

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
PALMDALE WATER DISTRICT, OCTOBER 12, 2011:**

*A regular meeting of the Board of Directors of the Palmdale Water District was held Wednesday, October 12, 2011, at 2029 East Avenue Q, Palmdale, California, in the Board Room of the District office. President, Gordon Dexter, called the meeting to order.*

**1) Pledge of Allegiance.**

At the request of President Dexter, Director Godin led the pledge of allegiance.

**2) Roll Call.**

**Attendance:**

Gordon Dexter, President  
Steve Cordova, Vice President  
Raul Figueroa, Secretary  
Linda Godin, Treasurer  
Jeff Storm, Director

**Others Present:**

Dennis LaMoreaux, General Manager  
Tom Bunn, Attorney  
Peter Thompson II, Operations Manager  
Ed Boka, Treatment Plant Supervisor  
Kelly Jeters, Systems Supervisor  
Peter Thompson, Project Manager  
Dawn Deans, Executive Assistant  
2 members of the public

**3) Adoption of Agenda.**

It was moved by Director Figueroa, seconded by Director Godin, and unanimously carried to adopt the agenda, as written.

**4) Public Comments for Non-Agenda Items.**

There were no public comments.

**5) Action Items – Consent 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.)**

**5.1) Approval of Minutes of Regular Meeting Held September 28, 2011.**

**5.2) Payment of Bills for October 12, 2011.**

It was moved by Director Figueroa, seconded by Director Cordova, and unanimously carried to approve those items included in the Consent Calendar.

**6) 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.)**

**6.1) Presentation and Status Report on Flooding at Water Treatment Plant.  
(Operations Manager Thompson II)**

Operations Manager Thompson II provided an overview of damages at the Leslie O. Carter Water Treatment Plant caused by the recent heavy storm including damage to a portion of the diversion channel around Palmdale Lake, the rapid increase to the Lake level and resulting challenges, water flow through the Plant itself resulting in flooding and debris in buildings and throughout the Plant, the undermined roadway, and damage to some electrical components and then commended Plant Operators Curtis Cobb and Chris Bligh for their efforts to ensure the operation and clean-up of the Plant and reviewed recovery efforts, staff's efforts to perform repairs to reduce costs, the cost to date for the damages, and additional efforts to prevent future damage followed by discussion of quality and testing for Palmdale Lake.

The Board then thanked and commended staff for their efforts.

**7) Information Items.**

**7.1) Reports of Directors: Meetings/Committee Meetings/General Report.**

Director Storm reported that the Water Supply & Reliability Committee met and discussed the shift to more use of well water and that additional reports on well levels and maintenance will be provided at the next meeting.

President Dexter reported that the Water Supply & Reliability Committee also discussed that the District is on track to bank as much as 8,000 acre feet of water this year; that this would typically go to the District's carry-over account and be subject to spilling; that one of the main objectives in the goals and objectives established for General Manager LaMoreaux was to engage in water banking activities as soon as possible; that water is available, and there are banking opportunities; and that these opportunities will be reported as details are solidified.

There were no further reports from Directors.

**7.2) Report of General Manager.**

General Manager LaMoreaux reported that he attended the Los Angeles Local Agency Formation Commission (LAFCO) meeting earlier today where a contract was awarded to GEI Engineering for performing a Municipal Service Review for the District and two other small water districts; that the timeline for this Review is uncertain; that LAFCO is open to cash contributions or in-kind services towards the cost of the Review; that LAFCO is funded by all special agencies, special districts, and cities within the county, and if the District does not contribute individually, the contribution will be part of the whole group; that this will be presented to the Board through either the budget process or as a separate agenda item; and that the District's portion of the Review cost is \$55,000.

He then reported that Fitch issued a press release last Friday lowering the District's bond rating from AA- to A+ stable due to affordability factors in the economy and high unemployment rates in our area.

**7.3) Report of Attorney.**

Attorney Bunn stated that he has no report.

**8) Public Comments on Closed Session Agenda Matters.**

There were no public comments on closed session agenda matters.

**9) Closed Session Under:**

**9.1) Government Code Section 54956.9(a), Existing Litigation: *Antelope Valley Ground Water Cases.***

**9.2) Government Code Section 54956.9(a), Existing Litigation: *City of Palmdale vs. Palmdale Water District, Case No. BC413432 (Rate Litigation).***

**9.3) Government Code Section 54956.9(a), Existing Litigation: *City of Palmdale vs. Palmdale Water District and Palmdale Water District Public Facilities Corporation, Case No. BC413907 (Validation Action).***

**9.4) Government Code Section 54956.9(a), Existing Litigation: *Palmdale Water District vs. City of Palmdale, Case No. BC420492 (Recycled Water Litigation).***

9.5) Government Code Section 54956.9(a), Existing Litigation: *United States, et al. v. J-M Manufacturing Company, Inc., et al., United States District Court for the Central District of California Case No. ED CV06-0055-GW.*

9.6) Government Code Section 54956.9(a), Pending Litigation: *Central Delta Water Agency vs. Department of Water Resources, Sacramento Superior Court Case No. 34-2010-80000561.*

9.7) Government Code Section 54956.9(a), existing litigation: *Rosedale-Rio Bravo Water Storage District v. California Department of Water Resources, Sacramento Superior Court Case No. 34-2010-80000703.*

9.8) Government Code Section 54956.9(b), Potential Litigation: Two Cases.

