansion, an extraction barrier of brackish water, a local officials panel, recycled water introduction, and iron and manganese issues followed by an informal meeting with their General Manager to discuss the MOU and communication with the District; and that on October 20, she attended a Board Briefing.

8.3) Report of General Manager.

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

General Manager LaMoreaux stated that he submitted a written report included with the agenda packets if there are any questions and then highlighted that as of September, the District's customers have achieved a 19.3% savings in water use compared to September of 2020; that there have been 18 leaks as of September; that there have been a number of service line leaks on material allowed to be installed in the 1980's; and that President Dizmang provided a report on United Water Conservation District's 2022 Water Summit followed by discussion of the status of maintenance on the wind turbine and mitigation costs for the Upper Amargosa Recharge Project.

b) Department Presentations:

General Manager LaMoreaux stated that at the Board's request, all Departments will be presenting information every quarter.

1) Finance Department. (Finance Manager Hoffmeyer)

Finance Manager Hoffmeyer provided a detailed overview of staffing, finance and billing responsibilities, and special internal control requirements for the Finance Department after which Mr. Jim Giordano, of UBS Financial, provided an overview of the District's investments and investment strategy.

8.4) Report of General Counsel.

General Counsel Trindle provided an overview of recently signed SB1157, which reduces the standard for indoor water use from 55 gallons per person per day to 47 gallons per person per day by 2025, and to 42 gallons per person per day by 2030; that CalOSHA will adopt their non-emergency COVID standards by mid-December; that Governor Newsom is rescinding the COVID State of Emergency as of February 28, 2023; that the provisions of AB361 regarding remote meeting attendance will expire at that time; that the provisions of AB2449 are not effective until January 2024; and that as of March 1, 2023, all provisions of the Brown Act will be in effect.

9) Board Members' Requests for Future Agenda Items.

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 7:50 p.m.


Secretary

RESOLUTION NO. 22-27

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 NOVEMBER 1, 2022 AND ENDING NOVEMBER 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.

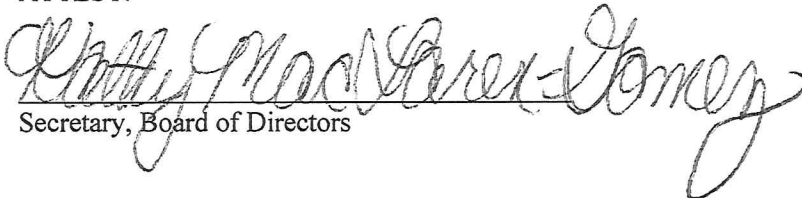
Section 5. Effective Date of Resolution. This Resolution shall take effect on November 1, 2022 and shall be effective until the earlier of (i) November 30, 2022, which is 30 days from the adoption of this Resolution, or (ii) such time the Board of Directors adopts a subsequent resolution in accordance 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 24th day of October, 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