



**ANTELOPE VALLEY-EAST KERN WATER AGENCY  
 ANTELOPE VALLEY-EAST KERN WATER AGENCY FINANCING AUTHORITY  
 REGULAR BOARD MEETING AGENDA**

**TUESDAY, SEPTEMBER 14, 2021, AT 5:30 PM**

**Teleconference: (669) 900-6833; ID No. 8 9 4 3 5 7 2 7 6 5 7 #; PASSCODE: 0**

**Video Conference:**

**<https://us02web.zoom.us/j/89435727657?pwd=ak1XbmprdfBUQnRZOWszWU91VHdyUT09>**

***\*\*Please mute audio at all times unless speaking\*\****

**1. CALL TO ORDER**

- 2. ROLL CALL:** Division 7 – Gary Van Dam \_\_\_\_\_; Division 6 – Audrey T. Miller \_\_\_\_\_;  
 Division 5 – Robert Parris \_\_\_\_\_; Division 4 – George M. Lane \_\_\_\_\_; Division 1 –  
 Shelley Sorsabal \_\_\_\_\_; Division 3 – Frank Donato \_\_\_\_\_; Division 2 – Keith Dyas \_\_\_\_\_

**OFFICERS:** General Manager – Dwayne Chisam; Attorney – Jim Markman/Tilden Kim;  
 Board Secretary/Treasurer – Holly Hughes

- 3. VOLUNTARY PUBLIC ROLL-CALL** – If any member of the public wishes to introduce themselves, please feel free to do so now.

- 4. PUBLIC COMMENTS AND PERIOD OPEN TO THE PUBLIC** – If anyone wishes to address the board on any item not on the agenda, please feel free to do so now.

**5. ADOPTION OF AGENDA**

5(a-1)	Adoption of Agenda for Board Meeting of September 14, 2021	Board Order 5(a-1)
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- 6. CONSENT CALENDAR** – 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.

			Page
6(a-1)	Approve Minutes of the Regular Board Meeting of August 24, 2021	Board Order 6(a-1)	5
6(a-2)	Accept and file the Check Register Lists from August 14, 2021 through September 3, 2021 (Finance Committee Review – 9/13/21)	Board Order 6(a-2)	11

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

**a. Planning Committee (SS/KD/RP) (8/12/21) Page**

7(a-1)	Big Rock Creek Joint Groundwater Recharge Project Update – AVSWCA (Presentation by Paul Chau – Kennedy Jenks)	21
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**b. Capital Improvement Program Committee (FD/KD/AM) 8/30/21 Page**

7(b-1)	Consideration and possible action to award a contract to WM Lyles for the Rosamond Water Treatment Plant Blending Vault Project (Capital Project No. 20-11; \$571,000; Budgeted; Assistant General Manager Knudson)	Board Order 7(b-1)	37
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**c. High Desert Water Bank Committee (FD/KD/SS) 9/9/21 Page**

7(c-1)	Status/Update on the High Desert Water Bank Project (Engineering Manager Livesay)		n/a
7(c-2)	Consideration and possible action on Rental Agreement with Kern County Water Agency for use of Aqueduct Cofferdam for construction of new turnout (HDWB Capital Account; Engineering Manager Livesay)	Board Order 7(c-2)	41

**8. GENERAL MANAGER’S REPORT ON WATER SUPPLY, PROJECTS, AND PROGRAM**

**9. DIRECTOR REPORTS**

- a. Discussion of AVEK Staff Serving as Administrator of the Antelope Valley Watermaster (Director Donato)

**10. ATTORNEY REPORT**

**11. REQUEST FOR FUTURE AGENDA ITEMS**

**12. CLOSED SESSION**

- a. *Possible* Closed session pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiators

Property: APN's: 3275-021-003, 3275-021-004, 3275-021-008, 3275-021-009, 3275-021-011, 3275-021-015, 3275-021-027, 3275-021-028, 3275-021-030, 3275-021-035, 3275-021-038, 3275-021-039, and 3275-021-040.

Agency Negotiator: General Manager Dwayne Chisam

Negotiating parties: AVEK and Ariel and Edna Braza, Marco and Estela Segui; Abraham L and Francisca T. Castillo; Mohammadnejat Davoodian, Kobra Sofavi, Bill Chuan, Kelly Yip, Arley Wolf; Hector Lopez, Maura Lopez, Armando Funes, Ruth Funes; Man Leung Ng, Quang Thanh Su, Ellen Tam Su, Wing Kit Law, 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; Elizabeth Y Tan, Maria Isabella T Santos, Juan Emanuel T Santos; Frederick C Tochtermann and Ceclia C Tochtermann, Ya Ping Wang and Chun Hong Wang; Danny C Vidamo and Aida S Vidamo.

Under negotiation: Price and terms of payment for possible purchase

- b. *Possible* Closed Session – Conference with Legal Counsel – Existing Litigation, to which the local agency is a party pursuant to Government Code Section 54956.9(d)(1), one case, *CV Communities, LLC v. Antelope Valley-East Kern Water Agency*, Los Angeles County Superior Court Case No. 20STCV10953.
- c. *Possible* Closed Session – Conference with Legal Counsel – Anticipated Litigation, pursuant to Government Code section 54956.9, including significant exposure to litigation and consideration of initiation of litigation concerning supplemental water fees. (1 case)

### **13. CLOSED SESSION ANNOUNCEMENTS**

### **14. ADJOURN TO A REGULAR BOARD MEETING SCHEDULED FOR TUESDAY, SEPTEMBER 28, 2021, AT 5:30 P.M.**

**Note:** The Board reserves the right to discuss and/or act on all the above agenda items.

#### **NOTICES**

Any person may make a request for a disability-related modification or accommodation needed for that person to be able to participate in the public meeting by telephoning (661) 943-3201 or writing to Antelope Valley-East Kern Water Agency at 6450 West Avenue N, Palmdale, CA 93551. Requests must specify the nature of the disability and the type of accommodation requested. A telephone number or other contact information should be included so that Agency staff may discuss appropriate arrangements. Persons requesting a disability-related accommodation should make the request with adequate time before the meeting for the Agency to provide the requested accommodation.

A complete agenda packet containing all accompanying reports for this agenda is available by contacting the Board Secretary-Treasurer at [hhughes@avek.org](mailto:hhughes@avek.org) or (661) 943-3201. Board meetings are subject to audio recording.

Posted: September 10, 2021, at 12:00 p.m. by Holly Hughes, Board Secretary-Treasurer



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

To the Board of Directors

**FOR BOARD ACTION**

**MINUTES OF THE REGULAR BOARD MEETING  
OF AUGUST 24, 2021**

The Board of Directors adopted the following board order on  
September 14, 2021:

That the Minutes of the Regular Board Meeting of August 24, 2021, be  
approved as presented.

Motion by \_\_\_\_\_

Second by \_\_\_\_\_

Carried \_\_\_\_\_

BOARD ORDER 6(a-1)

09-14-21



**DRAFT**

**ITEM 1.** The 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 met via teleconference and video conference (not in-person in response to the COVID-19 directive). The meeting was called to order by President **Dyas** at 5:30 p.m.

**ITEM 2.** ROLL CALL – MEMBERS PRESENT via TELECONFERENCE:

- Division 7 – Gary Van Dam
- Division 6 – Audrey Miller
- Division 5 – Robert Parris
- Division 4 – George Lane
- Division 1 – Shelley Sorsabal
- Division 3 – Frank Donato (Vice President)
- Division 2 – Keith Dyas (President)

OFFICERS PRESENT:

- Dwayne Chisam, General Manager
- James Markman, Attorney – Richards, Watson, & Gershon [PRESENT via TELECONFERENCE]
- Holly Hughes, Board Secretary-Treasurer

**NOTES:** STAFF PRESENT:

Matt Knudson, Jon Bozigian, Tom Barnes, Justin Livesay (via teleconference), Jordan Wray and Pam Clark

PUBLIC PRESENT: None in-person

OTHERS PRESENT via TELECONFERENCE:

The following names and numbers appeared on the ZOOM meeting roster (in addition to the names of directors and general counsel) during the teleconference meeting: (661) 272-0015; (661) 433-1038; (661) 433-1487; (661) 946-1229; Dave; Gregory Wood; Jack's iPad; Jim Gardner; John Joyce; Justin Livesay; NERD Aerotech News Alisha; RASancho; Rob Morrow; SKABAR; and others. As many as 24 various participants were noted on the conference call at one time and this number fluctuated throughout the meeting.

Due to the teleconference, all votes cast during this meeting were taken via roll-call.

**ITEM 3.** VOLUNTARY PUBLIC ROLL-CALL: Vincent Dino of Palmdale Water District announced his presence via teleconference.

