MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, MAY 22, 2023:

A regular meeting of the Board of Directors of the Palmdale Water District was held Monday, May 22, 2023, at 2029 East Avenue Q, Palmdale, California, in the Board Room of the District Office and at 2535 Las Vegas Boulevard South, Las Vegas, NV 89109 at the Fed Ex Business Center in the Sahara Hotel. President, Don Wilson, called the meeting to order at 6:00 p.m.

1) Pledge of Allegiance/Moment of Silence.

At the request of President Wilson, Director Dino led the pledge of allegiance followed by a moment of silence.

2) Roll Call.

Attendance:
Don Wilson, President
Scott Kellerman, Vice President
Kathy Mac Laren-Gomez, Treasurer
(Via Teleconference)
Vincent Dino, Secretary
Gloria Dizmang, Assistant Secretary

Others Present:
Dennis LaMoreaux, General Manager
Adam Ly, Assistant General Manager
G. Ross Trindle, General Counsel
Dennis Hoffmeyer, Finance Manager
Scott Rogers, Engineering Manager
Judy Shay, Public Affairs Director
Tara Rosati, Customer Care Supervisor
Danielle Henry, Executive Assistant
0 members of the public

3) Adoption of Agenda.

It was moved by Director Dino, seconded by Director Kellerman, 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 Wilson – aye
Director Kellerman – aye
Director Mac Laren-Gomez – aye
Director Dino – aye
Director Dizmang – aye

4) Public Comments for Non-Agenda Items.

There were no public comments.

5) Presentations:

5.1) None at This Time.

There were no presentations.

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 April 24, 2023.

6.2) Approval of Minutes of Strategic Water Resources Plan Special Meeting Workshop held May 3, 2023.

6.3) Ratification of Payment of Bills for May 8, 2023.

6.4) Payment of Bills for May 22, 2023.

President Wilson announced the items included in the Consent Calendar after which it was moved by Director Kellerman, 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 Wilson – aye
Director Kellerman – aye
Director Mac Laren-Gomez – aye
Director Dino – aye
Director Dizmang – 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 Approval of Resolution No. 23-5 being a Resolution of the Board of Directors of the Palmdale Water District Ending the Emergency Drought Regulations and Concluding Stage 2 Voluntary of the Water Shortage Contingency Plan. (No Budget Impact – Resource and Analytics Supervisor Bolanos)

General Manager LaMoreaux provided a brief overview of staff's recommendation to end the emergency drought regulations and voluntary stage of the Water Shortage Contingency Plan due to the abundance of water supply from recent hydrological conditions and 100% water allocation from the State Water Project, and after a brief discussion of the positive conservation drought response by customers and standing water waste regulations, it was moved by Director Dino, seconded by Director Kellerman, 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. 23-5 being a Resolution of the Board of Directors of the Palmdale Water District Ending the Emergency Drought Regulations and Concluding Stage 2 Voluntary of the Water Shortage Contingency Plan:

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

Resolution No. 23-5 is hereby made a portion of the minutes of this meeting.

7.2) Consideration and Possible Action on Approval to Support the Development of a Uniform Guide to Treatment Credits for Indirect Potable Reuse to the National WateReuse Association. ($15,000.00 – Budgeted – Engineering Manager Rogers)

Engineering Manager Rogers provided an overview of the request received from Monterey One Water to support the effort to develop a Uniform Guide for Advance Water Treatment Credits for Indirect Potable Reuse for projects such as Pure Water AV, and after a brief discussion of applicable water sources, of the National Water Research Institute's involvement with the program panel and testing, of the timeline for State submittal and approval, and of the different treatment processes, it was moved by Director Kellerman, 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 approve support of the development of a Uniform Guide to Treatment Credits for Indirect Potable Reuse to the National WateReuse Association in the amount of $15,000.00:

President Wilson – aye
Director Kellerman – aye
Director Mac Laren-Gomez – aye

Director Dino – aye
Director Dizmang – aye

7.3) Consideration and Possible Action on Award of Contract to Houalla Enterprises Ltd. DBA Metro Builders and Engineers, Ltd. for the Construction of the 3M Booster Station Replacement. ($5,794,042.00 – Not-to-Exceed – Budgeted – Project No. 20-610 – Engineering Manager Rogers)

