

MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, JANUARY 23, 2023:

A regular meeting of the Board of Directors of the Palmdale Water District was held Monday, January 23, 2023, at 2029 East Avenue Q, Palmdale, CA 93550 and via teleconference. President, Don Wilson, called the meeting to order at 6:00 p.m.

1) Pledge of Allegiance/Moment of Silence.

At the request of President Wilson, Director Kellerman led the pledge of allegiance followed by a moment of silence.

2) Roll Call.

Attendance:

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

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
Peter Thompson II, Resource & Analytics Director
Angelica Barragan-Garcia, Human Resources Director
Jim Stanton, Information Technology Manager
Diana Gunn, Accounting Supervisor
Dawn Deans, Executive Assistant
Danielle Henry, Management Analyst
0 members of the public

3) Adoption of Agenda.

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 adopt the agenda, as written:

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

4) Public Comments for Non-Agenda Items.

There were no public comments for non-agenda items.

5) Presentations:

5.1) Recognition of Retiring Executive Assistant Dawn Deans.

Public Affairs Director Shay stated that Executive Assistant Deans is retiring after 35 plus years, and all of our elected officials have been kind enough to prepare certificates recognizing her retirement.

Donna Hill, District Director for Senator Scott Wilk's office, and Anna Zarley, Field Representative for Assemblyman Tom Lackey's office, each presented certificates recognizing Executive Assistant Deans for 35 years of service and dedication to the District after which Public Affairs Director Shay presented certificates from Congressman Mike Garcia's office and Kathryn Barger, Supervisor, 5th District's office in recognition of 35 years of outstanding and invaluable service to the community.

Executive Assistant Deans thanked Senator Wilk's, Assemblyman Lackey's, Congressman Garcia's, and Supervisor Barger's offices for the much appreciated recognition.

President Wilson then stated on behalf of the Board of Directors, it has been a pleasure working with Executive Assistant Deans. The Board appreciates her patience, wishes her well, and hopes she has a very happy retirement. The Board of Directors and General Counsel Trindle then presented a retirement gift thanking Executive Assistant Deans for all her years of service.

Executive Assistant Deans then expressed her sincere thanks and appreciation for all the kind words, thanked the Board for all of their support over the years, and stated that she has enjoyed working with all of them.

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 January 9, 2023.

6.2) Payment of Bills for January 23, 2023.

6.3) Approval of Resolution No. 23-1 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 February 1, 2023 and Ending February 28, 2023 Pursuant to Brown Act Provisions. (No Budget Impact – Assistant General Manager Ly)

6.4) Receive and File Semi-Annual Employee Reimbursement Report for the Period Covering July 1, 2022 to December 31, 2022. (No Budget Impact – Finance Manager Hoffmeyer)

6.5) Reject Claim Received From Aleksey Verkhoturov and Refer to Joint Powers Insurance Authority. (No Budget Impact – Finance Manager Hoffmeyer)

President Wilson announced the items included in the Consent Calendar after which it was moved by Director Mac Laren-Gomez, 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 those items included in the Consent Calendar:

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

Resolution No. 23-1 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) Discussion and Presentation of Big Rock Creek Joint Groundwater Recharge Project Draft Feasibility Study. (No Budget Impact – Resource and Analytics Director/AVSWCA General Manager Thompson II)

General Manager Thompson II provided an overview of the analysis of the Big Rock Creek Joint Groundwater Recharge Project prepared by Kennedy/Jenks Consultants for the Antelope Valley State Water Contractors Association (AVSWCA) including the Project process, recharge demonstration testing locations, Kennedy/Jenks Consultant's recommended recharge alternatives, and the next steps for moving forward followed by discussion of water flows and the Amargosa Creek Recharge Project.

He then stated that the Feasibility Study will be presented to the AVSWCA Commissioners for consideration at their February 9, 2023 meeting, and there was no action taken on this item.

7.2) Consideration and Possible Action on Adopting the Categorical Exemption Pursuant to CEQA Guidelines Sections 15303 and 15306 for Construction of the Pure Water AV Demonstration Facility. (No Budget Impact – Engineering Manager Rogers)

Engineering Manager Rogers provided an overview of environmental work required for the Pure Water AV Demonstration Facility 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 adopt the Categorical Exemption pursuant to CEQA Guidelines Sections 15303 and 15306 for construction of the Pure Water AV Demonstration Facility:

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

7.3) Consideration and Possible Action on Authorizing Staff to Enter into a Professional Services Contract with Tripepi Smith & Associates for Updating the District's Intranet. (\$25,000.00 Plus Monthly Recurring Support of \$380.00 – Budgeted– 2022 Capital Lease Funding – Information Technology Manager Stanton)

Information Technology Manager Stanton provided an overview of the proposed contract with Tripepi Smith & Associates after which it was moved by Director Dizmang, 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 staff to enter into a Professional Services Contract with Tripepi Smith & Associates for

updating the District's Intranet in the amount of \$25,000.00 plus monthly recurring support of \$380.00:

President Wilson – aye
Director Kellerman – aye
Director Mac Laren-Gomez – aye
Director Dino – aye
Director Dizmang – 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 2023 Budget:

1) 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) Antelope Valley East Kern Water Agency (AVEK) – January 10. (Director Dino, Board Liaison/Director Mac Laren-Gomez, Alt.)

