

MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, SEPTEMBER 27, 2021:

A regular meeting of the Board of Directors of the Palmdale Water District was held Monday, September 27, 2021, 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 Mac Laren-Gomez 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
Amberrose Merino, Assistant Secretary

Others Present:

Dennis LaMoreaux, General Manager
Adam Ly, Assistant General Manager
Pam Lee, Assistant General Counsel
Judy Shay, Public Affairs Director
Peter Thompson II, Resource & Analytics Director
Dennis Hoffmeyer, Accounting Supervisor
Dawn Deans, Executive Assistant
0 members of the public

3) Adoption of Agenda.

General Manager LaMoreaux stated that staff was notified of a conference after the posting of the agenda for tonight's meeting, and action for attendance is required prior to the time of the next Regular Board Meeting and then recommended that attendance at the United Water Conservation District's 2021 Summit for Water Sustainability to be held October 14, 2021 in Oxnard be added to tonight's agenda as Agenda Item No. 7.4.b.

It was then 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 adopt the agenda, as amended, adding Agenda No. 7.4.b:

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

4) Public Comments for Non-Agenda Items.

There were no public comments for non-agenda items.

5) Presentations:

5.1) Fin & Feather Club Updates. (President Dizmang)

President Dizmang, Board Liaison for the Palmdale Fin & Feather Club, provided an overview of the Club's repairs and improvements made to the Palmdale Lake recreation area, their efforts to increase security, their wait list for membership, and the number of fish caught and stocked at Palmdale Lake and then thanked the Club's Directors for an excellent job on their fine efforts.

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 13, 2021.

6.2) Payment of Bills for September 27, 2021.

President Dizmang 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 Dizmang – aye

Director Dino – aye

Director Wilson – aye

Director Mac Laren-Gomez – aye

Director Merino – aye

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 Adoption of a Negative Declaration and Authorization for Staff to Sign Subsequent Notices of Determinations Regarding the Proposed Multi-Year Transfer Between Palmdale Water District and Kern County Water Agency and Dudley Ridge Water District. (No Budget Impact – Resource and Analytics Director Thompson II)

Resource and Analytics Director Thompson II provided an overview of this proposed transfer and the required environmental documentation after which it was moved by Director Dino, seconded by Director Merino, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to adopt a Negative Declaration and approve authorization for staff to sign subsequent Notices of Determinations regarding the proposed Multi-Year Transfer Between Palmdale Water District and Kern County Water Agency and Dudley Ridge Water District:

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

7.2) Consideration and Possible Action on the Agreement for a Multi-Year Transfer Between Kern County Water Agency and Dudley Ridge Water District. (No Budget Impact – Resource and Analytics Director Thompson II)

Resource and Analytics Director Thompson II provided an overview of this Agreement after which it was moved by Director Mac Laren-Gomez, seconded by Director Merino, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to approve the Agreement for a Multi-Year Transfer Between Palmdale Water District and Kern County Water Agency and Dudley Ridge Water District:

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

7.3) Consideration and Possible Action on Resolution No. 21-18 Being a Resolution of the Board of Directors of the Palmdale Water District Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by the Governor Issued March 4, 2020, and Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Palmdale Water District for the Period Beginning October 1, 2021 and Ending October 30, 2021 Pursuant to Brown Act Provisions. (No Budget Impact – Assistant General Manager Ly)

Assistant General Manager Ly provided an overview of Resolution No. 21-18 and AB 361, and after a brief discussion of public attendance at meetings, it was moved by Director Merino, 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 Resolution No. 21-18 being a Resolution of the Board of Directors of the Palmdale Water District Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by the Governor Issued March 4, 2020, and Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Palmdale Water District for the Period Beginning October 1, 2021 and Ending October 30, 2021 Pursuant to Brown Act Provisions:

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

Resolution No. 21-18 is hereby made a portion of the minutes of this meeting.

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 2021 Budget:

a) AV EDGE 2021 Semi-Annual Fall Forum to be Held Virtually on October 6, 2021.

b) United Water Conservation District's 2021 Summit for Water Sustainability to be held October 14, 2021 in Oxnard.

After a brief discussion of these conferences, seminars, and training sessions, 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 to approve the following conferences, seminars, and training sessions for Board and staff attendance within budget amounts previously approved in the 2021 Budget: AV EDGE 2021 Semi-Annual Fall Forum to be Held Virtually on October 6, 2021 and United Water Conservation District's 2021 Summit for Water Sustainability to be held October 14, 2021 in Oxnard.

8) Information Items:

8.1) Reports of Directors:

a) Standing Committees; Organization Appointments; Agency Liaisons:

**1) Antelope Valley East Kern Water Agency-AVEK-September 14.
(Director Dino/Director Mac Laren-Gomez, Alternate)**

Director Dino reported that he attended an AVEK meeting on September 14 where an update on the Big Rock Creek Joint Groundwater Recharge Project was presented, they awarded a contract for the Rosamond Water Treatment Plant Blending Vault Project, and they approved a Rental Agreement with Kern County Water Agency for construction of a new aqueduct turnout.

