

**Antelope Valley Watermaster Board
Special Meeting Agenda**

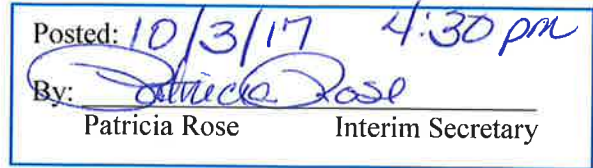
Thursday, October 5, 2017 – 10:00 a.m.

**Location: Antelope Valley – East Kern Water Agency
6500 West Avenue N, Palmdale, CA 93551**

Teleconference: 1 (669) 224-3412 Access Code: 299-187-797

BOARD OF DIRECTORS

Robert Parris, AVEK Water Agency – Chairperson
Adrienne Lewis Reza, Landowners – Vice Chairperson
Adam Ariki, Los Angeles County Waterworks District 40
John Calandri, Landowners
Leo Thibault, Public Water Suppliers



WATERMASTER ENGINEER

Phyllis Stanin, Todd Groundwater

Note: To comply with the Americans with disabilities Act, to participate in any Watermaster meeting please contact Patti Rose at 661-943-3201 at least 48 hours prior to a Watermaster meeting to inform us of your needs and to determine if accommodation is feasible.

- 1) **Call to Order**
- 2) **Roll Call**
- 3) **Adoption of Agenda**
- 4) **Public comments for non-agenda items.** (This portion of the agenda allows an individual the opportunity to address the Board on any item regarding Watermaster business that is NOT ON THE AGENDA. Without acting or entering a dialogue with the public, Board members may ask clarifying questions about topics posed by the public. Your matter may be referred to the administrator and/or advisory committee.)
- 5) **Consent Agenda**
 - A. Payment of the bills through September 29, 2017
 - B. Approval of the minutes of the regular meeting held July 26, 2017 and August 23, 2017.
 - C. Watermaster related correspondences
- 6) **Action Items**
 - A. Discussion and possible action on the selection of the Watermaster Attorney.
 - a. Advisory Committee Report
 - B. Discussion and possible action on providing staff direction to draft a Professional Service Agreement (PSA) with the selected Watermaster Attorney for future Board approval.
- 7) **Staff Report**
- 8) **Board Members Request for Future Agenda Items**
- 9) **Adjournment**

Special Meeting
October 5, 2017

1) Consent Agenda

- A. Payment of the bills through September 29, 2017
- B. Approval of the minutes of the regular meeting held July 26, 2017 and August 23, 2017.
- C. Watermaster related correspondences.

Special Meeting
October 5, 2017

Payment of the bill through
September 29, 2017

ANTELOPE VALLEY WATERMASTER BOARD MEMORANDUM

DATE: September 28, 2017
TO: WATERMASTER BOARD
FROM: Mr. Matthew Knudson, AVEK Assistant General Manager
VIA: Mr. Dwayne Chisam, AVEK General Manager
RE: *PAYMENT OF BILLS THROUGH September 30, 2017*

Recommendation:

Staff has reviewed and recommends payment for the attached invoice from TODD Groundwater in the amount of \$40,596.14 for services in connection with Watermaster Engineer Services for the month August 2017.

Staff has reviewed and recommends payment for the attached invoice from GloTrans in the amount of \$1,200.00 for the avwatermaster.org website for August 2017.

Supporting Documents:

- Copies of invoices

TODD

GROUNDWATER

2490 Mariner Square Loop, Suite 215
 Alameda, CA 94501
 510/747-6920 Federal ID# 94-2490748

Invoice

DATE INVOICE NO.
 9/8/2017 79601 8-17

BILL TO:

Antelope Valley Watermaster
 Attn: Robert Parris
 P.O. Box 3025
 Quartz Hill, CA 93586

