**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, JUNE 8, 2016:**

*A regular meeting of the Board of Directors of the Palmdale Water District was held Wednesday, June 8, 2016, at 2029 East Avenue Q, Palmdale, California, in the Board Room of the District office. President, Robert Alvarado, called the meeting to order at 7:00 p.m.*

**1) Pledge of Allegiance.**

At the request of President Alvarado, Water & Energy Resources Director Pernula led the pledge of allegiance followed by a moment of silence in honor of our troops.

**2) Roll Call.**

| **Attendance:** | **Others Present:** |
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| Robert Alvarado, President | Dennis LaMoreaux, General Manager |
| Vincent Dino, Vice President | Matt Knudson, Assistant General Manager |
| Marco Henriquez, Treasurer | Eric Dunn, General Counsel |
| Joe Estes, Secretary | Mike Williams, Finance Manager |
| Kathy Mac Laren, Director | Jon Pernula, Water & Energy Resources Director |
| | Mike McNutt, PIO/Conservation Director |
| | Tara Peuse, Customer Care Supervisor |
| | Dennis Hoffmeyer, Accounting Supervisor |
| | 10 members of the public |

**3) Adoption of Agenda.**

It was moved by Director Dino and seconded by Director Estes to adopt the agenda, as written. It was then stated that Agenda Item No.'s 9, 10, 11, and 12 can be removed from the agenda as there is no need for closed session after which Director Dino amended his motion, Director Estes amended his second, and it was unanimously carried by all members of the Board of Directors present at the meeting to adopt the agenda, as amended, removing Agenda Item No.'s 9, 10, 11, and 12.

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

Director Alvarado clarified that every speaker will have three full uninterrupted minutes for public comments after which General Manager LaMoreaux stated that a temporary policy is in place to provide a Spanish translator for public comments if 48-hours' notice is provided, and no requests for a Spanish translator were received by close of business on Monday.

Mr. Omar Ruiz, Palmdale resident, as translated by Ms. Ruth Sanchez, stated that there is an article in the Antelope Valley Press that a Director believes it is not convenient to pay for a translator or Spanish interpreter; that he reminds the Board that Latinos are over 50% of the ratepayers, and the District does not want to pay for an interpreter at this moment; that without disrespecting the armed security guard, they are not aggressors, and he does not see the need for an armed security guard; that it is important to have an interpreter that can help them so they can communicate with the Board; that he does not know whose idea it was to publicize the article in the newspaper, and why was it not also in the Spanish newspaper; that in this election, the City of Palmdale is divided into four different districts, and this Board will need those people they do not want to have an interpreter for; that there is translation in the newspaper and on the radio whether you have to pay or not; that he thanks Director Dino and Director Mac Laren for supporting them; and that two Latino Directors are not supporting them at all.

Mr. Cesar Miguel Rivera Vega Magallon, Secretary for the Antelope Valley League of United Latin American Citizens, distributed a written statement for the record a copy of which is made a portion of the minutes of this meeting, and stated that they read the article in the Antelope Valley Press regarding objecting to the small cost of a Spanish interpreter; that the service area of the District is predominantly Latino; that the ratepayers want to be involved in the process and want to be involved in the governing of their water board; that he is not sure if the objection is from the Board or if it is money and logistics, but there is a tremendous need for these services; that it is not unfair that the same money used to pay for providing water should go to help ensuring the public is represented; that on behalf of their organization, he raises to the Board's attention that there is an absolute need for translation services; that $7 million was spent on a frivolous lawsuit by the City of Palmdale, and imagine how many translations that could have paid for; and that the work needs to be done together but cannot be if the Board does not understand what they are saying.

Mr. Jose Martinez, Palmdale resident, as translated by Mr. Cesar Miguel Rivera Vega Magallon, stated that he is here to state that the labor he works at his job is no different than the labor worked in the office; that he is asking for translation services; and that he wants and needs them.

