

## **MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, FEBRUARY 28, 2022:**

*A regular meeting of the Board of Directors of the Palmdale Water District was held Monday, February 28, 2022, at 2029 East Avenue Q, Palmdale, CA 93550 and via teleconference. President, Gloria Dizmang, called the meeting to order at 6:02 p.m.*

### **1) Pledge of Allegiance/Moment of Silence.**

At the request of President Dizmang, Finance Manager Hoffmeyer led the pledge of allegiance.

### **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  
G. Ross Trindle, General Counsel  
Dennis Hoffmeyer, Finance Manager  
Judy Shay, Public Affairs Director  
Scott Rogers, Engineering Manager  
Angelica Barragan-Garcia, Human Resources Dir.  
Bob Egan, Financial Advisor  
Dawn Deans, Executive Assistant  
0 members of the public

### **3) Adoption of Agenda.**

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 on the following roll call vote to adopt the agenda, as written:

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) Presentation of Plaque to Director Merino. (President Dizmang)**

On behalf of the Board of Directors, President Dizmang presented a plaque to outgoing Director Merino for her service to the District after which Director Merino thanked the Board and stated that it was an honor to be able to contribute towards the operations of the District.

**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 February 14, 2022.**

**6.2) Payment of Bills for February 28, 2022.**

**6.3) Approval of Resolution No. 22-2 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 March 1, 2022 and Ending March 30, 2022 Pursuant to Brown Act Provisions. (No Budget Impact – Assistant General Manager Ly)**

**6.4) Approval to Authorize the General Manager to Execute Change Order No. 1 to the Contract with Toro Enterprises, Inc. for the Water Main Replacement in 3rd Street East, Stanridge Avenue, 2nd Street East, Carolside Avenue, Avenue P-12, and Division Street. (\$149,470.07-Additional Costs Related to Unplanned Utilities – Budgeted – Budget Item No. 12-606 – Engineering Manager Rogers)**

**6.5) Approval to Authorize the General Manager to Execute Change Order No. 3 to the Contract with Christensen Brothers General Engineering, Inc. for the Water Main Replacement in Sierra Highway. (\$62,572.57-Additional Costs Related to Unplanned Utilities – Budgeted – Budget Item No. 20-605 – Engineering Manager Rogers)**

President Dizmang announced the items included in the Consent Calendar after which it was moved by Director Mac Laren-Gomez, seconded by Director Merino, and

after a brief discussion of the State of Emergency proclamation under Resolution No. 22-2, it was 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

Resolution No. 22-2 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) Consideration and Possible Action on Authorizing Staff to Negotiate and Enter Into Contracts With Stantec Consulting Services, Inc. for Professional Engineering Services for the Program Management of the Palmdale Regional Water Augmentation Program. (Not-to-Exceed Annual Amount of \$3,000,000 Each for Three Years with Two Optional One-Year Renewals – Budgeted – Work Order No. 20-417 – Engineering Manager Rogers)**

Engineering Manager Rogers provided an overview of the proposed contracts with Stantec Consulting Services, Inc., and after clarification of funding these contracts through bond proceeds, 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 on the following roll call vote to authorize staff to negotiate and enter into contracts with Stantec Consulting Services, Inc. for Professional Engineering Services for the Program Management of the Palmdale Regional Water Augmentation Program in the not-to-exceed amount of \$3,000,000 each for three years with two optional one-year renewals:

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

**7.2) Consideration and Possible Action on Reallocation of Antelope Valley State Water Contractors Association \$10,000 Sponsorship from the Cancelled Home Show and SMART Water Expo to the Antelope Valley Rural Museum for a Water Feature. (No Budget Impact-Transfer Existing Allocated Funds – Resource and Analytics Director-Antelope Valley State Water Contractors Association General Manager Thompson II)**

