

**MINUTES OF REGULAR MEETING OF THE COMMISSIONERS OF THE ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION, JUNE 9, 2022.**

*A regular meeting of the Commissioners of the Antelope Valley State Water Contractors Association was held Thursday, June 9, 2022, at 2029 East Avenue Q, Palmdale, CA 93550 and via teleconference. Chair Parris called the meeting to order at 6:00 p.m.*

**1) Pledge of Allegiance.**

At the request of Chair Parris, Commissioner Thibault led the pledge of allegiance.

**2) Roll Call.**

**Attendance:**

Robert Parris, Chair  
Kathy Mac Laren-Gomez, V. Chr.  
Don Wilson, Secretary  
Leo Thibault, Treasurer-Auditor  
Keith Dyas, Commissioner  
John Tenerelli, Alt. Commissioner

**Others Present:**

Peter Thompson II, General Manager  
Dennis Hoffmeyer, Controller  
G. Ross Trindle, PWD Attorney  
Sheryl Sorsabal, AVEK Alt. Commissioner  
Scott Kellerman, PWD Board Director  
Matthew Knudson, AVEK Asst. Gen. Manager  
Adam Ly, PWD Asst. General Manager  
Claudia Bolanos, PWD Res./Analyt. Spvrs.  
Danielle Henry, Management Analyst  
8 members of the public

EXCUSED ABSENCE –

Barbara Hogan, Commissioner

**3) Adoption of Agenda.**

It was moved by Commissioner Mac Laren-Gomez, seconded by Commissioner Wilson, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to adopt the agenda, as written:

Chair Parris – aye  
Commissioner Mac Laren-Gomez – aye  
Commissioner Thibault - aye  
Commissioner Wilson – aye  
Commissioner Dyas – aye  
Commissioner Tenerelli – aye

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

There were no public comments.

Chair Parris then stated that Agenda Item No. 9 would now be presented.

**9) Presentation on California's Voluntary Agreements - Collaborating to Improve Environmental Outcomes and Preserve Water Supplies. (Ms. Jennifer Pierre, State Water Contractors General Manager)**

Ms. Jennifer Pierre, State Water Contractors General Manager, provided a detailed presentation on the State Water Contractors Voluntary Agreements Update, including the Program background and plan, the participants, the funding, the governance, the benefits, the current status of the Program and the next steps involved, followed by a brief discussion of the participation opportunity for environmental groups, of the Program's foundation for future water storage and conveyance planning, and of the Program's transformational approach that replaces regulation and litigation with broad multi-agency collaboration for resolving the state's critical water-related issues.

The Commissioners then thanked Ms. Pierre for the presentation after which Chair Parris stated that Agenda Item No. 5 would now be considered.

**5) Consideration and Possible Action on Minutes of Regular Meeting Held February 10, 2022.**

It was moved by Commissioner Dyas, seconded by Commissioner Mac Laren-Gomez, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve the minutes of the regular meeting held February 10, 2022, as written:

Chair Parris – aye  
Commissioner Mac Laren-Gomez – aye  
Commissioner Thibault - aye  
Commissioner Wilson – aye  
Commissioner Dyas – aye  
Commissioner Tenerelli– aye

**6) Consideration and Possible Action on Minutes of Special Meeting Held March 3, 2022.**

It was moved by Commissioner Mac Laren-Gomez, seconded by Commissioner Thibault, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve the minutes of the special meeting held March 3, 2022, as written:

Chair Parris – aye  
Commissioner Mac Laren-Gomez – aye  
Commissioner Thibault - aye  
Commissioner Wilson – aye  
Commissioner Dyas – aye  
Commissioner Tenerelli – aye

**7) Payment of Bills.**

It was moved by Commissioner Thibault, seconded by Commissioner Mac Laren-Gomez, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve payment and ratification of payment of the bills received from PWD in the amount of \$6,125.64 for staff services, from AVEK in the amount of \$580.15 for staff services, from Kennedy/Jenks Consultants in the total amount of \$20,346.77 for professional services associated with the Big Rock Creek Joint Groundwater Recharge Project, from Streamline in the amount of \$300.00 for annual website hosting services, from GoDaddy in the amount of \$21.18 for the annual web domain renewal, from Woodard and Curran in the amount of \$14,164.75 for professional services associated with the 2019 Integrated Regional Water Management Plan, from the Antelope Valley Watermaster in the amounts of \$481,113.66 to AVEK, \$1,529.85 to PWD, and \$165.20 to LCID for replacement water per the October 23, 2019 Agreement between the Association and the Watermaster, and pass-through payments to AVEK in the amount of \$251,047.50, to Rosamond Community Services District in the amount of \$1,052,282.70, and to the Antelope Valley Resource Conservation District in the amount of \$3,465.00 for Prop. 1 grant funding received from the Department of Water Resources:

