

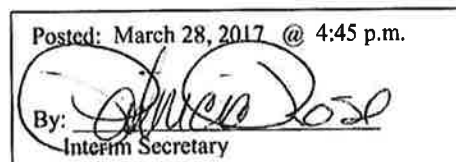
**Agenda for Special Meeting
of the Antelope Valley Watermaster Board
Thursday, March 30, 2017 – 10:00 a.m.**

**Location: Palmdale Water District
2029 East Avenue Q, Palmdale, CA 93551**

Teleconference: (646) 749-3131 Access Code: 484-466-261

BOARD OF DIRECTORS

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



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.

AGENDA

- 1) **Call to Order**
- 2) **Pledge of Allegiance**
- 3) **Roll Call**
- 4) **Adoption of Agenda**
- 5) **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 taking action or entering into 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.)
- 6) **Action Items:**
 - A. Approval of the minutes of the Special Watermaster Meeting of February 28, 2017 and March 7, 2017.
 - B. Discussion and possible action on the letter to the Department of Water Resources regarding Sustainable Groundwater Management Reporting (SGMA) – (Tom Bunn)
 - C. Discussion and possible action on the draft Watermaster Status Report and Request for Extension of Time to File Annual Report. – (Tom Bunn)
 - D. Discussion and possible action to obtaining legal representation for the Watermaster Board.
- 7) **Presentations:**
 - A. Presentation on the consideration of establishing a Scientific Committee
Presenter: Gene Nebeker

8) Director /Staff Reports

A. Update on Interim Administrative activities (D. Chisam)

B. Report on Advisory Committee - (D. LaMoreaux)

9) Board Members Request for Future Agenda Items

10) Adjournment

6) Action Items:

- A. Approval of the minutes of the Special Watermaster Meeting of February 28, 2017 and March 7, 2017.

Antelope Valley Watermaster Board
Special Meeting Minutes
Tuesday, February 28, 2017 – 8:00 a.m.
Location: City of Palmdale
Chimbole Cultural Center
38350 Sierra Highway, Palmdale, CA 93550
Meeting Location: Manzanita Ballroom

- 1) Meeting was called to order at **8:00 a.m.**
- 2) Director **Parris** 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
Leo Thibault, Public Water Suppliers

6) **Briefing with Alliance Resource Consulting**

Cindy Krebs, Regional Director for Alliance Resource Consulting LLC, gave an overview of the interview process and questions. Five candidates/firms were selected to be interviewed.

7) **Antelope Valley Watermaster Engineer Candidate Interviews**

Cathrene Glick – Glick Consulting

Phyllis Stanin – Todd Groundwater

Derrick Williams – HydroMetrics Water Resources

Stephen Johnson – Stetson Engineers Inc.

Behrooz Mortazavi – Water Resources Engineers Inc.

8) **Adjournment**

A motion was made by Director Calandri, seconded by Director Atkinson and unanimously carried to adjourn the meeting.

APPROVED BY THE BOARD OF DIRECTORS:

Date

Watermaster Board Chairperson

(Signature)

By: _____

Interim Secretary (AVEK Water Agency)

Antelope Valley Watermaster Board
Special Meeting Minutes
Tuesday, March 7, 2017 – 10:00 a.m.
Location: City of Palmdale Chimbole Cultural Center
38350 Sierra Highway, Palmdale, CA 93550

- 1) Meeting was called to order at 10:00 a.m.
- 2) Director **Parris** lead the Pledge of Allegiance
- 3) Roll Call of the **Board of Directors**
Robert Parris, AVEK Water Agency - Chairperson
Dennis Atkinson, Landowners – Vice Chairperson
Adam Ariki, Los Angeles County Waterworks District 40
John Calandri, Landowners
Leo Thibault, Public Water Suppliers
- 4) **Adoption of Agenda**
A motion was made by Director **Thibault**, seconded by Director **Atkinson** and unanimously carried to approve the agenda as presented.
- 5) **Public comments for non-agenda items**
No public comment was heard from the floor.
- 6) **Action Items**
 - A. Approval of minutes of the Special Watermaster meeting held January 31, 2017.
A motion was made by Director **Calandri**, seconded by Director **Ariki** and unanimously carried to approve the minutes as presented.
 - B. Discussion and possible action on providing an update to the court and request for extension for the 2016 Annual Report.