General Manager LaMoreaux provided an overview of this reallocation after which 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 on the following roll call vote to reallocate the Antelope Valley State Water Contractors Association \$10,000 sponsorship from the cancelled Home Show and SMART Water Expo to the Antelope Valley Rural Museum for a water feature:

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

**7.3) Consideration and Possible Action on an Additional Stipend for Directors Opting Out of the District’s Medical Insurance Plan. (Director Dino/Human Resources Director Barragan-Garcia/Personnel Committee)**

Human Resources Director Barragan-Garcia provided an overview of Director Dino’s request for an additional stipend for Directors opting out of the District’s medical insurance plan and of General Counsel’s review of this request after which it was moved by Director Dino and seconded by Director Wilson to approve an additional stipend for Directors opting out of the District’s medical insurance plan.

Providing a deferred compensation benefit to the Directors which is not offered to staff, the varying amount of Director’s expenses, and the Directors’ budget were then discussed after which Director Dino amended his motion and Director Wilson amended his second to approve an additional \$650 per month stipend for Directors opting out of the District’s medical insurance plan with the District contributing this amount to a deferred compensation account for the Director separate from the Director’s \$2,200 per month maximum compensation amount.

Director Mac Laren-Gomez offered an alternative motion to approve an additional \$650 per month stipend for Directors opting out of the District's medical insurance plan as an amount applied against the Director's maximum monthly compensation amount of \$2,200 resulting in no increase to this maximum monthly amount. Due to approval of the prior motion and the lack of a second, the alternative motion died on the table.

After a further discussion of providing equal benefit options to staff, of employee morale, and of the timeframe for open enrollment, Director Dino's motion carried on a 4 – 1 vote by all members of the Board of Directors present at the meeting on the following roll call vote:

President Dizmang – aye  
Director Dino – aye  
Director Wilson – aye  
Director Mac Laren-Gomez – no  
Director Merino – 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 2022 Budget:**

**a) None at This Time.**

There were no conferences, seminars, or training sessions to consider.

**8) Information Items:**

**8.1) Finance Reports:**

**a) Status Report on Cash Flow Statement and Current Cash Balances as of December 2021. (Financial Advisor Egan/Finance Committee)**

Financial Advisor Egan provided an overview of the monthly Major Account Activity Report, Investment Funds Report, and Cash Flow Statement through December 2021, including transfers to investment accounts and the Rate Stabilization Fund, assessments received, Mojave water costs, capital improvement funds, anticipated pay-outs, and the projected year-end balance.

**b) Status Report on Financial Statements, Revenue, and Expense and Departmental Budget Reports for December 2021. (Finance Manager Hoffmeyer/Finance Committee)**

Finance Manager Hoffmeyer reviewed in detail the balance sheet, profit and loss statement and trends, quarter to quarter comparisons, and revenue and expense analysis reports for the period ending December 2021 and stated that departments are operating at or near the targeted expenditure percentage of 100%.

**c) Status Report on Committed Contracts Issued. (Finance Manager Hoffmeyer/Finance Committee)**

Finance Manager Hoffmeyer provided an overview of the Contractual Commitments and Needs Report for new and replacement capital projects, consulting and engineering support projects, new and replacement equipment, water quality fee funded projects, committed and projected capital expenditures, and the payout summary for the 2018A Series and 2021A Series Water Revenue Bonds through December 2021.

**d) Other Financial Reports. (Finance Manager Hoffmeyer/Finance Committee)**

**1) The Effect of COVID-19 Event.**

Finance Manager Hoffmeyer stated that due to COVID-19 events, as of December 31, 2021, there were 2,172 single family accounts with a balance of \$50 or more and over sixty days past due with a total past due amount of \$871,057, which includes state arrearage funding, compared to 2,047 accounts at November 30, 2021 with an outstanding balance of \$1,333,999 and 1,644 accounts at December 31, 2021 with an outstanding balance of \$764,227 followed by discussion of the process for turning water off for non-payment and potential funds available to customers with past-due accounts.