Engineering Manager Rogers provided a brief overview of the bids received for the construction of the 3M Booster Station to replace aged and undersized pumps and pipelines and provide operational redundancy to the 6M Booster Station after which it was moved by Director Dino, seconded by Director Dizmang, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to approve award of contract to Houalla Enterprises Ltd. DBA Metro Builders and Engineers, Ltd. for the Construction of the 3M Booster Station Replacement in the not-to-exceed amount of $5,794,042.00:

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

7.4) Consideration and Possible Action on Approval of Method and General Schedule for the General Manager Recruitment Process. (No Budget Impact – General Manager LaMoreaux/Ad Hoc Committee)

General Manager LaMoreaux provided a brief overview of the Ad Hoc Committee's recommendations to issue a Request for Qualifications to hire an external firm for the General Manager recruitment process and the proposed general schedule to provide overlap and facilitate a smooth transition after which it was moved by Director Kellerman, seconded by Director Dizmang, and unanimously carried by all members of the Board of Directors present at the meeting on the following roll call vote to approve the method and general schedule for the General Manager recruitment process:

President Wilson – aye
Director Kellerman – aye
Director Mac Laren-Gomez – aye

Director Dino – aye
Director Dizmang – aye

7.5) 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 2023 Budget:

a) None at This Time.

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

8) Information Items:

8.1) Reports of Directors:

a) Standing Committees; Organization Appointments; Agency Liaisons:

1) Outreach Committee Meeting – April 25. (Director Mac Laren-Gomez, Chair/Director Dizmang)

Director Mac Laren-Gomez stated that on April 25, she attended the Outreach Committee Meeting where they discussed outreach activities and legislative updates.

2) Antelope Valley East Kern Water Agency (AVEK) – April 25. (Director Dino, Board Liaison/Director Mac Laren-Gomez, Alt.)

Director Dino reported that on April 25, he attended an AVEK Board Meeting where they approved a Public Hearing date of June 13, 2023 to consider water rates for Fiscal Year 2023/2024 through 2025/2026 and a resolution honoring General Manager/Chief Engineer Dwayne Chisam on his retirement from AVEK.

3) Finance Committee Meeting – May 16. (President Wilson, Chair/Director Mac Laren-Gomez)

President Wilson stated that on May 16, he attended the Finance Committee Meeting and that a written report will be distributed.

4) Special District Association North Los Angeles County (SDANLAC) Board Meeting – May 18. (Director Dino, CSDA Chapter Chair/Director Dizmang)

Director Dino reported that on May 18, he attended the SDANLAC Board Meeting and that a written report will be distributed.

b) General Meetings Reports of Directors.

Director Kellerman reported that on May 3, he attended the Strategic Water Resources Plan Special Meeting Workshop; that on May 8-11, he attended the Association of California Water Agencies/Joint Powers Insurance Authority (ACWA/JPIA) Annual Spring Conference in Monterey; that on May 11, he also attended a tour of the Monterey One Water treatment facility; that on May 18, he attended a Board Briefing; and that on May 22, he is attending the Palmdale Water District Regular Board Meeting.

President Wilson reported that on May 3, he attended the Strategic Water Resources Plan Special Meeting Workshop; that on May 8-11, he attended the ACWA/JPIA Annual Spring Conference in Monterey where he completed the required Sexual Harassment training; that on May 16, he attended the Finance Committee Meeting; that on May 18, he attended a Board Briefing; that on May 22, he is attending the Palmdale Water District Regular Board Meeting; and that on May 24, he will be attending the Environmental Restoration Advisory Board (ERAB) Meeting.

Director Dizmang reported that on May 3, she attended the Strategic Water Resources Plan Special Meeting Workshop; that on May 4, she attended a successful tour of the Leslie O. Carter Water Treatment Plant with Fin & Feather Club Board Members; that on May 6, she attended a Palmdale Fin & Feather Club Meeting where a proposal was made for a youth center and restaurant; that on May 9, she attended a legislative review meeting with Assistant Manager Ly; that on May 11, she completed a CSDA On-Demand Webinar regarding "Sexual Harassment Prevention Training"; that on May 13, she attended the Antelope Valley Sheriff Booster's Casino Night; that on May 17, during a personal trip to Sacramento, she and District lobbyist Bob Reeb met with Senator Wilk and Assemblymembers Carrillo and Lackey to discuss AB 1567 and SB 867 regarding bond funding for water related projects, the Littlerock Dam Sediment Removal Project and recreation area, PWD outreach and educational programs, the CA Department of Fish and Wildlife, and the Delta Conveyance Project; that on May 18, she attended a Board Briefing; that on May 22, she is attending the Palmdale Water District Regular Board Meeting; and that on May 23, she will be attending the Outreach Committee Meeting.