Project No: 79601 - Antelope Valley WM ES

| DESCRIPTION | HOURS | RATE | AMOUNT |
|---|--------|--------|-----------|
| Professional services in connection with Watermaster Engineer Services. | | | |
| Iris Priestaf | 0.75 | 230.00 | 172.50 |
| Kate White | 68 | 215.00 | 14,620.00 |
| Maureen Reilly | 2 | 205.00 | 410.00 |
| Phyllis Stanin | 81.75 | 230.00 | 18,802.50 |
| Chad Taylor | 14 | 205.00 | 2,870.00 |
| Amber Ritchie | 4.5 | 160.00 | 720.00 |
| Professional Services Subtotal | | | 37,595.00 |
| Communications Fee @ 2% of Professional Services | 37,595 | 0.02 | 751.90 |
| Drafting, GIS & Support Services: | | | |
| Alain Boutefeu | 13.5 | 115.00 | 1,552.50 |
| Administrative/Secretarial: | | | |
| Sheila Gould | 0.25 | 105.00 | 26.25 |
| Outside Expenses: | | | |
| Parking/Toll | | 30.60 | 30.60 |
| Airfare travel | | 372.90 | 372.90 |
| Car Rental & Gas | | 207.24 | 207.24 |
| Local Mileage @ .535/mile | 52 | 0.535 | 27.82 |
| Standard expense fee @ 5% of total Outside Expenses | 638.56 | 0.05 | 31.93 |

Aug. 1-31, 2017

\$40,596.14

This invoice is now due and payable. Balances unpaid over 30 days accrue 1.5% interest per month. If payment for previous charges has been sent, please accept our thanks and disregard our reminder of previous unpaid charges.

Glotrans

2915 McClure St.
Oakland, CA 94609
(510)208-4775
danielross@glotrans.com

INVOICE

BILL TO

Antelope Valley Watermaster
6500 West Avenue N.
Palmdale, CA 93552

INVOICE # 3026

DATE 09/01/2017

DUE DATE 10/01/2017

| DATE | ACCOUNT SUMMARY | AMOUNT |
|------------|--|------------|
| 08/01/2017 | Balance Forward | \$2,400.00 |
| | Payments and credits between 08/01/2017 and 09/01/2017 | -1,200.00 |
| | New charges (details below) | 1,200.00 |
| | Total Amount Due | \$2,400.00 |

| DATE | ACTIVITY | AMOUNT |
|------------|--|----------|
| 08/31/2017 | Hosting and support of document repository www.avwatermaster.org for the month of August 2017 | 1,200.00 |

Global Transactions, Inc. (dba Glotrans)
Federal Tax ID: 94-3316854

TOTAL OF NEW CHARGES 1,200.00
BALANCE DUE \$2,400.00

*PAID Seeley
Jan. 18*

Special Meeting
October 5, 2017

Approval of the Minutes
July 26, 2017

**Minutes for Regular Meeting
of the Antelope Valley Watermaster Board
Wednesday, July 26, 2017 -10:00 a.m.
Location: Antelope Valley – East Kern Water Agency
6500 West Avenue N, Palmdale, CA 93551**

- 1) Meeting was called to order at 10:17 a.m.
- 2) Director **Calandri** lead the Pledge of Allegiance

3) **Roll Call**

Robert Parris, AVEK Water Agency – Chairperson
Dennis Atkinson, Landowners – Vice Chairperson
Adam Ariki, Los Angeles County Waterworks District 40
John Calandri, Landowners
Kathy Maclaren, Public Water Suppliers

4) **Adoption of Agenda**

A motion was made by Director **Ariki**, seconded by Director **Atkinson** and unanimously carried to approve the agenda.

5) **Public comments for non-agenda items:**

Eugene Nebekker – I would like to bring to the Boards attention an issue that has been handled incorrectly, applied unequally and handled in a manner that breeds distrust. For example; I received an invoice with the \$5 per acre-foot charge for the administrative fee but was also assessed \$1 per acre-foot for actual production in excess of production right. This charge is discussed on page 32, section 9.1 on the Judgment. A number of parties are upset because they thought the first 2 years after the signing of the Judgment constituted a “grace period.” That was the spirit and intent of the settlement. They are also upset because this fee was a complete surprise. They want to know if the folks who have no production rights but are still pumping will also be charged the same amount or more. This issue represents a “can of worms” and I recommend you consider this issue carefully and rescind this charge.

Director Parris – There was a long discussion regarding this issue and the attorneys in the room at that time agreed with the Boards interpretation, this can be reviewed by the Advisory committee and brought back to the Board.