**ITEM 4.** PUBLIC COMMENTS AND PERIOD OPEN TO THE PUBLIC: There were none.

**ITEM 5.** ADOPTION OF AGENDA:

5(a-1) Adoption of the Agenda for August 24, 2021

ORDERED: On motion by Sorsabal, second by Donato, the current agenda was adopted as presented. **Roll Call Voting: 7-0-0-0; Carried.**

**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 August 10, 2021

6(a-2) Accept and file the Check Register Lists from July 31, 2021, through August 13, 2021 (Finance Committee Review – 08/23/21)

6(a-3) Accept and File the Treasurer's Report for the Month Ending July 31, 2021 (Finance Committee Review – 08/23/21)

6(a-4) Consideration and possible action on Resolution No. R-21-12 – Authorizing the Antelope Valley-East Kern Water Agency to provide water quality laboratory testing service to the State of California Department of Water Resources (Finance Committee Review – 8/23/21)

ORDERED: On motion by Sorsabal, second by Miller, to approve four (4) consent calendar items as presented. **Roll Call Voting: 7-0-0-0; Carried.**

**ITEM 7.** ITEM(S) FOR CONSIDERATION AND POSSIBLE ACTION

**DRAFT**

**a. Finance Committee (FD/KD/SS) 7/23/21**

7(a-1) Consideration and possible action to approve a purchase order with Hach Instrumentation for replacement (5) Chlorine Analyzers at Quartz Hill WTP (Capital Project No. ER22-10), (4) Chlorine Analyzers at Rosamond WTP (Capital Project No. ER22-14), (2) Chlorine Analyzers at Eastside WTP (Capital Project ER22-18), (6) Chlorine Analyzers at Westside Water Bank (Capital Project No. ER22-21), and (1) Chlorine Analyzer at Mojave Tank Farm (Capital Project No. ER22-23) in the amount not-to-exceed \$127,891.00 (Budgeted; Operations Manager Bozigian)

**ORDERED:** On motion by **Donato**, second by **Sorsabal**, to approve the proposal submitted by Hach Instrumentation for the purchase of 18 Free Chlorine analyzers to be installed at the specified locations in the amount of \$127,891 which includes sales tax and shipping as presented and recommended by the committee and staff. **Roll Call Voting: 7-0-0-0; Carried.**

7(a-2) Consideration and possible action to approve a purchase order with Crowley Pump Systems for (1) Spare and (1) Rebuild Rapid Mix Pump at Quartz Hill WTP (Capital Project No. ER22-02 and ER22-07) in the amount not-to-exceed \$32,218.60 (Budgeted; Operations Manager Bozigian)

**ORDERED:** On motion by **Donato**, second by **Sorsabal**, to approve a purchase order with Crowley Pump Systems in the amount not-to-exceed \$32,218.60 for one spare and one rebuilt rapid mixer pump at the Quartz Hill Water Treatment Plant as presented and recommended by the committee and staff. **Roll Call Voting: 7-0-0-0; Carried.**

7(a-3) Consideration and possible action to approve a purchase order with NOV/Brax Process & Pump Equipment for (6) Replacement Floc Mixer Motors/Drives at Quartz Hill WTP (Capital Project No. ER22-02), (3) Replacement Decant Pumps at Quartz Hill WTP (Capital Project No. ER22-05), (2) Replacement Bridge Pumps at Eastside WTP (Capital Project No. ER22-17), and (2) Replacement Bridge Pumps at Rosamond WTP (Capital Project No. ER22-12) in the amount not-to-exceed \$178,597.92 (Budgeted; Operations Manager Bozigian)

**ORDERED:** On motion by **Donato**, second by **Sorsabal**, to approve a purchase order for \$178,597.92 with NOV/Brax Process and Pump equipment for various specific proposals as presented and recommended by the committee and staff. **Roll Call Voting: 7-0-0-0; Carried.**

**b. Planning Committee ad-hoc (SS/KD/RP) 8/6/21 & 8/20/21**

7(b-1) Consideration and possible action on Resolution No. R-21-08 – approving and adopting the 2020 Urban Water Management Plan, 2021 Water Shortage Contingency Plan, and Appendix J as an addendum to the 2015 Urban Water Management Plan (General Manager Chisam). Robert **Morrow** of Water Systems Consulting (WSC) provided a presentation in support of adopting the 2020 Urban Water Management Plan, 2021 Water Shortage Contingency Plan, and Appendix J as an addendum to the 2015 Urban Water Management Plan. He stated that he provided a snapshot about what is known as of the current date. The 2020 UWMP Conclusions reported indicated AVEK having available supplies in normal and wet years for recharge and exchanges with the key assumption that SWP average yield projected to decrease from 58% to 52%; and AVEK groundwater banks can provide sufficient supplies in dry year scenarios, providing that AVEK must expand groundwater bank recharge, recovery, and conveyance capacity as regional demands grow. Projections were highlighted and shown.

**ORDERED:** On motion by **Donato**, second by **Parris**, to adopt Resolution No. R-21-08, approving the 2020 Urban Water Management Plan, 2021 Water Shortage Contingency Plan, and Amendment to Appendix J of the 2015 Urban Water Management Plan as presented and recommended by the committee and staff. **Roll Call Voting: 7-0-0-0; Carried.**

**c. Watermaster Committee (RP/FD/GL)**

7(c-1) Provide Guidance to AVEK Representative for Antelope Valley Watermaster Meeting and Agenda for 8/25/21 (General Manager Chisam). It was stated that there would be a special workshop one hour prior to the regular board meeting. Director **Sorsabal** inquired if they would be addressing the illegal activities going on such as stolen water on the Eastside. AGM **Knudson** stated that was not within the jurisdiction of the Watermaster at that location. GM **Chisam** stated that the Judgement did not address who has legal authority. She asked about the other illegal groundwater pumping and that this has gone on for months and people need answers. VP/Director **Donato** asked about contacting Edison regarding solar wells.

**ITEM 8. GENERAL MANAGER'S REPORT ON WATER SUPPLY, PROJECTS, AND PROGRAMS:**

General Manager **Chisam** provided an update on the status of the Agency. The Northern California State Weather Forecast for the next 10 days was provided. We are still tracking to be the second lowest precipitation year on record.

State Water Project current storage at San Luis is 303k AF, which is 15% of capacity and 34% of historical average; Lake Oroville storage is 806k AF, which is 23% of capacity and 34% of historical average.

Water Treatment Plant Water Flow - totals for both conventional and geopurification were reported at 45.9 MGD with conventional treatment at 26.3 MGD and geopurification deliveries at 19.6 MGD. Westside banking recharge was OFF and the Eastside banking facility was 2 MGD; Upper Amargosa Recharge was also OFF. Total current recharge rate was 6 AFW (acre-feet per week).

The hydropower plant at Lake Oroville was shut down due to low water levels; this was the first time the plant has shut down due to low water levels since it was built in the 1960s.

Water Quality Updates: No issues with finished water quality despite continued low raw water quality in the aqueduct; 3<sup>rd</sup> quarter THMs were collected the previous week; half-way through summer mycrocystin sampling was taken.

Operations and Maintenance Updates: Due to limited ag well production, operations staff is meeting North Feeder demand by adding SNIP flow at a rate of 2 MGD; groundwater recovery at 95% capacity; Well BR-1 is being repaired and expected back online by the end of the month; the Rosamond WTP is online supplemented by SNIP flow; WM Lyles to be procuring materials for the repair of the North Feeder leak at EAFB.

COVID-19 Response and Compliance Plan reporting – No new confirmed cases of COVID-19.

Upcoming events, conferences and meetings include the AV Watermaster Special Workshop scheduled for 7/28/21 at 9 a.m., followed by the Regular Board meeting 10 a.m.; and the CSDA Annual Conference in Monterey scheduled for 8/30/21 through 9/2/21. The General Manager's schedule for the next two weeks was also stated.

**ITEM 9.** **DIRECTORS REPORTS:** Director **Donato** inquired about LADWP providing an unlimited water supply to Healy Farms. Director **Lane** stated that he had also heard of this. GM **Chisam** stated that LADWP was prohibited by their charter from selling water.

**ITEM 10.** **ATTORNEY REPORT:** There was no report from Attorney James **Markman**.

**ITEM 11.** **REQUEST FOR FUTURE AGENDA ITEMS:** Director **Donato** asked if there could be research done about a report he received from Sacramento regarding 9,000 new wells. He stated that he provided the report to General Manager **Chisam** and President **Dyas** for review. GM **Chisam** said he would provide information back to the Board.

**ITEM 12.** **CLOSED SESSION:** General Manager **Chisam** stated that there was reason to go into closed session for Item No. 12(c) only.

- a. (NO) Closed session pursuant to Government Code Section 54956.8  
Conference with Real Property Negotiators

Property: APN's: 3275-021-003, 3275-021-004, 3275-021-008, 3275-021-009, 3275-021-011, 3275-021-015, 3275-021-016, 3275-021-027, 3275-021-028, 3275-021-030, 3275-021-035, 3275-021-038, 3275-021-039, 3275-021-040, and 3275-002-011.