9.9) Government Code Section 54956.8, Conference with Real Property Negotiator:

Subject: Water Storage Rights

Property Negotiator: Dennis LaMoreaux, Jon Pernula

Negotiation Party: Homer, LLC

Under Negotiation: Price and Terms

9.10) Government Code Section 54957, Personnel Matters: *General Manager evaluation.*

At 7:18 p.m., President Dexter called for a closed session pursuant to Government Code Section 54956.9(a), Existing Litigation – seven cases: *Antelope Valley Ground Water Cases* and *City of Palmdale vs. Palmdale Water District*, Case No. BC413432 (Rate Litigation) and *City of Palmdale vs. Palmdale Water District and Palmdale Water District Public Facilities Corporation*, Case No. BC413907 (Validation Action) and *Palmdale Water District vs. City of Palmdale*, Case No. BC420492 (Recycled Water Litigation) and *United States, et al. v. J-M Manufacturing Company, Inc., et al., United States District Court for the Central District of California Case No. ED CV06-0055-GW* and *Central Delta Water Agency vs. Department of Water Resources, Sacramento Superior Court Case No. 34-2010-80000561* and *Rosedale-Rio Bravo Water Storage District v. California Department of Water Resources, Sacramento Superior Court Case No. 34-2010-80000703* and pursuant to Government Code Section 54956.9(b), potential litigation: two cases and pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator - Subject: Water Storage Rights, Property Negotiator: Dennis LaMoreaux, Jon Pernula, Negotiation Party: Homer, LLC, Under Negotiation: Price and Terms and pursuant to Government Code Section 54957, Personnel Matters: *General Manager evaluation.*

He reconvened the regular meeting at 7:32 p.m.

**10) Public Report of Any Action Taken in Closed Session.**

Attorney Bunn reported that a closed session had been held under Government Code Section 54956.9(a), Existing Litigation – seven cases: *Antelope Valley Ground Water Cases* and *City of Palmdale vs. Palmdale Water District*, Case No. BC413432 (Rate Litigation) and *City of Palmdale vs. Palmdale Water District and Palmdale Water District Public Facilities Corporation*, Case No. BC413907 (Validation Action) and *Palmdale Water District vs. City of Palmdale*, Case No. BC420492 (Recycled Water Litigation) and *United States, et al. v. J-M Manufacturing Company, Inc., et al.*, United States District Court for the Central District of California Case No. ED CV06-0055-GW and *Central Delta Water Agency vs. Department of Water Resources*, Sacramento Superior Court Case No. 34-2010-80000561 and *Rosedale-Rio Bravo Water Storage District v. California Department of Water Resources*, Sacramento Superior Court Case No. 34-2010-80000703 and pursuant to Government Code Section 54956.9(b), potential litigation: two cases; that the Board received a report from Counsel on each of these items of litigation; and that no reportable action under the Brown Act was taken in closed session on any of these matters.

He reported further that a closed session was also held pursuant to Government Code Section 54956.8, Conference with Real Property Negotiator - Subject: Water Storage Rights, Property Negotiator: Dennis LaMoreaux, Jon Pernula, Negotiation Party: Homer, LLC, Under Negotiation: Price and Terms; that the Board received a report from the Real Property Negotiator; and that no reportable action under the Brown Act was taken in closed session on this matter.

He reported further that a closed session had also been held pursuant to Government Code Section 54957, Personnel Matters: General Manager evaluation and that an evaluation was given to General Manager LaMoreaux.

**11) Consideration and Possible Action on General Manager Evaluation.**

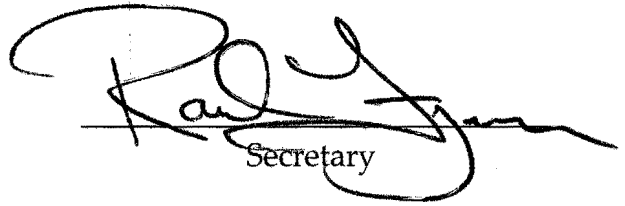
President Dexter stated that as stated by Attorney Bunn, an evaluation was conducted for General Manager LaMoreaux; that the Board had agreed previously for the Board President to conduct the evaluation, and he met with General Manager LaMoreaux earlier today; that the Board gave General Manager LaMoreaux an excellent evaluation; that the rating was excellent; and that as a mid-term evaluation, there was no consideration on any salary issues.

**12) Board Members' Requests for Future Agenda Items.**

There were no requests for future agenda items.

**13) Adjournment to Palmdale Water District Public Facilities Corporation.**

There being no further business to come before the Board, the regular meeting of the Board of Directors of the Palmdale Water District was adjourned to the Palmdale Water District Public Facilities Corporation.



Secretary