Matt Knudson – If you look at the minutes on page 10 of the agenda, action item 7a the Board did approve \$1 for excess production over the production right.

Tom Bunn – This item is not on the agenda and the Board should not be discussing this matter, it can go back to the Advisory for discussion.

Stan Powell commented on the draft Annual Report and commended Todd Groundwater on their work.

Don Bartz – General Manager of Phelan Pinon Hills CSD, addressed the Board regarding the letter sent by Aleshire & Wynder LLP to Todd Groundwater regarding the Draft 2016 Annual Report and references to Phelan Pinon Hills CSD.

6) **Consent Agenda**

A. Payment of the bills through July 18, 2017

A motion was made by Director **Calandri**, seconded by Director **Atkinson** and unanimously carried to approve payment of the bills through July 18, 2017.

B. Approval of minutes of the special meeting held June 5, 2017 and June 28, 2017.

A motion was made by Director **Atkinson**, seconded by Director **Ariki** and carried to approve the minutes as presented. Director **MacLaren** abstained.

C. Finance Report – None

D. Correspondences - Noted

7) **Advisory Committee Report**

Dennis LaMoreaux reported that the Advisory Committee met on July 19, 2017, and their comments on the Draft Administrative Report have been submitted to Todd Groundwater.

8) **Action Items**

A. Public Hearing to consider the Proposed Draft 2016 Annual Report.

a. Opening of Public Hearing

A motion was made by Director **MacLaren**, seconded by Director **Atkinson** and unanimously carried to open the hearing.

(i) Presentation by **Todd Groundwater**

- Reviewed Administrative Draft Report
- Advisory Committee comments
- Annual Report to SGMA

(ii) Advisory Committee Report – No Comments

(iii) Public Comments – No Comments

b. Closing of the Public Hearing

A motion was made by Director **MacLaren**, seconded by Director **Atkinson** and unanimously carried to close the hearing.

B. Discussion and possible action to adopt **Resolution 17-05** approving the 2016 Antelope Valley Watermaster Annual Report and said report to be filed with the court.

A motion was made by Director **Atkinson**, seconded by Director **MacLaren** and unanimously carried to adopt **Resolution 17-05** approving the 2016 Antelope Valley Watermaster Annual Report and for the report to be filed with the court.

As discussed in the presentation the approved report will also be posted on the Department of Water Resources Sustainable Groundwater management (SGMA) website.

Tom Bunn will help Todd Groundwater submit the final document to the court.

C. Discussion and possible action on development of a Water Storage agreement.

The Board directed Todd Groundwater and staff to work on a draft agreement.

D. Discussion and possible action on appointment of Watermaster attorney.

Staff will send a letter of interest to the recommended attorneys. The Advisory Committee will review the candidates list and make their recommendations to the Board. The Board will then schedule a time for interviewing the candidates.

9) **Engineer's Report – Phyllis Stanin**

A. Discussion and possible action on Rules and Regulations Outline.

Rules and Regulations will be reviewed by the Advisory Committee before Board action.

B. Discussion and possible action on recommendations for Meter Requirements.

Draft meter requirements will be on the next agenda for review; the proposed meter requirements will be published for a period of 30 days before the Public Hearing. It was also suggested that the Board request and extension from the court for the installation of meters.

C. Discussion and possible action on assessment for producers not on Exhibits 3 and 4.

No action taken

D. Discussion and possible action to approve the proposed New or Replacement Well Applications.

Interim form approved. The final form and proposed fee will be brought back at the next meeting.

10) **Director/Staff Reports**

A. Update on Interim Administrative Activities

(1) Status update on Assessments and Production Reports.

- (2) Status Report on proposals to prepare 2016 Financial Audit as required by the annual report.
- (3) Landowner's Alternate Representative Election Results.
- (4) Discussion on Carryover Water.

11) Adjournment

A motion was made by Director **MacLaren**, seconded by Director **Ariki** and unanimously carried to adjourn the meeting.

APPROVED BY THE BOARD OF DIRECTORS:

Robert Parris – Chairman

Patricia Rose – Interim Secretary

Special Meeting
October 5, 2017

Approval of the Minutes
August 23, 2017

MINUTES

Antelope Valley Watermaster – Regular Board Meeting

Wednesday, August 23, 2017 – 10:00 a.m.

