

**MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
PALMDALE WATER DISTRICT, FEBRUARY 12, 2014:**

*A regular meeting of the Board of Directors of the Palmdale Water District was held Wednesday, February 12, 2014, at 2029 East Avenue Q, Palmdale, California, in the Board Room of the District office. President, Kathy Mac Laren, called the meeting to order.*

**1) Pledge of Allegiance.**

At the request of President Mac Laren, Director Estes led the pledge of allegiance.

**2) Roll Call.**

**Attendance:**

Kathy Mac Laren, President  
Robert Alvarado, Vice President  
Gloria Dizmang, Treasurer  
Joe Estes, Secretary  
Vincent Dino, Director

**Others Present:**

Dennis LaMoreaux, General Manager  
Jim Ciampa, Attorney  
Matt Knudson, Assistant General Manager  
Mike Williams, Finance Manager  
Tim Moore, Facilities Manager  
Jim Stanton, Information Technology Manager  
Jennifer Emery, Human Resources Manager  
Dennis Hoffmeyer, Senior Accountant  
Robert Egan, Financial Advisor  
Dawn Deans, Executive Assistant  
5 members of the public

**3) Adoption of Agenda.**

It was moved by Director Estes, seconded by Director Alvarado, and unanimously carried to adopt the agenda, as written.

**4) Public Comments for Non-Agenda Items.**

There were no public comments.

**5) Presentations:**

**5.1) No Presentations Scheduled at this Time.**

There were no presentations.

**6) Action Items – Consent Calendar: (The Public Shall Have an Opportunity to Comment on Any Action Item as Each Item is Considered by the Board of Directors Prior to Action Being Taken.)**

- 6.1) Approval of Minutes of Workshop Meeting Held January 15, 2014.
- 6.2) Approval of Minutes of Regular Meeting Held January 22, 2014.
- 6.3) Approval of Minutes of Workshop Meeting Held January 27, 2014.
- 6.4) Approval of Minutes of Special Meeting Held January 29, 2014.
- 6.5) Payment of Bills for February 12, 2014.
- 6.6) Receive and File Semi-Annual Employee Reimbursement Report for the Period Covering July 1, 2013 Through December 31, 2013. (Finance Manager Williams)

It was moved by Director Dino, seconded by Director Estes, and unanimously carried to approve those items included in the Consent Calendar followed by President Mac Laren's announcement of the items included in the Consent Calendar.

**7) Action Items – Action Calendar: (The Public Shall Have an Opportunity to Comment on Any Action Item as Each Item is Considered by the Board of Directors Prior to Action Being Taken.)**

**7.1) Status Report on Cash Flow Statement and Current Cash Balances as of December 31, 2013. (Financial Advisor Egan/Finance Committee)**

Financial Advisor Egan reviewed the highlights of the investment funds and cash flow reports as of December 31, 2013, including the increase in year-end cash due to assessments received, capital improvement fees, and redevelopment funds, and then stated that a Rate Stabilization Fund has been established and that the year ended on a very strong balance.

**7.2) Status Report on Financial Statements, Revenue and Expense and Departmental Budget Reports for December 31, 2013. (Director Estes)**

Finance Manager Williams reviewed the balance sheet, profit and loss statement, year-to-year comparisons, month-to-month comparisons, consumption comparisons, and revenue and expense analysis reports for the period ending December 31, 2013 along with the graphic presentations for these reports and stated that all departments, with the exceptions of Operations, Engineering, and Finance operated at or below the

targeted expenditure percentage of 100% or less; and then reviewed the line items over budget in each of these departments.

**7.3) Status Report on Committed Contracts Issued. (Assistant General Manager Knudson/Finance Committee)**

Assistant General Manager Knudson reviewed payments for projects funded from the Water Revenue Series 2013A Bonds and then stated that the Committed Contracts and Payout Schedules for capital projects and projects funded by the Water Quality Fee will be provided at next month's Board meeting.

**7.4) Consideration and Possible Action on Resolution No. 14-4 Approving Waiver of District Bid Procurement and Change Order Policy With Respect to Acceptance of Proposal for Construction of Palmdale Lake Outlet Dredging and Repair. (Assistant General Manager Knudson)**

**7.5) Consideration and Possible Action on Acceptance of Proposal, and Award of Contract to, Cushman Contracting Corporation, With Respect to Construction of Palmdale Lake Outlet Dredging and Repair. (\$300,000.00 – Budgeted – Assistant General Manager Knudson)**

Assistant General Manager Knudson provided an overview of the District's Bid Procurement and Change Order Policy, staff's recommendation to waive District policy and enter into a contract with Cushman Contracting Corporation for construction of the Palmdale Lake outlet dredging and repair project, and the details, location, proposed method of construction, and critical need and urgency to perform this work.

Mr. Ralph Velador, of the Laborers Union, stated that there are many qualified local workers and construction companies who can perform this work and are ratepayers and encouraged the Board to hire locally and award contracts to local contractors.

General Manager LaMoreaux then reviewed the District's bidding process and discount preference for local contractors, and after a brief discussion of this process, President Mac Laren requested the District's policy for preferences for local contractors be reviewed.

After a brief discussion of the urgency of this project, it was moved by Director Dizmang, seconded by Director Estes, and unanimously carried to approve Resolution No. 14-4 Approving Waiver of District Bid Procurement and Change Order Policy with

Respect to Acceptance of Proposal for Construction of Palmdale Lake Outlet Dredging and Repair.

A copy of said Resolution No. 14-4 is hereby made a portion of the minutes of this meeting.

