



ANTELOPE VALLEY-EAST KERN WATER AGENCY
ANTELOPE VALLEY-EAST KERN WATER AGENCY FINANCING AUTHORITY
MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
MARCH 12, 2019

ITEM 1. A regular meeting of the Board of Directors of the Antelope Valley-East Kern Water Agency and the Antelope Valley-East Kern Water Agency Financing Authority located at 6450 West Avenue "N," Palmdale, California 93551, was called to order by President Sorsabal at 6:30 p.m.

ITEM 2. The Pledge of Allegiance to the Flag was led by Director Frank Donato.

ITEM 3. ROLL CALL – MEMBERS PRESENT:

Division 7 – Gary Van Dam (*present at 6:34*)

Division 6 – Marlon Barnes

Division 4 – Justin Lane

Division 3 – Frank Donato

Division 2 – Keith Dyas (Vice President)

Division 1 – Shelley Sorsabal (President)

OFFICERS PRESENT:

Dwayne Chisam, General Manager

Lee McElhane, Attorney – Brunick, McElhane, & Kennedy

Holly Hughes, Secretary-Treasurer

NOT PRESENT:

Division 5 – Robert Parris

NOTES: STAFF PRESENT:

Matt Knudson, Jon Bozigian, Jordan Wray, and Pam Clark

OTHERS PRESENT:

John Joyce, Alisha Semchuck, Vincent Dino, Ben Stewart, and others.

ITEM 4. ADOPTION OF AGENDA

ORDERED: On motion by Dyas, second by Barnes, the current agenda for March 12, 2019 was adopted. Voting: 5-0-2; Parris and Van Dam not present; Carried.

ITEM 5. PUBLIC COMMENTS AND PERIOD OPEN TO THE PUBLIC: There were no public comments heard from the floor.

ITEM 6. CONSENT CALENDAR – ACTION ITEMS – The public and board shall have an opportunity to comment on any action item(s) on the Consent Calendar as the Consent Calendar is considered collectively by the Board of Directors prior to action being taken.

6(a-1) Approve minutes of the regular Board meeting of February 12, 2019

6(a-2) Accept and File the Check Register List from February 21, 2019 through March 6, 2019

6(a-3) Accept and File the Treasurer's Report for the month ending February 28, 2019

ORDERED: On motion by Lane, second by Donato, to approve all three Consent Calendar Items Numbered 6(a-1): Approving minutes of the regular board meeting of January 22, 2019; and 6(a-2): Accepting and filing of the check register list from February 21, 2019 through March 6, 2019 [includes checks 76247 through 76333 totaling \$1,051,300.07]; and 6(a-3): Accepting and filing of the Treasurer's Report for month ending February 28, 2019. as presented and recommended. Voting: 5-0-2; Parris and Van Dam not present; Carried.

ITEM 7. NEW BUSINESS: ITEM(S) FOR COMMUNICATION AND POSSIBLE ACTION: There was no new business to discuss.

ITEM 8. ITEM(S) FOR CONSIDERATION AND POSSIBLE ACTION There were no items for consideration and possible action.

ITEM 9. GENERAL MANAGER'S REPORT ON WATER SUPPLY, PROJECTS, AND PROGRAMS:

GM Chisam covered current and cumulative precipitation levels and storage in various reservoirs. He stated that the Table A allocation remains at 35% and the statewide average for snowpack was 161% to date.

Water deliveries for conventional treatment were at 16 MGD, with geopurification deliveries at 8.2 MGD. Water Banking (SWP recharge and storage) for the Westside banking was 141 AFD and Eastside banking facility totaled 3.5 AFD. AVEK customer water requests vs. actual deliveries was highlighted. AVEK lab received its ELAP Certification renewal. Bromide was reported to be low in the aqueduct and bromate is non-detect in the clear wells. AVEK water quality THM's remain well below our internal goal of 64 µg/L. Legislative updates were also provided included Gov. Newsom's Administration Budget Trailer Bill, SB-1 California Environmental, Public Health, and Workers Defense Act of 2019. News from the Delta Stewardship Council including President Trump's signing of the bill establishing the Sacramento-San Joaquin Delta as California's First National Heritage Area. The reorganization of PG&E under Chapter 11 was mentioned.