Mr. Ismael Gulvan, Palmdale resident, as translated by Mr. Cesar Miguel Rivera Vega Magallon, stated that he read the comments in the Antelope Valley Press that the water board did not want to pay for an interpreter; that he has lived in Palmdale for a very long time and has seen there is not the support for certain districts where there is a need for translation services; that we see many Spanish speaking officials on different

boards, are told they cannot translate for us, and he does not agree with this; that he asks the Board once again for an interpreter for those of us who do not speak English as many of us know English or understand it but have problems speaking it and are asking for this to be a priority; and that in this election, many of you need the Hispanic vote from the Hispanic community.

Ms. Ruth Sanchez, Palmdale resident, stated that there was a misunderstanding as one of their members did request a translator for the May 25 Board meeting with a call; that they did call the number ending in 4111 to cancel, but there was no answer; that when Omar left a message, his call was never returned so he was not aware that there would be an interpreter provided on that day of May 25 and that is the reason he did not show up because it is tiring when no one is translating for him; that she chooses not to translate because there are issues that need to be addressed and it is better for someone neutral to get the message across to all five directors; that her disappointment with the Antelope Valley Press article is that the Board President stated it is not a way to spend ratepayer money and it is a waste; that she does not see it as a waste, and she took offense to this statement from a Latino leader that should be standing up for them; that there is another Latino on the Board who did not say anything; that the next day there was a poll in the paper where everyone was against translation services saying the rates will be higher; that the armed security guard has been here for four or five months and the rates have not gone up; that just because someone does not speak the language does not mean they do not have the right and shouldn't have that option to be heard and understood; that she thanks Directors Dino and Mac Laren as they are the only ones standing up for them; that an interpreter should be provided as long as the 48 hours' notice is given; and that the article was wrong and misinterpreted, the Board should address this issue, the community now has a whole different perspective of the issue, and no one has stepped up to say anything.

President Alvarado then clarified the misconception that only two Board members are supporting interpreting services as all five Board members support these services through the creation of an Ad Hoc Committee and then reviewed Board Committee protocol; that all five Board members spoke and agreed on providing interpreting services for the ratepayers; that the Antelope Valley Press writes articles in their own style, and the District or Board members have no control over this; that an item was included on an agenda to include articles and ads in Spanish publications; and that the Board is here to serve the public.

Director Henriquez then stated that he is in full support of providing translation services; that he volunteered for the Ad Hoc Committee, and Directors Mac Laren and

Dino are doing a great job on this Committee; and that as a public entity, the District should provide this communication service.

Director Estes also clarified that he is in full support of providing translation services and worked with former Director Dizmang on the Outreach Committee to provide English and Spanish forms and publications; that all five Directors are on the same page and in full support; and that he apologizes for this message not being clear.

Mr. Omar Ruiz, Palmdale resident, as translated by Ms. Ruth Sanchez, stated that he is not sure who sent the article to the Antelope Valley Press; that 90% voted against an interpreter with only 4% in favor in the poll taken in Sunday's edition; that there was a small statement from the mayor, which was ridiculous; that they want to make fun of us as Latinos but in reality we are the ones supporting the City; that remember, we are the ones who decide who really is here to help and who is not; that the position that each one of the Board members holds really depends on us Latinos; and that if there is a number they can call to request a translator, it should be easier for them to get through.

General Manager LaMoreaux then clarified that the District did not initiate the Antelope Valley Press article or the poll.

He then stated that if a message is left with 48 hours minimum notice, the District will provide an interpreter pursuant to the policy approved by the Board on a temporary basis; that the phone number to leave that message is listed at the top of the agenda and is 661-947-4111 x1003; that it does not have to be a live conversation and can be a message; that there is no policy for having to call back and cancel and was made up by the paper.

There were no further public comments.

**5) Presentations:**

**5.1) Overview of Services Provided to Palmdale Water District Customers. (Director Dino/Customer Care Supervisor Peuse)**

President Alvarado welcomed former Director, Gloria Dizmang, to the meeting.