Agency Negotiator: General Manager Dwayne Chisam

Negotiating parties: AVEK and Ariel and Edna Braza, Marco and Estela Segui; Abraham L and Francisca T. Castillo; Mohammadnejat Davoodian, Kobra Sofavi, Bill Chuan, Kelly Yip, Arley Wolf, Gabriel T Fabella, Julia R Fabella, Emmanuel Fabella, Inez Gatmaitan-Fabella, Remedios Balleza, Benigno G Tuazon; Martin Allen Hamilton, Hector Lopez, Maura Lopez, Armando Funes, Ruth Funes; Anthony James Mcgrane, Man Leung Ng, Quang Thanh Su, Ellen Tam Su, Wing Kit Law, 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; 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; Danny C Vidamo and Aida S Vidamo.

Under negotiation: Price and terms of payment for possible purchase

- b. (NO) Closed Session - Conference with Legal Counsel – Existing Litigation, to which the local agency is a party pursuant to Government Code Section 54956.9(d)(1), one case, CV Communities, LLC v. Antelope Valley-East Kern Water Agency, Los Angeles County Superior Court Case No. 20STCV10953.
- c. (YES) Possible Closed Session – Conference with Legal Counsel – Anticipated Litigation, pursuant to Government Code section 54956.9, including significant exposure to litigation and consideration of initiation of litigation concerning supplemental water fees. (1 case)

**ORDERED:** On motion by **Miller**, second by **Donato**, the meeting was adjourned to closed session at **6:51 p.m.** to hear Item 12(c); **Roll Call Voting: 7-0-0-0**; Carried.

**ORDERED:** On motion by **Miller**, second by **Sorsabal**, the meeting was reconvened to open session at **7:20 p.m.**; **Roll Call Voting: 7-0-0-0**; Carried.

**ITEM 13.** **CLOSED SESSION ANNOUNCEMENTS:** President **Dyas** announced that there was no reportable action taken as a result of closed session.

**ITEM 14.** **ADJOURN TO A REGULAR BOARD MEETING SCHEDULED FOR TUESDAY, SEPTEMBER 14, 2021, AT 5:30 P.M.**

**ORDERED:** On motion by **Sorsabal**, second by **Parris**, the meeting was adjourned at **7:22 p.m.**; **Roll Call Voting: 7-0-0-0**; Carried.



**DRAFT**

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Holly Hughes, Board Secretary-Treasurer

**APPROVED BY THE BOARD OF DIRECTORS:**

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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 September 14, 2021:

That the check register lists for the period of August 14, 2021, through September 3, 2021, be approved and accepted for filing as presented.

Motion by \_\_\_\_\_

Second by \_\_\_\_\_

Carried \_\_\_\_\_

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

09-14-21

AVEK Water Agency

Check List

For the Period From August 14, 2021 to September 03, 2021

REVIEWED

9/9/21  
m.jc

Check #	Payee	Explanation	Approved By:	Amount	
<b><u>DWR CONTRACT &amp; WATER DELIVERIES</u></b>					
1	80900	Department of Water Resources	Dry-Year Water Supply	GM Approved	\$ 551,713.00
2	80931	Department of Water Resources	Variable O.M.P.&R Charges - July 2021	Monthly - GM Approved	\$ 769,034.00
<b><u>MONTHLY</u></b>					
3	80886	Xerox Financial Services	Copier Lease Charges - Administration #2 Upstairs	Monthly - GM Approved	\$ 483.20
4	80890	Southern CA Edison	Electricity/Pumping - 320th/RG1/WSSP2 Shop/WSSP2 Control Building	Monthly - GM Approved	\$ 919.48
5	80891	Southern CA Edison	Electricity/Pumping - EW16/EW17	Monthly - GM Approved	\$ 51,160.09
6	80892	Southern CA Edison	Electricity/Pumping - EW15/RG3/SNIP PS	Monthly - GM Approved	\$ 22,796.87
7	80893	Southern CA Edison	Electricity/Pumping - 80th LHPS/BR3/QH Decant/SNIP DS TO	Monthly - GM Approved	\$ 39,128.02
8	80894	Southern CA Edison	Electricity/Pumping - Boron PS/LVPS/MPS/PRS1/PRS2	Monthly - GM Approved	\$ 57,339.95
9	80895	Frontier	Landline SCADA Alarm - WWB	Monthly - GM Approved	\$ 70.51
10	80896	T-Mobile	Director Communication Device	Monthly - GM Approved	\$ 55.00
11	80897	Verizon California	Wireless Service - All Sites	Monthly - GM Approved	\$ 1,574.04
12	80899	WEX Bank - Enterprise Fleet Management	Gasoline/Diesel - All Sites	Monthly - GM Approved	\$ 8,962.01
13	80908	Antelecom, Inc.	Internet Service	Monthly - GM Approved	\$ 185.08
14	80909	AT&T	Landline SCADA Alarm - AWTP/RWTP	Monthly - GM Approved	\$ 637.07
15	80912	The Bank of New York Mellon	Custody Services Fees - June 2021	Monthly - GM Approved	\$ 250.00
16	80914	Bill's Landscaping, Inc.	Landscape Maintenance - September 2021	Monthly - GM Approved	\$ 750.00
17	80916	Broadvoice Business	VOIP Phones - All Sites	Monthly - GM Approved	\$ 1,103.04

AVEK Water Agency  
Check List  
For the Period From August 14, 2021 to September 03, 2021

	Check #	Payee	Explanation	Approved By:	Amount
<b>MONTHLY cont.</b>					
18	80918	California Tool & Welding Supply	Welding Gases - QHWTP	Monthly - GM Approved	\$ 24.50
19	80919	California Tool & Welding Supply	Welding Gases - RWTP	Monthly - GM Approved	\$ 68.30
20	80920	California Tool & Welding Supply	Welding Gases - EWTP	Monthly - GM Approved	\$ 86.90
21	80921	Canon Financial Services, Inc.	Copier Lease & Printing Charges - Administration #1 Mail Room	Monthly - GM Approved	\$ 456.74
22	80925	Cintas	Uniforms - All Sites	Monthly - GM Approved	\$ 227.34
23	80926	Coffee Break Service, Inc.	Kitchen Supplies	Monthly - GM Approved	\$ 363.68
24	80935	Federal Express Corporation	Shipping Charges	Monthly - GM Approved	\$ 27.19
25	80937	The Gas Company	Natural Gas	Monthly - GM Approved	\$ 914.53
26	80944	Hydrex Pest Control, Inc.	Building Maintenance - Administration	Monthly - GM Approved	\$ 329.00
27	80952	Wells Fargo Vendor Financial Services - Kyocera Lease	Copier Lease Charges - Administration #1 Old Lab / Administration #2 New Lab	Monthly - GM Approved	\$ 430.73
28	80956	MCI	Landline SCADA Alarm - RWTP	Monthly - GM Approved	\$ 30.24
29	80963	PFM Asset Management LLC	Managed Account Fees - July 2021	Monthly - GM Approved	\$ 2,189.20
30	80968	Southern CA Edison	Electricity/Pumping - C5/C9/EW18/EW19	Monthly - GM Approved	\$ 22,326.82
31	80971	SoCal Office Technologies	Copier Charges - Xerox Copier	Monthly - GM Approved	\$ 1,652.97
32	80972	Streamline	Monthly Web Hosting Fee - September 2021	Monthly - GM Approved	\$ 550.00
33	80976	Verizon California	Wireless Service - All Sites	Monthly - GM Approved	\$ 4,469.06
34	80978	Waste Management of Antelope Valley	Waste Disposal - AWTP	Monthly - GM Approved	\$ 88.61
35	80979	Waste Management - Kern County	Waste Disposal - RWTP	Monthly - GM Approved	\$ 186.56
36	80980	Waste Management of Antelope Valley	Waste Disposal - WWB	Monthly - GM Approved	\$ 123.29

AVEK Water Agency  
Check List  
For the Period From August 14, 2021 to September 03, 2021

