

**AVSWCA**

Antelope Valley State Water Contractors Association

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COMMISSIONERS*ROBERT PARRIS, Chair**KATHY MAC LAREN-GOMEZ, Vice Chair**LEO THIBAUT, Treasurer-Auditor**DON WILSON, Secretary**KEITH DYAS, Commissioner**BARBARA HOGAN, Commissioner***OFFICERS***PETER THOMPSON II, General Manager**TOM BARNES, Resources Manager**DENNIS HOFFMEYER, Controller**ANGEL FITZPATRICK, Administrative Technician*

October 5, 2023

**Agenda for the Regular Meeting of the Commissioners
of the Antelope Valley State Water Contractors Association
to be held at Antelope Valley-East Kern Water Agency at
6450 West Avenue N, Palmdale 93551
Teleconference: (669) 900-6833, Meeting ID 839 3795 7835#
Video Conference:**

<https://us02web.zoom.us/j/83937957835?pwd=ak1XbmprdBuQnRZOWszWU91VHdyUT09>

Thursday, October 12, 2023

6:00 p.m.

NOTICE: Pursuant to Government Code Section 54953, Subdivision (b), this Regular Meeting of the Commissioners will include teleconference participation by Commissioner Dyas from: 2856 Owens Way, Rosamond, CA 93560.

NOTE: To comply with the Americans with Disabilities Act, to participate in any Association meeting please contact Angel Fitzpatrick at 661-943-3201 x0211 at least 48 hours prior to an Association meeting to inform us of your needs and to determine if accommodation is feasible.

Agenda item materials, as well as materials related to agenda items submitted after distribution of the agenda packets, are available for public review at the Antelope Valley-East Kern Water Agency's office located at 6500 West Avenue N, Palmdale or at <https://www.avswca.org/commissioner-meetings>. Please call Angel Fitzpatrick at 661-943-3201 x0211 for public review of materials.

PUBLIC COMMENT GUIDELINES: The prescribed time limit per speaker is three-minutes. Please refrain from public displays or outbursts such as unsolicited applause, comments, or cheering. Any disruptive activities that substantially interfere with the ability of the Association to conduct its meeting will not be permitted and offenders will be requested to leave the meeting.

Each item on the agenda shall be deemed to include any appropriate motion, resolution, or ordinance to take action on any item.

- 1) Pledge of Allegiance.
- 2) Roll Call.
- 3) Adoption of Agenda.

- 4) Public Comments for Non-Agenda Items.
- 5) Presentation on the State of the State Water Project (Chandra Chilmakuri, Assistant General Manager-State Water Contractors)
- 6) Presentation on the East Avenue Q Recycled Water Pipeline. (Scott Rogers, PWD Engineering Manager)
- 7) Consideration and Possible Action on Minutes of Regular Meeting held August 10, 2023.
- 8) Payment of Bills.
- 9) Consideration and Possible Action on Resolution No. 2023-3 being a Resolution of the Board of Commissioners of the Antelope Valley State Water Contractors Association Changing the Location of the Association's Principal Office, the Time of the Commencement of Regular Meetings of the Commissioners, and the Banking Institution to be Utilized by the Association. (General Manager Thompson II)
- 10) Consideration and Possible Action on Retaining or Releasing the Remaining Restricted Funds Related to the Big Rock Creek Joint Groundwater Recharge Project. (Controller Hoffmeyer)
- 11) Consideration and Possible Action on Approving the Restricted Funds Budget for Fiscal Year 2023/2024. (Controller Hoffmeyer)
- 12) Report of Controller.
 - a) Update on Revenue, Expenses and Change in Net Position.
- 13) Report of General Manager.
 - a) Status Updates:
 - 1) Antelope Valley Watermaster Meetings.
 - 2) Antelope Valley and Fremont Basin IRWMP Stakeholder Meetings.
 - 3) Big Rock Creek Project Update
 - 4) Littlerock Creek Recharge Project.
- 14) Reports of Commissioners.
- 15) Report of Attorney.
- 16) Commission Members' Requests for Future Agenda Items.
- 17) Consideration and Action on Scheduling the Next Association Meeting December 14, 2023.
- 18) Adjournment.



PALMDALE WATER DISTRICT
A CENTURY OF SERVICE

E. Avenue Q Recycled Water Pipeline



New Recycled Water Pipeline Along E. Ave. Q between 30th St. E. and 20th St. E.



PALMDALE WATER DISTRICT
A CENTURY OF SERVICE

Avenue Q Recycled Water Pipeline Benefits to the Valley

Recycled Water Uses

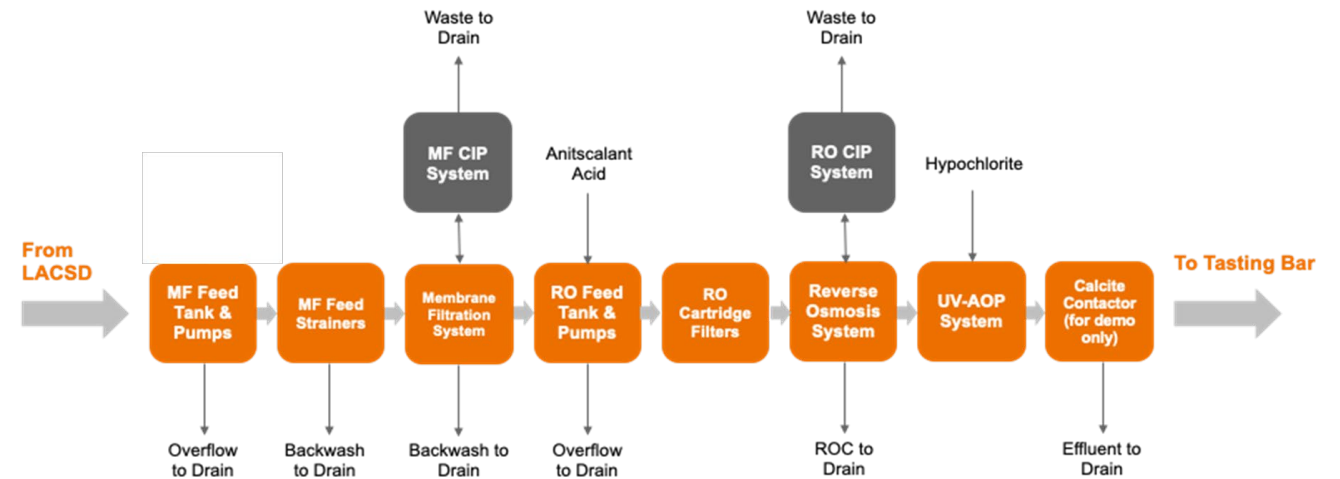
- Pure Water AV Demonstration Facility
- Palmdale Soar High School
- Construction Water