**2) Revenue Projections.**

He then stated that 2021 revenue is ahead of projections by approximately \$668,000 as of December 31, 2021.

**3) Rate Assistance Program Status:**

He then stated that as an update, there are now 584 accounts qualified for the Rate Assistance Program with one opening remaining in the Program followed by discussion of opportunities for additional funds for this Program due to the growing need for the Program and of SB 222.

**4) Billing & Collection Statistics:**

He then stated that the billing and collection cycle through December 2021 shows a slight increase in bills issued and notices mailed compared to December.

**5) Payment Transaction Statistics:**

He then stated that electronic payments continue to increase and that a large amount of customers continue to pay with cash.

**8.2) Reports of Directors:**

**a) Standing Committees; Organization Appointments; Agency Liaisons:**

**1) Antelope Valley East Kern Water Agency (AVEK) – February 8, 9, and 22. (Director Dino/Director Mac Laren-Gomez, Alt.)**

Director Dino stated that he previously reported on the February 8 and 9 AVEK meetings and then reported that he attended an AVEK Board Meeting on February 22 where they discussed funds for the water feature at the Antelope Valley Rural Museum through the Antelope Valley State Water Contractors Association.

**2) Outreach Committee – February 16. (Director Mac Laren-Gomez, Chair/Director Wilson)**

Director Mac Laren-Gomez reported that she attended an Outreach Committee Meeting on February 16 where they discussed the District's response to the drought, 2022 outreach activities and upcoming events, participation in the Antelope Valley Fair's Ag Day as a Fair-Fest has instead been scheduled with opportunities to display information about water, lobbying activities, and outreach to the schools.

**3) Finance Committee – February 22. (Director Wilson/President Dizmang)**

Director Wilson reported that he attended the Finance Committee Meeting on February 22 and has submitted a written report and that he submitted written reports for the January 25 Finance Committee Meeting and February 16 Outreach Committee Meeting.

**b) General Meetings Reports of Directors.**

Director Merino reported that on February 24, she attended a Board Briefing.

Director Wilson reported that on February 16, he attended the Outreach Committee Meeting; that on February 22, he attended the Finance Committee Meeting; and that on February 24, he attended a Board Briefing.

Director Mac Laren-Gomez reported that on February 16, she attended the Outreach Committee Meeting; that on February 23, she attended and chaired the Antelope Valley Watermaster meeting where they discussed water transfers; and that on February 24, she attended a Board Briefing.

Director Dino reported that on February 22, he attended an AVEK Board Meeting; that on February 24, he attended a Board Briefing; and that on February 28, he is attending the Palmdale Water District Regular Board Meeting.

President Dizmang reported that she submitted a written report for her February 8 and 17 tours of the water main replacement project in Avenue P-12, Division, Stanridge, Carolside, and 3<sup>rd</sup> Street East and thanked Construction Inspector Espinoza for the tour; that on February 19, she attended the Fin & Feather Club Board Meeting where they reviewed their membership and projects; that on February 22, she attended the Finance Committee Meeting; and that on February 24, she attended a Board Briefing.

She then stated that Committee assignments due to Director Merino's resignation are as follows:

Resource & Facilities Committee:  
Director Dino, Chair/Director Mac Laren-Gomez



Personnel Committee:  
Director Mac Laren-Gomez, Chair/Director Dino

AVSWCA:  
Director Mac Laren-Gomez/Director Wilson/President Dizmang, Alternate

North L.A. County Special Districts Association:  
Director Dino/President Dizmang

United Water Conservation District Liaison:  
President Dizmang/Director Mac Laren-Gomez, Alternate

**8.3) Report of General Manager.**

**a) February 2022 Written Report of Activities Through January 2022.**

General Manager LaMoreaux reported that he submitted a written report included with the agenda packets if there are any questions and then reported that the District's State Water Project allocation remains at 15% but could change in the next few months; that the Delta Conveyance Tunnel Project has reached a milestone with the anticipated release this summer of the draft Environmental Impact Report with state and federal decisions on this project anticipated by the end of 2023; that state funding is available for customers who cannot pay their bills, and this opportunity will be re-emphasized; that the State Arrearage Program was disappointing due to qualifications for the Program; and that leaks to date are six rather than five followed by discussion of the reduced water supply to farmers, repairs to the wind turbine, the status on the partnership with United Water Conservation District, and using the advanced treatment of water rather than recycled water through the Palmdale Recycled Water Authority.