It was then moved by Director Alvarado, seconded by Director Estes, and unanimously carried to accept the proposal, and award a contract to, Cushman Contracting Corporation, with respect to the construction of the Palmdale Lake Outlet Dredging and Repair project on a time and material basis in the not-to-exceed amount of \$300,000.00.

**7.6) Consideration and Possible Action on Resolution No. 14-5 Acknowledging Retiring AVEK Director Andy Rutledge. (General Manager LaMoreaux)**

General Manager LaMoreaux reviewed the contributions provided to the water community by retiring AVEK Director Andy Rutledge, and after a brief discussion, it was moved by Director Dizmang, seconded by Director Estes, and unanimously carried to approve Resolution No. 14-5 Acknowledging Retiring AVEK Director Andy Rutledge.

A copy of said Resolution No. 14-5 is hereby made a portion of the minutes of this meeting.

**7.7) Consideration and Possible Action to Approve iPad Loan Agreement and Provide for the Use of iPads by Directors. (General Manager LaMoreaux)**

General Manager LaMoreaux reviewed the prior iPad presentation provided by Information Technology Manager Stanton and the proposed iPad Loan Agreement, and after a brief discussion of the Directors' use of iPads, these iPads already being owned by the District, and the options available to the Directors from the iPads, it was moved by Director Estes, seconded by Director Dino, and unanimously carried to approve the iPad Loan Agreement and provide for the use of iPads by Directors.

**7.8) Consideration and Possible Action on Resolution No. 14-6 for Exception to the 180-Day Wait Period Under Government Code Sections 7522.56 and 21221(h) for the Temporary Employment of Retired Annuitant Claudette Beck and Revisions to the Temporary Employment Agreement for Retired Annuitant Claudette Beck. (Human Resources Manager Emery)**

Human Resources Manager Emery reviewed the recommended revisions to the Temporary Employment Agreement for Retired Annuitant Claudette Beck and Resolution No. 14-6, and after a brief discussion, it was moved by Director Estes, seconded by Director Dino, and unanimously carried to approve Resolution No. 14-6 for Exception to the 180-Day Wait Period Under Government Code Sections 7522.56 and 21221(h) for the Temporary Employment of Retired Annuitant Claudette Beck and Revisions to the Temporary Employment Agreement for Retired Annuitant Claudette Beck.

A copy of said Resolution No. 14-6 is hereby made a portion of the minutes of this meeting.

**7.9) Consideration and Possible Action on Request for Proposals for Grant Writing Services. (President Mac Laren)**

President Mac Laren stated that she provided several contacts for grant writing service to General Manager LaMoreaux and inquired if the Board is interested in these types of services, and after a brief discussion of grant writing services and potential grants that may be available to the District, it was moved by Director Alvarado, seconded by Director Dizmang, and unanimously carried to refer this item to the Finance Committee for further review and discussion.

Ms. Alisha Semchuck, Antelope Valley Press, then provided a contact for a local grant writer from the Antelope Valley College.

**7.10) Consideration and Possible Action on Board and Staff Attendance at Conferences, Seminars, and Training Sessions as Follows:**

a) Association of California Water Agencies 2014 Drought Impacts and Actions to be held February 14, 2014 in Sacramento.

b) Antelope Valley Board of Trade Business Outlook Conference to be held February 21, 2014 in Mojave.

c) Netcom Learning Core Solutions and Advanced Solutions of Microsoft SharePoint Server 2013 Boot Camp to be held March 3 – 8, 2014 and August 11 – 16, 2014 in Las Vegas, Nevada.

d) Association of California Water Agencies Legislative Symposium to be held March 5, 2014 in Sacramento.

e) 2014 Watereuse California Annual Conference to be held March 16 – 18, 2014 in Newport Beach.

f) Association of California Water Agencies Small Hydro Workshop & Tour to be held March 21, 2014 in Rancho Cucamonga.

g) Association of California Water Agencies 2014 Spring Conference & Exhibition to be held May 6 – 9, 2014 in Monterey.

h) California Special Districts Association Education Webinars:

1) The Essential Guide to the Brown Act to be held February 13, 2014.

2) Understanding Board Member & District Liability Issues to be held February 19, 2014 or August 13, 2014.

3) Maximize your CSDA Membership to be held February 25, 2014 and May 13, 2014.

4) Required Ethics Compliance Training-AB1234 to be held March 5, 2014 or November 13, 2014.

5) What's a Public Record? How to Comply with the Public Records Act to be held March 11, 2014.

6) New Developments Under PEPRA to be held March 13, 2014.

7) Affordable Care Act-Present & Future to be held March 20, 2014.

8) Talent Management: Building Your Workforce in the 21<sup>st</sup> Century to be held March 25, 2014.

9) Legislative Round-up to be held March 27, 2014 & July 30, 2014.

10) Ask the Experts: CSDA Finance Corp. to be held April 2, 2014.

11) Incident Writing: Just the Facts to be held April 8, 2014.

12) Best Practices in Agenda Preparation & Taking/Recording Minutes to be held April 10, 2014.

13) Records Retention & Management to be held April 23, 2014.

14) Proposition 218, Proposition 26, and Rate Setting to be held April 29, 2014.

15) R.A.P.I.D. Innovation: Converting Ideas Into Results to be held May 1, 2014.

16) Top Ten Tips for a Trouble Free Construction Project to be held June 4, 2014.

17) Best Practices in Managing Special District Investments to be held June 11, 2014.

18) Required Sexual Harassment Prevention Training for Special Districts to be held July 16, 2014.

19) Improve Your Outreach Skills and Build Bridges to Your Community to be held August 6, 2014.