Palmdale Water District attorney, **Tom Bunn**, will draft a progress report and letter to **Judge Komar** outlining the progress made by the Watermaster Board and request an extension of 120 days for the filing of the 2016 Annual Report. The report will be on the March 30, 2017, agenda for review by the Board.

A motion was made by Director **Atkinson**, seconded by Director **Calandri** and unanimously carried to have Palmdale Water District attorney, Tom Bunn, draft a progress report and letter to **Judge Komar** requesting an extension of 120 days for the filing of the 2016 Annual Report.
 - C. Discussion and possible action on reporting requirements for SGMA (Sustainable Groundwater Management)

A motion was made by Director **Atkinson**, seconded by Director **Thibault** and unanimously carried to have Palmdale Water District attorney, **Tom Bunn**, write a letter requesting an extension of 120 days.

- D. Discussion and possible action on **Resolution 17-2** setting authorization/spending limit for the Interim Administrators.

A motion was made by Director **Thibault**, seconded by Director **Calandri** and unanimously carried to adopt **Resolution 17-2** setting an authorization and spending limit of **\$500** for the Interim Administrators.

- E. Discussion on Landowners election of alternate directors.

The **City of Palmdale** has offered, at no cost, to be the elections referee for the election of the alternate directors for the Landowners Representative. The same procedures that were used for electing the Landowner Representatives will be followed.

7) **Director/Staff Reports**

- A. Update on Interim Administrative activities.
No new items to report.

- B. Report by Advisory Committee on the Interviews for the Watermaster Engineer

The Advisory Committee recommended the following as the top three (3) candidates for the Watermaster Engineer:

- 1) Phyllis Stanin – Todd Groundwater
- 2) Derrick Williams – HydroMetrics Water Resources
- 3) Cathrene Glick – Glick Consulting

The Committee recommends a second interview with the top candidates addressing additional questions as outlined in their memo.

8) **Watermaster Engineer**

- A. Discussion and possible action for the selection of the Watermaster Engineer

Each Board member gave a ranking of their top 3 choices, the following ranked as the top three (3) overall:

- 1) Phyllis Stanin – Todd Groundwater
- 2) Stephen Johnson – Stetson Engineers
- 3) Cathrene Glick – Glick Consulting

After Board discussion and questions and comments from members of the audience it was a consensus of the Board, based on the ranking by both the Board and the Advisory Committee, to interview **Todd Groundwater** on March 28th and to have Stetson Engineers, Glick Consulting and HydroMetrics Water Resources has follow up interviews on March 30th if necessary.

A motion was made by Director **Thibault**, seconded by Director **Calandri** and unanimously carried to confirm that the intent of the Board is to select **Todd Groundwater** as the

Watermaster Engineer and after further negotiations and discussions on **March 28, 2017**, to confirm the selection on **March 30, 2017**.

Cindy Krebs will contact Stetson Engineers, Glick Consulting and HydroMetrics Water Resources for follow up interviews on March 30, 2017, pending the outcome of the negotiations and discussion with Todd Groundwater on March 28, 2017.

Palmdale Water District and Antelope Valley East Kern Water District will make the recharge modeling that Mike Maley worked on while with Kennedy-Jenks Engineering available to the public.

9) Board Members Request for Future Agenda Items

- 1) Legal Representation for the Watermaster.
- 2) Board members to sign on checks in the future.

10) Adjournment

A motion was made by Director Calandri, seconded by Director Ariki and unanimously carried to adjourn the meeting at 11:36 a.m.