Chair Parris – aye  
Commissioner Mac Laren-Gomez – aye  
Commissioner Thibault – aye

Commissioner Wilson – aye  
Commissioner Dyas – aye  
Commissioner Tenerelli – aye

**8) Consideration and Possible Action on Resolution No. 2022-2 Being a Resolution of the Board of Commissioners of the Antelope Valley State Water Contractors Association 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 Antelope Valley State Water Contractors Association for the Period Beginning June 9, 2022 and Ending July 9, 2022 Pursuant to Brown Act Provisions. (General Counsel Trindle/General Manager Thompson II)**

It was moved by Commissioner Mac Laren-Gomez, seconded by Commissioner Wilson, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve Resolution No. 2022-2 being a Resolution of the Board of Commissioners of the Antelope Valley State Water Contractors Association 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 Antelope Valley State Water Contractors Association for the Period Beginning June 9, 2022 and Ending July 9, 2022 Pursuant to Brown Act Provisions:

Chair Parris – aye  
Commissioner Mac Laren-Gomez – aye  
Commissioner Thibault - aye  
Commissioner Wilson – aye  
Commissioner Dyas – aye  
Commissioner Tenerelli – aye

Resolution No. 2022-2 is hereby made a portion of the minutes of this meeting.

**10) Presentation on Big Rock Creek Joint Groundwater Recharge Project Feasibility Study Update. (Mr. Paul Chau, Kennedy Jenks)**

Mr. Paul Chau, of Kennedy/Jenks, provided a detailed presentation on the Big Rock Creek Joint Groundwater Recharge Project Feasibility Study, including the rankings and details of each recharge alternative, the recommended culvert and offsite recharge basin options, and the next steps involved followed by a brief discussion of recharge

capacities, of potential California Aqueduct East Branch partners, and of combining the recommended alternatives to develop an additional recharge option.

Mr. Chau then stated that the final draft report will be ready for presentation in August followed by further discussions of potential environmental requirements.

**11) Consideration and Possible Action on Budget for Fiscal Year 2022/2023.  
(General Manager Thompson II/Controller Hoffmeyer)**

Controller Hoffmeyer provided a detailed overview of the proposed General Program Funds and Restricted Funds Budgets for Fiscal Year (FY) 2022/2023, and after a brief discussion of the additional funding needed to cover both the 2021/2022 and 2022/2023 United States Geological Survey/California Statewide Groundwater Elevation Monitoring (USGS/CASGEM) Program years and of the recommendation to consider each Budget separately, it was moved by Commissioner Thibault, seconded by Commissioner Mac Laren-Gomez, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve the 2022/2023 General Program Funds Budget as presented:

Chair Parris – aye  
Commissioner Mac Laren-Gomez – aye  
Commissioner Thibault – aye  
Commissioner Wilson – aye  
Commissioner Dyas – aye  
Commissioner Tenerelli – aye

After further discussion of the USGS/CASGEM Program Restricted Funds Budget, Chair Parris called for an eight-minute recess at 7:31 p.m. He reconvened the regular meeting at 7:39 p.m.

Controller Hoffmeyer then recommended approval of the Restricted Funds Budget, as corrected, to increase funding for FY 2022/2023 to reflect a total of \$72,000.00 in member agency contributions for the USGS/CASGEM Program after which it was moved by Commissioner Thibault, seconded by Commissioner Mac Laren-Gomez, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve the 2022/2023 Restricted Funds Budget, as corrected, to reflect a total of \$72,000.00 in member agency contributions for the USGS/CASGEM Program:

Chair Parris – aye  
Commissioner Mac Laren-Gomez – aye  
Commissioner Thibault – aye  
Commissioner Wilson – aye  
Commissioner Dyas – aye  
Commissioner Tenerelli – aye

**12) Report of General Manager.**

**a) Status Updates:**

**1) Antelope Valley Watermaster Meetings.**

General Manager Thompson II reported that interviews for third-party Watermaster administrative services were conducted on June 8, 2022; that the Watermaster Board will review the proposals and consider selection of a third-party administrator at their next meeting to be held on June 22, 2022; and that the Watermaster has submitted another request for replacement water which will be presented for consideration at the next Association meeting.

