

MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, FEBRUARY 10, 2020:

A regular meeting of the Board of Directors of the Palmdale Water District was held Monday, February 10, 2020, at 2029 East Avenue Q, Palmdale, California, in the Board Room of the District office. President, Vincent Dino, called the meeting to order at 6:00 p.m.

1) Pledge of Allegiance/Moment of Silence.

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

2) Roll Call.

Attendance:

Vincent Dino, President
Kathy Mac Laren, Vice President
Gloria Dizmang, Treasurer
Don Wilson, Secretary
Robert Alvarado, Assistant
Secretary

Others Present:

Dennis LaMoreaux, General Manager
Eric Dunn, General Counsel
Adam Ly, Assistant General Manager
Mike Williams, Finance Manager
Judy Shay, Public Affairs Director
Scott Rogers, Engineering/Grant Manager
Mynor Masaya, Operations Manager
Dawn Deans, Executive Assistant
11 members of the public

3) Adoption of Agenda.

It was moved by Director Alvarado, seconded by Director Mac Laren, and unanimously carried by all members of the Board of Directors present at the meeting to adopt the agenda, as written.

4) Public Comments for Non-Agenda Items.

There were no public comments.

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 Meeting Held January 27, 2020.

6.2) Payment of Bills for February 10, 2020.

6.3) Approval of Engineering Department Job Descriptions. (No Budget Impact/Engineering/Grant Manager Rogers)

6.4) Receive and File Semi-Annual Employee Reimbursement Report for the Period Covering July 1, 2019 Through December 31, 2019. (No Budget Impact – Finance Manager Williams)

6.5) Reject Claim Received From Donald Driscoll, Driscoll & Omens, on Behalf of Irma Lopez and Claimant Class and Refer to Joint Powers Insurance Authority. (No Budget Impact – Finance Manager Williams)

President Dino announced the items included in the Consent Calendar after which it was moved by Director Alvarado, seconded by Director Wilson, and unanimously carried by all members of the Board of Directors present at the meeting to approve those items included in the Consent Calendar.

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 Amendment No. 1 Revising Exhibit “E” to May 25, 2016 Amended and Restated Lease Agreement By and Between the Palmdale Water District and the Palmdale Fin and Feather Club, Inc. (No Budget Impact – Operations Manager Masaya)

Operations Manager Masaya provided an overview of Amendment No. 1, and after a brief discussion of the Amendment and of the cooperation between the Palmdale Water District and the Palmdale Fin and Feather Club, it was moved by Director Mac Laren, seconded by Director Alvarado, and unanimously carried by all members of the Board of Directors present at the meeting to approve Amendment No. 1 Revising Exhibit

"E" to the May 25, 2016 Amended and Restated Lease Agreement By and Between the Palmdale Water District and the Palmdale Fin and Feather Club, Inc.

7.2) Consideration and Possible Action on Award of Contract for the Construction of the Water Main Replacement in Avenue V-5 Under Specification No. 1504 to Bob O. Construction, Inc. (\$172,500.00 – Budgeted – Budget Item No. 16-613 – Engineering/Grant Manager Rogers)

Engineering/Grant Manager Rogers provided an overview of Specification No. 1504 and the bid received from Bob O. Construction, Inc. after which it was moved by Director Alvarado, seconded by Director Dizmang, and unanimously carried by all members of the Board of Directors present at the meeting to award the contract for the construction of the water main replacement in Avenue V-5 under Specification No. 1504 to Bob O. Construction, Inc. in the not-to-exceed amount of \$172,500.00.

7.3) Consideration and Possible Action on Award of Contract for the Construction of the Water Main Replacement in Avenue P From 25th Street East to 1,500 Feet East Under Specification No. 1601 to Kirtley Construction, Inc. (\$278,600.00 – Budgeted – Budget Item No. 16-602 – Engineering/Grant Manager Rogers)

Engineering/Grant Manager Rogers provided an overview of Specification No. 1601 and the bid received from Kirtley Construction, Inc., and after a brief discussion of the location of this water main replacement, it was moved by Director Alvarado, seconded by Director Wilson, and unanimously carried by all members of the Board of Directors present at the meeting to award the contract for the construction of the water main replacement in Avenue P from 25th Street East to 1,500 feet east under Specification No. 1601 to Kirtley Construction, Inc. in the not-to-exceed amount of \$278,600.00.