APPROVED BY THE BOARD OF DIRECTORS:

Date

Watermaster Board Chairperson

(Signature)

By: _____
Interim Secretary (AVEK Water Agency)

6) Action Items:

- B. Discussion and possible action on the letter to the Department of Water Resources regarding Sustainable Groundwater Management Reporting (SGMA) – (Tom Bunn)



301 North Lake Avenue
10th Floor
Pasadena, CA 91101-5123
Phone: 626.793.9400
Fax: 626.793.5900
www.lagerlof.com

Established 1908

March 31, 2017

Mr. Timothy Ross
California Department of Water Resources
Adjudicated Basins Reporting System
Sustainable Groundwater Management Act

Re: Antelope Valley Groundwater Adjudication

Dear Mr. Ross:

The Antelope Valley is an adjudicated basin subject to the reporting requirements of Water Code section 10720.8. Judgment was entered in December, 2015. The Watermaster board has been elected, and is in the process of hiring a Watermaster Engineer. Under the judgment, the Watermaster Engineer has the responsibility of preparing annual reports to the court.

The first annual report to the court is due April 1, 2017, but the Watermaster is requesting a four-month extension from the court to allow sufficient time to hire the Watermaster Engineer, prepare the report, hold a public hearing, and file the report with the court. Attached is a copy of the status report and request for extension.

At the same time the annual report is filed with the court, the Watermaster Engineer will post the report on your reporting system, and furnish additional information as available.

Very truly yours,

Thomas S. Bunn III

6) Action Items:

- C. Discussion and possible action on the draft Watermaster Status Report and Request for Extension of Time to File Annual Report. – (Tom Bunn)

1 Thomas S. Bunn III (CSB #89502)
2 LAGERLOF, SENECAL, GOSNEY & KRUSE, LLP
3 301 N. Lake Avenue, 10th Floor
4 Pasadena, CA 91101-5123
5 Telephone: (626) 793-9400
6 Facsimile: (626) 793-5900

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Attorneys for Defendant and Cross-Complainant,
Palmdale Water District

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

Coordination Proceeding
Special Title (Rule 1550 (b))

**ANTELOPE VALLEY GROUNDWATER
CASES**

LASC Case No. BC 325201

Judicial Council Coordination
Proceeding No. 4408

[Assigned to The Honorable Jack Komar, Judge
Santa Clara County Superior Court]

Santa Clara Court Case No. 1-05-CV-049053

**Watermaster Status Report and Request for
Extension of Time to File Annual Report**

[No hearing scheduled]

Palmdale Water District is filing this status report on behalf of the Watermaster (which does not yet have its own attorneys), by authorization of the Watermaster board.

The judgment requires the Watermaster Engineer to file an annual report with the Court. The first annual report is due April 1, 2017. For the reasons set forth below, the Watermaster requests a four-month extension, until August 1, 2017.

1 **I. Watermaster activities**

2 **1. Watermaster composition¹**

3 The court approved the board members of the Watermaster on an interim basis on June 30, 2016,
4 and on a permanent basis on September 8. The board held its first formal board meeting August 17,
5 although there were informational meetings earlier. Since then, the board has met eleven times in eight
6 months.

7 The landowners are in the process of electing their alternate representatives under the election
8 rules and procedures approved by the court December 7, 2016. The City of Palmdale is acting as
9 Inspector of Elections.

10 **2. Formation of Advisory Committee²**

11 The Watermaster facilitated the formation of the Advisory Committee by the Producers. The
12 committee is formed and functioning, and has given input into various Watermaster decisions, including
13 the selection of the Watermaster Engineer. The Subarea Advisory Management Committees³ have not
14 yet been formed.

15 **3. Watermaster Engineer selection⁴**

16 The Watermaster decided to use a recruiting firm to assist in selecting the Watermaster Engineer.
17 The Watermaster interviewed several qualified candidates, and agreed on a preferred candidate for a
18 second interview. On March 28, the Watermaster board voted unanimously to negotiate a contract with
19 Todd Engineers. After the contract is negotiated and signed, it will be presented to the court for
20 approval.

21 **4. Rules and regulations⁵**

22 The Judgment states that the Watermaster Engineer is to prepare the rules and regulations.
23 Accordingly, the Watermaster deferred action on rules and regulations until the Watermaster Engineer is
24 on board.

26 ¹ Judgment ¶18.1.1.

27 ² Judgment ¶19.

³ Judgment ¶19.5.

28 ⁴ Judgment ¶18.4.1.