Location: Antelope Valley-East Kern Water Agency

6500 West Avenue N, Palmdale, CA 93551

Teleconference: +1 (872) 240-3412 > Access Code: 386-099-701 #

Web-conference: <https://global.gotomeeting.com/join/386099701>

- 1) **Call to Order:** Meeting was called to order by Board Chairperson Robert Parris at 10:00 a.m.
- 2) **Pledge of Allegiance:** Director/ Vice-Chair Atkinson led the Pledge of Allegiance to the flag.
- 3) **Roll-Call: of Board of Directors:**

Adam Ariki, Los Angeles County Waterworks District 40

Dennis Atkinson, Landowners

John Calandri, Landowners

Robert Parris, AVEK Water Agency

Kathy MacLaren, Public Water Suppliers - Alternate (for Leo Thibault)

- 4) **Adoption of Agenda:**

BOARD ORDER 4: On motion by Calandri, second by MacLaren, to approve the adoption of the current agenda as presented. **5-0; carried.**

- 5) **Public Comments for Non-Agenda Items:**

Mr. Gene Nebeker stated that he wanted to address carryover that was not contained on the current agenda. He stated that the law was not clear and that it was the purpose of the board of directors to resolve.

- 6) **Consent Agenda**

- A. Payment of Bills through **August 18, 2017**. Interim Administrative General Manager Chisam stated that staff had reviewed invoices; Todd Groundwater in the amount of \$54,549.53 and Glotrans for \$1,200.00. The recommendation was to pay the invoices for the amount stated.

BOARD ORDER 6 A: On motion by MacLaren, second by Ariki, to approve the consent agenda including the bills payable as presented. **5-0; carried.**

- B. Approval of Minutes of Regular Meeting Held **July 26, 2017**. It was stated that a public comment by Mr. Nebeker was inadvertently omitted. As such, Item No. 6 B in reference to the meeting minutes of July 26, 2017 was tabled.
- C. Finance Report. The Treasurer's Report for the month ending July 31, 2017, Profit and Loss Statement, and Balance Sheet were all contained in the agenda packet for review.

BOARD ORDER 6 C: On motion by MacLaren, second by Atkinson, to approve the Finance Report documents for the AV Watermaster as presented and recommended. **5-0; carried.**

- D. Correspondences. Correspondence was reviewed.

- 7) **Advisory Committee Report.** Dennis LaMoreaux stated that the Advisory Committee had met and provided Todd Groundwater with metering rules. He stated that the Committee supports the fee and well application.

- 8) **Action Items**

- A. Discussion and possible action on appointment of Watermaster attorney – (Tom Bunn). Attorney Bunn stated that there was a list of attorney candidates established at a recent meeting and that all submission/responses were due by 5 p.m. on Friday, August 25, 2017 to the interim administrator (mknudson@avek.org). Interim GM Chisam presented a Search Process/Timeline for the Watermaster Attorney. Two additional special meetings were tentatively set during this meeting; one for Monday, September 18, 2017 and the other for Thursday, October 5, 2017, both to be held at AVEK.

- B. Discussion and possible action on Resolution No. 17-06 being a Resolution of the Watermaster approving the New or Replacement Well Approval Application and Fee. Completed forms are to be submitted to Patti **Rose**, Interim Administration. A local well driller, Loren **Worthington**, stated that there were 4 applications in process from them. Gerry **Boesch** asked if it applied to the Federal producers (Edward AFB). Ms. **Stanin** stated that she was optimistic that it would.

BOARD ORDER 8 B: On motion by **MacLaren**, second by **Calandri**, to adopt Resolution No. 17-06, approving Antelope Valley Watermaster new or replacement well application for existing production rights and fee, as presented and recommended. **5-0; carried.**

- C. Discussion and possible action on publishing the proposed Meter Requirement for a period of 30 days and schedule the public hearing for September 27, 2017. The August 17, 2017 draft has a qualifier – comments not addressed for small pumpers on Exhibit 4 would not be addressed if below the 10 Acre-Foot cutoff as follows – 1) relax testing requirement to every other year and 2) meter reading reporting to be changed to quarterly. Gary **Van Dam** asked if they checked if McCrometer was a brand, not a meter type. It was confirmed with Rottman that it was a propeller type and no need to change type, as they were allowable.