20) The New Transparent District: Building the Public's Trust to be held August 19, 2014.

21) Understanding the Brown Act: Beyond the Basics to be held August 21, 2014.

22) Dos and Don'ts for Employee Performance Evaluations to be held August 27, 2014.

23) Now is Not the Time to Panic: Emergency Preparedness to be held October 22, 2014.

24) Must Have Communication Protocols for District Board Members & Staff to be held December 10, 2014.

After a brief discussion, it was moved by Director Estes, seconded by Director Alvarado, and unanimously carried to approve Board and staff attendance at Conferences, Seminars, and Training Sessions as Follows: Association of California Water Agencies 2014 Drought Impacts and Actions to be held February 14, 2014 in Sacramento; Antelope Valley Board of Trade Business Outlook Conference to be held February 21, 2014 in Mojave; Netcom Learning Core Solutions and Advanced Solutions of Microsoft SharePoint Server 2013 Boot Camp to be held March 3 – 8, 2014 and August 11 – 16, 2014 in Las Vegas, Nevada; Association of California Water Agencies Legislative Symposium to be held March 5, 2014 in Sacramento; 2014 Watereuse California Annual Conference to be held March 16 – 18, 2014 in Newport Beach; Association of California Water Agencies Small Hydro Workshop & Tour to be held March 21, 2014 in Rancho Cucamonga; Association of California Water Agencies 2014

Spring Conference & Exhibition to be held May 6 – 9, 2014 in Monterey; and California Special Districts Association Education Webinars: The Essential Guide to the Brown Act to be held February 13, 2014; Understanding Board Member & District Liability Issues to be held February 19, 2014 or August 13, 2014; Maximize your CSDA Membership to be held February 25, 2014 and May 13, 2014; Required Ethics Compliance Training-AB1234 to be held March 5, 2014 or November 13, 2014; What's a Public Record? How to Comply with the Public Records Act to be held March 11, 2014; New Developments Under PEPRRA to be held March 13, 2014; Affordable Care Act-Present & Future to be held March 20, 2014; Talent Management: Building Your Workforce in the 21<sup>st</sup> Century to be held March 25, 2014; Legislative Round-up to be held March 27, 2014 & July 30, 2014; Ask the Experts: CSDA Finance Corp. to be held April 2, 2014; Incident Writing: Just the Facts to be held April 8, 2014; Best Practices in Agenda Preparation & Taking/Recording Minutes to be held April 10, 2014; Records Retention & Management to be held April 23, 2014; Proposition 218, Proposition 26, and Rate Setting to be held April 29, 2014; R.A.P.I.D. Innovation: Converting Ideas Into Results to be held May 1, 2014; Top Ten Tips for a Trouble Free Construction Project to be held June 4, 2014; Best Practices in Managing Special District Investments to be held June 11, 2014; Required Sexual Harassment Prevention Training for Special Districts to be held July 16, 2014; Improve Your Outreach Skills and Build Bridges to Your Community to be held August 6, 2014; The New Transparent District: Building the Public's Trust to be held August 19, 2014; Understanding the Brown Act: Beyond the Basics to be held August 21, 2014; Dos and Don'ts for Employee Performance Evaluations to be held August 27, 2014; Now is Not the Time to Panic: Emergency Preparedness to be held October 22, 2014; and Must Have Communication Protocols for District Board Members & Staff to be held December 10, 2014.

**8) Information Items.**

**8.1) Reports of Directors: Meetings/Committee Meetings/General Report.**

Director Dino reported that on February 3, he attended the Finance Committee meeting with Director Dizmang; that on February 10, he attended the Facilities Committee meeting with Director Estes; and that on February 11, he attended a Board briefing with General Manager LaMoreaux and Assistant General Manager Knudson.

Director Dizmang reported that on February 3, she attended the Finance Committee meeting with Director Dino, and they are working on goals for the Strategic Plan, moving the completion of the budget prior to Thanksgiving, the preparation of a financial calendar, and presentation of the audit in April; that on February 5, she attended



the Outreach Committee meeting, and they are working on goals for the Strategic Plan, submitting the "Before the First Drop" campaign to ACWA for competition, and are scheduling an editorial meeting with the Antelope Valley Press; and that on February 10, she attended a Board briefing with General Manager LaMoreaux and Assistant General Manager Knudson.

President Mac Laren reported that on February 4, she took the CSDA Communication Protocols webinar; that on February 11, she conducted her Board briefing via telephone; and that the Personnel Committee is scheduled to meet at the end of February.

Director Alvarado reported that on February 3, he attended the Finance Committee meeting; that on February 5, he attended the Outreach Committee meeting; that on February 6, he attended a Youth Build ceremony in Division 1; that on February 7, he visited and toured the Fin & Feather Club; that on February 8, he attended a Water Conservation Workshop; that on February 10, he attended the Facilities Committee meeting; that on February 11, he attended a Board briefing with Director Estes, General Manager LaMoreaux, and Assistant General Manager Knudson; and that the Antelope Valley State Water Contractors Association meeting has been moved towards the end of the month. A copy of Director Alvarado's detailed written report is hereby made a portion of the minutes of this meeting.

Director Estes reported that on January 23, he attended the C.S.D.A. "How to be an Effective Board Member" conference; that on February 5, he attended the Outreach Committee meeting with Director Dizmang; that on February 10, he attended the Facilities Committee meeting with Director Dino; and that on February 11, he attended a Board briefing with Director Alvarado, General Manager LaMoreaux, and Assistant General Manager Knudson. A copy of Director Estes' detailed written report is hereby made a portion of the minutes of this meeting.