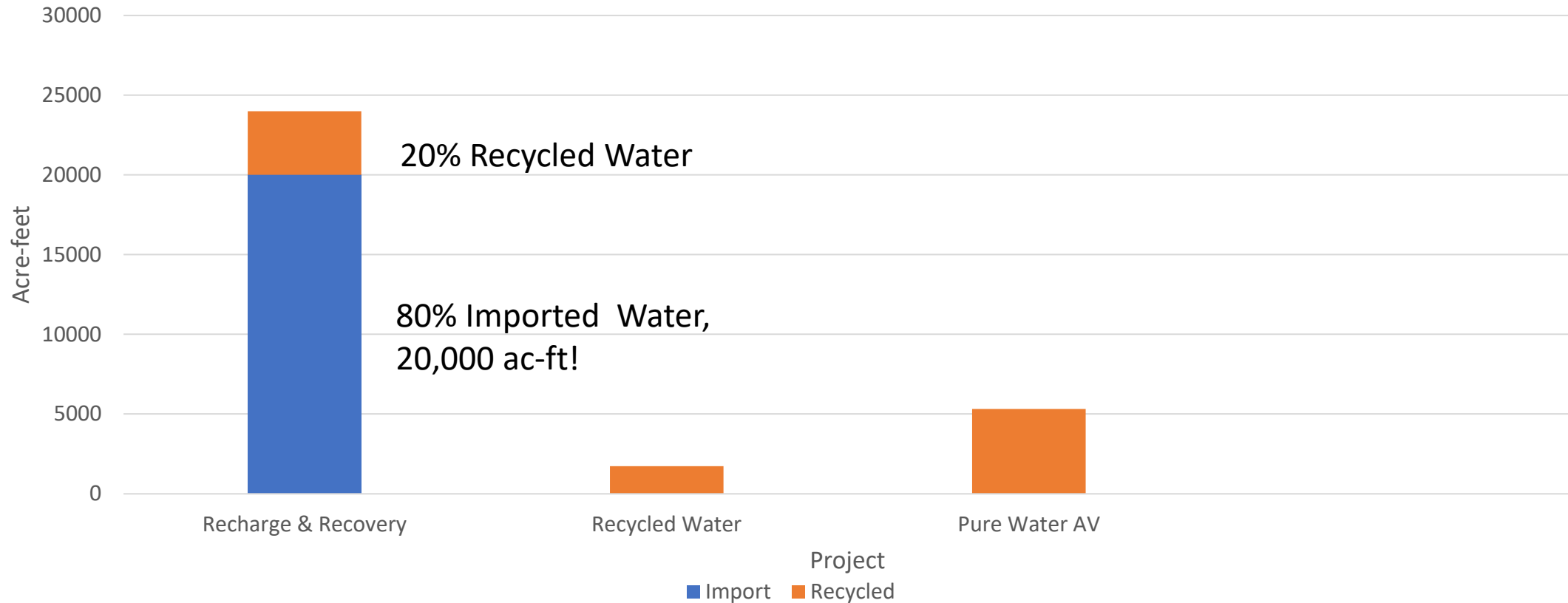
PALMDALE WATER DISTRICT
A CENTURY OF SERVICE

Pure Water AV Demonstration Facility

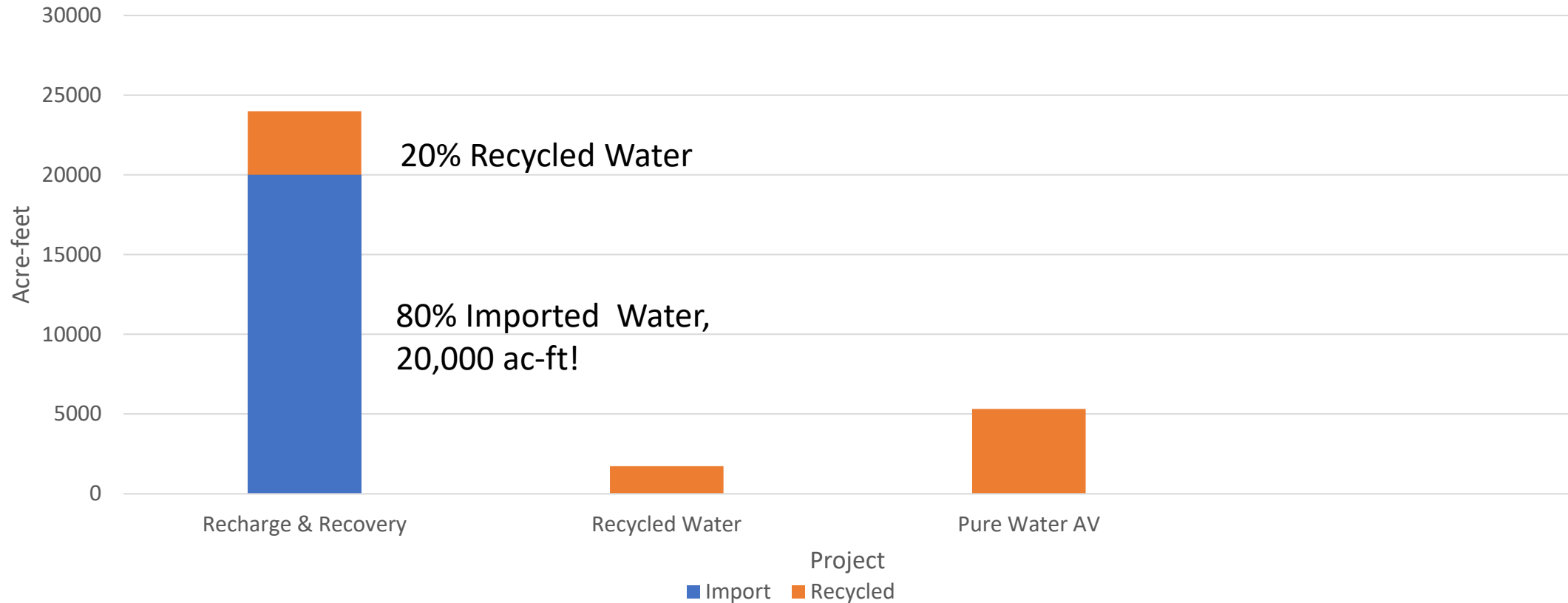
- Uses 50-100 gpm
- Needed for regulatory approval
- Community Outreach
- Conservation Garden
- Water savings ~37 AFY