9) Engineer's Report – Phyllis Stanin (Todd Groundwater)

- A. Update on Draft Memorandums requested by the Board (Information Only).

(1) Administrative Assessment Rules and Regulations – A presentation was provided on specific issues concerning rules and regulations. Highlights included application form and fee for new and/or replacement wells, administrative assessments, meter requirements, and the approval process.

(2) Framework of Water Storage Agreement

(3) Non-Overlyers starting rampdown number methodology. Mr. **Kuhs** stated that it was important to analyze the cost triggered by taking from storage and put amount back into the cost. He asked what the true cost of AVEK was. Interim GM **Chisam** stated that it was \$1,200 per Acre-Foot.

(4) Phelan Piñon Hills Community Services. Rev. Dr. Alex **Brandon** and Attorney June **Ailin** spoke on behalf of PPHSCD and their position on not being included as a producer according to their interpretation of the Judgment.

10) Director/Staff Reports (staff reports by Interim Administration)

- A. Update on Interim Administrative Activities – Interim GM **Chisam** provided a presentation slide depicting a status/update on the current activities of the interim administrative activities.

(1) Status update on Assessments and Production Reports

(2) Advisory Committee and Board Agenda Matrix

(3) Status on proposals for Financial Audit

(4) Update on Wendy's Water Truck Company issue

- 11) Board Members Request for Future Agenda Items.** Replacement water was requested to be a topic on a future agenda.

12) Adjournment

BOARD ORDER 12: On motion by **MacLaren**, second by **Calandri**, the meeting was adjourned at **11:50 a.m. 5-0; Carried.**

(Signature)

By: Holly Hughes

Interim Secretary (AV Watermaster)

Board Secretary-Treasurer, AVEK Water Agency

APPROVED BY THE BOARD OF DIRECTORS:

Date

(Signature)

By:

Watermaster Board Chairperson

Special Meeting
October 5, 2017

Correspondences

Antelope Valley Watermaster
P.O. Box 3025
Quartz Hill, CA 93586
(661)943-3201

September 29, 2017

Bryant Pump & Drilling
1205 Sierra Hwy
Rosamond, CA 93560

Re: Yield test on existing well
APN 3240-006-023
Irma Torres

To Whom It May Concern;

The Antelope Valley Watermaster Engineer, Todd Groundwater, has approved your request to conduct a yield test on a well on your property but cannot approve any use of this well until it has been determined whether or not the production would be allowed by the Watermaster Board and how to bring this production into the Judgment.

The Watermaster Board is in the process of hiring a Watermaster attorney who will be able to assist in outlining the process necessary to request approval for this production.

Respectfully,



Matthew Knudson
Interim Administrator

Lori Weatherbie
9950 Cima Mesa Road
Juniper Hills, California 93543
Phone 661-944-1351
E-mail mikew@qnet.com

September 12, 2017

Antelope Valley Watermaster
Quartz Hill Water District
5034 West Avenue L
Quartz Hill, CA 93536

I have been a resident of Juniper Hills since September of 1967. When my husband and I moved here, our property had a 250 foot well which continued to produce adequate water for quite a number of years. Eventually, because of the age of the well and lack of water, we had another well drilled, with a permit from the county. Since 2011, I have had to purchase hauled water as the aquifer was depleted by overuse by many. My well produces 30 gallons a day if that much.

I have served the community, first as a 4-H Community Leader. Then, I supported my husband as he served on the Juniper Hills Community Association Board, then when he became a member of the Juniper Hills Town Council. When he passed away in 2009, I ran for his seat on the Town Council. I served for several years, then served on the Community Association Board. I also served on the committee to establish Standards for our Community.

I have a number of concerns:

1. The Watermaster has made no provisions for Hauled Water. Of the 400 plus residents in Juniper Hills, about a quarter are on hauled water, built with permits from the County based on hauled water..
2. The Watermaster is allowing a new Waterhauler to obtain water for delivery from a well at the south east corner of Juniper Hills (Juniper Hills Rd and Longview Rd.), taking water that would normally flow through aquifers to resident's wells.
3. The Palmdale Water District has been collecting taxes on my Tax bill for water since we moved to Juniper Hills in 1967. They have **never** provided a drop. This is true of many other residents in Juniper Hills. This was done via a "sales job" written petition back in the 50's. When are they going to provide this water and how. According to the Watermaster Plan, the PWD is the service provider for water in Juniper Hills.