There were no further reports from Directors.

## **8.2) Report of General Manager.**

General Manager LaMoreaux stated that information on the District's steps regarding the drought and water supply has been included with the agenda packets; that the District is supporting the Governor's position of requesting residents to voluntarily reduce water use by 20%; that information on ACWA's Drought Program scheduled for Friday has been distributed this evening along with a graph showing precipitation levels

for various years; that this year's water supply is 30% less than normal; and that District staff is actively monitoring the situation, researching additional supply options, and has formed an internal Drought Management Task Force to address the seriousness of the drought.

He then reported that due to the Board's diligence and efforts in adopting the 2014 Budget with a water rate increase and the establishment of a Rate Stabilization Fund, he and Finance Manager Williams were able to address questions and concerns from Standards & Poor regarding how the cutback in water use by customers and the 0% State Water Project allocation could affect the District's finances and ability to maintain the debt coverage ratio.

President Mac Laren then commended everyone on a job well done.

Director Alvarado then gave kudos to employees for working as a team from the top down and the Board appreciates it.

**8.3) Report of Attorney.**

Attorney Ciampa reported that he has not received a reply to his last correspondence to the District Attorney regarding the alleged Brown Act violation concerning a prior Board meeting.

**9) Public Comments on Closed Session Agenda Matters.**

There were no public comments on closed session agenda matters.

At 8:35 p.m., President Mac Laren called for a ten-minute recess. She reconvened the regular meeting at 8:45 p.m.

**10) Closed Session Under:**

**10.1) Government Code Section 54956.9(d)(1), pending litigation: *Antelope Valley Ground Water Cases*.**

**10.2) Government Code Section 54956.9(d)(1), pending litigation: *United States, et al. v. J-M Manufacturing Company, Inc., et al., United States District Court for the Central District of California Case No. ED CV06-0055-GW*.**

10.3) Government Code Section 54956.9(d)(1), pending litigation: *Central Delta Water Agency vs. Department of Water Resources, Sacramento Superior Court Case No. 34-2010-80000561*.

10.4) Government Code Section 54956.9(d)(1), pending litigation: *Velez v. City of Palmdale, et al, Los Angeles Superior Court Case No. MC023216*.

10.5) Government Code Section 54956.9(d)(2), potential litigation: *Nabil Abd Allah v. Palmdale Water District*.

At 8:45 p.m., President Mac Laren called for a closed session pursuant to Government Code Section 54956.9(d)(1), Pending Litigation – Four Cases: *Antelope Valley Ground Water Cases* and *United States, et al. v. J-M Manufacturing Company, Inc., et al., United States District Court for the Central District of California Case No. ED CV06-0055-GW* and *Central Delta Water Agency vs. Department of Water Resources, Sacramento Superior Court Case No. 34-2010-80000561* and *Velez v. City of Palmdale, et al, Los Angeles Superior Court Case No. MC023216* and pursuant to Government Code Section 54956.9(d)(2), Potential Litigation – One Case: *Nabil Abd Allah v. Palmdale Water District*.

She reconvened the regular meeting at 9:03 p.m.

**11) Public report of any action taken in closed session.**

Attorney Ciampa reported that a closed session had been held under Government Code Section 54956.9(d)(1), Pending Litigation – Four Cases: *Antelope Valley Ground Water Cases* and *United States, et al. v. J-M Manufacturing Company, Inc., et al., United States District Court for the Central District of California Case No. ED CV06-0055-GW* and *Central Delta Water Agency vs. Department of Water Resources, Sacramento Superior Court Case No. 34-2010-80000561* and *Velez v. City of Palmdale, et al, Los Angeles Superior Court Case No. MC023216*; that the Board was briefed on the current status of each of these items of pending litigation; but that no reportable action under the Brown Act was taken in closed session on any of these matters.

He then reported that a closed session had also been pursuant to Government Code Section 54956.9(d)(2), Potential Litigation – One Case: *Nabil Abd Allah v. Palmdale Water District* and that the Board voted unanimously in closed session to reject the claim received from Nabil Abd Allah and directed legal counsel to give Notice of Rejection of the claim to the claimant's attorney.

**12) Board Members' Requests for Future Agenda Items.**

Director Dizmang requested an item be placed on the next agenda for "Consideration and possible action on review of the District's Bid Procurement and Change Order Policy," and after a further discussion, this item was referred to the Finance Committee for review and discussion.

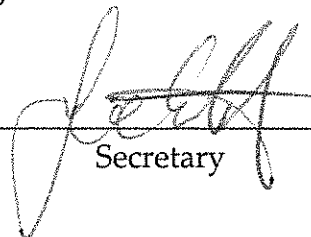
Director Estes requested an item be placed on the next agenda for "Consideration and possible action on adoption of a Resolution honoring retired Police Chief Lee Baca for his 48 years of service."

He then stated that he and Director Alvarado recently attended a community event; that Directors tend to attend these types of events empty handed; and then requested certificates be prepared in support of local community events.

There were no further requests for future agenda items.

**13) Adjournment.**

There being no further business to come before the Board, the regular meeting of the Board of Directors of the Palmdale Water District was adjourned.