Upcoming events, conferences and meetings for the AV Watermaster, California Water Policy Conference, Design-Build Conference, ACWA Spring Conference were discussed along with the general manager's upcoming schedule.

9(a-1) Annual Water Quality Report (AWQR) – Presentation. Lab Manager Jordan Wray provided a presentation on the results of the 2018 Annual Water Quality Report. The presentation highlighted that there were two separate reports for Los Angeles and Kern Counties. The reports found zero positive bacti samples from the Agency's distribution system. The Agency met all State and Federal Requirements and 1,2,3 trichloropropane were all none-detect (ND). The THM levels for 2018 were also reviewed.

9(a-2) High Desert Water Bank - Value Engineering Workshop – Presentation. Assistant General Manager Matt Knudson provided a presentation on the results of the Value Engineering Workshop. RHA Consulting Group along with MET Water requested this evaluation process prior to approving the proposed term sheet. Project objectives were met with favorable results were achieved. This item is slated for consideration on MET's board meeting agenda of April 9, 2019.

ITEM 10. COMMITTEE MEETING RECAP REPORT FOR INFORMATIONAL PURPOSES ONLY

ITEM 11. DIRECTORS REPORTS: Director Donato referenced an LA Times article and the misuse of fees going to consultants. He reminded everyone to make sure that we are getting the services that we pay for.

ITEM 12. ATTORNEY REPORT: There was no report given by Attorney McElhaney.

ITEM 13. CLOSED SESSION: It was declared that there was reason to go into closed session for Items 13(c), 13(d) and 13(e).

ORDERED: On motion by Barnes, second by Donato, the meeting was adjourned to closed session at 7:22 p.m.; Voting: 6-0-1; Parris not present; Carried.

- a. Possible Closed Session, Conference with Legal Counsel – Litigation, to which the local agency is a party pursuant to Government Code Section §54956.9(d)(1), three cases: Diamond Farming Company vs. Palmdale Water District and Bolthouse, Inc. vs. Palmdale Water District and Los Angeles County Waterworks District No. 40 vs. Diamond Farming Company, Et Al; one case to discuss ongoing Adjudication Principal's Mediation Efforts
- b. Possible Closed Session, Conference with Legal Counsel, existing litigation, AVEK vs. Best Best and Krieger, per Government Code Section §54956.9(a)
- c. Possible Closed Session, Conference with Legal Counsel, existing litigation, AVEK vs. B.V. Construction, per Government Code Section §54956.9(a)
- d. Possible Closed session pursuant to Government Code Section 54956.8
Conference with Real Property Negotiators

Property: APN's: 3275-021-001, 3275-021-003, 3275-021-004, 3275-021-006, 3275-021-007, 3275-021-008, 3275-021-009, 3275-021-010, 3275-021-011, 3275-021-012, 3275-021-015, 3275-021-016, 3275-021-021, 3275-021-022, 3275-021-023, 3275-021-024, 3275-021-025, 3275-021-026, 3275-021-027, 3275-021-028, 3275-021-030, 3275-021-031, 3275-021-035, 3275-021-036, 3275-021-037, 3275-021-038, 3275-021-039, 3275-021-040, 3275-021-043, 3275-021-044, 3275-021-045, 3275-002-003, 3275-002-004, 3275-002-011, 3275-003-009, and 3275-003-010