Customer Care Supervisor Peuse provided the Board with the District's welcome packet bag and reviewed its contents, which are provided in either English or Spanish; reviewed all forms, applications, contact information, and customer appreciation days available to the District's customers; reviewed the services provided by field customer

service and water treatment plant staff; reviewed in detail all payment options available; and reviewed the District's involvement in the community.

The number of Spanish speaking Customer Care Representatives was then clarified, and Director Henriquez, again, requested The Pipeline be published with one side in English and one side in Spanish.

**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 May 25, 2016.**

**6.2) Payment of Bills for June 8, 2016.**

**6.3) Approve Absence of Director Estes From May 25, 2016 Meeting Due to Illness.**

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

**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) Status Report on Cash Flow Statement and Current Cash Balances as of April, 2016. (Financial Advisor Egan)**

Finance Manager Williams reviewed the investment funds report as of April, 2016, including the increase in cash of approximately $2 million due to assessments received, and then provided an overview of the cash flow statement for April, including assessments received and Department of Water Resources' refunds, and stated that the projected year-end balance is tracking as planned.

**7.2) Status Report on Financial Statements, Revenue, and Expense and Departmental Budget Reports for April, 2016. (Finance Manager Williams)**

Finance Manager Williams reviewed in detail the balance sheet, profit and loss statement, year-to-year comparisons, month-to-month comparisons, consumption comparisons, and revenue and expense analysis reports for the period ending April, 2016; stated that most departments are operating at or below the targeted expenditure percentage of 33%; and then reviewed department line items above the targeted expenditure percentage and clarified health insurance costs.

**7.3) Status Report on Committed Contracts Issued and Water Revenue Bond Projects. (Assistant General Manager Knudson)**

Assistant General Manager Knudson reviewed the purpose and status of the Committed Contracts and Payout Schedule, which includes approved 2016 engineering projects, projects contractually committed, budgeted but not yet committed projects listed in order of priority, and payments for projects funded from the Water Revenue Series 2013A Bonds followed by discussion of the status of the Upper Amargosa Recharge Project.

**7.4) Consideration and Possible Action on the Outreach Plan for the Palmdale Regional Groundwater Recharge and Recovery Project. (Director Henriquez/Assistant General Manager Knudson/Katz & Associates)**

Director Henriquez stated that he requested this item as the Palmdale Regional Groundwater Recharge and Recovery Project (Project) will take the District into the future and there needs to be a complete understanding of the Project after which Assistant General Manager Knudson stated that preliminary design work has been completed regarding the components of the Project and how it will function; that the public comment period for the Environmental Impact Report has been completed; that permitting with the regulatory agencies is moving forward; and that Ms. Karen Snyder and Ms. Sara Katz, of Katz & Associates, will present accomplishments to date for this Project and the plan for moving forward regarding outreach.

Ms. Sara Katz and Ms. Karen Snyder stated that their presentation for this evening is available in both English and Spanish and then reviewed their background and experience and provided an update on the Project, including other agency's work on the use of recycled water and potable reuse projects throughout California; the concept of using both recycled and surface water to support groundwater banking and future recharge; their outreach timeline and plan, which has met compliance requirements and is on schedule; their public outreach objectives; the EIR Public

Involvement Plan and its core messages; a current status of the Project; priorities and specifics going forward; and then requested feedback and input on their outreach plan.

Flyers for this Project, branding, creating an inclusive name for the Project, more routine reports to the Board, and other agency models and pilot projects were then discussed.

**7.5) Consideration and Possible Action on AB1755, The Open and Transparent Water Data Act, and AB2304, An Act to Add Chapter 7.5 (Commencing With Section 485) to Division 1 of the Water Code Relating to Water.**

Water & Energy Resources Director Pernula provided an overview of AB1755 and AB2304, which has been removed from consideration, and after a brief discussion of the components of AB1755 and of the benefit to the District, it was moved by Director Henriquez, seconded by Director Mac Laren, and unanimously carried by all members of the Board of Directors present at the meeting to authorize staff to prepare and submit a letter of support to the author of AB1755.