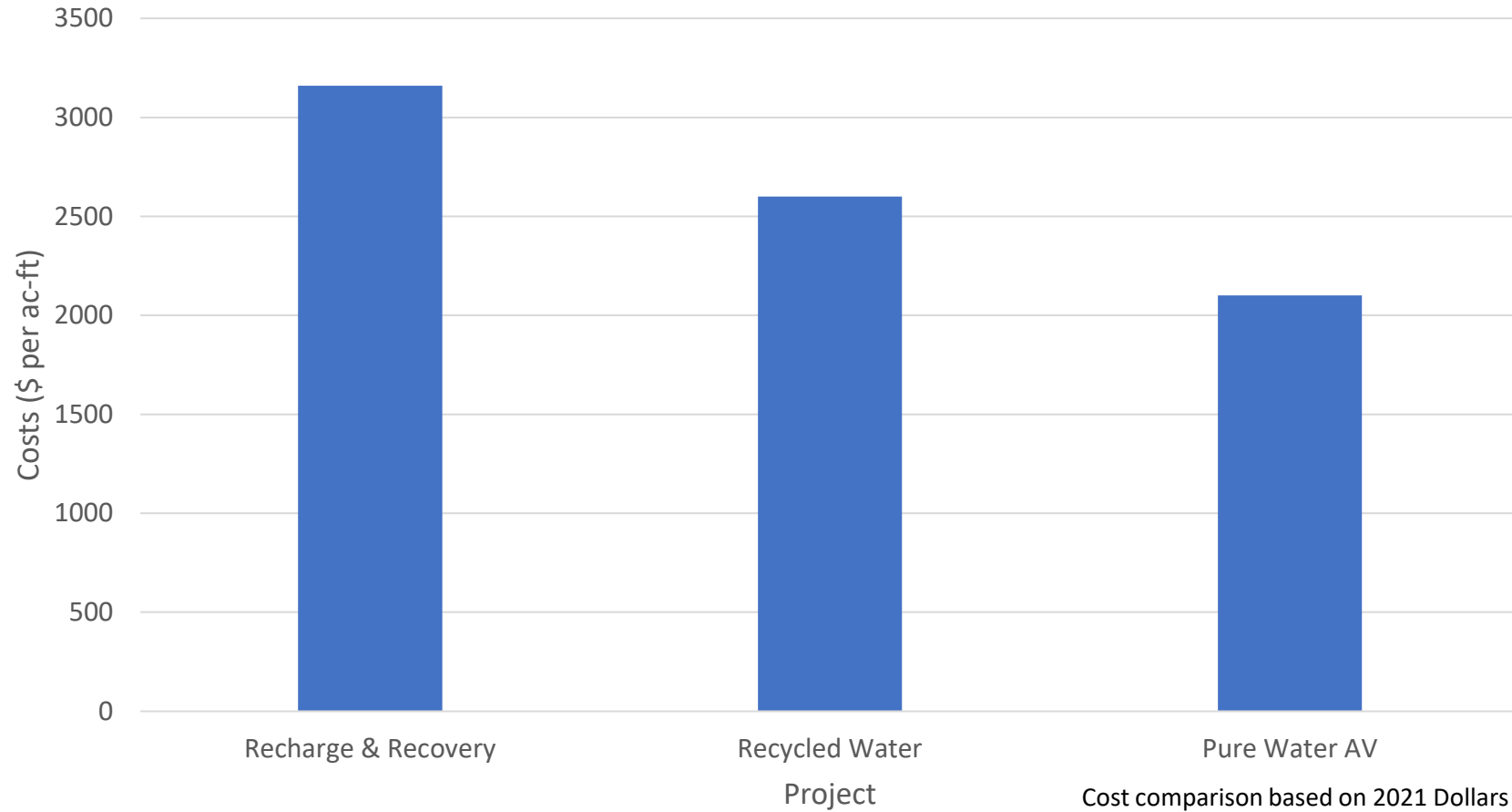
Recycled Water Use Comparison



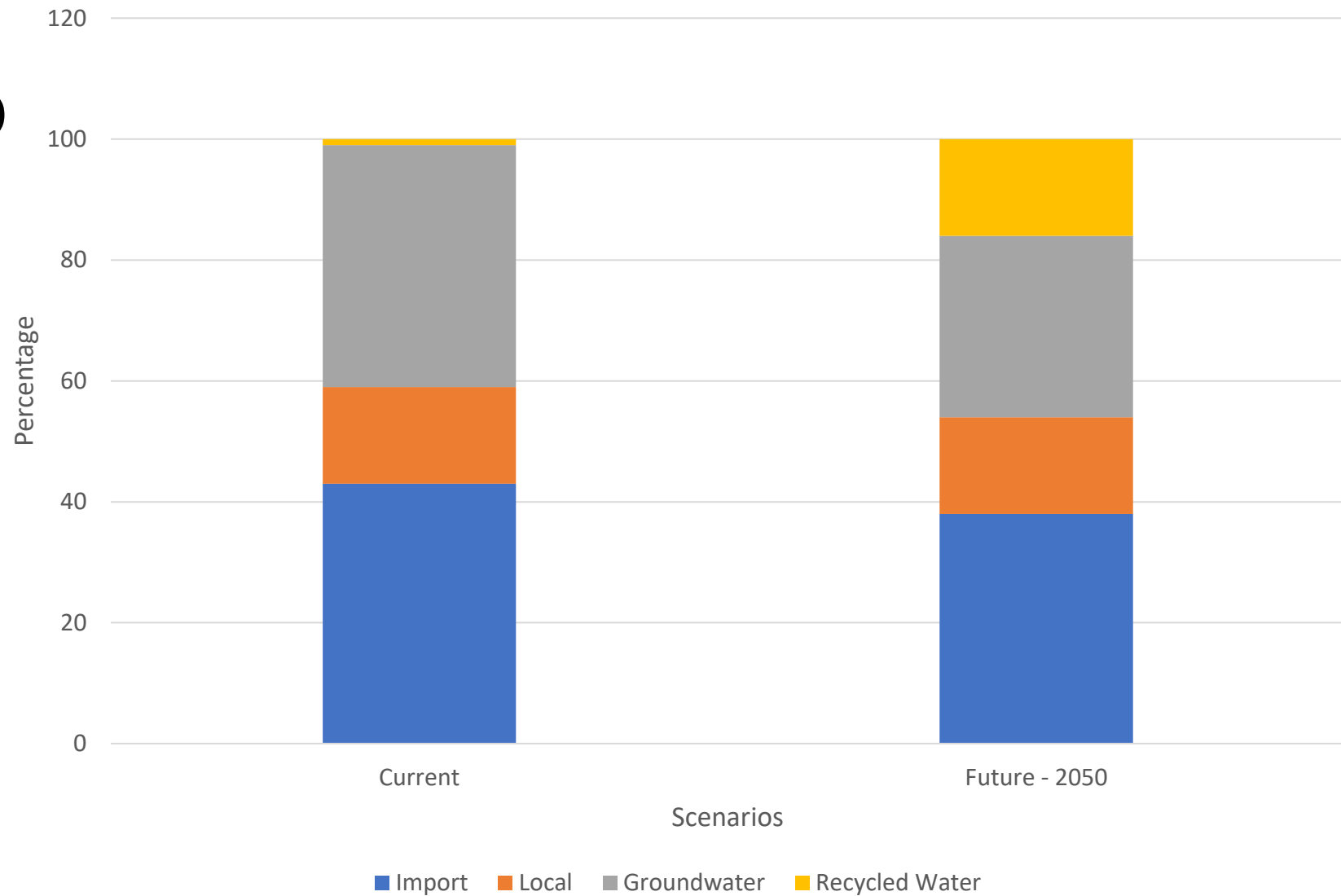
Recycled Water Use Comparison



Cost Average Comparison



Supply Portfolio



Palmdale SOAR High School

- First permanent customer
- Irrigation demand ~10 AFY
- No cost to connect to school with grant



Construction Water

- Increased access to recycled water at PWD headquarters
- Average 1 acre-feet based on current recycled water use
- Pay and go



Photo of PWD non-potable fill station



PALMDALE WATER DISTRICT
A CENTURY OF SERVICE



PALMDALE WATER DISTRICT
A CENTURY OF SERVICE

Thank you!



MINUTES OF REGULAR MEETING OF THE COMMISSIONERS OF THE ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION, AUGUST 10, 2023.

A regular meeting of the Commissioners of the Antelope Valley State Water Contractors Association was held Thursday, August 10, 2023, at 6450 West Avenue N, Palmdale, CA 93551, at 2856 Owens Way, Rosamond, CA 93560, and via teleconference. Vice Chair Mac Laren-Gomez called the meeting to order at 6:18 p.m.

1) Pledge of Allegiance.

At the request of Vice Chair Mac Laren-Gomez, Commissioner Van Dam led the pledge of allegiance.

2) Roll Call.

Attendance:

Kathy Mac Laren-Gomez, V. Chr.
Don Wilson, Secretary
Leo Thibault, Treasurer
Barbara Hogan, Commissioner
Keith Dyas, Commissioner
Gary Van Dam, Alt. Cmsnr.

Others Present:

Peter Thompson II, General Manager
Dennis Hoffmeyer, Controller
Tom Barnes, Resources Manager
Scott Kellerman, PWD Board Director
James Chaisson, LCID General Manager
Holly Hughes, AVEK Board Secretary
Danielle Henry, Executive Assistant
Angel Fitzpatrick, Administrative Technician

EXCUSED ABSENCE –

Robert Parris, Chair

3) Adoption of Agenda.