She then stated that hiring Reeb Government Relations as the District's lobbyist has proven to be a very positive decision for the District.

Director Mac Laren-Gomez reported that on April 25, she attended the Outreach Committee Meeting; that on April 26, she attended the Watermaster Board Meeting; that on May 8-10, she attended the ACWA/JPIA Annual Spring Conference in Monterey; that on May 15, she attended a Watermaster Steering Committee Meeting; that on May 16, she attended the Finance Committee Meeting; that on May 18, she attended the CSDA SDANLAC Chapter Meeting Luncheon; and that on May 18, she also attended a Board Briefing.

Director Dino reported that on May 3, he attended the Strategic Water Resources Plan Special Meeting Workshop; that on May 8-11, he attended the ACWA/JPIA Annual Spring Conference in Monterey where there was a very interesting presentation on Artificial Intelligence; that on May 17, he attended a Board Briefing; that on May 18, he attended the CSDA SDANLAC Chapter Meeting Luncheon; that on May 19, he attended a CSDA Webinar regarding "Completing Your Form 700"; that on May 22, he is attending the Palmdale Water District Regular Board Meeting; and that on May 23, he will be attending the AVEK Board Meeting.

8.3) Report of General Manager.

a) May 2023 Written Report of Activities through April 2023.

General Manager LaMoreaux stated that a written General Manager Report is included in the agenda packet and that this will be the last written report including the graph on the District's progress in response to the drought and then highlighted the increase in production reflecting more water use by customers after the recent period of heavy rain and three mainline leaks through the end of April.

b) Department Activity Updates:

1) Customer Care Department. (Customer Care Supervisor Rosati)

Customer Care Supervisor Rosati provided a detailed update of the Customer Care Department's current activities, including staffing and Customer Care statistics, and then stated that Customer Care will have a featured section in the Pipeline and that seven pledges were received from the Maravilla Foundation to assist customers with paying their bills.

2) Information Technology Department (Information Technology Manager Stanton)

In the absence of Information Technology Manager Stanton, Assistant General Manager Ly provided a detailed update of the Information Technology Department's current and projected activities, including the Supervisory Control and Data Acquisition System (SCADA) Analysis Draft Report, the framework progress for the new Intranet, the status of the Bosch Board Room audio/visual system, and the coordination of the meter exchange program information with ArcGIS.

3) Report of General Counsel.

General Counsel Trindle provided an update on a case involving public employee first amendment rights and proposed federal regulation by the U.S. Environmental Protection Agency (EPA) regarding PFAS, also called "forever chemicals," in public water systems including the addition of two new chemicals under the same PFAS umbrella.

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 6:46 p.m.

Secretary

RESOLUTION NO. 23-5

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT ENDING THE EMERGENCY DROUGHT REGULATIONS AND CONCLUDING STAGE 2 VOLUNTARY OF THE WATER SHORTAGE CONTINGENCY PLAN

WHEREAS, Palmdale Water District ("District") is a water district empowered to provide water service within District boundaries; and

WHEREAS, on April 21, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency due to drought for two counties in the state of California; and

WHEREAS, the District adopted Stage 1 of its 2015 Water Shortage Contingency Plan on April 26, 2021, and urged customers to voluntarily reduce their water use by 15%; and

WHEREAS, on May 21, 2021, Governor Gavin Newsom issued a Proclamation of a State of Emergency due to drought for forty-one counties in the state of California; and

WHEREAS, on July 8, 2021, Governor Gavin Newsom issued Executive Order N-10-21 recognizing the continued state of drought in California and called on all Californians to voluntarily reduce their water use by 15%; and

WHEREAS, the District adopted Voluntary Stage 2 of its 2020 Water Shortage Contingency Plan on August 9, 2021, and continued to urge rate payers to voluntarily reduce their water use by 15%; and

WHEREAS, on October 9, 2021, Governor Gavin Newsom further issued a Proclamation of a State of Emergency due to drought for the entire state of California, reaffirmed the call for all Californians to reduce their water use by 15%, and called on the State Water Resource Control Board to adopt emergency regulations prohibiting certain wasteful water practices; and

WHEREAS, on March 28, 2022, Governor Gavin Newsom further issued Executive Order N-7-22 that reaffirmed the April 21, 2021, May 10, 2021, and October 9, 2021 proclamations of State of Emergency due to drought and the provisions of Executive Order N-10-21 and called on the State Water Resource Control Board to adopt an emergency regulation that would require all urban water suppliers who have submitted a Water Shortage Contingency Plan to, at a minimum, adopt level 2 of their Plan; and

WHEREAS, Water Code Section 1058.5 grants the State Water Resources Control Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation;" and

WHEREAS, following the making of findings as required by law, the District has the power and authority to adopt mandatory water conservation measures within its boundaries pursuant to Part 5 of the Irrigation District Law, codified at Division 11 of the California Water Code.

