



**ANTELOPE VALLEY-EAST KERN WATER AGENCY  
ANTELOPE VALLEY-EAST KERN WATER AGENCY FINANCING AUTHORITY  
MINUTES  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
MARCH 26, 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. A teleconference location was posted as 1440 Broadway, Suite 700, Oakland CA 94612.

**ITEM 2.** The Pledge of Allegiance to the Flag was led by Director **Justin Lane**.

**ITEM 3. ROLL CALL – MEMBERS PRESENT:**

Division 7 – **Gary Van Dam**  
Division 6 – **Marlon Barnes**  
Division 5 – **Robert Parris** (*present via teleconference*)  
Division 4 – **Justin Lane**  
Division 3 – **Frank Donato** (*present at 6:36 p.m.*)  
Division 2 – **Keith Dyas** (Vice President)  
Division 1 – **Shelley Sorsabal** (President)

**OFFICERS PRESENT:**

**Dwayne Chisam**, General Manager  
**Lee McElhaney**, Attorney – Brunick, McElhaney, & Kennedy  
**Holly Hughes**, Secretary-Treasurer

**NOTES: STAFF PRESENT:**

**Matt Knudson**, **Jon Bozigian**, and **Pam Clark**

**OTHERS PRESENT:**

**John Joyce**, **Alisha Semchuck**, **Vincent Dino**, **Jerry Gladbach**, **Jim Gardner**, **B. Moore**, **Richard Gomez**, **Jack Seefus**, **Harold Glaser**, and others

**ITEM 4. ADOPTION OF AGENDA**

**ORDERED:** On motion by **Barnes**, second by **Lane**, the current agenda for March 26, 2019 was adopted. **Roll-Call Voting: 6-0-1; Donato** 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 26, 2019

6(a-2) Accept and File the Check Register List from March 7, 2019 through March 20, 2019

**ORDERED:** On motion by **Dyas**, second by **Barnes**, to approve two Consent Calendar Items Numbered 6(a-1): Approving minutes of the regular board meeting of February 26, 2019; and 6(a-2): Accepting and filing of the check register list from March 7, 2019 through March 20, 2019 [includes checks 76334 through 76389 totaling \$1,899,210.90] as presented and recommended. **Roll-Call Voting: 5-1-1; Parris** abstained and **Donato** not present; **Carried**.

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

7(a-1) JPIA Rate Stabilization Fund Refund of \$61,221 – Presentation by ACWA-JPIA. Mr. **Jerry Gladbach**, President of the Executive Committee of ACWA-JPIA, presented the Board of Directors with a refund in the amount of \$61,221 from the Rate Stabilization Fund that rewards its member agencies for responsible management in the area of lowest liability and Workers' Compensation claims. He described the reward system as a "family all taking care of each other."

**ITEM 8. ITEM(S) FOR CONSIDERATION AND POSSIBLE ACTION**

**a-ADJ/WM** 8(a-1) Provide Guidance to AVEK Representative for AV Watermaster Agenda of 3/27/19. AGM **Knudson** stated that no  
**[RP/FD/MB]** guidance was being sought for the agenda of 3/27/19.

8(a-2) Consideration on Replacement Water Assessment Analysis prepared through the Antelope Valley State Water Contractors Association. AGM Knudson provided a presentation highlighting the following goals and objectives: 1-to recover costs associated with providing replacement water to the AV Groundwater Basin; 2-designate a firm to provide an analysis and recommend a rate; 3-establish a consistent assessment among AVEK/PWD/LCID; 4-establish two rates – one for groundwater producers within our collective boundaries and one for groundwater producers outside the collective boundaries.

**ORDERED:** On motion by **Dyas**, second by **Barnes**, to approve the Financial Analysis Study for Replacement Water Assessment prepared by Raftelis Financial Consultants through the Antelope Valley State Water Contractors Association (AVSWCA) as presented and recommended. **Roll-Call Voting: 7-0; Carried.**

b-Public Info  
[JL/KD/GV]

8(b-1) Consideration and possible action to approve proposal by Streamline to host AVEK Website  
This item was tabled.

c-Wtr Bank Res  
[FD/SS/KD]

8(c-1) Consideration of a Professional Services Agreement with Kennedy-Jenks Consultants for Project Management Services associated with the HDWB. A term sheet with MET Water District is being considered and a Value Engineering Workshop was held (from March 4-6). Harold Glaser of Kennedy-Jenks provided a presentation and status of the project. The purpose of the PSA is to ensure the time schedules are maintained and defining and managing the scope of work that includes mobilization, program management, technical specifications and procurement.