It was moved by Commissioner Hogan, seconded by Commissioner Van Dam, and carried on a 4-0-1 vote by members of the Board of Commissioners present at the meeting on the following roll call vote to adopt the agenda, as written:

Vice Chair Mac Laren-Gomez- aye
Commissioner Thibault - aye
Commissioner Wilson - aye
Commissioner Dyas - abstain
Commissioner Hogan – aye
Commissioner Van Dam - aye

4) Public Comments for Non-Agenda Items.

There were no public comments.

5) Consideration and Possible Action on Minutes of Regular Meeting Held June 8, 2023.

It was moved by Commissioner Thibault, seconded by Commissioner Van Dam, and carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve the minutes of the regular meeting held June 8, 2023, as written:

Vice Chair Mac Laren-Gomez- aye
Commissioner Thibault - aye
Commissioner Wilson - aye
Commissioner Dyas - aye
Commissioner Hogan – aye
Commissioner Van Dam - aye

6) Payment of Bills.

It was moved by Commissioner Thibault, seconded by Commissioner Hogan, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve payment and ratification of payment of the bills received from PWD in the amount of \$706.25 for staff services, from AVEK in the amount of \$1,093.90 for staff services, from ACWA/JPIA in the amount of \$100.00 for the annual Cyber Liability Policy for the period of July 1, 2023 through June 30, 2024, from Kennedy/Jenks Consultants in the amount of \$322.50 for professional services association with the Big Rock Creek Groundwater Recharge Project, and from the Antelope Valley Watermaster in the amounts of \$35,945.00 and \$17,972.50 for the Association's and the Antelope Valley Regional Water Management Group's (AVRWMG) share of the 2022/2023 USGS Groundwater Monitoring Program:

Vice Chair Mac Laren-Gomez- aye
Commissioner Thibault - aye
Commissioner Wilson - aye
Commissioner Dyas – aye

Commissioner Hogan – aye
Commissioner Van Dam - aye

7) Consideration and Possible Action on Association of California Water Agencies (ACWA) President and Vice President Election for the 2024-2025 Term. (General Manager Thompson II)

General Manager Thompson II stated that the ballot and candidate statements were received for the Association of California Water Agencies (ACWA) President and Vice President election for the 2024-2025 Term and that Commissioner Mac Laren-Gomez is the Association’s ACWA representative, and after a brief discussion of ACWA’s preferred candidates, it was moved by Commission Van Dam, seconded by Commissioner Thibault, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve Commissioner Mac Laren-Gomez to cast the ACWA election ballot voting Cathy Green for President and Ernesto “Ernie” A. Avila for Vice President for the 2024-2025 Term:

Vice Chair Mac Laren-Gomez- aye
Commissioner Thibault - aye
Commissioner Wilson - aye
Commissioner Dyas - aye
Commissioner Hogan – aye
Commissioner Van Dam - aye

8) Consideration and Possible Action on Approval of Resolution No. 2023-2 Being a Resolution by the Board of Commissioners of the Antelope Valley State Water Contractors Association Approving the California Department of Water Resources Obtain a Round 2 Integrated Water Management Implementation Grant on Behalf of the Antelope Valley Integrated Regional Water Management Group and Designating the General Manager of the Antelope Valley State Water Contractors Association as the Authorized Representative to Execute the Grant Agreement. (General Manager Thompson II)

General Manager Thompson II stated that the application for the Integrated Water Management Implementation Grant Proposition 1 Round 2 was accepted by the Department of Water Resources (DWR) and that an updated Resolution is required to authorize the Association’s General Manager to appoint a designee to work with DWR on the grant agreement after which it was moved by Commissioner Hogan, seconded by

Commissioner Wilson, and after a brief discussion of the administration funding, the motion unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve Resolution No. 2023-2 being a Resolution of the Board of Commissioners of the Antelope Valley State Water Contractors Association Approving the California Department of Water Resources Obtain a Round 2 Integrated Water Management Implementation Grant on Behalf of the Antelope Valley Integrated Regional Water Management Group and Designating the General Manager of the Antelope Valley State Water Contractors Association as the Authorized Representative to Execute the Grant Agreement:

Vice Chair Mac Laren-Gomez- aye
Commissioner Thibault - aye
Commissioner Wilson - aye
Commissioner Dyas - aye
Commissioner Hogan – aye
Commissioner Van Dam – aye

Resolution 2023-2 is hereby made a portion of the minutes of this meeting

9) Consideration and Possible Action on Sponsorship of Antelope Valley Fair Conservation Garden through 2024. (Resources Manager Barnes)

Resources Manager Barnes provided a detailed overview of the Antelope Valley Fair Conservation Garden sponsorship including the original funding timeline and changes due to COVID, the completed Garden areas and signage, and staff's recommendation to extend sponsorship through 2024 and maintenance funding through 2026 followed by discussion of new Conservation Garden signage, of event tickets for the member agencies, of future contract extensions, and of potential donations for the proposed Resilience Center at the AV Fairgrounds.

It was then moved by Commissioner Thibault, seconded by Commissioner Van Dam, and unanimously carried by all members of the Board of Commissioners present at the meeting on the following roll call vote to approve sponsorship of the Antelope Valley Fair Conservation Garden through 2024:

Vice Chair Mac Laren-Gomez- aye
Commissioner Thibault - aye
Commissioner Wilson - aye

Commissioner Dyas – aye
Commissioner Hogan – aye
Commissioner Van Dam – aye

10) Report of Resources Manager.

a) Update on Emergency Response Agreement with Antelope Valley Mutual Water Companies.

Resources Manager Barnes provided an update on the Emergency Response Agreement (ERA) with Antelope Valley Mutual Water Companies, including the background on the development and approval of the ERA, the reduced liability insurance requirement, the resources provided through the ERA, and the participant status followed by a brief discussion of the difference between the ERA and the Mutual Response Agreement (MRA), of California Water/Wastewater Agency Response Network (CalWARN), and of the recent service disruption to California Water Service customers.

General Manager Thompson II then stated that staff will provide information to California Water Service regarding participation in the MRA.

11) Report of Controller.

a) Update on Revenue, Expenses and Change in Net Position.

Controller Hoffmeyer provided an overview of the Association's revenue, expenses and change in net position for the month ending July 31, 2023 and then stated that the General Program Fund has been invoiced to the member agencies.

12) Report of General Manager.

a) Status Updates:

1) Antelope Valley Watermaster Meetings.

General Manager Thompson II reported that a supplemental Administrative Assessment of \$4.50 per acre foot (AF) was approved by the Watermaster Board to generate funding to balance the budget; that a resolution authorizing the pre-payment of

2024 Administrative Assessments was also approved; that the 2022 Annual Report was adopted; and that an amendment to the Rules and Regulations addressing non-compliance for new production reporting was adopted.

2) 2023 Replacement Water Assessment.

He then reported that the Replacement Water Assessment Rate for 2023 is set at \$563/AF for inside AVSWCA boundaries and \$1,118/AF for outside AVSWCA boundaries.

3) Antelope Valley and Fremont Basin IRWMP Stakeholder Meetings.

He then reported that the fifth quarterly invoice for the Proposition 1 Round 1 grant funding has been submitted; that \$2.5 Million has been distributed to the grantees this quarter; that the Proposition 1 Round 2 Agreement is near final drafting with the Department of Water Resources (DWR); and that \$1 Million in grant funding was awarded to support the Antelope Valley Resource Conservation District Lawn Reduction Rebate Program and the Palmdale Water District Avenue Q Recycled Water Extension.

He then stated that AVEK staff applied for Proposition 1 Round 2 grant funding through the Fremont IRWMP and that \$625,000 was awarded to rehab the North Region Pump Station.