**7.6) Consideration and Possible Action on Solar Lease of Vacant District Property. (Director Mac Laren)**

Director Mac Laren stated that she requested this item in her constant search for additional revenue for the District after which Water & Energy Resources Director Pernula requested direction regarding issuing a Request for Proposals to potentially lease the District's vacant property for solar projects.

After a brief discussion of this concept, it was moved by Director Mac Laren, seconded by Director Dino, and unanimously carried by all members of the Board of Directors present at the meeting to issue a Request for Proposals to determine interest and availability of solar generation firms wanting to develop and build solar projects on property currently owned by the District as lessor of same.

**7.7) Consideration and Possible Action on Clarification of Compensable and Non-Compensable Meetings Under Appendix V of the District's Rules and Regulations and Review of Director Monthly Compensation Forms for Period January, 2015 to Present. (Director Henriquez/General Manager LaMoreaux)**

Director Henriquez stated that he requested Appendix V be revised to include a clear 'yes' or 'no' as to compensable or non-compensable meetings for Directors; that

Appendix V be referred to in the revised Board Norms; that he requested Director compensation forms for the public to see what is compensated to every Director; and that just because a Director reports attendance at a meeting does not mean they are compensated for the meeting.

Director Mac Laren then stated that she will be requesting additional information for clarification, and this will be discussed during the Ad Hoc Board Norms Committee meeting as she has concerns regarding the cost of meals per day for Director expenses and alcohol must not be permitted in these expenses.

It was then moved by Director Henriquez, seconded by Director Mac Laren, and unanimously carried by all members of the Board of Directors present at the meeting to revise Appendix V of the District's Rules and Regulations to include a clear 'yes' or 'no' as to compensable or non-compensable meetings for the Directors.

**7.8) 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 2016 Budget:**

**a) ESRI GIS User Conference to be Held June 27 to July 1, 2016 in San Diego.**

After a brief discussion, it was moved by Director Estes, seconded by Director Henriquez, and unanimously carried by all members of the Board of Directors present at the meeting to authorize the following conferences, seminars, and training sessions for Board and staff attendance within budget amounts previously approved in the 2016 Budget: ESRI GIS User Conference to be Held June 27 to July 1, 2016 in San Diego.

**8) Information Items.**

**8.1) Reports of Directors:**

**a) Meetings/General Report.**

Director Mac Laren stated that in response to earlier public comments, she was highly upset with the recent Antelope Valley Press article regarding translation services as it misrepresented the Board's actions; that the Ad Hoc Committee will be inviting representatives from several Hispanic organizations to their meetings for input as soon as possible; that trust needs to be gained among the Latino community; that she

apologizes for the content of the article; that the Board's support will be made clear to the community; and that she recommends the Antelope Valley Press survey be repeated in the Spanish newspaper.

She then reported that on June 1, she attended the Urban Water Management Plan Special Board Meeting and that on June 8, she attended a Board briefing with General Manager LaMoreaux.

Director Dino reported that on June 1, he attended the Urban Water Management Plan Special Board Meeting and that on June 6, he attended a Board briefing with General Manager LaMoreaux.

Director Henriquez reported that on May 30, he attended a Memorial Day event; that on May 31, he attended a Board briefing with General Manager LaMoreaux; that on June 1, he attended the Urban Water Management Plan Special Board Meeting; that on June 6, he attended the Finance Committee meeting with President Alvarado, and the items on that agenda were discussed earlier this evening; that on June 7, he attended a Board briefing with General Manager LaMoreaux, Assistant General Manager Knudson, and Karen Snyder and Sara Katz from Katz & Associates regarding the Palmdale Regional Groundwater Recharge & Recovery Project; and that also on June 7, he attended the Antelope Valley Hispanic Chamber of Commerce luncheon.

He then clarified that he was never approached by the Antelope Valley Press for comments or his position on the Spanish translator, and he and fellow Board members were not expecting a negative article.

Director Estes reported that on May 30, he also attended the Memorial Day event with Director Henriquez; that on June 1, he attended the Urban Water Management Plan Special Board Meeting; and that on June 6, he attended a Board briefing with General Manager LaMoreaux.