  
Secretary

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
PALMDALE WATER DISTRICT APPROVING WAIVER OF  
DISTRICT BID PROCUREMENT AND CHANGE ORDER POLICY  
RESOLUTION NO. 14-4**

**WHEREAS**, the Board of Directors of the Palmdale Water District ("District") has previously adopted a Bid Procurement and Change Order Policy, as fully set forth in Appendix M of the District's Rules and Regulations; and

**WHEREAS**, the District's Bid Procurement and Change Order Policy generally requires solicitation of bids for any project the District undertakes which has an estimated cost in excess of \$25,000, and the subsequent letting of any contract for such a project to the lowest responsible bidder; and

**WHEREAS**, Section VI of the District's Bid Procurement and Change Order Policy provides that notwithstanding that policy, all contracts for projects the District undertakes may be made or entered into upon such terms and conditions and in such manner as the Board of Directors determines is in the best interest of the District; and

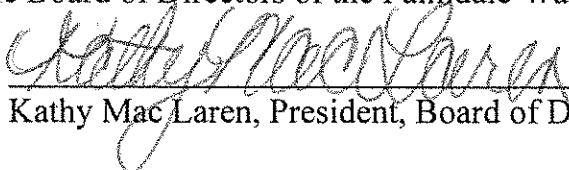
**WHEREAS**, the outlet structure at Palmdale Lake must be dredged and repaired from time to time, and Palmdale Lake has reached the condition where such dredging and repair must occur in the immediate future; and

**WHEREAS**, due to the timing and urgent nature of the dredging and repairs, obtaining competitive bids for this work may restrict the District's ability to provide water from Palmdale Lake and may result in damage to District facilities; and

**WHEREAS**, the District has received a proposal from a potential contractor for performing the Palmdale Lake outlet dredging and repair and related work which District staff has reviewed and believes to be fair and reasonable.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT DOES HEREBY RESOLVE** that it is in the District's best interest to proceed with consideration of the proposal received for performing the Palmdale Lake outlet dredging and repair and related work without further compliance with the District's Bid Procurement and Change Order Policy relative to the required solicitation of multiple bids as set forth in that policy, and in that regard waives that aspect of that policy as to the Palmdale Lake outlet dredging and repair work.

**PASSED AND ADOPTED** by the Board of Directors of the Palmdale Water District this 12<sup>th</sup> day of February, 2014.

  
Kathy MacLaren, President, Board of Directors

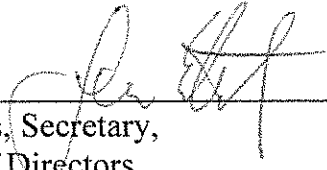
ATTEST:

  
Joe Estes, Secretary, Board of Directors

### CERTIFICATION

The undersigned, duly appointed Secretary of the Board of Directors of Palmdale Water District hereby certifies that the foregoing Resolution No. 14-4 was duly and regularly adopted by the Board of Directors at its regular meeting on February 12, 2014 and that said Resolution has not been rescinded or amended since its adoption and is now in full force and effect.

Dated: 2-12-14

  
\_\_\_\_\_  
Joe Estes, Secretary,  
Board of Directors

*Resolution No. 14-5*

*A Resolution of the Board of Directors  
of the Palmdale Water District  
Acknowledging Contributions Made By  
Andy Rutledge  
to the Water Industry*

*WHEREAS, the Board of Directors of the Palmdale Water District have worked with the Board of Directors and staff of the Antelope Valley East Kern Water Agency for many years further enhancing this working relationship with the formation of the Antelope Valley State Water Contractors Association;*

*WHEREAS, Andy Rutledge served on the Board of Directors for the Antelope Valley East Kern Agency since 1988 and as a Commissioner for the Antelope Valley State Water Contractors Association since its formation in 1999;*

*WHEREAS, the Board of Directors of the Palmdale Water District acknowledge the leadership, integrity, and wisdom Andy Rutledge has shown through his dedication to not only the Antelope Valley State Water Contractors Association, but to the water industry as a whole, and sincerely appreciate his valuable service.*

*NOW, THEREFORE, the Board of Directors of the Palmdale Water District do hereby recognize the overall contributions Andy Rutledge has made to the water industry and do hereby wish him well in his retirement and future endeavors.*

*PASSED AND ADOPTED by the Board of Directors of the Palmdale Water District at a regular meeting held February 12, 2014.*

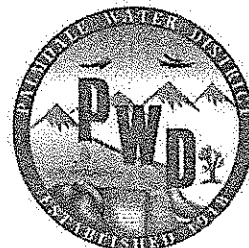
*Kathy MacLaren*

*KATHY MAC LAREN, President,  
Board of Directors*

**ATTEST:**

*Joe Estes*

*JOE ESTES, Secretary,  
Board of Directors*



**RESOLUTION NO. 14-6**

**RESOLUTION OF THE BOARD OF DIRECTORS OF  
PALMDALE WATER DISTRICT FOR EXCEPTION  
TO THE 180-DAY WAIT PERIOD UNDER  
GOVERNMENT CODE SECTIONS 7522.56 AND 21221(h)**

**WHEREAS**, in compliance with Government Code Section 7522.56 the Palmdale Water District (the "District") must provide CalPERS this certification resolution when hiring a retiree before 180 days has passed since his or her retirement date; and

**WHEREAS**, Claudette Beck ("Ms. Beck") retired from the District in the position of Water Conservation Supervisor, effective December 29, 2013; and

**WHEREAS**, Government Code Section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 28, 2014 without this certification resolution; and

**WHEREAS**, Government Code Section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts any retirement-related incentive; and

**WHEREAS**, the District's Board of Directors, the District and Ms. Beck certify that Ms. Beck has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the District's Board of Directors hereby appoints Ms. Beck as an interim appointment retired annuitant to the vacant position of Water Conservation Supervisor for the District under Government Code Section 21221(h), effective February 13, 2014; and

**WHEREAS**, an appointment under Government Code Section 21221(h) requires an active, publicly posted recruitment for a permanent replacement; and