4) Big Rock Creek Recharge Project.

He then reported that staff submitted the Big Rock Creek Project Feasibility Study to Metropolitan Water District (MWD); that staff met with MWD's technical staff to discuss the Feasibility Study; and that MWD staff will meet next week to determine their interest level.

5) Littlerock Creek Recharge Project.

He then reported that the Littlerock Creek Project has been online for 17 weeks; that approximately 4,500 AF of water has been recharged; that 10,200 AF of recharge is estimated for 2023; and that staff will be meeting to discuss future operations.

6) AVSWCA Staff Transition.

He then reported that there will be a transition of the Association's Administration staff from PWD Executive Assistant Henry to AVEK Administrative Technician Fitzpatrick at the regular meeting in October.

The Commissioners then thanked Executive Assistant Henry for her years of service to the Association.

13) Reports of Commissioners.

Vice Chair Mac Laren-Gomez reported that Littlerock Dam's 100-year anniversary is next year; that there have been many discussions regarding the reestablishment of Littlerock Dam as a recreational facility; that representatives from the City of Lancaster and City of Palmdale are working together on a potential Joint Powers to bring recreation back to Littlerock Dam; and that she will include the Association in future discussions.

There were no further reports of Commissioners.

14) Report of Attorney.

There was no report of attorney.

15) Commission Members' Requests for Future Agenda Items.

Vice Chair Mac Laren-Gomez requested a future presentation on the proposed Resilience Center at the Antelope Valley Fair and Event Center.

16) Consideration and Possible Action on Scheduling the Next Association Meeting October 12, 2023.

It was determined that the next regular meeting of the Association will be held on October 12, 2023, at 6:00 p.m.

18) Adjournment.

There being no further business to come before the Commissioners, the regular meeting of the Commissioners of the Antelope Valley State Water Contractors Association was adjourned at 7:42 p.m.

Secretary



COMMISSION MEMORANDUM

DATE: October 12, 2023

TO: AVSWCA COMMISSIONERS

VIA: Mr. Peter Thompson II, General Manager

RE: *AGENDA ITEM NO. 9 – CONSIDERATION AND POSSIBLE ACTION ON RESOLUTION NO. 2023-3 BEING A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE ANTELOPE VALLEY CONTRACTORS ASSOCIATION CHANGING THE LOCATION OF THE ASSOCIATION'S PRINCIPAL OFFICE, THE TIME OF THE COMMENCEMENT OF REGULAR MEETINGS OF THE COMMISSIONERS, AND THE BANKING INSTITUTION TO BE UTILIZED BY THE ASSOCIATION (GENERAL MANAGER THOMPSON II)*

RECOMMENDATION:

Staff recommends the adoption of Resolution No. 2023-3, changing the location of the Association's principal office, the time of the commencement of regular meetings of the Commissioners, and the banking institution to be utilized by the Association.

BACKGROUND:

The Antelope Valley State Water Contractors Association (Association) Bylaws were adopted on September 16, 1999. A recent review of the Association's Bylaws by staff found that the following operational rules should be considered for revision:

- Article I Offices, Section 1. Principal Office
 - Revise the location of the Association's principal office to Antelope Valley-East Kern Water Agency.
- Article III Meeting of the Commissioners, Section 2. Regular Meetings
 - Revise the time of the commencement of regular meetings to bimonthly, on the second Thursday of each month, at 6:00 p.m.
- Article V Bank Account, Section 1
 - Revise the banking institution utilized by the Association to Citizens Business Bank from Wells Fargo.

A resolution for the Association is required to make the suggested revisions to the operational rules of the Bylaws. These proposed adjustments do not necessitate a Bylaws amendment; once authorized,

the Secretary shall indicate any such change opposite the section but shall not be considered an alteration to the formal Bylaws.

SUPPORTING DOCUMENTS:

- Resolution 2023-3
- Association Bylaws

RESOLUTION NO. 2023-3

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF THE ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION CHANGING THE LOCATION OF THE ASSOCIATION'S PRINCIPAL OFFICE, THE TIME OF THE COMMENCEMENT OF REGULAR MEETINGS OF THE COMMISSIONERS, AND THE BANKING INSTITUTION TO BE UTILIZED BY THE ASSOCIATION

A. Recitals.

(i) The Commissioners wish to modify certain of their operating rules established in the Association Bylaws.

(ii) The Commissioners wish to affect the referenced modifications without amending those Bylaws as authorized in the Bylaws.

(iii) The referenced changes will be made and become effective by the adoption of this Resolution.

B. Resolution.

1. The following changes in operations of the Association hereby are made, effective upon adoption of this Resolution:

A. The principal office location of the Association shall be the offices of the Antelope Valley-East Kern Water Agency at 6500 West Avenue N, Palmdale, California 93551.

B. The time for the commencement of regular meetings of the Commissioners shall be bimonthly on the second Thursday each month at 6:00 p.m.; and

C. The banking institution utilized by the Association shall be Citizens Business Bank.

2. The Secretary shall note each change made by this Resolution opposite the section of the Bylaws containing the item so changed.

3. Other than as expressly modified hereby, the Bylaws of the Association, as heretofore amended, and each and every provision thereof shall remain in full force and effect.

PASSED AND ADOPTED on this 12th day of October, 2023 by the Board of Commissioners, the governing body of the Antelope Valley State Water Contractors Association.

Robert Parris,
Chair

Don Wilson,
Secretary

Record of Changes to the Bylaws of the Antelope Valley State Water Contractors Association

Original Bylaws of Antelope Valley State Water Contractor Association – Adopted 09/16/1999

Amendment No.	Article	Section	Description	Date Approved
Amendment No. 1	Article III	Section 4	Annual Meeting – Removed election of officers from Section 4	02/09/2006
Amendment No. 1	Article III	Section 5	Added New Section – Election of Officers	02/09/2006
Amendment No. 2	n/a	n/a	Supporting surrounding water agency’s duties to provide a safe and adequate supply of drinking water to its customers	11/15/2018

BYLAWS
of
ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION

ARTICLE I
OFFICES

Section 1. **PRINCIPAL OFFICE.** The principal office of the Antelope Valley State Water Contractors Association ("Association") is hereby fixed and located at 2029 East Avenue Q, Palmdale, California 93550. The Antelope Valley State Water Contractors Commission ("Commission") is hereby granted full power and authority to change such principal office from one location to another in the Antelope Valley. Any such change shall be noted by the Secretary opposite this section, but shall not be considered an amendment of these bylaws.

ARTICLE II
ASSOCIATION COMMISSION

Section 1. **VOTING MEMBERS.** The six Commissioners, consisting of two appointees each from the governing boards of Antelope Valley-East Kem Water Agency ("A.V.E.K."), Littlerock Creek Irrigation District ("L.C.I.D.") and Palmdale Water District ("P.W.D. ") shall have the right to vote, as set forth in these bylaws and the Joint Powers Agreement Creating Antelope Valley State Water Contractors Association.

Section 2. **ALTERNATE COMMISSIONERS.** The alternate Commissioners may attend and participate in Association meetings but have the right to vote only when they are serving due to the absence of an appointed member.

Section 3. **EX OFFICIO MEMBERS.** The general managers of A.V.E.K., L.C.I.D. and P.W.D., or his designated representative in his absence, shall be ex-official members of the Commission but shall not have the right to vote.

ARTICLE III
MEETING OF COMMISSIONERS

Section 1. **PLACE OF MEETINGS.** Meetings of Commissioners shall be held at any place within or outside the Antelope Valley that has been designated from time to time by resolution of the Commission. In the absence of such a designation, regular meetings shall be held at the principal office of the Association.