	Check #	Payee	Explanation	Approved By:	Amount
<b><u>MONTHLY cont.</u></b>					
37	80981	Waste Management of Antelope Valley	Waste Disposal - EWTP	Monthly - GM Approved	\$ 192.67
38	80982	Waste Management of Antelope Valley	Waste Disposal - QHWTP	Monthly - GM Approved	\$ 176.15
39	80987	Eurofins Eaton Analytical, Inc.	Outside Services - Lab	Monthly - GM Approved	\$ 5,481.53
40	80990	Sparkletts	Supplies - Lab	Monthly - GM Approved	\$ 314.17
<b><u>BOARD APPROVED</u></b>					
41	80887	Best Best & Krieger LLP	Professional Services - Through July 2021	Finance Committee 08/23/2021	\$ 503.70
42	80888	Mojave Water Agency	FPL Agreement for Water Usage - May and June 2021	BoD Approved Agreement	\$ 1,050.00
43	80889	Richards, Watson & Gershon	Professional Services - Through July 2021	Finance Committee 08/23/2021	\$ 16,762.50
44	80898	U.S. Bank Operations Center	CFD 90-1 September Principal and Interest Payment - Pass Thru	BoD Approved Agreement	\$ 133,155.00
45	80901	CB&T/ACWA-JPIA - Medical Insurance	Employee/Director Medical Insurance	Monthly - BoD Approved Agreement	\$ 100,673.85
46	80903	Airgas USA, LLC	Chemicals - Liquid Oxygen	BoD Approved Chemical Budget	\$ 11,003.38
47	80904	Airgas USA, LLC	Chemicals - CO2	BoD Approved Chemical Budget	\$ 1,200.00
48	80906	Alisha L. Semchuck	Public Information Consultant	BoD Approved Contract	\$ 1,500.00
49	80911	Avadine	Latis Software Product License - September 2021	Monthly - BoD Approved Agreement	\$ 1,100.00
50	80917	California Chamber of Commerce	Membership Fees - 10/01/2021 to 10/01/2022	BoD Approved Membership List	\$ 824.00
51	80930	Duke Engineering and Associates	Control Room Rehab	BoD Approved Agreement	\$ 3,900.00
52	80932	Eco Services Operations Corp.	Chemicals - Alum	BoD Approved Chemical Budget	\$ 52,106.83
53	80946	JCI Jones Chemicals, Inc	Chemicals - Sodium Hypochlorite	BoD Approved Chemical Budget	\$ 10,903.96

AVEK Water Agency  
Check List  
For the Period From August 14, 2021 to September 03, 2021

	Check #	Payee	Explanation	Approved By:	Amount
<b><u>BOARD APPROVED cont.</u></b>					
54	80950	Kennedy/Jenks Consultants	Professional Services through 07/30/2021 - EBB Expansion	BoD Approved Agreement	\$ 16,012.00
55	80950	Kennedy/Jenks Consultants	Professional Services through 07/30/2021 - RWTP/SNIP Intertie	BoD Approved Agreement	\$ 11,703.25
56	80950	Kennedy/Jenks Consultants	Professional Services through 07/30/2021 - SNIP Phase II Final Design	BoD Approved Agreement	\$ 24,325.75
57	80973	Thatcher Company of Nevada	Chemicals - Zinc	BoD Approved Chemical Budget	\$ 33,695.85
58	80983	Wells Fargo Bank, N.A.	Remarketing Fee - Variable Rate COPs	Quarterly - BoD Approved Agreement	\$ 11,250.00
59	80984	WestWater Research, LLC	Professional Services - SWP Marketing	BoD Approved Agreement	\$ 845.00
<b><u>GM APPROVED</u></b>					
<b><u>Administration</u></b>					
60	80965	Pitney Bowes Global Financial Services	Prepaid Postage Machine Lease	Quarterly - GM Approved	\$ 404.99
<b><u>Engineering</u></b>					
61	80885	Provost & Pritchard Consulting Group	Professional Services - Ave N Overcrossing	GM Approved	\$ 2,519.00
62	80958	Jose Benjamin Melendez	Education Reimbursement - Per BoD Approved Policy	GM Approved	\$ 2,433.24
<b><u>Finance</u></b>					
63	80922	CCH	2022 Governmental GAAP Guide	GM Approved	\$ 599.10
64	80934	Ernst & Young US LLP	AVEK's Share - Progress Payment on SWC Audit of DWR	GM Approved	\$ 14,372.00
65	80953	LA County Auditor Controller	LA County Fee for CRA Tax Reports	Annually - GM Approved	\$ 266.52
<b><u>Lab</u></b>					
66	80940	GFS Chemicals, Inc.	Chemicals - Lab	P.O. #21-0220 - GM Approved	\$ 194.07

AVEK Water Agency  
Check List  
For the Period From August 14, 2021 to September 03, 2021

	Check #	Payee	Explanation	Approved By:	Amount
<b>GM APPROVED cont.</b>					
<b>Lab cont.</b>					
67	80941	Grainger	Chemicals/Supplies - Lab	P.O. #21-0204 - GM Approved	\$ 358.37
68	80942	Hach Company	Chemicals - Lab	P.O. #21-0212 - GM Approved	\$ 1,935.09
69	80964	Phenova, Inc.	Chemicals - Lab	P.O. #21-0186 - GM Approved	\$ 384.37
70	80977	VWR International	Chemicals - Lab	P.O. #21-0090 - GM Approved	\$ 701.02
71	80985	Jordan Wray	Lab Supplies Reimbursement	GM Approved	\$ 121.88
<b>Operations &amp; Maintenance</b>					
72	80902	Airgas USA, LLC	Other Supplies - Maintenance Dept.	GM Approved	\$ 44.81
73	80905	Alianza Recycling and Recovery LLC	E-Waste Recycling Fee	GM Approved	\$ 10.19
74	80907	American Fiberglass Tank Repair LLC	Fixed Asset BIR22-16 Repair EWTP Sodium Tank	P.O. #21-0173 - GM Approved	\$ 27,500.00
75	80910	AV Action Air, Inc.	HVAC Maintenance - RWTP	GM Approved	\$ 303.08
76	80913	Bakersfield Electric Motor Repair Inc.	Equipment Maintenance - SNIP PS South	P.O. #21-0236 - GM Approved	\$ 3,797.65
77	80915	Boot Barn, Inc.	Work Boots Reimbursement - Gary Hensley - Per BoD Approved Policy	GM Approved	\$ 138.90
78	80923	Consolidated Electrical Dist.	Fixed Asset EN21-08 Transfer Switch for EW17	P.O. #21-0128 - GM Approved	\$ 2,960.87
79	80923	Consolidated Electrical Dist.	Equipment Maintenance - AWTP/BR1/Maintenance Dept.	GM Approved	\$ 1,740.98
80	80927	Charles P. Crowley Company, Inc.	Equipment Maintenance - Ave. H DS	P.O. #21-0201 - GM Approved	\$ 2,165.60
81	80928	Desert Industrial Supply	Equipment Maintenance - QHWTP	GM Approved	\$ 94.71
82	80929	Dig Safe Board c/o Underground Service	Underground Services	GM Approved	\$ 26.71
83	80936	Fire Ace, Inc.	Safety Supplies - Admin1/Admin2/QHWTP	GM Approved	\$ 1,198.42
84	80938	The Gate Doctor, Inc.	Equipment Maintenance - EWB	GM Approved	\$ 150.00



AVEK Water Agency  
Check List  
For the Period From August 14, 2021 to September 03, 2021

Check #	Payee	Explanation	Approved By:	Amount	
<b>GM APPROVED cont.</b>					
85	80939	Gator Steel Gates, Fences and Welding	Fixed Asset BIR22-15 Security Gate/Operator QHWTP DWR Aqueduct	P.O. #21-0226 - GM Approved	\$ 8,000.00
86	80941	Grainger	Equipment Maintenance - EWTP/QHWTP/RWTP	GM Approved	\$ 871.49
87	80942	Hach Company	Equipment Maintenance - QHWTP	P.O. #21-0207 - GM Approved	\$ 1,273.29
88	80943	Paul Hickman	Work Boots Reimbursement - Per BoD Approved Policy	GM Approved	\$ 150.00
89	80945	Johnstone Supply	HVAC Maintenance - Admin1	GM Approved	\$ 255.67
90	80948	Erik Kane	Work Boots Reimbursement - Per BoD Approved Policy	GM Approved	\$ 150.00
91	80949	Karls Hardware, Inc.	Equipment Maintenance - RWTP	GM Approved	\$ 69.92
92	80951	KJS Health and Safety	Safety Training	GM Approved	\$ 1,300.00
93	80954	Leslie's Poolmart, Inc.	Other Supplies - RWTP	GM Approved	\$ 148.35
94	80955	McCrometer, Inc.	Equipment Maintenance - C8	P.O. #21-0208 - GM Approved	\$ 1,432.14
95	80957	McMaster-Carr Supply Company	Equipment Maintenance - EWTP/QHWTP/RWTP	P.O. #21-0209/21-0227 - GM Approved	\$ 1,663.99
96	80959	Morris, Allen	Work Boots Reimbursement - Per BoD Approved Policy	GM Approved	\$ 128.32
97	80960	Motion Industries Inc.	HVAC Maintenance - Admin2	GM Approved	\$ 228.76
98	80961	Patton Sales Corp.	Equipment Maintenance - Maintenance Dept/QHWTP	GM Approved	\$ 252.52
99	80962	Pauley, Gil	Work Boots Reimbursement - Per BoD Approved Policy	GM Approved	\$ 114.10
100	80966	R & B Automation, Inc.	Fixed Asset ER21-07 Replace Fontaine Slide Valve Actuators QHWTP	P.O. #20-0329 - GM Approved	\$ 11,340.00
101	80967	Safety-Kleen Systems, Inc.	Equipment Maintenance - EWTP	GM Approved	\$ 317.64

AVEK Water Agency  
Check List  
For the Period From August 14, 2021 to September 03, 2021