7.4) Consideration and Possible Action on Resolution No. 20-2 Being a Resolution of the Board of Directors of the Palmdale Water District Nominating Dennis D. LaMoreaux to the California Special Districts Association (CSDA) Southern Network Board of Directors Seat B Position. (Budget Impact – Unknown Travel Expenses – General Manager LaMoreaux)

General Manager LaMoreaux provided an overview of the interview process for the Seat B position after which it was moved by Director Dizmang, seconded by Director Mac Laren, and unanimously carried by all members of the Board of Directors present at the meeting to approve Resolution No. 20-2 being a Resolution of the Board of Directors of the Palmdale Water District Nominating Dennis D. LaMoreaux to the

California Special Districts Association (CSDA) Southern Network Board of Directors
Seat B Position.

Resolution No. 20-2 is hereby made a portion of the minutes of this meeting.

7.5) Consideration and Possible Action on Resolution No. 20-3 Being a Resolution of the Board of Directors of the Palmdale Water District Amending Section 8.03(D) of the Palmdale Water District Rules and Regulations as it Relates to a Fixed Fire Protection Charge. (No Budget Impact – Finance Manager Williams)

Finance Manager Williams provided an overview of Resolution No. 20-3 after which it was moved by Director Alvarado, seconded by Director Dizmang, and unanimously carried by all members of the Board of Directors present at the meeting to approve Resolution No. 20-3 being a Resolution of the Board of Directors of the Palmdale Water District Amending Section 8.03(D) of the Palmdale Water District Rules and Regulations as it Relates to a Fixed Fire Protection Charge.

Resolution No. 20-3 is hereby made a portion of the minutes of this meeting.

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 2020 Budget:

a) Antelope Valley Hispanic Chamber of Commerce 23rd Annual Gala Installation to be Held March 27, 2020 in Palmdale.

After a brief discussion of the conferences, seminars, and training sessions, it was moved by Director Alvarado, seconded by Director Dizmang, and unanimously carried by all members of the Board of Directors present at the meeting to approve the following conferences, seminars, and training sessions for Board and staff attendance within budget amounts previously approved in the 2020 Budget: Antelope Valley Hispanic Chamber of Commerce 23rd Annual Gala Installation to be Held March 27, 2020 in Palmdale.

8) Information Items:

8.1) Reports of Directors:

a) Meetings; Standing Committee/Assignment Reports; General Report.

Director Alvarado reported that on January 28, he attended the Outreach Committee meeting; that on February 5, he attended a Board briefing with Assistant General Manager Ly regarding tonight's Board Meeting; that on February 6, he attended the Personnel Committee meeting; and that on February 10, he called in to the Café Con Leche radio program as Engineering/Grant Manager Rogers and Public Affairs Specialist Gallegos were live on the program.

Director Mac Laren reported that on January 30, she attended the Palmdale Recycled Water Authority meeting; that on February 6, she attended a Board briefing with General Manager LaMoreaux regarding tonight's Board Meeting; that also on February 6, she attended the Personnel Committee meeting; and that on February 10, she watched the Café Con Leche radio program live on Facebook.

Director Dizmang reported that she was unable to attend the Palmdale School District Foundation Dinner held January 31; that on February 6, she attended the Personnel Committee meeting; that also on February 6, she attended a Board briefing with General Manager LaMoreaux regarding tonight's Board Meeting; and that on February 10, she is attending the Palmdale Water District Regular Board meeting.

As Chair of the Personnel Committee, she reported that the Committee reviewed the Engineering Department job descriptions approved earlier this evening, and they developed Committee goals for 2020, which are similar to those of 2019.

Director Wilson reported that on January 8, he attended a Board briefing with General Manager LaMoreaux and Assistant General Manager Ly regarding the January 13 Board Meeting; that on January 9, he attended the Antelope Valley State Water Contractors Association meeting where they paid bills and discussed projects; that on January 16, he attended a CSDA Board Member Liability Issues Webinar; that on January 23, he attended a Board briefing with General Manager LaMoreaux and Assistant General Manager Ly regarding the January 27 Board Meeting; and that on February 6, he attended a Board briefing with General Manager LaMoreaux regarding tonight's Board Meeting.