Section 2. **REGULAR MEETINGS.** The regular meetings of the Commission shall be held on the second Thursday of each month at 7:00 p.m. unless the Commission fixes another date or time and gives ten days written notice thereof to the Commissioners. If the scheduled date falls on a legal holiday the meeting shall be held the next full business day.

Section 3. SPECIAL MEETING. A special meeting of the Commission for any purpose or purposes may be called at any time at the request of any member of the Commission.

Section 4. ANNUAL MEETING. An annual meeting of the Commission shall be held on the second Thursday of June each year at 7:00 p.m. unless the Commission fixes another date or time and gives ten days written notice thereof to the Commissioners. If the scheduled date falls on a legal holiday the meeting shall be held the next full business day. At this meeting, the annual budget shall be approved, and any other proper business may be transacted.

Section 5. ELECTION OF OFFICERS. At the regular meeting in January each year, officers shall be elected to serve for one year. There shall be at least one officer from each of the governing boards.

ARTICLE IV OFFICERS

Section 1. CHAIRMAN. The Chairman of the Commission shall be the executive officer of the Association and, subject to the control of the Commission, shall have general supervision, direction and control of the affairs of the Association. The Chairman shall preside at all meetings of the Association.

Section 2. VICE CHAIRMAN. In the absence or disability of the Chairman, the Vice Chairman, if any, shall perform all of the duties of the Chairman, and when so acting shall have all of the powers of, and be subject to all of the restrictions upon, the Chairman. The Vice Chairman shall have such other powers and perform such other duties as from time to time may be prescribed by the Commissioners.

Section 3. TREASURER-AUDITOR. The Treasurer-Auditor shall be the chief financial officer and shall keep and maintain adequate and correct books of account showing the receipts and disbursements of the Association, and an account of its cash and other assets, if any. Such books of account shall at all reasonable times be open to inspection by any member or Commissioner.

The Treasurer-Auditor shall deposit all monies of the Association with such depositories as are designated by the Commission and shall disburse the funds of the Association as may be ordered by the Commission, and shall render to the Chairman or the Commission, upon request, statements of the financial condition of the Association.

Section 4. SECRETARY. The Secretary shall keep or cause to be kept, at the principal office or such other place as the Commission may direct, a book of minutes of all meetings and actions of Commissioners, with the time and place of holding, whether regular or special, and, if special, how authorized, the notice given, the names of the Commissioners, alternates and staff present at meetings, the number of Commissioners present at Commission meetings, and the proceedings of such meetings.

The Secretary shall give, or cause to be given, notice of all meetings of the Commissioners and shall have such other powers and perform such other duties as may be prescribed by the Commissioners.

Section 5. ADDITIONAL OFFICERS. Additional officers shall perform such duties as shall be prescribed from time to time by the Commission.

ARTICLE V
BANK ACCOUNT

Section I. BANK ACCOUNT. The Association shall establish one or more demand deposit accounts with Wells Fargo Bank upon such terms as may be agreed with the bank and the Secretary and the Treasurer-Auditor of the Association are authorized to establish such accounts. The Commission is hereby granted full power and authority to change such bank accounts from one bank to another. Any such change shall be noted by the Secretary opposite this section, but shall not be considered an amendment to these bylaws.

Section 2. SIGNATORIES. The officers of the Association shall be authorized to sign on all accounts with signatures certified to the bank by the Secretary of the Association. All checks drawn shall require the signatures of two authorized signatories who must be from different governing boards. The bank shall be authorized to honor and pay all checks *so* signed. Each officer shall be bonded in the amount of \$ 25,000.00

ARTICLE VI
MISCELLANEOUS

Section I. INDEMNIFICATION OF ASSOCIATION COMMISSIONERS, OFFICERS AND AGENTS. The Association shall have the power to indemnify its Commissioners, officers, employees, and agents.

Section 2. EXECUTION OF DOCUMENTS. The Commission may authorize any officer or officer's agent or agents, to enter into any contract or execute any instrument in the name of and on behalf of the Association and such authority may be general or confined to specific instances; and unless so authorized by the Commission, no officer, agent or other person shall have any power or authority to bind the Association by any contract or engagement or to pledge its credit or to render it liable for any purpose or to any amount.

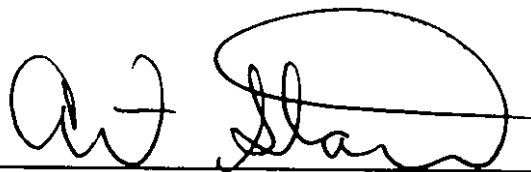
ARTICLE VII
AMENDMENTS

Section I. POWER OF COMMISSIONERS. New bylaws may be adopted or these bylaws may be amended or repealed by a two-thirds vote of the Commissioners. Written notice of any proposed amendment containing the wording thereof, and the time and place of the meeting at which this amendment will be considered, must be mailed to each Commissioner by the Secretary at least thirty (30) days prior to such meeting. No amendment to these bylaws shall be effective until approved by the Commissioners of the Association.

SECRETARY'S CERTIFICATE OF ADOPTION OF BYLAWS

I hereby certify that I am the duly elected and acting Secretary of the Antelope Valley State Water Contractors Association, and that the foregoing bylaws constitute the bylaws of said Association as duly adopted at a meeting of the Commissioners of said Association held on September 16, 1999

IN WITNESS WHEREOF, I have hereunto subscribed my name this 16th day of September, 1999.



Art Stout, Secretary

**AMENDMENT NO. 1
TO BYLAWS OF ANTELOPE VALLEY STATE
WATER CONTRACTORS ASSOCIATION**

WHEREAS, Article III, Section 4 of the Bylaws of the Antelope Valley State Water Contractors Association provides that the officers shall be elected by the Commissioners at the annual meeting in June each year;

WHEREAS, Commissioners are appointed from the governing boards of the members of the Association and changes in the composition of those governing boards occur in November;

WHEREAS, it would be beneficial to the Association to provide that the officers be elected at the regular meeting in January each year;

WHEREAS, Article VII, Section 1 of the bylaws provides that the bylaws may be amended by a two-thirds vote of the Commissioners.

NOW THEREFORE, the Commissioners of the Association hereby exercise their right to amend the bylaws by deleting Section 4 of Article III and adding the following Sections 4 and 5 in lieu thereof:

“Section 4. ANNUAL MEETING. An annual meeting of the Commission shall be held on the second Thursday of June each year at 7:00 p.m. unless the Commission fixes another date or time and gives ten days written notice thereof to the Commissioners. If the scheduled date falls on a legal holiday, the meeting shall be held the next full business day. At this meeting, the annual budget shall be approved and any other proper business may be transacted.

Section 5. ELECTION OF OFFICERS. At the regular meeting in January each year, officers shall be elected to serve for one year. There shall be at least one officer from each of the governing boards.”

**SECRETARY'S CERTIFICATE OF ADOPTION OF
AMENDMENT NO. 1 TO BYLAWS**

I hereby certify that I am the duly elected and acting Secretary of the Antelope Valley State Water Contractors Association, and that the foregoing amendment constitutes Amendment No. 1 to the bylaws of said Association as duly adopted at a meeting of the Commissioners of said Association held on February 9, 2006,

IN WITNESS WHEREOF, I have hereunto subscribed my name this 9th day of February, 2006 .