Check #	Payee	Explanation	Approved By:	Amount
<b>GM APPROVED cont.</b>				
102	80969	Scott P. Baker	Mileage Reimbursement - Electricians' Dept.	GM Approved \$ 89.60
103	80970	SEA Supply	Janitorial Supplies - QHWTP	GM Approved \$ 200.57
104	80974	The Tire Store	Enterprise Vehicle Maintenance - Vehicle #08/WWB	GM Approved \$ 15.00
105	80975	Underground Service Alert	Underground Services	GM Approved \$ 92.50
106	80986	Zee Medical Service Co	Safety Supplies - Admin1/QHWTP	GM Approved \$ 92.08
<b>VOID</b>				
107	80924	VOID	Second Page of Check 80923 - Needed for Printing of Payment Details on Check Stub	n/a \$ -
108	80933	VOID	Second Page of Check 80932 - Needed for Printing of Payment Details on Check Stub	n/a \$ -
109	80947	VOID	Second Page of Check 80946 - Needed for Printing of Payment Details on Check Stub	n/a \$ -
110	80988	VOID	Second Page of Check 80987 - Needed for Printing of Payment Details on Check Stub	n/a \$ -
111	80989	VOID	Third Page of Check 80987 - Needed for Printing of Payment Details on Check Stub	n/a \$ -
	Total			\$ 2,071,994.12

AVEK Water Agency  
 Check List  
 For the Period From August 14, 2021 to September 03, 2021  
 High Desert Water Bank Capital Program Account - MET

REVIEWED  
 9/9/21  
 M.K.

Check #	Payee	Explanation	Approved By:	Amount
1107	Pacific Coast Well Drilling	Progress Pay #6 - HDWB Pilot Recovery Well Drilling	BoD Approved Agreement	\$ 588,041.93
1108	Pacific Coast Well Drilling	Progress Pay #7 - HDWB Pilot Recovery Well Drilling	BoD Approved Agreement	\$ 234,940.94
1109	Stantec Consulting Services Inc.	HDWB Hydrogeology and Design Services	BoD Approved Agreement/Contract	\$ 266,802.09
1110	Department of Water Resources	HDWB Delivery Structure Advance	GM Approved	\$ 60,000.00
Total				\$ 1,149,784.96

AVEK Water Agency  
 Check List  
 For the Period From August 14, 2021 to September 03, 2021  
 High Desert Water Bank Enterprise Fund Account

REVIEWED  
 9/9/21  
 m.x.

Check #	Payee	Explanation	Approved By:	Amount
1186	ADT Security Services - HDWB	Building Security Service - HDWB Billing Period: 08/25/2021 to 09/24/2021	Monthly - GM Approved	\$ 51.99
1187	Hughes Network Systems, LLC	Internet - HDWB	Monthly - GM Approved	\$ 92.86
1188	Waste Management of Antelope Valley	Waste Disposal - HDWB	Monthly - GM Approved	\$ 126.72
1189	WestWater Research, LLC	Consulting Services - HDWB Phase II	GM Approved	\$ 757.50
<b>Total</b>				<b>\$ 1,029.07</b>

# Big Rock Creek Groundwater Recharge Feasibility Study

**Alternatives Analysis – Preliminary Findings**

September 14<sup>th</sup>, 2021

# Agenda

- Project Background
- Recharge Alternatives Overview
  - Locations
  - Recharge Capacity
  - Capital/O&M Costs
  - Permitting Considerations
- Preliminary Alternative Rankings
- Next Steps
- Open Discussion

## Project Background

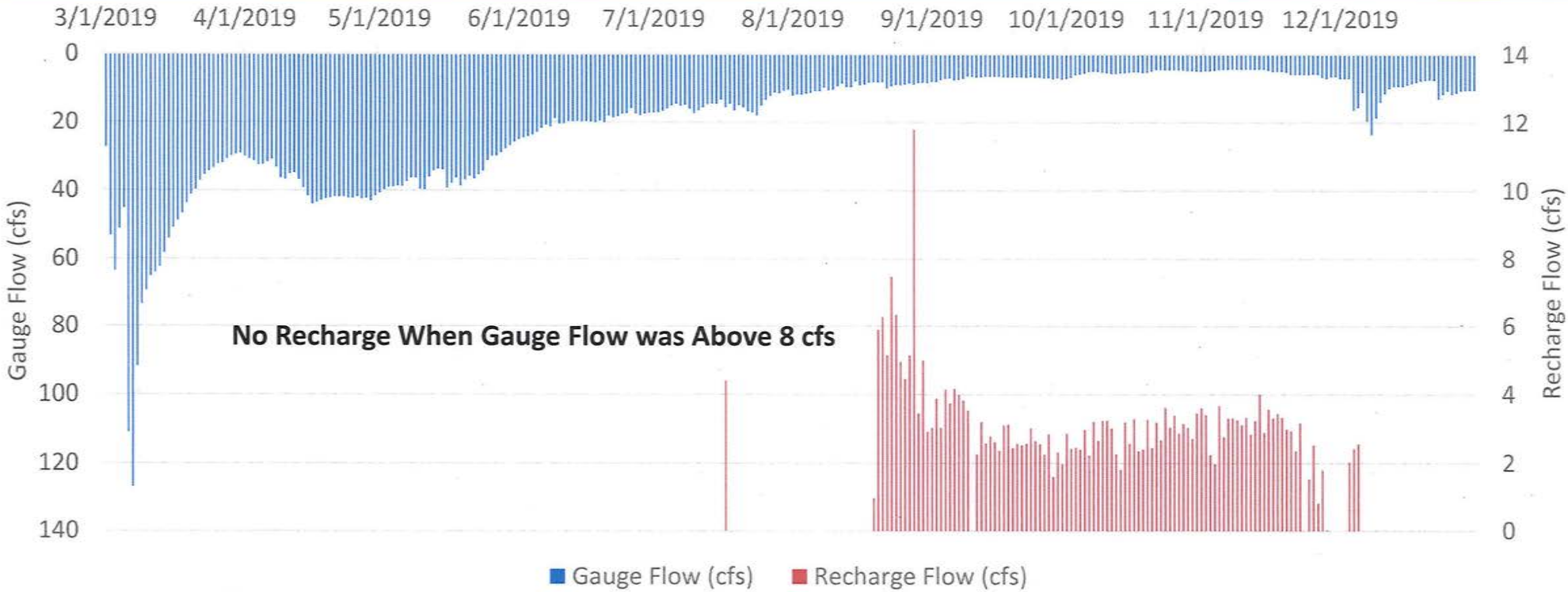
- Purpose of the Study is to evaluate recharge feasibility of Big Rock Creek
- Conducted Recharge Demonstration Project
  - Concluded that using the Creek for artificial recharge produced limited capacity (1,100 AFY)
  - Suggested potential alternatives to improve recharge in the Creek vicinity

# Big Rock Creek Map





# Cannot Recharge when Natural Runoff is Present



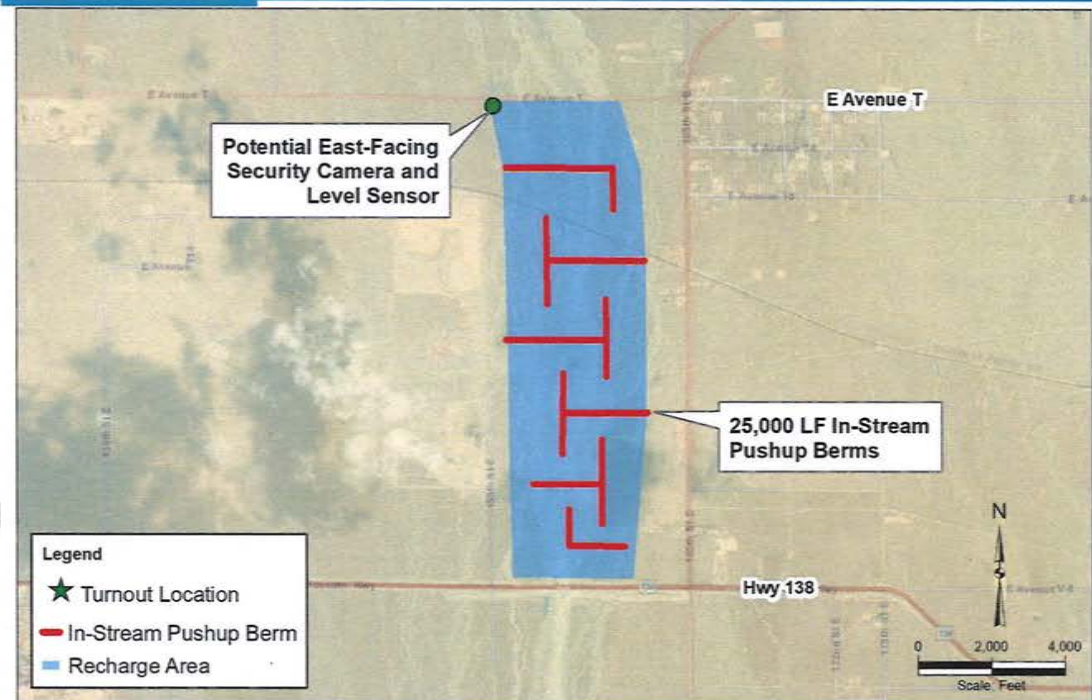
# Recharge Alternatives Overview

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- Alternative 1: In-Stream Pushup Berms
- Alternative 2: East Avenue T and East Avenue S Culverts
- Alternative 3: Offsite Recharge Basins and Pipeline
- Alternative 4: Water Booster Station and Pipeline from Carl B. Hunter WTP