Director Dino reported that on January 10, he attended an AVEK Board Meeting where they administered the oath of office to re-appointed and re-elected Directors and approved a Resolution to continue teleconference meetings.

2) Finance Committee Meeting – January 17. (President Wilson, Chair/Director Dizmang)

President Wilson stated that on January 17, he attended the Finance Committee Meeting, and he will provide a written report on the meeting.

3) Outreach Committee Meeting – January 18. (Director Mac Laren, Chair/President Wilson)

Director Mac Laren-Gomez reported that on January 18, she attended the Outreach Committee Meeting where they discussed the social media post regarding Littlerock Dam overflowing, the District's response to the drought, lobbying efforts, and a proposal from the District's lobbyist for full time state and federal lobbying, which will be of benefit for obtaining grants and funding.

b) General Meetings Reports of Directors.

Director Kellerman reported that on January 11, he attended a CSDA webinar "Addressing Cybersecurity Risks" and that on January 19, he attended a Board Briefing.

President Wilson reported that on January 5, he attended a Board Briefing; that on January 9, he attended the Palmdale Water District Regular Board Meeting; that on January 11, he attended an Agenda Review Briefing; that on January 17, he attended the Finance Committee Meeting; that on January 18, he attended the Outreach Committee Meeting; that on January 19, he attended a Board Briefing; and that on January 25, he will be attending the CSDA SDANLAC Chapter Lunch.

Director Dizmang stated that General Counsel Trindle has been with the District for one year, and the Board appreciates his services and then reported that on January 17, she attended the Finance Committee Meeting; that on January 19, she attended the CSDA SDANLAC Chapter Meeting; that also on January 19, she attended a Board Briefing; and that on January 25, she will be attending the CSDA SDANLAC Chapter Lunch.

Director Mac Laren-Gomez reported that on January 18, she attended the Outreach Committee Meeting and that on January 19, she attended a Board Briefing.

Director Dino reported that on December 19, he attended the Special Board Meeting regarding the General Manager Evaluation; that on December 20, he attended an AVEK Board Meeting; that on January 10, he attended an AVEK Board Meeting; that on January 19, he attended a Board Briefing; that on January 19, he attended the CSDA SDANLAC Chapter Meeting; that January 23, he is attending the Palmdale Water District Regular Board Meeting; that on January 24, he will be attending an AVEK Board Meeting; and that on January 25, he will be attending the CSDA SDANLAC Chapter Lunch.

8.2) Report of General Manager.

a) **January 2023 Written Report of Activities Through December 2022.**

General Manager LaMoreaux stated that a written report was included in the agenda packets if there are any questions; that Littlerock Reservoir continues to spill at a depth of four to five inches; that there were only 24 main line leaks for 2023 compared to nearly 800 in 2010, and the Board can be proud of their investment in infrastructure; and that Lake Oroville is at 109% of average for this time of year.

He then reported that the state conducted modeling on the potential impact of the Delta Conveyance Project, which indicates that just for January, 188,000 acre-feet of water could have been delivered through the Delta Conveyance Project in addition to the 102,000 acre-feet of water delivered on the surface.

8.3) Report of General Counsel.

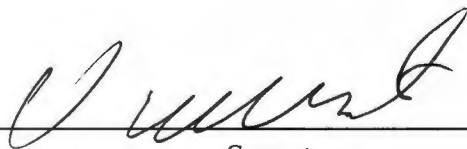
General Counsel Trindle provided a brief update on the State Water Contractors vs. the Department of Water Resources litigation and then stated that the provisions of AB361 for teleconferencing for Board meetings are scheduled to end February 28, 2023, which is when Governor Newsom is anticipated to announce an end to the State of Emergency, and that the provisions of AB2449 will then take 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 7:05 p.m.



Secretary

RESOLUTION NO. 23-1

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 FEBRUARY 1, 2023 AND ENDING FEBRUARY 28, 2023 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 February 1, 2023 and shall be effective until the earlier of (i) February 28, 2023, which is 28 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 23rd day of January, 2023, by the following vote:

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



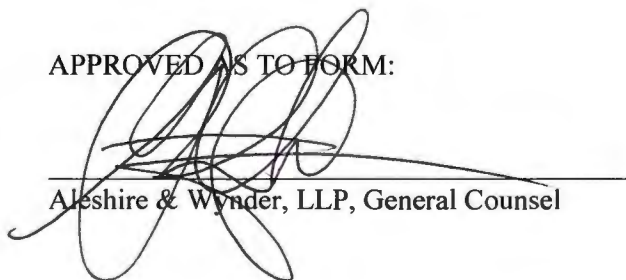
President, Board of Directors

ATTEST:



Secretary, Board of Directors

APPROVED AS TO FORM:



Aleshire & Wynder, LLP, General Counsel