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

Director Mac Laren-Gomez stated that she attended an Outreach Committee meeting on September 15 but that she has no report at this time.

3) Finance Committee – September 22. (Director Wilson, Chair/President Dizmang)

Director Wilson reported that he attended a Finance Committee meeting on September 22 and provided a detailed overview of the Major Account Activity Report through August 31, 2021.

b) General Meetings Reports of Directors.

Director Merino reported that on September 15, she listened to the Outreach Committee meeting; that on September 22, she listened to the Antelope Valley

Watermaster meeting; that on September 23, she attended a Board briefing; and that on September 25, she attended the Employee Picnic.

Director Wilson reported that on September 14, he attended a dinner meeting with General Manager LaMoreaux, Assistant General Manager Ly, President Dizmang, and staff and Board members from the United Water Conservation District to discuss potential joint projects and assistance between the agencies; that on September 15, he attended the Outreach Committee meeting and gave a detailed overview of upcoming outreach activities and events; that on September 22, he attended the Finance Committee meeting; that on September 23, he attended a Board briefing; and that on September 27, he is attending the Palmdale Water District Regular Board Meeting.

Director Mac Laren-Gomez reported that on September 15, she attended the Outreach Committee meeting, and Director Wilson provided a report on this meeting; that on September 13, she attended the Antelope Valley Watermaster Steering Committee meeting; that on September 22, she attended the Antelope Valley Watermaster meeting; that on September 23, she attended a Board briefing; and that on September 25, she attended the Employee Picnic.

Director Dino reported that on September 9, he attended a Board briefing; that on September 14, he attended an AVEK Board meeting; that on September 22, he attended the Antelope Valley/Santa Clarita Valley California Special Districts Association Chapter meeting where he and President Dizmang were appointed to this Chapter's Board; that on September 23, he attended a Board briefing; and that on September 27, he is attending the Palmdale Water District Regular Board Meeting.

President Dizmang reported that on August 5, she attended a Board briefing; that on September 12, she attended the Palmdale Fin & Feather Club barbecue; that on September 15, she attended an Agenda Review and Approval briefing; that on September 20, she attended a dinner meeting with General Manager LaMoreaux, Assistant General Manager Ly, Director Wilson, and staff and Board members from the United Water Conservation District to discuss areas of common interest where the agencies can work together; that on September 22, she attended the Antelope Valley/Santa Clarita Valley California Special Districts Association Chapter meeting creating the chapter; that also on September 22, she attended the Finance Committee meeting; that on September 23, she attended a Board briefing; that on September 25, she attended the Employee Picnic; and that on September 27, she is attending the Palmdale Water District Regular Board Meeting.

8.2) Report of General Manager.

a) September 2021 Written Report of Activities Through August 2021.

General Manager LaMoreaux stated that as reported earlier, a meeting was held with representatives from the United Water Conservation District, and it was determined that the two agencies work together on water-based recreation projects and advanced treatment of water whether brackish or recycled; that the Antelope Valley/Santa Clarita Valley California Special Districts Association Chapter meeting creating the chapter was successful; and that the Employee Picnic honored employees who retired during the past 1-1/2 years.

He then stated that he submitted a written report if there are any questions, and at the request of Director Wilson, he and General Manager Ly provided an overview on repairs and possible replacement of the District's wind turbine and then stated that there was only one main line leak for the month of August.

8.3) Report of General Counsel.

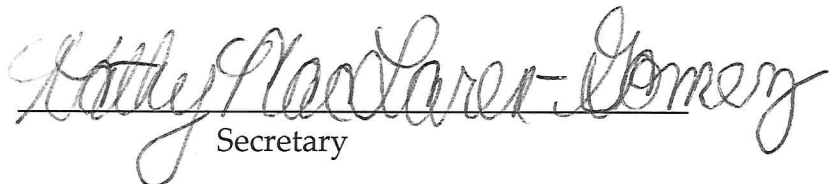
Assistant General Counsel Lee provided an update on the Monterey Plus litigation case.

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 6:55 p.m.


Secretary

RESOLUTION NO. 21-18

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ISSUED MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE PALMDALE WATER DISTRICT FOR THE PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING OCTOBER 30, 2021 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, 2021 and shall be effective until the earlier of (i) October 30, 2021, 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 27th day of September, 2021, by the following vote:

AYES: President Dizmang, Directors Dino, Wilson, Mac Laren-Gomez, Merino

NOES: None

ABSENT: None


ABSTAIN: None


President, Board of Directors

ATTEST:


Secretary, Board of Directors

APPROVED AS TO FORM:


Aleshire & Wynder, LLP, General Counsel