# Alternative 1: In-Stream Pushup Berms

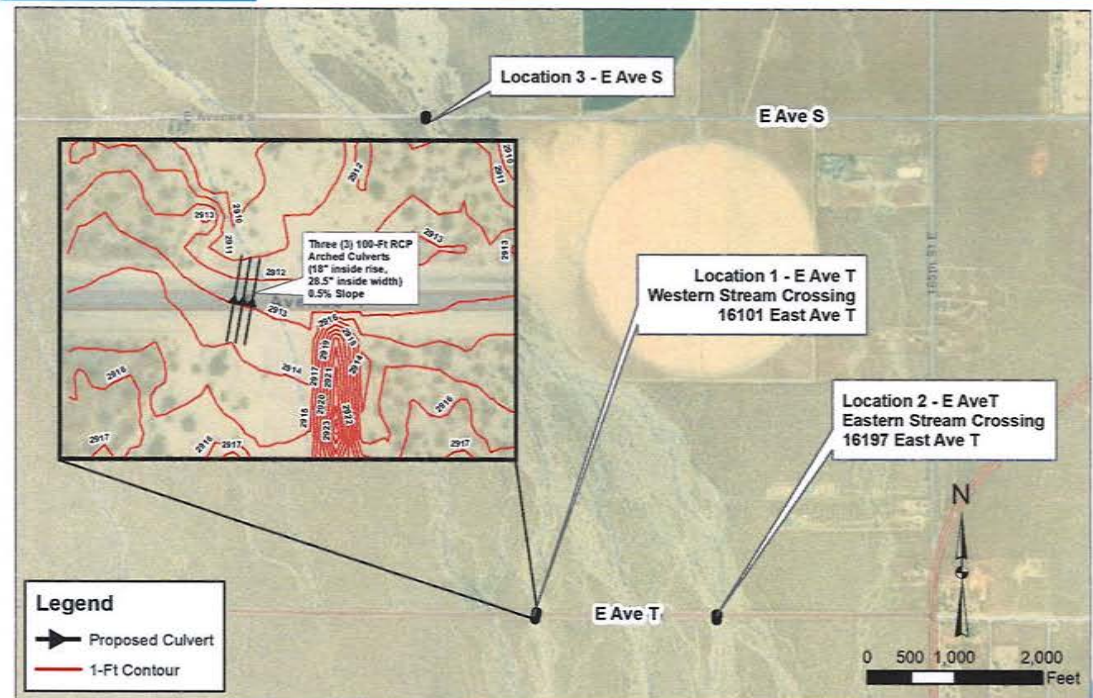
- Recharge Capacity: **20,000 AFY**
- Capital Cost: **\$0.52 M (\$1/AF)**
- 20-Year O&M Cost: **\$1.65 M**
- **Very Intensive Environmental and Permitting Requirements**
  - Up to 2 years to complete permitting
  - Continuous environmental surveying required due to berm reconstruction
- Share Creek with Mother Nature





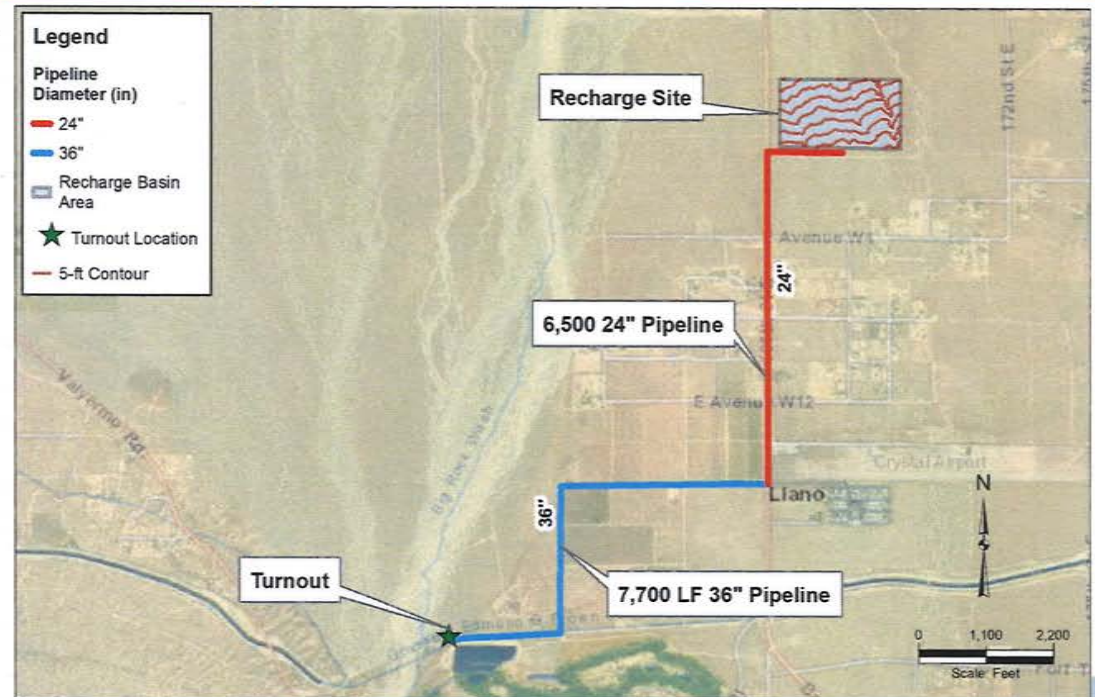
## Alternative 2: East Avenue T and East Avenue S Culverts

- Recharge Capacity: **2,200 AFY**
- Capital Cost: **\$0.51 M (\$12/AF)**
- 20-Year O&M Cost: **\$0.04 M**
- **Limited Capacity**
- Moderate Permitting Requirements
- Small Footprint
- Provides some flood control across East Ave T



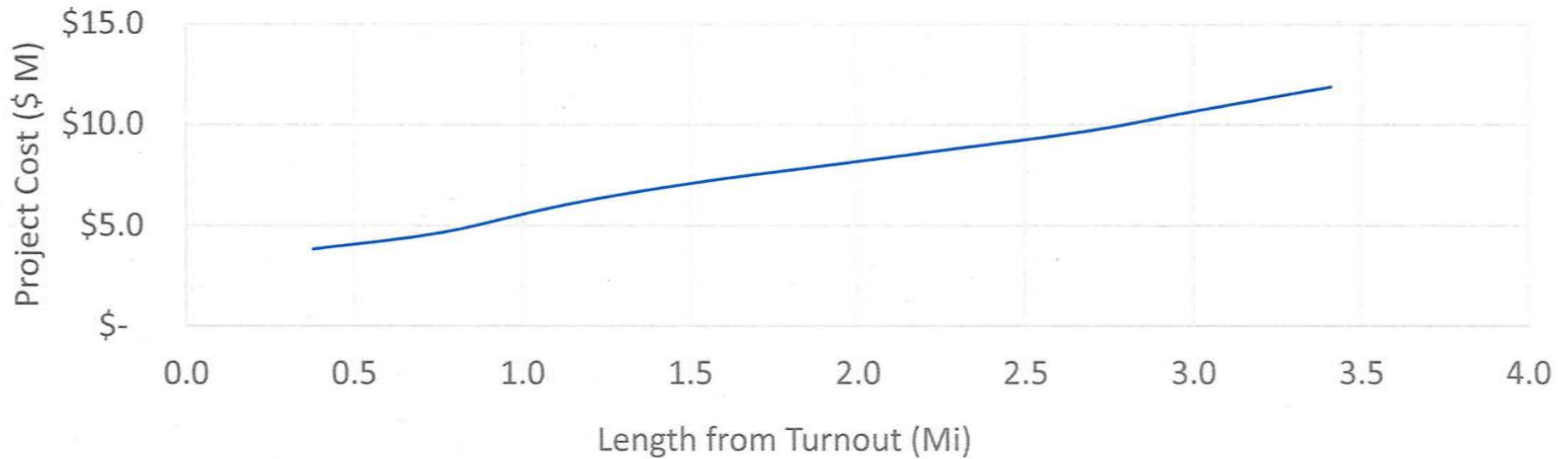
# Alternative 3: Offsite Recharge Basins and Pipeline