**WHEREAS**, the current status of this recruitment is that it is underway in accordance with the District's policies with respect to the filling of vacant positions; and

**WHEREAS**, this Section 21221(h) appointment shall only be made once and therefore will end no later than June 30, 2014; and

**WHEREAS**, the entire employment agreement between Ms. Beck and the District has been reviewed by this body and is attached herein; and

**WHEREAS**, this Resolution shall rescind any prior matters, issues, terms or conditions related to this employment and appointment and no further matters, issues, terms or conditions have been or will be placed on a consent calendar; and

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year; and



**WHEREAS**, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

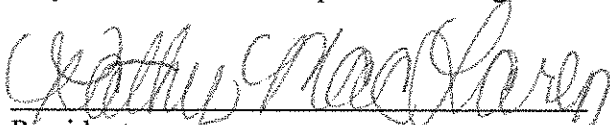
**WHEREAS**, the maximum base salary for this position is \$8,225.97 and the hourly equivalent is \$47.4575, and the minimum base salary for this position is \$6,767.52 and the hourly equivalent is \$39.0434; and

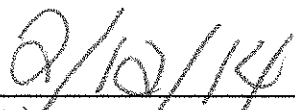
**WHEREAS**, the hourly rate paid to Ms. Beck will be \$47.45; and

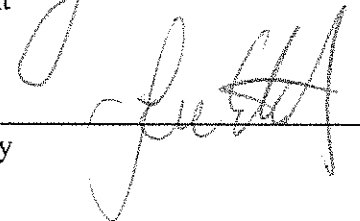
**WHEREAS**, Ms. Beck has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

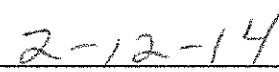
**THEREFORE, BE IT RESOLVED THAT** the Board of Directors of Palmdale Water District hereby certifies the nature of the appointment of Claudette Beck as described herein and detailed in the attached employment agreement and that this appointment is necessary to fill the critically needed position of Water Conservation Supervisor for the Palmdale Water District by February 13, 2014 because of the District's need for oversight and coordination of water conservation efforts, being that the need for such efforts has been significantly heightened by reason of the ongoing drought in the State of California and particularly within the District's service area.

**PASSED AND ADOPTED** by the Board of Directors of the Palmdale Water District at a duly called and noticed public meeting of said Board held on February 12, 2014.

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
(date)

  
\_\_\_\_\_  
Secretary

  
\_\_\_\_\_  
(date)

**Temporary Employment**  
**Agreement for Retired Annuitant**  
**Claudette Beck**

**1. IDENTIFICATION**

This Temporary Employment Agreement for Retired Annuitant, hereinafter referred to as "Agreement," is made and entered into this 12th day of February, 2014 by and between Palmdale Water District, an irrigation district organized and existing under the provisions of the California Water Code, hereinafter referred to as "District," and Claudette Beck, a retired annuitant, hereinafter referred to as "Ms. Beck."

**2. RECITALS**

- 2.1 Ms. Beck served as the District's Water Conservation Supervisor and retired on December 29, 2013, thereafter becoming entitled to receive retirement benefits from CalPERS.
- 2.2 District currently has a dire need for professional services related to the coordination of its water conservation programs.
- 2.3 District is actively recruiting to fill the vacancy in the Water Conservation Supervisor position.
- 2.4 Ms. Beck has the skills necessary to meet, on a temporary basis, the District's needs in connection with its ongoing water conservation programs.
- 2.5 District and Ms. Beck desire to enter into a temporary contract for the provision of professional services as Water Conservation Supervisor as delineated in the Scope of Work attached hereto as Exhibit A, subject to the terms and conditions of this Agreement.

**3. AGREEMENT**

NOW THEREFORE, in consideration of the premises and covenants hereinafter contained, it is mutually agreed as follows;

- 3.1 District hereby retains Ms. Beck to perform the professional services described in Exhibit A as a retired annuitant. Ms. Beck agrees to perform such services in a timely and professional manner and with due diligence.
- 3.2 The General Manager of the District shall manage and direct Ms. Beck' effort in performance of her services.

- 3.5 District shall have the right to terminate this Agreement at any time upon thirty (30) days' written notice to Ms. Beck. In the event of such termination, District shall compensate Ms. Beck through the notice date for services actually performed hereunder in accordance with Paragraph 3.6, below. This Agreement shall terminate upon the recruitment and hiring of a replacement Water Conservation Supervisor or June 30, 2014, whichever occurs first.
- 3.6 District shall compensate Ms. Beck for her services at the hourly rate of \$47.45, subject to required withholdings.
- 3.7 Ms. Beck may work no more than nine hundred sixty (960) hours under this Agreement during the CalPERS fiscal year that commences July 1, 2013 and ends June 30, 2014.
- 3.8 Ms. Beck shall not assign this Agreement without the prior written consent of District.

4. **GENERAL PROVISIONS**

- 4.1 This Agreement constitutes the entire agreement between the parties and supersedes any prior understanding or representation of any kind preceding the date of this Agreement. There are no other promises, conditions, understandings or other agreements, whether oral or written, relating to the subject matter of this Agreement. No amendments to this Agreement may be made except by a writing signed by both parties.
- 4.2 The validity, interpretation, performance and effect of this Agreement shall be construed in accordance with the laws of the State of California.
- 4.3 Any notice or communication required or permitted to be given under this Agreement shall be effective when deposited, postage prepaid, in the United States Mail. Any notice shall be addressed as follows:

Palmdale Water District  
2029 East Avenue Q  
Palmdale, CA 93550

Notice to Ms. Beck shall be addressed to her last-known address as reflected on the records of the District.