**8.4) Report of General Counsel.**

General Counsel Trindle reported that the remaining COVID-19 state executive orders are scheduled to phase out March 31 to June 30, 2022; that at the state level, beginning March 1, 2022, unvaccinated individuals are no longer required to wear masks indoors; that the Los Angeles County Department of Health is aligning with the state regarding requirements for indoor masking for K – 12 schools; and that it will be up to local school districts regarding mask requirements.

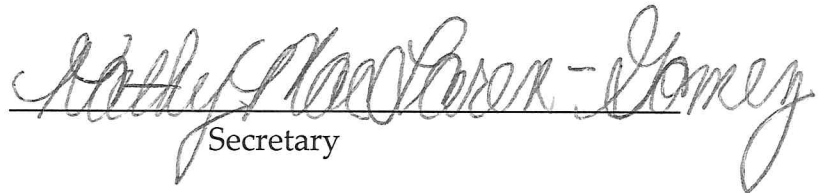
**9) Board Members' Requests for Future Agenda Items.**

Director Dino requested a future agenda item for "Consideration and possible action for the District to pay \$650 each month into a personal deferred compensation account for each Director who chose to opt out of the District's medical insurance plan retroactive to the four-year period of January 2018 to December 2021" after Committee review.

There were no further requests for future agenda items.

**10) Adjournment.**

There being no further business to come before the Board, the meeting was adjourned at 8:03 p.m.

  
Secretary

## **RESOLUTION NO. 22-2**

### **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 MARCH 1, 2022 AND ENDING MARCH 30, 2022 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.

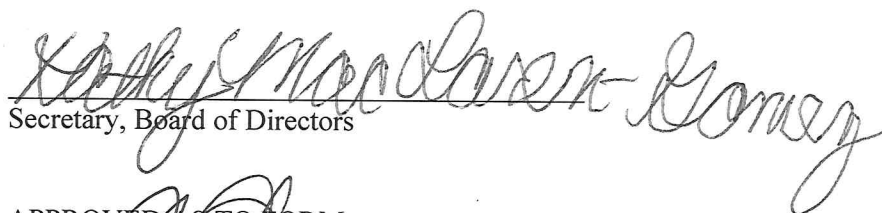
Section 5. Effective Date of Resolution. This Resolution shall take effect on March 1, 2022 and shall be effective until the earlier of (i) March 30, 2022, which is 30 days from the adoption of this Resolution, or (ii) such time the Board of Directors adopts a subsequent resolution in accordance with 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 28<sup>th</sup> day of February, 2022, by the following vote:

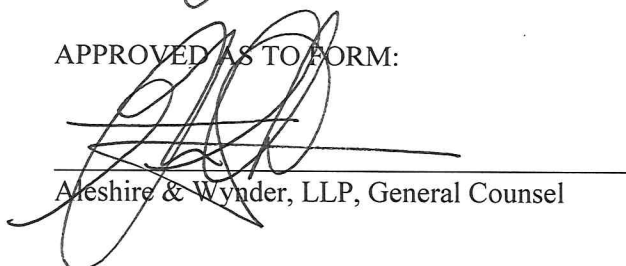
AYES: President Dizmang, Directors Dino, Wilson, Mac Laren-Gomez, Merino  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
President, Board of Directors

ATTEST:

  
Secretary, Board of Directors

APPROVED AS TO FORM:

  
Aleshire & Wynder, LLP, General Counsel