- Recharge Capacity: **20,000 AFY**
- Capital Cost: **\$9.7 M (\$24/AF)**
- 20-Year O&M Cost: **\$1.01 M**
- **High Yield, High Cost**
- **Limited Permitting Requirements**
  - Contained footprint
  - Pipeline stays within right-of-way
- Standard pipeline and berm construction



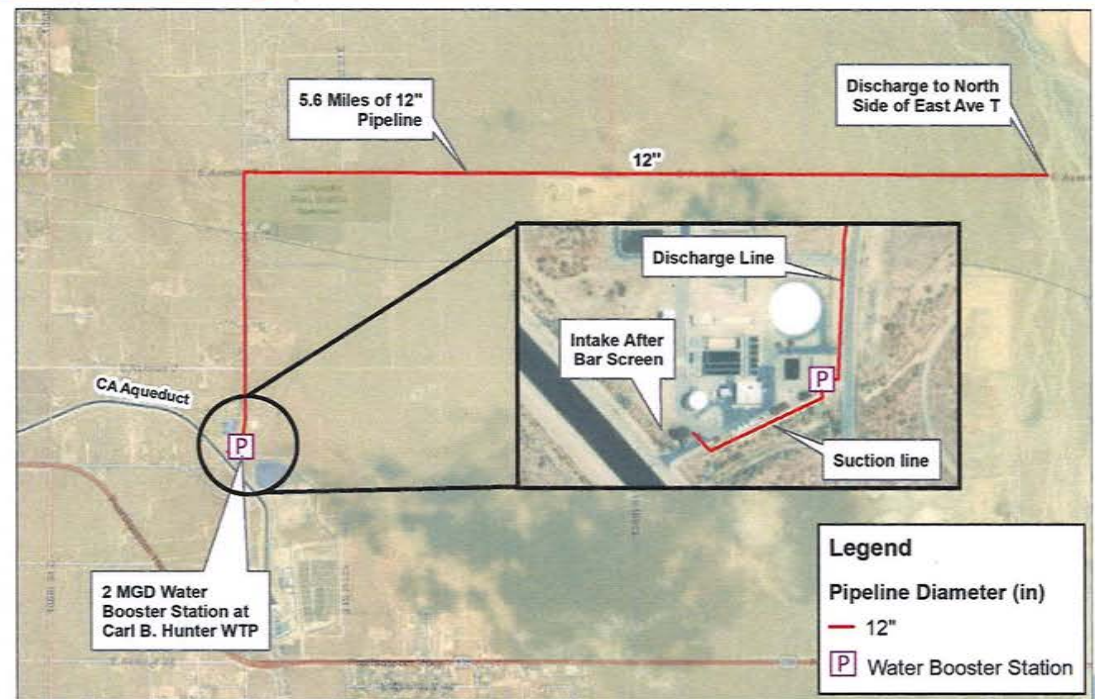
# Alternative 3: Offsite Recharge Basins and Pipeline

Project Cost Curve



## Alternative 4: Water Booster Station and Pipeline from Carl B. Hunter WTP

- Recharge Capacity: **2,200 AFY**
- Capital Cost: **\$10.1 M (\$192/AF)**
- 20-Year O&M Cost: **\$1.38 M**
- **Low Yield, High Costs**  
Moderate permitting requirements
- Large project footprint/  
required easement acquisition
- **\$88,000/yr savings by avoiding Pearblossom PS Lift, compared to other alternatives**



# Preliminary Alternative Rankings

Evaluation Criteria Definition			
Evaluation Criteria	Definition	Scoring Range	Weighting Factor
Recharge Capacity	Total annual recharge volume (AFY) anticipated for the alternative	0 (Worst) - 5 (Best)	30%
Capital Cost	The capital cost required to construct the alternative	0 (Worst) - 5 (Best)	15%
20-Year O&M Cost	The 20-year lifespan O&M cost required to operate and maintain the alternative	0 (Worst) - 5 (Best)	10%
Regulatory and Permitting Requirements	Regulatory and permitting requirements and associated costs needed to construct and operate the alternative	0 (Worst) - 5 (Best)	25%
Ease of Construction	Accounts for complexity of construction and the project footprint	0 (Worst) - 5 (Best)	10%
Community Impacts	Potential positive and/or negative impacts to the surrounding community during and after construction of the alternative	0 (Worst) - 5 (Best)	10%

- Alternatives scored on a relative scale from 0 (worst) to 5 (best)
- Weighting factors applied to each score based on the relative importance of each criteria



# Preliminary Alternative Rankings

Criteria	Weight	Range	Alternative 1		Alternative 2		Alternative 3		Alternative 4	
			In-Channel Berms		East Avenue T/S Culverts		Offsite Recharge Basins		Water Booster Station/Pipeline	
			\$/AF							
				\$1		\$12		\$24		\$192
			Score	Weighted Score	Score	Weighted Score	Score	Weighted Score	Score	Weighted Score
Recharge Capacity	30%	0 - 5	5.0	1.50	0.54	0.16	5.0	1.50	0.54	0.16
Capital Cost	15%	0 - 5	5.0	0.75	4.90	0.74	0.3	0.04	0.25	0.04
20-Year O&M Cost	10%	0 - 5	0.1	0.01	5.00	0.50	0.2	0.02	5.00	0.50
Regulatory and Permitting Requirements	25%	0 - 5	0.5	0.13	4.00	1.00	5.0	1.25	3.00	0.75
Ease of Construction	10%	0 - 5	5.0	0.50	4.00	0.40	3.0	0.30	2.00	0.20
Community Impacts	10%	0 - 5	3.0	0.30	5.00	0.50	3.0	0.30	3.00	0.30
<b>Total</b>	<b>100%</b>			<b>3.19</b>		<b>3.30</b>		<b>3.41</b>		<b>1.95</b>



# Preliminary Alternative Rankings

Alternative	Score	Rank
1 - In-Channel Berms	3.19	3
2 - East Avenue T and S Culverts	3.30	2
<b>3 - Offsite Recharge Basins</b>	<b>3.41</b>	<b>1</b>
4 - Water Booster Station/ Pipeline	1.95	4

- Alternative 3 – Offsite Recharge Basins is the preferred alternative
  - Largest recharge capacity (tied with Alternative 1)
  - Recharge capacity flexibility
  - Stay out of the creek
  - Simplest permitting/ regulatory requirements

## Next Steps

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- Identify specific parcels and optimize design for recharge basins & pipeline
- Preliminary design for recharge facilities
- CEQA documentation

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# OPEN DISCUSSION / QUESTIONS

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**RECOMMENDED BOARD ORDER 7(b-1)**

To the Board of Directors

**FOR BOARD ACTION**

**AWARD CONTRACT TO W.M. LYLES - \$571,000  
FOR RWTP SNIP BLENDING VAULT PROJECT**

The Board of Directors adopted the following board order on September 14, 2021:

To award a contract to W.M. Lyles in the not-to-exceed amount of \$571,000 for the Rosamond Water treatment Plant SNIP Blending Vault Project and authorize the General Manager to execute the associated agreement and issue the Notice of Award and Notice to Proceed, as presented and recommended by the Capital Improvement Program Committee and staff.

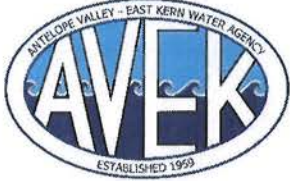
Motion by \_\_\_\_\_

Second by \_\_\_\_\_

Carried \_\_\_\_\_

**BOARD ORDER 7(b-1)**

09-14-21



# STAFF REPORT

To: Board of Directors	Date: September 02, 2021
From: Dwayne Chisam, General Manager	Prepared By: Justin Livesay, Engineering Manager Matthew Knudson, AGM <i>M.K.</i>
Subject: Recommendation to Award a Contract to W.M. Lyles for the Rosamond Water Treatment Plant SNIP Blending Vault Project (Capital Project No. 20-11) in the amount not-to-exceed \$571,000.00	
Meeting Dates: Capital Improvement Program Committee: August 30, 2021 and Board of Directors: September 14, 2021	
Agenda Item(s): 7 (b-1)	Attachment(s): <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

**Staff Recommendation:**

The Capital Improvement Program Committee and staff recommend the Board award a contract to W.M. Lyles in the not-to-exceed amount of \$571,000.00 for the Rosamond Water Treatment Plant SNIP Blending Vault Project and authorize the General Manager to execute the associated agreement and subsequently issue the Notice of Award and Notice to Proceed.

**Summary:**

Approved Capital Project CP 20-11 for Fiscal Year 2021/2022 is to install an in-ground flow control and metering vault to allow blending of recovered, banked State Water Project (SWP) water from the Westside Water Bank with treated surface water in the RWTP clearwell reservoir for trihalomethane (THM) control.

Treated surface water has historically produced high THM levels in our North Feeder system and has been mitigated in recent years by serving recovered, banked SWP water or treated agricultural well water to our Kern County customers. Blending recovered, banked SWP water with treated surface water has proven to be an effective and reliable THM control strategy for our Eastside distribution system and would reliably control THM levels in Kern County when the RWTP is treating surface water in the future.