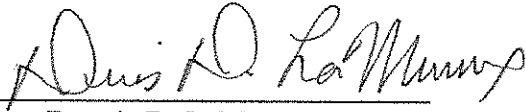
- 4.4 If any provision of this Agreement is held invalid and unenforceable, the remainder of this Agreement shall nevertheless remain in full force and effect.
- 4.5 The failure of either party to insist on strict compliance with any of the terms, covenants or conditions of this Agreement by either party shall not be deemed as a waiver of that term, covenant or condition, nor shall any waiver or

relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other time.

- 4.6 If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs and necessary disbursements in addition to any other relief to which the party may be entitled.

IN WITNESS WHEREOF, the parties have executed this AGREEMENT as of the date first hereinabove written.

PALMDALE WATER DISTRICT

By:   
Dennis D. LaMoreaux  
General Manager

  
Claudette Beck

**Exhibit "A"**

**Job Description**

[INSERT WATER CONSERVATION SUPERVISOR JOB DESCRIPTION]

## Exhibit "A"

### Job Description

# Water Conservation Supervisor

Class Code:  
WCS001

Bargaining Unit: NA

PALMDALE WATER DISTRICT  
Revision Date: Mar 16, 2011

#### DESCRIPTION:

Under administrative direction, provides overall management of and responsibility for the District's water conservation program, including first line supervision to the Water Conservation Staff; coordinates, creates, and presents water conservation activities and programs, including preparing cost/benefit and staffing analyses; develops public information and outreach programs about water conservation and service issues; coordinates with other government and water agencies on joint programs; and does special projects and related work, as required.

#### SUPERVISION RECEIVED AND EXERCISED

Receives direction from the General Manager and Community and Government Affairs Coordinator. Supervises Water Conservation Aide I/II and other staff as assigned for the completion of specific projects. Chairs the District's Water Awareness Committee.

#### EXAMPLES OF DUTIES:

1. Plans, develops, coordinates, and implements demand management/water conservation programs.
- ~~2. Supervises assigned staff and all phases of the water conservation program.~~
3. Gathers, analyzes and interprets data and information related to water use. Evaluates water use by all customers.
4. Plan, develop and coordinate water conservation programs to match Cal/Fed's Certification Program. Including difficult to complex reports, manuals, grants, correspondence and other documents or materials based on data collection and analysis for presentation to management, outside agencies, customers or the general public.
5. Pursues grants and financial assistance to augment water management and conservation programs. May prepare, submit and administer grants designed to promote water conservation.
6. Explains conservation services and programs to the customers, community groups, and other organizations.
7. Presents and advocates programs to District staff, schools, professional organizations and community groups, and attends fairs, seminars and demonstrations to disseminate information regarding water and energy conservation and District activities.
8. Responds to a variety of inquiries relating to conservation matters, and handles the most difficult customer problems, complaints or inquiries related to conservation related issues.
9. Responds to questions from local media, staff, and other information requests about District conservation functions, services, and activities.
10. Develops and implements customer outreach and promotional campaigns for conservation programs, including press releases, direct mail, print advertisements, radio/television, internet, etc.
11. Plans, writes, edits, and either designs or works with a graphic designer to create informational pamphlets and brochures describing District functions and programs, including water quality and conservation.
12. Participates in updating the District's Urban Water Management Plan in accordance with State law and District policy; and plays a key role in reducing demand in the event of a declared water supply emergency.
13. Develops recommendations and manages the conservation budget.
14. Evaluates new water conservation technology with respect to reducing District demand and prepares recommendations for associated programs.
15. Prepares technical and administrative reports for assigned special projects. Provides technical support, advice and

- recommendations to public and private groups as requested by the General Manager.
16. Collaborates and coordinates with other government and water agencies on joint projects.
  17. Conducts research and prepares reports and correspondence as requested by the General Manager.
  18. ~~Evaluates employee's job performances and makes recommendations for job performance improvement; takes disciplinary action as needed; recommends employees for salary advancement.~~
  19. ~~Approves time cards, overtime, vacation, training requests, requisitions; periodically reviews position descriptions for accuracy and completeness.~~
  20. ~~Monitors employee certification, training, and safety programs.~~
  21. Participates in energy management projects and procedures.
  22. Manages and/or participates in various special projects as assigned.
  23. Assists other District personnel in all phases of activities and operations as needed, including after-hours, on-call and other unusual times.

#### **TYPICAL QUALIFICATIONS:**

#### **KNOWLEDGE OF:**

1. Pertinent Federal, State and local laws, codes and regulations.
2. Safety practices and regulations.
3. Conservation programs, implementation and documentation practices for review by the CalFed certification program.
4. Methods of preparing preventive maintenance programs and logs.
5. Landscape and irrigation design, layout, and installation.
6. Irrigation and water conservation auditing.
7. Budget development and management.
8. Supervisory principles and practices including planning, assigning and reviewing work, performance appraisals and employee counseling and training.

#### **ABILITY TO:**

1. Read and interpret documents such as instructional material, course outlines and procedural manuals.
2. Write routine reports and correspondence.
3. Speak effectively before groups of customers, children, employees or organizations.
4. Use the personal computer to create documents and spreadsheets and review multimedia information and applications related to water conservation and environmental education.
5. Carry out detailed instructions furnished in written, oral or diagram form.
6. Deal with complex challenges involving personal interactions between groups from diverse political, social, educational, and ethnic backgrounds.
7. Work with a variety of age groups, including young children.
8. Communicate and effectively interact with a wide variety of individuals and groups from diverse political, social, educational, and ethnic backgrounds.
9. Establish and maintain effective working relationships with those contacted in the course of work including District staff and the general public.