Secretary

**AMENDMENT NO. 2
TO BYLAWS OF ANTELOPE VALLEY STATE
WATER CONTRACTORS ASSOCIATION**

WHEREAS, water agencies in the Antelope Valley may experience emergencies from time to time that threaten the agency's ability to deliver an adequate supply of safe drinking water to its customers; and

WHEREAS, an agency may have the need for outside resources in order to respond to the emergency to maintain or restore adequate safe drinking water supply; and

WHEREAS, it is the desire of the Commissioners of the Antelope Valley State Water Contractors Association to support each member agency's and surrounding water agencies' duties to provide a safe and adequate supply of drinking water to its customers through cooperative efforts.

NOW, THEREFORE, BE IT RESOLVED, that it is the expressed intent that members of the Antelope Valley State Water Contractors Association provide mutual aid to each other and surrounding water agencies in the event of such an emergency.

BE IT FURTHER RESOLVED, that this aid may take the form of expertise, personnel, equipment and/or supplies; that this aid is to be rendered at cost; that personnel hours are to be billed at their unburdened hourly rate, including adjustments for overtime rates.

BE IT FURTHER RESOLVED, that this aid is not compulsory and that requests for aid should come from and be approved by the General Managers of the respective member agencies and surrounding water agencies.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Antelope Valley State Water Contractors Association held on November 15th, 2018.

**SECRETARY'S CERTIFICATE OF ADOPTION OF
AMENDMENT NO. 2 TO BYLAWS**

I hereby certify that I am the duly elected and acting Secretary of the Antelope Valley State Water Contractors Association and that the foregoing amendment constitutes Amendment No. 2 to the bylaws of said Association as duly adopted at a meeting of the Commissioners of said Association held on November 15, 2018.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 15th day of November, 2018.


Kathy MacLaren, Secretary



COMMISSION MEMORANDUM

DATE: October 12, 2023
TO: AVSWCA COMMISSIONERS
VIA: Mr. Peter Thompson II, General Manager
RE: *AGENDA ITEM NO. 10 – CONSIDERATION AND POSSIBLE ACTION ON RETAINING OR RELEASING THE REMAINING RESTRICTED FUNDS RELATED TO THE BIG ROCK CREEK JOINT GROUNDWATER RECHARGE PROJECT. (GENERAL MANAGER THOMPSON II)*

RECOMMENDATION:

Staff recommends that the Commissioners of the AVSWCA (Association) approve retaining the remaining \$ 38,530.46 of restricted funds related to the Big Rock Creek Joint Groundwater Recharge Project (Big Rock Project) for potential use on the further advancement of the Big Rock Project and pursuing other recharge project opportunities (Option 1).

BACKGROUND:

The feasibility study for the Big Rock Creek Project was funded through the Association with a total contribution of \$ 236,951. The following is a breakdown of the contributing agencies' contributions:

Antelope Valley East-Kern Water Agency (AVEK)	Equal Division	\$ 115,975.50
Palmdale Water District (PWD)	Equal Division	\$ 115,975.50
Littlerock Creek Irrigation District (LCID)	Lump Sum	\$ 5,000.00

After completing the Feasibility Study, the remaining fund balance for the Big Rock Project is \$ 38,530.46.

Option 1

These remaining funds may be retained until the next project or phase of the project is identified, selected, and approved by the Commissioners and their respective agencies. Staff is pursuing options for further development of the Big Rock Project and Littlerock Creek Recharge Project, which are expected to be presented at the December or February meeting of the Commissioners.

Option 2

The remaining funds may be redistributed back to the contributing agencies in proportion to their contributions as follows:

Antelope Valley East-Kern Water Agency (AVEK)	48.945%	\$ 18,858.73
Palmdale Water District (PWD)	48.945%	\$ 18,858.73
Littlerock Creek Irrigation District (LCID)	2.110%	\$ 812.99

SUPPORTING DOCUMENTS:

- Restricted Funds Budget
- Minutes of July 19, 2018 (Original Board Motion – Pg. 3 & 4 of document)

seconded by Commissioner Hogan, and unanimously carried by all members of the Board of Commissioners present at the meeting to accept and file the Association's audit for year ended June 30, 2017.

9) Consideration and Possible Action on Ratification of U.S.G.S Agreement for Cooperative Water Resources Investigations for 2017/2018. (General Manager Knudson)

General Manager Knudson provided a brief overview of the 2017/2018 Joint Funding Agreement with U.S.G.S. for cooperative water resources investigations and the cost sharing breakdown of 50/25/25 between the Association, the Antelope Valley Watermaster and the Integrated Regional Water Management Group previously agreed upon by the Commission after which it was moved by Commissioner Henriquez, seconded by Alternate Commissioner Tenerelli, and unanimously carried by all members of the Board of Commissioners present at the meeting to approve ratification of the Joint Funding Agreement with U.S.G.S. for Cooperative Water Resources Investigations for 2017/2018.

10) Consideration and Possible Action on Approval of Professional Services Agreement with Kennedy/Jenks Consultants for the Preparation of the Feasibility Study and Environmental Documentation for the Implementation of the Big Rock Creek Joint Groundwater Recharge Project in the Not-To-Exceed Amount of \$236,951.00. (General Manager Knudson/Assistant General Manager Thompson II)

General Manager Knudson provided an overview of the proposals received for the Big Rock Creek Joint Groundwater Recharge Project Feasibility Study and Environmental Documentation and staff's recommendation to approve a Professional Services Agreement with Kennedy/Jenks Consultants for this work, and after a brief discussion of the Big Rock Creek Joint Groundwater Recharge Project Memorandum of Understanding and of LCID's maximum contribution to this Project of \$5,000.00, it was moved by Commissioner Henriquez, seconded by Commissioner Mac Laren, and unanimously carried by all members of the Board of Commissioners present at the meeting to approve a Professional Services Agreement with Kennedy/Jenks Consultants for the Preparation of the Feasibility Study and Environmental Documentation for the Implementation of the Big Rock Creek Joint Groundwater Recharge Project in the not-to-exceed amount of \$236,951.00, with LCID contributing \$5,000.00 of this cost and the balance equally divided between AVEK and PWD, and the

General Manager is hereby authorized to execute said Agreement upon review and approval by legal counsel.

11) Consideration and Possible Action on Approval of Professional Services Agreement with Raftelis Financial Consultants for the Preparation of a Financial Analysis Associated with the Cost of Providing Replacement Water to the Antelope Valley in the Not-To-Exceed Amount of \$27,377.00. (General Manager Knudson/Assistant General Manager Thompson II)

General Manager Knudson provided an overview of the proposals received for the preparation of a financial analysis associated with the cost of providing replacement water to the Antelope Valley and staff's recommendation to approve of a Professional Services Agreement with Raftelis Financial Consultants for this work, and after a brief discussion of the member agency cost breakdown according to State Water Project Table A allocations, it was moved by Commissioner Mac Laren, seconded by Commissioner Dyas, and unanimously carried by all members of the Board of Commissioners present at the meeting to approve a Professional Services Agreement with Raftelis Financial Consultants for the Preparation of a Financial Analysis Associated with the Cost of Providing Replacement Water to the Antelope Valley in the not-to-exceed amount of \$27,377.00; the General Manager is hereby authorized to execute said Agreement upon review and approval by legal counsel; and cost sharing for this work shall be in accordance with State Water Project Table A Allocations.