**ORDERED:** On motion by **Donato**, second by **Dyas**, to approve a Professional Services Agreement (PSA) between AVEK Water Agency and Kennedy-Jenks for Program Management services associated with the High Desert Water Bank Project in an amount not-to-exceed **\$533,980.00** and authorizing the general manager to execute the PSA upon review and acceptance by legal counsel as presented and recommended. **Roll-Call Voting: 7-0; Carried.**

8(c-2) Consideration of a lease amendment with Calandri Farms, Inc. to lease additional property located on APN 375-020-01 in 2019. Calandri Farms is requesting an additional 160 acres in addition to their current 120 acres. Total lease for 2019 would be 280 acres at \$100 per acre for a total revenue of \$28,000. The Agency owns 320 acres. The committee and staff recommend approval.

**ORDERED:** On motion by **Donato**, second by **Barnes**, approving the amendment with Calandri Farms, Inc. to lease an additional 160 acres at \$100 per acre for 2019 and authorizing the Agency's general manager to execute agreements necessary to fulfill terms of the amendment as presented and recommended. **Roll-Call Voting: 7-0; Carried.**

**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 was increased to 70% and the statewide average for snowpack was 156% to date.

Water deliveries - totals for both conventional and geopurification were reported at 21 MGD with conventional treatment at 14.6 MGD and geopurification deliveries at 6.6 MGD. Water Banking (SWP recharge and storage) for the Water banking (totals for both are 144.3 AFD). Westside banking was 141 AFD and Eastside banking facility totaled 3.3 AFD. 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 and regulatory updates were also provided. Two promotional videos were shown – Video No. 1 was an introduction to AVEK that provides a brief overview of our Agency for local stakeholders and trade organizations. Video No. 2 was created for the upcoming annual Kids' Ag Day and the target audience was grade school children – the video provides experimentation of water in our laboratory and shows time-lapsed results.

Upcoming events, conferences and meetings for the region include the AV Watermaster (3/27), California Water Policy Conference (4/4 & 4/5), Design-Build Conference (4/10 through 4/12), ACWA Spring Conference were (5/7 through 5/10) were all mentioned along with the general manager's upcoming schedule.

**ITEM 10.**

**COMMITTEE MEETING RECAP REPORT FOR INFORMATIONAL PURPOSES ONLY**

**ITEM 11.**

**DIRECTORS REPORTS:** There were no reports given by any of the directors.

**ITEM 12.**

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

**ITEM 13.**

**OLD BUSINESS**

**CLOSED SESSION:** It was declared that there was no reason to go into closed session for any of the possible closed session items 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. 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 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

- 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

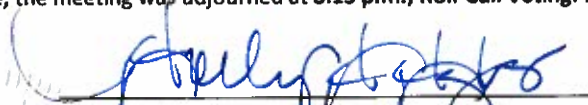
**ORDERED:** On motion by Lane, second by Barnes, the meeting was reconvened to open session at 7:47 p.m.; **Voting: 6-0-1;** Parris not present; Carried.

**ITEM 14. CLOSED SESSION ANNOUNCEMENTS:** There was no closed session and thus no reportable action taken.

**ITEM 15. REQUEST FOR FUTURE AGENDA ITEMS:** None.

**ITEM 16. ADJOURN TO A REGULAR BOARD MEETING SCHEDULED FOR TUESDAY, APRIL 9, 2019 AT 6:30 P.M.**

**ORDERED:** On motion by Parris, second by Lane, the meeting was adjourned at 8:15 p.m.; **Roll-Call Voting: 7-0;** Carried.

  
Holly Hughes, Board Secretary-Treasurer

**APPROVED BY THE BOARD OF DIRECTORS:**

4/23/19



Date

President

**RECOMMENDED BOARD ORDER 6(a-2)**

To the Board of Directors

**FOR BOARD ACTION**

**CHECK REGISTER LISTS**

The Board of Directors adopted the following board order on April 23, 2019:

That the check register lists for the period of April 4, 2019 through April 17, 2019 be approved and accepted for filing as presented.

Motion by

Syas

Second by

Jane

Carried

6-0-1

(Parris not present)

**BOARD ORDER 6(a-2)**

04-23-19

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

To the Board of Directors

**FOR BOARD ACTION**

**MINUTES OF THE REGULAR BOARD MEETING  
OF MARCH 26, 2019**

The Board of Directors adopted the following board order on  
April 23, 2019:

That the Minutes of the regular board meeting of March 26, 2019, be  
approved as presented.

Motion by Agas

Second by Gene

Carried 6-0-0-1  
(Purris not present)

BOARD ORDER 6(a-1)

04-23-19