#### **EDUCATION AND EXPERIENCE**

1. BA degree or equivalent from an accredited college or university in business management or similar area.
2. (4) Four years of increasingly responsible experience performing water education programs, public relations, community events and outreach.

#### **LICENSES**

1. Possession of, or ability to obtain, a valid California driver's license. Must have a driving record acceptable to the District.
2. Water Conservation Certification II or ability to obtain within (2) two years. Water Conservation Certification III is desirable.
3. Irrigation Auditor certification.

# **DIRECTOR ALVARADO'S REPORT**

**FEBRUARY 12, 2014**

**ON FEBRUARY 3<sup>rd</sup>, I ATTENDED THE FINANCE COMMITTEE MEETING**

**ON THE 5<sup>th</sup>, I ATTENDED THE OUTREACH COMMITTEE MEETING**

**ON THE 6<sup>th</sup>, I ATTENDED A YOUTH BUILD CEREMONY IN DIVISION 1 WHERE THE YOUTH FROM OUR COMMUNITY LEARN A TRADE BY FIXING AND REPAIRING HOUSES AND BUILDINGS. GREAT PROGRAM**

**ON THE 7<sup>th</sup>, I VISITED AND TOURED THE FIN & FEATHER CLUB**

**ON THE 8<sup>th</sup>, I ATTENDED A WATER CONSERVATION WORKSHOP**

**ON THE 10<sup>th</sup>, I ATTENDED THE FACILITIES COMMITTEE MEETING**

**AND ON THE 11<sup>th</sup>, I ATTENDED A BRIEFING WITH DIRECTOR ESTES, GENERAL MANAGER AND ASSISTANT GENERAL MANAGER.**

**MY SCHEDULED MEETING FOR TOMORROW NIGHT WITH THE AV STATE WATER CONTRACTORS ASSOCIATION HAS BEEN MOVED TOWARDS THE END OF THE MONTH.**

**THIS CONCLUDES MY REPORT.**



## Director Joe Estes Board Report for February 12, 2014

- 1) CSDA's Conference was held at the Municipal Water District of Orange County January 23, 2014.

### Some of the topics discussed were

- 1} New Board Member Orientation, 2} Essential Components of Effective Meetings, 3} The role of the Board Member, 4} Legislative and Community Advocacy, 5} The Brown Act, and Ethics, 6} Conflict of interest Issues.
- 2) Director Dizmang and I attended the Outreach Committee Meeting on February 05, 2014 here at the PWD District Office, Director Dizmang thank you for the pointers.

### Some of the topics discussed were the

Strategic Plan, before the first drop campaign, also having one of the directors communicate with Dennis Anderson at the valley press.

- 3) Director Dino and I attended the Facilities Committee Meeting on February 10, 2014 here at the PWD District Office

### The Main topic of discussion was the

Dredging of the Lake Outlet and Repair of the screen. Also we touched on the Strategic Plan a little bit.

- 4) On February 11, 2014 Director Alvarado and I had a relatively short Board Briefing with Dennis and Matt. here at the PWD District Office.

**Decisions:** (Agenda) For Regular Board Meeting to be held on February 12, 2014.

## DIRECTOR MEETING REPORT FORM

**NAME:** Joe Estes

**DATE:** 02/12/2014

NAME OF ORGANIZATION/MEETING:

1)

CSDA's Class Part 2 of Module 1, How to be an Effective Board Member

2) Outreach Committee Meeting

3) Facilities Committee Meeting

LOCATION/DATE OF MEETING:

1) CSDA's Conference was held at the Municipal Water District of Orange County January 23, 2014.

2) Outreach Committee Meeting February 05, 2014 PWD District Office

3) Facilities Committee Meeting February 10, 2014 PWD District Office

GENERAL SUBJECT MATTER OF MEETING:

1) (CSDA) How to be an Effective Board Member.

2) Outreach Committee, Strategic Plan, and before the first drop, also having someone to communicate with the valley press.

3) Facilities Committee, Lake Outlet Dredging and Repair. Strategic Plan

KEY POINT(S) RELATING TO PWD OPERATIONS AND/OR POLICIES:

1) (CSDA) 1} New Board Member Orientation, 2} Essential Components of Effective Meetings, 3} The role of the Board Member, 4} Legislative and Community Advocacy, 5} The Brown Act, and Ethics, 6} Conflict of interest Issues.

LIST OF NEW CONTACT(S) AND HOW THEY CAN BENEFIT PWD:

David Aranda is currently the general manager for North of the river municipal water district and board president for SDR-May.

## DIRECTOR MEETING REPORT FORM

**NAME:** Joe Estes

**DATE:** 02/12/2014

NAME OF ORGANIZATION/MEETING:

1)

CSDA's Class Part 2 of Module 1, How to be an Effective Board Member

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2) Outreach Committee Meeting February 05, 2014 PWD District Office

3) Facilities Committee Meeting February 10, 2014 PWD District Office

4) Board Briefing February 11 2014 at PWD District Office

GENERAL SUBJECT MATTER OF MEETING:

1) (CSDA) How to be an Effective Board Member.

2) Outreach Committee, Strategic Plan, and before the first drop, also having someone to communicate with the valley press.

3) Facilities Committee, Lake Outlet Dredging and Repair. Strategic Plan

KEY POINT(S) RELATING TO PWD OPERATIONS AND/OR POLICIES:

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