12) Consideration and Possible Action on Budget for Fiscal Year 2018/2019. (General Manager Knudson/Controller Hoffmeyer)

Controller Hoffmeyer provided a detailed overview of the proposed budget for fiscal year 2018/2019, including the General Program Funds and the Restricted Funds for the Antelope Valley Integrated Regional Water Management Plan (IRWMP) Program and the U.S.G.S/CASGEM Program, and after a brief discussion of adding additional budgets for the Big Rock Creek Joint Groundwater Recharge Project and the Antelope Valley Replacement Water Analysis approved this evening, of the IRWMP's approved funding and replenishment of funds to the Association, and of the Association's procedure for covering potential deficits, it was moved by Commissioner Dyas, seconded by Commissioner Henriquez, and unanimously carried by all members of the Board of Commissioners present at the meeting to approve the budget for fiscal year 2018/2019 with the addition of the Big Rock Creek Joint Groundwater Recharge Project and the Antelope Valley Replacement Water Analysis.

ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION

Proposed Budget - FY 2023/24

Restricted Funds - Big Rock Creek Groundwater Recharge Project

	FY 2018/19 PROPOSED BUDGET	FY 2018/19 ACTUAL	FY 2019/20 ACTUAL	FY 2020/21 ACTUAL	FY 2021/22 ACTUAL	FY 2022/23 ACTUAL	FY 2023/24 PROPOSED BUDGET
Revenues:							
Member Contributions - Big Rock Creek	\$ 236,951.00	\$ 236,951.00	\$ -	\$ -	\$ -	\$ -	\$ -
Contributions - Others	-	-	-	-	-	-	-
Total Revenue	<u>\$ 236,951.00</u>	<u>\$ 236,951.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Expenditures:							
Contract Services - Big Rock Creek	\$ 236,951.00	\$ 53,459.63	\$ 18,622.17	\$ 45,075.81	\$ 37,992.88	\$ 36,324.50	\$ -
W.M. Lyles Invoice (LCID Submitted)		6,945.55					
Remaining Contribution (Refund)							38,530.46
Total Expenditures	<u>\$ 236,951.00</u>	<u>\$ 60,405.18</u>	<u>\$ 18,622.17</u>	<u>\$ 45,075.81</u>	<u>\$ 37,992.88</u>	<u>\$ 36,324.50</u>	<u>\$ 38,530.46</u>
Net Income (Loss)	<u>\$ -</u>	<u>\$ 176,545.82</u>	<u>\$ (18,622.17)</u>	<u>\$ (45,075.81)</u>	<u>\$ (37,992.88)</u>	<u>\$ (36,324.50)</u>	<u>\$ (38,530.46)</u>
AVEK Contribution =	\$ 115,975.50	= Outside of original contract amount				AVEK Refund =	\$ 18,858.73
PWD Contribution =	115,975.50					PWD Refund =	18,858.73
LCID Contribution =	5,000.00					LCID Refund =	812.99
	<u>\$ 236,951.00</u>						<u>\$ 38,530.46</u>

ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION

Proposed Budget - FY 2023/24

Restricted Funds - Big Rock Creek Phase Two Project

	FY 2023/24 PROPOSED BUDGET
Revenues:	
Member Contributions - Big Rock Creek	\$ -
Contributions - Others	-
Reclassified Funds	38,530.46
Total Revenue	\$ 38,530.46
Expenditures:	
Contract Services - Big Rock Creek Phase Two	\$ -
Total Expenditures	\$ -
Net Income (Loss)	\$ 38,530.46
AVEK Contribution =	\$ -
PWD Contribution =	-
LCID Contribution =	-
	\$ -

ANTELOPE VALLEY STATE WATER CONTRACTORS ASSOCIATION

**Proposed Budget - FY 2023/24
Restricted Funds - USGS/CASGEM Program**

	FY 2019/20 ACTUAL	FY 2020/21 ACTUAL	FY 2021/22 ACTUAL	FY 2022/23 ACTUAL	FY 2022/23 PROPOSED BUDGET
Revenues:					
Member Contributions - USGS	\$ 32,450.00	\$ 34,171.00	\$ -	\$ 71,944.70	\$ 35,920.50
Contributions - Others (AVIRWMG)	32,750.00	-	17,085.50	35,972.50	17,960.25
Member Contributions - CASGEM	-	-	-	-	-
Total Revenue	<u>\$ 65,200.00</u>	<u>\$ 34,171.00</u>	<u>\$ 17,085.50</u>	<u>\$ 107,917.20</u>	<u>\$ 53,880.75</u>
Expenditures:					
Contract Services - USGS	\$ -	\$ -	\$ -	\$ -	\$ -
Contract Services - USGS (Prior Year)	21,633.34	21,833.34	51,256.50	54,000.00	-
Contract Services - USGS (New Year)	43,666.66	-	-	53,917.50	53,880.75
Contract Services - CASGEM	-	-	-	-	-
Total Expenditures	<u>\$ 65,300.00</u>	<u>\$ 21,833.34</u>	<u>\$ 51,256.50</u>	<u>\$ 107,917.50</u>	<u>\$ 53,880.75</u>
Net Income (Loss)	<u>\$ (100.00)</u>	<u>\$ 12,337.66</u>	<u>\$ (34,171.00)</u>	<u>\$ (0.30)</u>	<u>\$ -</u>
	AVEK Contribution =				\$ 30,784.00
	PWD Contribution =				4,634.00
	LCID Contribution =				503.00
					<u>\$ 35,921.00</u>

ANTELOPE VALLEY STATE WATER CONTRACTORS
Balance Sheet
For the Three Months Ending 9/30/2023

	YTD
ASSETS	
Cash - General Fund	\$119,056.65
Restricted - AVRWMG	1,160,757.18
Accounts Receivable	40,804.57
Prepaid Insurance (Premium Period 10/1 - 9/30)	0.00
Prepaid Expense	0.00
Total Assets	\$1,320,618.40
 LIABILITIES AND FUND BALANCE	
LIABILITIES	
Accounts Payable	\$1,113,116.60
Pass-Through Grant Funding	0.00
Total Liabilities	1,113,116.60
 FUND BALANCE	
Unassigned	207,501.80
Total Fund Balance	207,501.80
 Total Liabilities and Fund Balance	 \$1,320,618.40

ANTELOPE VALLEY STATE WATER CONTRACTORS

Profit & Loss Statement

For the Three Months Ending 9/30/2023

	<u>September</u>	<u>YTD</u>
Revenues:		
Contributions - Member Agency		\$30,000.00
Contributions - Member Programs (USGS & CASGEM)		
Contributions - Member Programs (Financial Analysis PSA)		
Contributions - Member Programs (Big Rock Creek)		
Contributions - Member Programs (AV Fair-Conservation Garden)		
Contributions - Non-Member Programs (USGS)		
Contributions - Others (AVRWMG)		
Contributions - Others (DACI)		
Water Sales - Replacement Water Assessments		
Miscellaneous Refund		
Interest Earnings	4.20	12.80
Total Revenue		<u><u>\$30,012.80</u></u>
Expenditures:		
General Government		
Bank Fees		\$95.00
Insurance	181.88	645.72
Memberships		
Outreach		
Purchased Water		
Miscellaneous		
		<u>740.72</u>
Public Resource		
Contract Services - Administration	1,178.40	1,824.35
Contract Services - USGS & CASGEM		
Contract Services - AVRWMG		
Contract Services - IRWMP 2013 Update	14,889.25	14,889.25
Contract Services - DACI		
Contract Services - BIG ROCK CREEK		
Contract Services - FINANCIAL ANALYSIS		
Contract Services - General Projects		
Contract Services - AV Fair Conservation Garden		
Contract Services - Home Show/WaterSmart Expo		
Contract Services - Rural Museum		
Contract Services - Other		
		<u>16,713.60</u>
Total Expenditures		<u><u>\$17,454.32</u></u>
Change in Net Position		<u><u>\$12,558.48</u></u>
Net Position - Beginning of Year		<u>194,943.32</u>
Net Position - End of Year		<u><u>\$207,501.80</u></u>