**2) Antelope Valley and Fremont Basin IRWMP Stakeholder Meetings.**

He then reported that staff continues to work with Woodard and Curran on the grant administration for the Urban and Multi-Benefit Drought Relief Disadvantaged Community Involvement (DACI) and Proposition 1 grant programs; that approved Amended and Restated Integrated Regional Water Management Plan (IRWMP) Memorandums of Understanding (MOUs) have been received from all participating agencies; that the remaining invoices have been distributed; that two rounds of payments have been received from the Department of Water Resources for AV IRWMP grant projects; and that staff has disbursed the grant funding received to the Project proponents.

There was no report on the Fremont Basin IRWMP.

**3) Mutual Response Agreement for Antelope Valley Agencies.**

He then reported that the Mutual Response Group for Antelope Valley Agencies (AV MRG) met on May 3, 2022; that PWD Facilities Department Foreman, Corey Shere, was selected as the Coordinator for the AV MRG; that Foreman Shere is working with the participating agencies to develop a contact and assets list; that staff continues to advocate for an amendment to the Agreement based on service connections for tiered liability insurance requirements to assist with smaller agency participation; and that feedback on the proposed amendment is requested by the next meeting to be held on July 26, 2022.

He then stated that the Audit Report for year ended June 30, 2021 and the draft Feasibility Study for the Big Rock Creek Joint Groundwater Recharge Project will be ready for presentation at the next Association meeting in August and that staff is coordinating a future presentation on the Delta Conveyance Project.

**13) Report of Controller.**

**a) Update on Revenue, Expenses and Change in Net Position.**

Controller Hoffmeyer provided an overview of the Association's revenue, expenses and change in net position for the month ending May 31, 2022 and stated that staff is expecting one final payment to complete the IRWMP MOU shares.

**14) Reports of Commissioners.**

There were no reports of Commissioners.

**15) Report of Attorney.**

After a self-introduction and professional background overview, General Counsel Trindle stated that he will be providing an update on legislation regarding remote meetings at the next Association meeting.

**16) Commission Members' Requests for Future Agenda Items.**

There were no requests for future agenda items.

**17) Consideration and Possible Action on Scheduling the Next Association Meeting August 11, 2022.**

After a brief discussion, it was determined that the next regular meeting of the Association will be held on August 18, 2022, at 6:00 p.m.

**18) Adjournment.**

There being no further business to come before the Commissioners, the regular meeting of the Commissioners of the Antelope Valley State Water Contractors Association was adjourned at 7:58 p.m.

  
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Secretary

**RESOLUTION NO. 2022-2**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION 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 ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION FOR THE PERIOD BEGINNING JUNE 9, 2022 AND ENDING JULY 9, 2022 PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the Antelope Valley Water Contractors Association (“AVSCWA”) is committed to preserving and nurturing public access and participation in meetings of the Board of Commissioners; and

WHEREAS, all meetings of AVSCWA’s 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 AVSCWA’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 AVSCWA’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 AVSCWA, 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 Commissioners 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 AVSCWA that are likely to be beyond the control of services, personnel, equipment, and facilities of AVSCWA, and desires to ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the imminent risks to the health and safety of attendees due to the continued impact of the COVID-19 pandemic, the Board of Commissioners does hereby find that the legislative bodies of the AVSCWA 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.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION 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. Finding of Imminent Risks. The Board hereby finds that meeting in person would present imminent risks to the health and safety of attendees due to the serious and contagious nature of COVID-19.

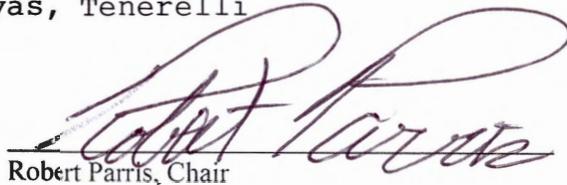
Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The staff, General Manager, and legislative bodies of AVSWCA 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 immediately upon its adoption and shall be effective until the earlier of (i) July 9, 2022, which is 30 days from the adoption of this Resolution, or (ii) such time the Board of Commissioners adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Antelope Valley State Water Contractors Association may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Commissioners of the Antelope Valley State Water Contractors Association this 9th day of June, 2022, by the following vote:

AYES: Chair Parris, Commissioners Mac Laren-Gomez, Thibault,  
NOES: None. Wilson, Dyas, Tenerelli  
ABSENT: None.  
ABSTAIN: None.

  
Robert Parris, Chair

ATTEST:

  
Don Wilson, Secretary

APPROVED AS TO FORM:

  
Aleshire & Wynder, LLP, General Counsel