President Dino reported that on January 29, he attended an Agenda Review and Approval meeting with General Manager LaMoreaux; that on February 6, he attended a Board briefing with General Manager LaMoreaux regarding tonight's Board Meeting; and that on February 10, he is attending the Palmdale Water District Regular Board Meeting.

8.2) Report of General Manager.

General Manager LaMoreaux reported that the Palmdale Fin and Feather Club has been very cooperative regarding the incident at Palmdale Lake last week; that District staff communicated the incident to the State Water Resources Control Board; and that there are no issues with the operation of the Lake resulting from the incident after which Director Mac Laren requested tonight's Board meeting be adjourned in memory of the fisherman who lost his life at Palmdale Lake.

General Manager LaMoreaux then stated that a productive meeting was held last week with the staff of the Palmdale Recycled Water Authority where they discussed the phase II pipeline .

a) Status on the District's Water Tanks. (Assistant General Manager Ly Requested by Director Wilson)

Assistant General Manager Ly provided an overview of the District's water tanks and reservoirs, including the number and type of tanks and total capacity, the age of the reservoirs, maintenance and repairs, internal coatings, regulatory requirements, additional monitoring performed by District staff outside of these requirements, and plans to inspect several tanks with divers, assessing and evaluating tank coatings, and collecting data to perform a conditioning assessment for the tanks followed by discussion of the operations of the clearwell and GAC used at the underground tank.

8.3) Report of General Counsel.

General Counsel Dunn reported that the State Water Resources Control Board has lowered the response testing levels for PFOA's and PFOS's but that the District has no PFOA's or PFOS's in their system.

He then reported that AB 571 involves a campaign contribution limit of \$4,700 from any one source on city and county elected officials and candidates and that this could potentially affect water districts in the future.

9) Public Comments on Closed Session Agenda Matters.

There were no public comments on closed session agenda matters.

10) Closed Session Under:

10.1) Conference with Legal Counsel – Existing Litigation: A Closed Session Will be Held, Pursuant to Government Code §54956.9 (D)(1), to Confer with Special Litigation Counsel Regarding Existing Litigation to Which the District is a Party. The Title of Such Litigation is as Follows: *Antelope Valley Ground Water Cases*.

At 6:40 p.m., President Dino called for a closed session pursuant to Government Code §54956.9 (d)(1), to confer with Special Litigation Counsel via telephone regarding existing litigation to which the District is a party, the title of such litigation being: *Antelope Valley Ground Water Cases*. He reconvened the Regular Board Meeting at 6:48 p.m.

11) Public Report of Any Action Taken in Closed Session.

President Dino stated that a closed session was held pursuant to Government Code §54956.9 (d)(1), to confer with Special Litigation Counsel via telephone regarding existing litigation to which the District is a party, the title of such litigation being: *Antelope Valley Ground Water Cases*, and there was no reportable action taken in closed session.

12) Board Members' Requests for Future Agenda Items.

There were no requests for future agenda items.

13) Adjournment.

There being no further business to come before the Board, the meeting was adjourned at 6:50 p.m. in memory of Robert Mercer, who passed away last week at the Palmdale Fin and Feather Club.


Secretary

RESOLUTION NO. 20-2

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
PALMDALE WATER DISTRICT
NOMINATING DENNIS D. LaMOREAUX TO THE
CALIFORNIA SPECIAL DISTRICTS ASSOCIATION (CSDA) SOUTHERN NETWORK
BOARD OF DIRECTORS SEAT B POSITION**

WHEREAS, the CSDA is looking for Independent Special District Board Members and General Managers to lead the direction of CSDA for the 2020-2022 term; and

WHEREAS, the Palmdale Water District is a member district of the CSDA; and

WHEREAS, Dennis D. LaMoreaux, General Manager, for the Palmdale Water District, is interested in the issues confronting special districts statewide and is seeking the CSDA Board of Directors Seat B position for the Southern Network; and

