



ANTELOPE VALLEY-EAST KERN WATER AGENCY  
ANTELOPE VALLEY-EAST KERN WATER AGENCY FINANCING AUTHORITY  
MINUTES  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
APRIL 9, 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 **Robert Parris**.

**ITEM 3.** **ROLL CALL – MEMBERS PRESENT:**  
Division 6 – **Marlon Barnes**  
Division 5 – **Robert Parris**  
Division 4 – **Justin Lane**  
Division 3 – **Frank Donato**  
Division 2 – **Keith Dyas** (Vice President)  
Division 1 – **Shelley Sorsabal** (President)

[Division 7 – **Gary Van Dam** (present at 6:34 p.m.)]

**OFFICERS PRESENT:**

**Matthew Knudson**, Assistant General Manager (for General Manager **Dwayne Chisam**)  
**Lee McElhane**y, Attorney – **Brunick, McElhane**y, & **Kennedy** – (Present via Teleconference)  
**Holly Hughes**, Secretary-Treasurer

**NOT PRESENT:**

**Dwayne Chisam**, General Manager

**NOTES:** **STAFF PRESENT:**

**Jon Bozigian**, **Teresa Yates**, **Justin Livesay** and **Pam Clark**

**OTHERS PRESENT:**

**John Joyce**, **Alisha Semchuck**, **Vincent Dino**, **Andrew Werner**, **Richard Gomez**, **Ben Stewart**, and others

**ITEM 4.** **ADOPTION OF AGENDA**

**ORDERED:** On motion by **Dyas**, second by **Barnes**, the current agenda for April 9, 2019 was adopted. **Voting: 6-0-0-1; Van Dam** not present; **Carried**.

**ITEM 5.** **PUBLIC COMMENTS AND PERIOD OPEN TO THE PUBLIC:** Mr. **Andrew Werner** with Renewable Resources Group stated that he was in the area and wanted to see the new facility and say hello to all.

**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 March 12, 2019

6(a-2) Accept and File the Check Register Lists from March 21, 2019 through April 3, 2019

**ORDERED:** On motion by **Barnes**, second by **Lane**, to approve two Consent Calendar Items Numbered 6(a-1): Approving minutes of the regular board meeting of March 12, 2019; and 6(a-2): Accepting and filing of the check register lists from March 21, 2019 through April 3, 2019 [includes checks 76390 through 76477 totaling \$2,049,296.71] and the High Desert Water Bank Enterprise Fund Account [includes check 1000 totaling \$114.56]; as presented and recommended. **Voting: 6-0-0-1; 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**

a-Finance 8(a-1) Water Truck / Tow Vehicle Purchase – Review Bids and Award of Contract. Operations Manager **Jon Bozigian** stated the numerous reasons to consider the purchase of this vehicle and the extended 5-year warranty.

**ORDERED:** On motion by **Donato**, second by **Barnes**, to approve the purchase of a water truck/tow vehicle with a 5-year extended warranty from T&B Water Trucks Inc. at a cost of \$159,444.31 and authorize the general manager to execute the agreement as presented and recommended. **Voting: 7-0-0-0; Carried.**

**b-Planning (KD/SS/RP)** 8(b-1) Fremont Basin Integrated Regional Water Management Plan (IRWMP) – Presentation. Committee Chair **Dyas** stated the committee met the previous week and that this program was supported by our current strategic plan. Assistant General Manager **Knudson** provided a presentation that highlighted the region, purpose, proponents, process, parts, components, and funding of the plan including how it integrates with AVEK’s Strategic Plan. This presentation for consideration would be brought back to the board at the next meeting on April 23, 2019 to consider a resolution to adopt the plan formally. After that, the Agency will submit the final plan to the DWR for acceptance.

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

AGM **Knudson** stated that 46.9” of precipitation has been reported since January 1, 2019.

Water deliveries - totals for both conventional and geopurification were reported at 29.2 MGD with conventional treatment at 25.5 MGD and geopurification deliveries at 3.7 MGD. Water Banking (SWP recharge and storage) for the Water banking (totals for both are 139 AFD). Westside banking was 139 AFD and Eastside banking facility was off. Bromide was reported to be low in the aqueduct and bromate is non-detect in the clear wells. Raw water TOC is moderate (3.5 mg/L). Removal through clarifiers is 44%. Updates regarding the status of the Agency’s High Desert Water Bank included that the Metropolitan Water District Term Sheet was unanimously approved by the Water Planning and Stewardship Committee on 4/8/19 and was also approved by their board of directors on 4/9/19. Regulatory and Legislative updates were provided on various items.

Upcoming events, conferences and meetings for the region include the Design-Build Conference (4/10/19 through 4/12/19), AVSWCA Meeting on 4/11/19; Congresswoman Katie Hill’s Tour was set for 4/17/19; ACWA Spring Conference is 5/7 through 5/10.

**ITEM 10. COMMITTEE MEETING RECAP REPORT FOR INFORMATIONAL PURPOSES ONLY**

**ITEM 11. DIRECTORS REPORTS:** Director **Van Dam** thanked the board for participation with Palmdale Water District for Kids’ Ag Day and stated that 925 children attended the successful event.

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

**ITEM 13. OLD BUSINESS**

**CLOSED SESSION:** It was declared that there was reason to go into closed session for closed session Items 13(c), 13(f), and 13(g) below.

- 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. B.V. Construction, per Government Code Section §54956.9(a)*
- c. *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 Alcid; 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, Philip 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

- d. 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
- e. 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)
- f. Possible Closed Session – Board Evaluation of Officers, pursuant to Government Code Section §54957
- g. Possible Closed Session – Board Evaluation of Legal Counsel, pursuant to Government Code Section §54957(4)

**ORDERED:** On motion by Lane, second by Donato, the meeting was adjourned to closed session at 7:16 p.m.; Voting 7-0-0-0; Carried.

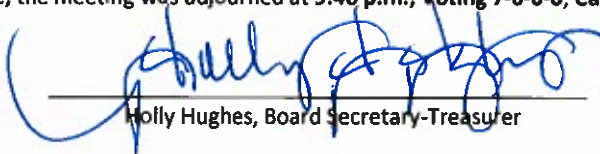
**ORDERED:** On motion by a Director, second by another Director, the meeting was reconvened to open session at 9:45 p.m.; Voting: 7-0-0-0; Carried.

**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, APRIL 23, 2019 AT 6:30 P.M.**

**ORDERED:** On motion by Barnes, second by Lane, the meeting was adjourned at 9:46 p.m.; Voting 7-0-0-0; Carried.



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Holly Hughes, Board Secretary-Treasurer

**APPROVED BY THE BOARD OF DIRECTORS:**

5/14/19



\_\_\_\_\_  
President

Date

President

**RECOMMENDED BOARD ORDER 6(a-1)**

To the Board of Directors

**FOR BOARD ACTION**

**MINUTES OF THE REGULAR BOARD MEETING  
OF APRIL 9, 2019**

The Board of Directors adopted the following board order on  
May 14, 2019:

That the Minutes of the regular board meeting of April 9, 2019, be  
approved as presented.

Motion by Sybas  
Second by Barnes  
Carried 7-0  
(Mark Barnes)

BOARD ORDER 8(a-1)

05-14-19