



ANTELOPE VALLEY-EAST KERN WATER AGENCY
ANTELOPE VALLEY-EAST KERN WATER AGENCY FINANCING AUTHORITY
MINUTES
REGULAR MEETING OF THE BOARD OF DIRECTORS
APRIL 23, 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 Marlon Barnes.

ITEM 3. **ROLL CALL – MEMBERS PRESENT:**
Division 7 – Gary Van Dam
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 McElhaney, Attorney – Brunick, McElhaney, & Kennedy
Holly Hughes, Secretary-Treasurer

NOT PRESENT:
Division 5 – Robert Parris

NOTES: **STAFF PRESENT:**
Matthew Knudson, Jon Bozigian, Teresa Yates, and Pam Clark

OTHERS PRESENT:
John Joyce, Vincent Dino, B. Moore, Richard Gomez, Ben Stewart, Samantha Herrador, and others

Although there was a teleconference location posted as 4 Embarcadero Center, #1400, San Francisco, CA 94111, there was nobody present at that location and as such, there was no need for roll-call votes at this meeting.

ITEM 4. **ADOPTION OF AGENDA:** There was no vote taken to adopt the agenda.

ITEM 5. **PUBLIC COMMENTS AND PERIOD OPEN TO THE PUBLIC:** Mr. John Joyce of Joyce Media stated that former Attorney Olaf Landsgaard had passed away today (April 23, 2019).

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 26, 2019
- 6(a-2) Accept and File the Check Register Lists from April 4, 2019 through April 17, 2019
- 6(a-3) Accept and File the Treasurer's Report for the Month ending March 31, 2019
- 6(a-4) Resolution No. R-19-09, Adoption of the Fremont Basin Integrated Water Management Plan (IRWMP)
– [Old Business/Planning Committee]

ORDERED: On motion by Dyas, second by Lane, to approve all four Consent Calendar Items as presented. **Voting: 6-0-0-1; Parris not present; Carried.**

After the vote, Director Donato expressed concern regarding Check No. 76498 in the amount of \$3,500 for an AV Board of Trade sponsorship of an event. He stated that additional sponsorships outside of the approved memberships should be brought before the board for review and consideration. He stated that he was unable to see this item while on a teleconference for the Finance Committee on the previous day.

ITEM 7. **NEW BUSINESS: ITEM(S) FOR COMMUNICATION AND POSSIBLE ACTION:**

7(a-1) Resolution No. R-19-10, Resolution of Appreciation for Congresswoman Katie Hill

ORDERED: On motion by **Dyas**, second by **Barnes**, to adopt Resolution No. R-19-10, in appreciation of Katie Hill's interest and support of AVEK Water Agency. **Voting: 6-0-0-1; Parris not present; Carried.**

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

a-Finance 8(a-1) Resolution No. R-19-11, Participation and Support of Hazard Mitigation Program and Pre-Disaster Mitigation Program. VP **Dyas** provided the report for Finance Committee Chair **Donato**, as he was present via teleconference for the Finance meeting of 4/22/19. The resolution allows the Agency to apply for a grant funding program for a \$200k grant. AVEK's contribution would be \$50k, and the grant would be \$150k.

ORDERED: On motion by **Barnes** second by **Dyas**, to adopt Resolution No. R-19-11, authorizing participation and support of a Hazard Mitigation Program and Pre-Disaster Mitigation Program with a local Agency match in the amount of \$50k. **Voting: 6-0-0-1; Parris not present; Carried.**

b-Adj/WM 8(b-1) Provide Guidance to AVEK Representative for AV Watermaster Agenda of 4/24/19. AGM **Knudson** highlighted the AV Watermaster Agenda with the board and action items were reviewed and discussed.

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

GM **Chisam** provided his report in presentation format. He stated that total precipitation since 1/1/19 totaled 48.4" to date.

Water deliveries - totals for both conventional and geopurification were reported at 30.8 MGD with conventional treatment at 27 MGD and geopurification deliveries at 3.8 MGD. Westside banking was 151 AFD and Eastside banking facility was off. Water deliveries of customer requests vs. actual was 4,660 AF delivered through March. Raw water TOC is moderate (2.9 mg/L). Removal through clarifiers is 47%. TOC removal through geopurification was between 84%-99.9%. THM compliance samples were completed and all locations have a LRAA less than ½ the MCL. Legislative and regulatory updates were also provided.

Upcoming events, conferences and meetings for the region include the AV Watermaster meeting on 4/24/19; AV Board of Trade Sacramento Legislative Bus Trip on 5/6/19 to 5/7/19; ACWA Spring Conference in Monterey on 5/7 through 5/10. The GM's schedule for the next two weeks was also stated.

ITEM 10. COMMITTEE MEETING RECAP REPORT FOR INFORMATIONAL PURPOSES ONLY: There were none.

ITEM 11. DIRECTORS REPORTS: Director **Donato** stated that there was a major conference on "Sustainable Groundwater Planning in California" scheduled for July 25-July-26, 2019 in Sacramento and requested that consideration on attending the event be brought back to the board. Director **Van Dam** again thanked the board and Vince Dino of Palmdale Water District for participation in Kids' Ag Day and stated that over 920 children attended the successful event.

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

ITEM 13. OLD BUSINESS

CLOSED SESSION: It was declared that there was reason to go into closed session for closed session Items 13(c) 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), One 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 Donato, second by Barnes, the meeting was adjourned to closed session at 7:18 p.m.; Voting: 6-0-0-1; Parris not present; Carried.

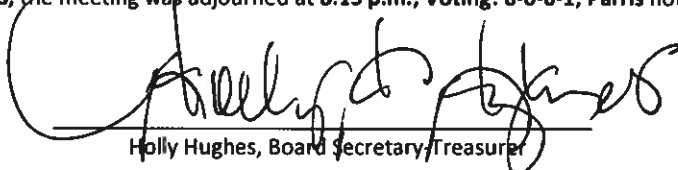
ORDERED: On motion by a Donato, second by another Barnes, the meeting was reconvened to open session at 8:13 p.m.; Voting: 6-0-0-1; Parris not present; Carried.

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

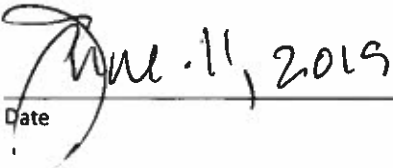
ITEM 15. **REQUEST FOR FUTURE AGENDA ITEMS:** None.

ITEM 16. **ADJOURN TO A REGULAR BOARD MEETING SCHEDULED FOR TUESDAY, MAY 14, 2019 AT 6:30 P.M.**

ORDERED: On motion by Lane, second by Barnes, the meeting was adjourned at 8:15 p.m.; Voting: 6-0-0-1; Parris not present; Carried.


Holly Hughes, Board Secretary/Treasurer

APPROVED BY THE BOARD OF DIRECTORS:


Date


President



RECOMMENDED BOARD ORDER 7(a-1)

To the Board of Directors

FOR BOARD ACTION

**MINUTES OF THE REGULAR BOARD MEETING
OF APRIL 23, 2019**

The Board of Directors adopted the following board order on
June 11, 2019:

That the Minutes of the regular board meeting of April 23, 2019, be
approved as presented.

Motion by Sykes
Second by Burnes
Carried 6-0-0-1
(Lane Not Present)

BOARD ORDER 7(a-1)

06-11-19