WHEREAS, Mr. LaMoreaux has 31 years of experience leading special districts both at the Palmdale Water District and at the Rosamond Community Services District, serves as Executive Director for the Palmdale Recycled Water Authority, serves as Chair of the Antelope Valley Water Master Advisory Committee, and has guided the Palmdale Water District towards its Special District Leadership Foundation District of Distinction – Platinum Level and District Transparency Certificate of Excellence re-accreditation.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Palmdale Water District is confident that Dennis D. LaMoreaux will advocate for the common interests of all California's special districts and will bring new and innovative ideas to the CSDA Southern Network Board of Directors Seat B position as well as to any CSDA Committee appointments.

BE IT FURTHER RESOLVED, that the Board of Directors of the Palmdale Water District offers its full support and nomination of Dennis D. LaMoreaux to the CSDA Southern Network Board of Directors Seat B position.

ADOPTED this 10th day of February, 2020.




Vincent Dino, PRESIDENT

ATTEST:



Don Wilson, SECRETARY

APPROVED AS TO FORM:



ALESQUIRE & WYNDER, LLP,
General Counsel

RESOLUTION NO. 20-3

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT AMENDING SECTION 8.03(D) OF THE PALMDALE WATER DISTRICT RULES AND REGULATIONS AS IT RELATES TO A FIXED FIRE PROTECTION CHARGE

WHEREAS, pursuant to Water Code Division 11, the Palmdale Water District (“District”) is authorized to establish rules and regulations governing the District’s operations, accordingly, the District adopted the Palmdale Water District’s Rules and Regulations (“Rules and Regulations”); and

WHEREAS, on October 28, 2019, the District’s Board of Directors adopted new water rates and charges, including a private fire protection service charge, in compliance with Proposition 218; and

WHEREAS, as a result of the adoption of the new water rates and charges, Section 8.03(D) of the District’s Rules and Regulations is now outdated; and

WHEREAS, the District does not wish to adopt a new charge or fee, nor increase the existing charge or fee through this action; and

WHEREAS, the District desires to update the District’s Rules and Regulations to ensure consistency with the District’s newly adopted water rates and charges.

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

Section 1. The above recitals are all true and correct and hereby adopted as findings.

Section 2. The Board of Directors hereby amends Section 8.03(D), Rates for Compound Meters Sizes for Fire Protection, of the Palmdale Water District Rules and Regulations to read, in its entirety, as follows:

“D. Rates for Compound Meters Sized for Fire Protection:

Effective March 1, 1998, compound meters which are sized for fire protection and used primarily for providing domestic and/or industrial water will be charged using the middle register for meters containing three registers, or by using the smallest register for meters containing two registers as the base for the minimum monthly charge. In addition to the above, there will be a flat rate charge in an amount, adopted and set forth by resolution from time to time, for standby pressures and quantities of water for fire protection and to cover the costs of maintenance, repair, and testing of the meter and appurtenances. For example, an 8" x 4" x 2" compound

meter will be assessed its minimum bill on the four-inch register and an 8" x 2" compound meter will be assessed its minimum bill on the two-inch register. If any usage is registered on the large component register for any given month, the standard rate for billing for that size meter will be charged plus the standard rate for amounts of water used above the volume allowable per said minimum monthly charge. In addition, the District will check said compound meters for accuracy at least once, and preferably twice, a year."


Section 3. Upon the effective date of this Resolution, adopted herein, the Resolution shall supersede any and all prior resolutions adopted that are in conflict with this Resolution.

Section 4. If any provision in this Resolution, or the application thereof to any person or circumstances, is for any reason held invalid, the validity of the remainder of this Resolution, or the application of such provisions to other persons or circumstances shall not be affected thereby. The Board of Directors hereby declares that it would have passed this Resolution, and each provision thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.

Section 5. This Resolution shall become effective upon the date of adoption as set forth herein.

PASSED, APPROVED, AND ADOPTED on this 10th day of February, 2020 by the Board of Directors of the Palmdale Water District.

PALMDALE WATER DISTRICT




VINCENT DINO, President

ATTEST



DON WILSON, Secretary

APPROVED AS TO FORM:

By: 

ERIC DUNN, General Counsel