So, now, what are my options?

Sincerely,



Dolores (Lori) Weatherbie

Antelope Valley Watermaster
P.O. Box 3025
Quartz Hill, CA 93586
(661)943-3201

September 11, 2017

Nicole Stetson
Waste Management Inc.
600 E Avenue F
Lancaster, CA 93535

Re: Monitoring Wells
4 Wells on APN 3175-003-002
1 Well on APN 3175-025-128

To Whom It May Concern;

Based on the research by Todd Groundwater, the Antelope Valley Watermaster Engineer, the above-mentioned parcel is approved for the drilling of 5 monitoring wells. Each well is estimated to pumping of <0.001-acre feet of water per year.

If you have any questions please contact our office at (661)943-3201.

Respectfully,



Matthew Knudson
Interim Administrator

Antelope Valley Watermaster
P.O. Box 3025
Quartz Hill, CA 93586
(661)943-3201

September 5, 2017

Palmdale Water District
2029 E. Avenue Q
Palmdale, CA 93550

Re: Monitoring Wells
APN 3378-013-912

To Whom It May Concern;

Based on the research by Todd Groundwater, the Antelope Valley Watermaster Engineer, the above-mentioned parcel is approved for the drilling of 3 monitoring wells. Each well is estimated to pumping of .67 acre feet of water per year.

If you have any questions please contact our office at (661)943-3201.

Respectfully,



Dwayne Chisam
Interim Administrator

cc
Abundant Water Wells

Antelope Valley Watermaster
P.O. Box 3025
Quartz Hill, CA 93586
(661)943-3201

August 30, 2017

Abundant Water Wells, Inc.
P.O. Box 700
Leona Valley, CA 93551

Re: APN 3145-009-015
Owner – Charles Norris – Mitchell's Avenue E MHP

To Whom It May Concern;

Based on the research by Todd Groundwater, the Antelope Valley Watermaster Engineer, the above-mentioned parcel is approved to drill a test well for the sole purpose of testing for arsenic. Once the testing has been completed the well will be properly destroyed.

If you have any questions please contact our office at (661)943-3201.

Respectfully,



Dwayne Chisam
Interim Administrator

Pd CK# 2942

Special Meeting
October 5, 2017

1) Action Items

- A. Discussion and possible action on the selection of the Watermaster Attorney.
 - a. Advisory Committee Report
- B. Discussion and possible action on providing staff direction to draft a Professional Service Agreement (PSA) with the selected Watermaster Attorney for future Board approval.

Special Meeting
October 5, 2017

Advisory Committee Report

ANTELOPE VALLEY WATERMASTER BOARD MEMORANDUM

DATE: October 3, 2017
TO: WATERMASTER BOARD
FROM: Mr. Dennis D. LaMoreaux, Advisory Committee Chair
Derek Yurosek, Advisory Vice Chair
VIA: Mr. Dwayne Chisam, Peter Thompson Jr., Matt Knudson, Interim AV Watermaster Administration
RE: *DISCUSSION OF INTERVIEW AND RECOMMENDATION FOR AV WATERMASTER ATTORNEY*

Recommendation:

The Advisory Committee met on September 28, 2017 to discuss the six (6) finalist attorney candidates. All Committee members were present for the meeting. After a general discussion, the thirteen (13) Committee members in attendance, in person and on the conference call, each casted up to three (3) votes resulting in the following voting results (finalist attorney candidates listed alphabetically):

Ernest Conant (1 vote)

Doug Evertz (1 vote)

Valerie Kincaid (3 votes)

Jim Markman (5 votes)

Craig Parton (13 votes)

Jennifer Spaletta (13 votes)

Similar to the prior Advisory Committee meeting, the discussion included concerns about prior involvement in the lawsuit, candidates' ability to fairly understand and represent both urban and agricultural interests, accessibility, and experience with similar organizational structures.