Director Henriquez then clarified that when Directors attend certain events, compensation from the District may not be requested, but reports are provided to keep the public informed of the Board's activities.

President Alvarado stated that to minimize confusion, he will only be reporting on Palmdale Water District activities and then reported that on May 31, he attended a Board briefing with General Manager LaMoreaux; that also on May 31, he attended an agenda review meeting with General Manager LaMoreaux; that on June 1, he attended

the Urban Water Management Plan Special Board Meeting; that on June 6, he attended the Finance Committee meeting with Director Henriquez; that on June 7, he attended a Board briefing with General Manager LaMoreaux; and that on June 8, he attended a briefing with General Counsel Dunn and General Manager LaMoreaux.

Director Estes then stated that many of the events attended by Directors are under Initiative No. 5, Regional Leadership, of the District's Strategic Initiatives.

**b) Standing Committee/Assignment Reports. (Chair)**

**1) Finance Committee.**

President Alvarado stated that a report on the Finance Committee was provided earlier in the meeting.

**8.2) Report of General Manager.**

General Manager LaMoreaux stated that he has no report.

**8.3) Report of General Counsel.**

General Counsel Dunn stated that he has no report.

**13) Board members' requests for future agenda items.**

Director Mac Laren stated that she is concerned about comments made on behalf of the District regarding recycled water through the Palmdale Recycled Water Authority and has requested that the Board for the Authority reorganize in accordance with their by-laws after which General Manager LaMoreaux stated that the next Authority meeting will be held in July.

Director Mac Laren then stated that Board Norms discussions will include the use of cell phones during Board meetings or during closed session as this issue has occurred at another agency after which it was clarified that the Board has been issued i-Pads for use during Board meetings.

Director Mac Laren then requested a meeting with Palmdale School District staff to ensure there are no misunderstandings with their partnership with the Palmdale Water District.

There were no further requests for future agenda items.

**14) Adjournment.**

There being no further business to come before the Board, the meeting was adjourned at 9:24 p.m.

Secretary

LEAGUE OF UNITED LATIN AMERICAN CITIZENS
LIGA DE CIUDADANOS LATINOAMERICANOS UNIDOS
661.208.4450 — 31930 3RD ST. EAST PALMDALE, CA 93550
EST. 2012

June 8, 2016

**Board of Directors of the Palmdale Water District,**

The Antelope Valley League of United Latin American Citizens would like to go on record in support of the Palmdale Water District Boards consideration to provide interpreter services to their customers and express our unequivocal support for a policy that would allow interpreter services during Palmdale Water District Board meetings.

We would like to commend the Palmdale Water District Board for acknowledging the need for and taking steps to provide such services in a community that has a significant monolingual population. According to the Greater Antelope Valley Economic Alliance, it is estimated that 38.8% of the community's residents speak Spanish. The U.S. Census states 42% of Palmdale households speak a language besides English.

It is our understanding that interpreter services are a right guaranteed under Federal law. For this and other reasons, notwithstanding the fact that it makes good business sense, we urge the Water Board to stay on course. We urge them to keep in mind one of the many tenets on which our county was founded: No taxation without representation, a principle that applies to citizens and non-citizens alike.

We would also like to remind the Palmdale Water District Board of the recent unanimous vote taken by the Nation's Supreme Court just 2 months ago related to the "one person one vote" principle in which they ruled that elected officials represent all residents in their districts whether citizen or non-citizen. This is directly related to your positions as elected members of this Board and clearly delineates your responsibility to represent citizens and non-citizens alike.

In closing, AV-LULAC would like to commend the Palmdale Water Board for taking courageous and exemplary actions in support of your constituent customers. It is our profound hope that local government entities such as our city councils and planning c commissions will take notice and emulate these actions.

Respectfully submitted on behalf of AV-LULAC by,

Xavier Flores
President AV-LULAC

César Miguel Rivera Vega Magallón
Secretary AV-LULAC