Agency Negotiator: General Manager Dwayne Chisam

Negotiating parties: AVEK and Rommel N and Criselda L Alcidi; Ariel and Edna Braza, Marco and Estela Segui; Cal Golf Inc; Daniel Cranfield, Paulina Grajera; Abraham L and Francisca T. Castillo; Mohammadnejat Davoodian, Kobra Sofavi, Bill Chuan, Kelly Yip, Arley Wolf, Suong Wolf, Delfin and Welma Biala; Gabriel T Fabella, Julia R Fabella, Emmanuel Fabella, Inez Gatmaitan-Fabella, Remedios Balleza, Benigno G Tuazon; Ronaldo B Fernandez, Rafael Fernandez Jr and Amelia Fernandez, Robert Bernales, Mary Jane Bernales, Natalio T Barrera, Ida V Barrera; Marc Stephen T Flores and Christia Marie T Flores; Abigail Camaya Hills, Gabriel T Fabella and Julita R Fabella; Iris Dale R So Hu; Ivy Rose R So Hu; Ira Services, Custodian Fbo: Hong Gao, Waley W Sung, Maocheng Li, David W Huang; Joanne E Pappas, Ira Services Custodian Fbo: Patrick Haslam, Howard L Hoffman, Phillip A Galu, Lana Hutnick, Martin Allen Hamilton, Mario Gabriel Aguilar, Joanne Pappas, Keith A Huggett, Richard Philip Cadway; La Liebre Orchard 21 LLC; La Liebre Orchard No 25 LLC; La Liebre Orchard No 26 LLC; La Liebre Orchard No 31 LLC; Alice Lee, Louisa Lee, Erica Chen, Allison Chen; Gim Oi Lew; Hector Lopez, Maura Lopez, Armando Funes, Ruth Funes; Anthony James Mcgrane, Ernest Lenert Jr, Andrea J Lenert; Man Leung Ng, Quang Thanh Su, Ellen Tam Su, Wing Kit Law, Sin Hung Leung, Steve

B Phui, Nhi M. Vong-Phui; Jumayde N Paayas and Editha T Paayas; Raquel Sisayan LLC; Raquel Sisayan LLC, Steven G Johnson and Stephanie A Johnson; Louie Michael Siapno and Geraldine Loy Siapno; Inner Space Design and Development Inc.; Elizabeth Y Tan, Maria Isabella T Santos, Juan Emanuel T Santos; Frederick C Tochterman and Ceclia C Tochterman, Ya Ping Wang and Chun Hong Wang; Velur Holdings LLC; Danny C Vidamo and Aida S Vidamo; Peter Tea Long Yam, Chean Yean Yam, Suong Ying Yam, Lang Ying Yam;

Under negotiation: Price and terms of payment for possible purchase

- e. *Possible Closed Session - Conference with Legal Counsel - Anticipated Litigation, significant exposure to litigation, subject to Government Code Section §54956.9 (b)(3)(A), Three Potential Cases*
- f. *Possible Closed Session, Conference with Legal Counsel, existing litigation, Validation Action – 34-2017-00215965, Case No. JCCP No. 4942, per Government Code Section §54956.9(a)*
- g. *Possible Closed Session – Board Evaluation of Officers, pursuant to Government Code Section §54957*

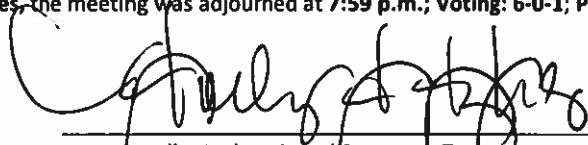
ORDERED: On motion by Lane, second by Barnes, the meeting was reconvened to open session at 7:47 p.m.; Voting: 6-0-1; Parris not present; Carried.

ITEM 14. CLOSED SESSION ANNOUNCEMENTS: There was no reportable action taken as a result of closed session.

ITEM 15. REQUEST FOR FUTURE AGENDA ITEMS: None.

ITEM 16. ADJOURN TO A REGULAR BOARD MEETING SCHEDULED FOR TUESDAY, MARCH 26, 2019 AT 6:30 P.M.

ORDERED: On motion by Lane, second by Barnes, the meeting was adjourned at 7:59 p.m.; Voting: 6-0-1; Parris not present; Carried.



Holly Hughes, Board Secretary-Treasurer

APPROVED BY THE BOARD OF DIRECTORS:

4/9/19

7



Date

President



RECOMMENDED BOARD ORDER 6(a-1)

To the Board of Directors

FOR BOARD ACTION

**MINUTES OF THE REGULAR BOARD MEETING
OF MARCH 12, 2019**

*↳ Via
Consent Calendar.*

The Board of Directors adopted the following board order on
April 9, 2019:

That the Minutes of the regular board meeting of March 12, 2019, be
approved as presented.

Motion by Barnes
Second by Jane
Carried 6-0-1
(Van Duan
not present)

BOARD ORDER 6(a-1)

04-09-19