WHEREAS, on April 11, 2022, the District adopted Stage 2 – Mandatory of its Water Shortage Contingency Plan; and

WHEREAS, conservation of water by District customers helped alleviate the water shortages during the drought years; and

WHEREAS, Palmdale Water District has made significant investments in local programs and projects to improve water supply reliability, including supplemental water supply contracts, local water storage projects, water conservation, water recycling and other strategies to stretch supplies, and will continue to do so; and

WHEREAS, because of an increase in precipitation and conservation, on March 13, 2023, the District adopted and moved to Stage 2 – Voluntary of its Water Shortage Contingency Plan; and

WHEREAS, 2023 has experienced record-breaking precipitation in the State of California; and

WHEREAS, on April 20, 2023, the Department of Water Resources informed its State Water Contractors that they would be receiving a 100% allocation of the State Water Project water; and

WHEREAS, 100% allocation will provide sufficient supply to meet customer demands, allow to carryover water for 2024, allow to pay back obligations and bank water for future years; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Palmdale Water District as follows:

Section 1: Findings: The Board of Directors of the District hereby finds and declares as follows:

1) The State Water Project water available to the District is 100% of our allocation, 100% of our Butte Lease will be available, and additionally Article 21 water is available.

2) The reservoir behind Littlerock Dam is full and has been spilling since January 2023.

3) Due to an increase of surface water the District will rely less on groundwater supplies.

Section 2: Concluding Stage 2 – Voluntary - of the Water Shortage Contingency Plan: The Board of Directors of the District, in accordance with the foregoing findings, hereby determines and declares the current water supply sufficient to call an end to the Water Shortage Rationing. The General Manager is authorized to implement Actions 1 and 2 to effectively lift the drought-related restrictions but keep our Waste of Water Policy in place.

Action 1. Water Conservation Regulations. The General Manager shall take all steps necessary to advise the District's customers of the following water waste prohibitions that are always in effect and enforce them in accordance with the District's existing Waste of Water Policy:

1. Water Waste Prohibitions (Remain in full affect and violations will result in water waste fines):
    a. Application of potable water to outdoor landscapes in a manner that causes runoff.

b. Failure to repair water leaks or to adjust sprinkler overspray in a timely manner.
c. Hosing of hardscape surfaces, except where health and safety needs dictate.
d. The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system.
e. Irrigation with potable water of ornamental turf on public street medians.
f. Watering of outdoor landscapes within 48 hours of measurable rainfall.
g. Car washing and outside cleaning activities except when performed with buckets and automatic hose shutoff devices.
h. The serving of drinking water other than upon request in eating or drinking establishments.
i. Failure of operators of hotels and motels to provide guests with the option of choosing not to have towels and linens laundered daily. (The hotel or motel shall prominently display notice of this option in each guestroom.)
j. Inefficient use of water for construction purposes.
k. Irrigation with potable water outside of newly constructed homes and buildings not delivered by drip or micro spray.

Action 2: End Stage 2 – Voluntary – Water Shortage Contingency Plan: Upon specific authorization by the Board of Directors, the General Manager shall end Stage 2 Voluntary of our Water Shortage Contingency Plan.

Section 3: Effective Date: May 22, 2023

BE IT FURTHER RESOLVED, that the Board of Directors finds that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions and as a rate setting measure pursuant to Public Resources Code §21080(b)(4) and (8).

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Palmdale Water District held on May 22, 2023, by the following vote:

AYES: President Wilson, Directors Kellerman, Dizmang, Mac Laren-Gomez, Dino
NOES:
ABSENT:
ABSTAIN:

Don Wilson, President, Board of Directors

Vincent Dino, Secretary, Board of Directors

APPROVED AS TO FORM:

Aleshire & Wynder, LLP, District Legal Counsel