The Board awarded a contract to design this vault to Kennedy Jenks and authorized staff to place the project out to bid in July 2021. Staff advertised this construction project for bid beginning on July 20, 2021 and opened bids on August 25, 2021. Four contractors provided bids which are summarized as follows:

Contractor	Bid Price
GSE Construction (Livermore, CA)	\$699,700
HPS Mechanical (Bakersfield, CA)	\$676,031
Nicholas Construction (Shafter, CA)	\$662,000
W.M. Lyles (Fresno, CA)	\$571,000
Engineer's Estimate	\$560,000

W.M. Lyles holds a current and active Class A – General Engineering Contractor license and has previously completed numerous projects and repairs for the Agency

Staff has been satisfied with the quality of work on all projects completed by W.M. Lyles in the past.

The approved Fiscal Year 2021/2022 Capital Budget included \$600,000 for the construction of this project. A \$350,000 Prop 1 grant was received for this project from the Fremont IRWM group with no cost-match required.

**Supporting Documents**

- Staff presentation





**RECOMMENDED BOARD ORDER 7(c-2)**

To the Board of Directors

**FOR BOARD ACTION**

**EXECUTE LEASE AGREEMENT WITH KCWA FOR USE OF  
AQUEDUCT COFFERDAM FOR CONSTRUCTION OF NEW  
TURNOUT**

The Board of Directors adopted the following board order on  
September 14, 2021:

To authorize the General Manager to enter a lease agreement with  
Kern County Water Agency (KCWA) for the use of their cofferdam by the  
Department of Water Resources (DWR) for the construction of the High  
Desert Water Bank turnout, subject to inspection and acceptance of said  
cofferdam by the DWR, as recommended by the High Desert Water Bank  
and Water Resources Committee and staff.

Motion by \_\_\_\_\_

Second by \_\_\_\_\_

Carried \_\_\_\_\_

**BOARD ORDER 7(c-2)**

09-14-21



# STAFF REPORT

<b>To:</b> Board of Directors	<b>Date:</b> September 10, 2021
<b>From:</b> Dwayne Chisam, General Manager	<b>Prepared By:</b> Justin Livesay, Engineering Manager Matthew Knudson, AGM <i>M.K.</i>
<b>Subject:</b> Recommendation to Execute a Lease Agreement with Kern County Water Agency for use of a cofferdam for the High Desert Water Bank turnout construction	
<b>Meeting Dates:</b> High Desert Water Bank & Water Resources Committee: September 9, 2021 and Board of Directors: September 14, 2021	
<b>Agenda Item(s):</b> 7(c-2)	<b>Attachment(s):</b> <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

**Staff Recommendation:**

The High Desert Water Bank and Water Resources Committee and staff recommend the Board authorize the General Manager to enter a lease agreement with Kern County Water Agency for the use of their cofferdam for construction of the High Desert Water Bank turnout, subject to inspection and acceptance of said cofferdam by the Department of Water Resources (DWR).

**Summary:**

The High Desert Water Bank is a partnership with Metropolitan Water District with the goal of recharging and recovering up to 70,000 acre-feet of water per year with a total storage capacity of 280,000 acre-feet. In order to recharge on the project site a new turnout on the east branch of the State Water Project is required. This turnout is being designed by Stantec and is under review by the Department of Water Resources (DWR). A cofferdam will be required to construct a new turnout within the aqueduct without disrupting deliveries. This structure is placed within the aqueduct to divert water around the structure to allow the new turnout to be cut into the existing aqueduct lining. Once the turnout is completed, the cofferdam is removed.

Stantec’s design team has previously worked with Kern County Water Agency (KCWA) and DWR to construct a turnout in the aqueduct and was aware of a cofferdam owned by KCWA that matches the design criteria for AVEK’s new turnout. As a cost-saving measure, they recommended AVEK propose leasing the cofferdam from KCWA rather than have a contractor build a new cofferdam for our project. The design team estimates that a new cofferdam would cost between \$200,000-250,000.

KCWA is amenable to AVEK leasing the cofferdam and presented a lease agreement which is attached to this staff report. Some key terms of the agreement are:

- 5-month initial rental term
- \$50,000 initial payment covering the first 3 months and a deposit of \$12,500
- \$12,500 per month lease payment after the first 3 months
- AVEK accepts cofferdam in “as-is” condition
- AVEK (via contractor) will provide crane and transportation to and from the KCWA storage facility

The cost of leasing the cofferdam from KCWA for a period of five months would be \$62,500 – a potential savings to AVEK of close to \$200,000 or more. AVEK’s payments do not commence until the cofferdam is removed from the KCWA storage facility and prior to executing the agreement Stantec’s team will ensure the cofferdam is in suitable condition for use and is accepted and approved for use by DWR.

Authorizing the General Manager to execute the agreement at this time will allow these early inspections to occur, provide confirmation to DWR that this is the cofferdam we intend to use, and ensure that there are no delays to the project schedule.

**Supporting Documents**

- Kern County Water Agency Lease Agreement

**KERN COUNTY WATER AGENCY  
AGREEMENT FOR  
2.5:1 SIDE SLOPE COFFERDAM RENTAL  
MC2021-013**

This lease Agreement is made and entered into by and between the Kern County Water Agency (“Agency”) and Antelope Valley-East Kern Water Agency (“Lessee”) for a cofferdam pursuant to the following terms and conditions:

1. COFFERDAM: Includes one bolted steel 2.5:1 side sloped cofferdam with an adjustable thirty-two (32) to forty-eight (48) feet wide front and sixty (60) feet wings designed for an eighteen (18) feet high water level. The Lessee, at their sole expense, agrees to the following cofferdam lease requirements:
  - a. Lessee accepts the cofferdam in an “as is” condition.
  - b. Lessee shall verify cofferdam parts and equipment prior to shipment from and return to the Agency storage facility with an Agency provided parts list.
  - c. Lessee shall provide a crane and transportation from and to the Agency storage facility.
  - d. Lessee shall not modify the cofferdam without prior Agency approval.
  - e. Lessee shall use a California licensed engineer to design cofferdam anchorage and required freeboard.
  - f. Lessee shall repair any damaged areas and replace all seals of the cofferdam to the Agency’s satisfaction within sixty (60) days of the cofferdam’s return to the Agency storage facility. If Lessee does not repair all damaged areas and replace all seals of the cofferdam to the Agency’s satisfaction, Agency shall invoice Lessee for the costs of such repairs and replacements.
  - g. Lessee shall contact the Water Resources Operations and Maintenance Superintendent at (661) 205-5935 to make prior arrangements to load and unload the cofferdam at the Agency storage facility.
2. TERM: This cofferdam lease is effective on September 28, 2021 and shall terminate March 31, 2022 unless extended by mutual agreement in writing. Lessee shall provide the Agency an update on whether an extension of the term is required prior to January 31, 2022.
3. COMPENSATION: Compensation under this agreement shall include:
  - a. Before the cofferdam is removed from the Agency’s storage facility, a lump sum payment of \$50,000 equaling three-months’ lease and a deposit of \$12,500.
  - b. \$12,500 per month fee for every month the cofferdam is used beyond the initial three months.

- c. If the cofferdam is not returned by March 31, 2022, or any extension mutually agreed to in Article 2 above, the Agency will deduct \$2,500.00 per week from the deposit.
  - d. Thirty (30) days after Lessee completes Article 1.f. above the Agency will refund any remaining deposit amounts.
  - e. All payments shall be due 30 days after the date of the Agency's invoice. Late payments shall be subject to interest charges at the rate of 1 percent per month on the unpaid balance from the due date until the unpaid balance is paid off. All payments shall be made to the Kern County Water Agency, 3200 Rio Mirada Drive, Bakersfield, CA 93308, Attention: Accounts Receivable.
4. INDEMNITY: To the fullest extent permitted by law, Lessee shall hold harmless, defend, and indemnify Agency, its directors, officers, employees, and agents against any and all liability, claims, losses, damages, damages to property or expenses, death or injury to persons, structural failures, including reasonable attorney's fees and costs, arising from Lessee's use of Agency's cofferdam.
5. NOTICE: Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by personal delivery or by depositing the same in a United States Post Office, registered or certified, postage prepaid, addressed to:

Agency: Kern County Water Agency  
 3200 Rio Mirada Drive  
 Bakersfield, CA 93308  
 ATTN: Water Resources Department

Lessee: Antelope Valley-East Kern Water Agency  
 6500 West Avenue N  
 Palmdale, CA 93551

This Agreement is executed by the Agency pursuant to an action of its Governing Body authorizing the same, and Lessee has caused this Agreement to be duly executed.

**Agency**

**Lessee**

\_\_\_\_\_

\_\_\_\_\_

By: Holly Melton

By: \_\_\_\_\_

Title: Water Resources Manager

Title: \_\_\_\_\_

Dated: \_\_\_\_\_, 2021

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