⁵ Judgment ¶18.4.2.

1 **5. Administrative functions⁶**

2 Administrative functions of the Watermaster are shared, on an interim basis, between AVEK and
3 Palmdale Water District. The Watermaster is reimbursing actual costs. This will be reevaluated after the
4 Watermaster Engineer is on board.

5 **6. Notice list⁷**

6 The Watermaster has contracted with Glotrans to maintain the notice list for both the
7 Watermaster activities and trial court proceedings. The Watermaster has a page on the AVEK web site
8 (www.avek.org), to which it posts notices and agendas. This will be replaced by a dedicated web site,
9 maintained by Glotrans (www.avwatermaster.org), which will also contain all the court filings.

10 **7. Administrative budget⁸**

11 The Watermaster has approved an administrative budget for 2016, which resulted in an
12 administrative assessment of \$1.00 per acre-foot. The Watermaster deferred a 2017 budget until the cost
13 of the Watermaster Engineer is known.

14 **8. Investment of funds⁹**

15 AVEK and Palmdale Water District advanced start-up funds on behalf of the Watermaster. The
16 Watermaster has now established a bank account to receive assessments and pay expenses.

17 **9. Meetings¹⁰**

18 The board has held all its meetings in compliance with the Ralph M. Brown Act. The
19 Watermaster has conducted its affairs transparently, including holding interviews and deliberations to
20 select the Watermaster Engineer in open session. All Watermaster decisions have been taken by
21 unanimous vote of the board.¹¹

22 **10. Assessments¹²**

23 The Watermaster sent invoices for the 2016 administrative assessment to all Producers except
24 the small pumper class. The assessment was levied on each acre-foot of production right, but not on the

25 ⁶ Judgment ¶18.4.3.

26 ⁷ Judgment ¶18.4.4.

27 ⁸ Judgment ¶18.4.5.

28 ⁹ Judgment ¶18.4.6.

¹⁰ Judgment ¶18.4.11.

¹¹ Judgment ¶18.1.2.

¹² Judgment ¶18.4.12.

1 parties' right to produce imported return flows or their production in excess of production rights, which
2 is unknown.¹³ Payment was due January 31, 2017. To date, the Watermaster has received payment for
3 95% of the invoiced administrative assessments.

4 **11. Production reports¹⁴**

5 The Watermaster sent requests for 2016 production information to all Producers except the small
6 pumper class. on a form approved by the Watermaster. Responses were due March 15, 2017.

7 **12. Intervention after judgment¹⁵**

8 The Watermaster approved a stipulation for intervention with First Solar, which had bought
9 certain properties and their associated water rights. The Court subsequently approved the intervention.

10 **II. Request for extension of time**

11 The Judgment requires the Watermaster Engineer to file an annual report with the court not later
12 than April 1 of each year, beginning April 1 following the first full year after entry of judgment.¹⁶ Thus,
13 the annual report is due April 1, 2017. Prior to filing the annual report, the Watermaster Engineer must
14 make a draft available for review and hold a public hearing on the report.¹⁷

15 The Watermaster requests a four-month extension of time—until August 1, 2017—to file the
16 initial annual report, because the Watermaster Engineer is not yet on board. This should allow sufficient
17 time for the Watermaster Engineer to prepare a draft, make it available for review, and hold a public
18 hearing.

19 Dated: March 31, 2017

Lagerlof, Senecal, Gosney & Kruse LLP

20
21 By: _____

22 Thomas S. Bunn III
23 Attorneys for Palmdale Water District
24
25

26 ¹³ See Judgment ¶9.1.

27 ¹⁴ Judgment ¶18.5.12.

28 ¹⁵ Judgment ¶20.9.

¹⁶ Judgment ¶18.5.17.

¹⁷ *Id.*

6) Action Items:

- D. Discussion and possible action to obtaining legal representation for the Watermaster Board.

7) **Presentations:**

- A. Presentation on the consideration of establishing a Scientific Committee
Presenter: Gene Nebeker

8) Director /Staff Reports

A. Update on Interim Administrative activities (D. Chisam)

B. Report on Advisory Committee - (D. LaMoreaux)