**PALMDALE RECYCLED WATER AUTHORITY (PRWA)**
**PALMDALE WATER DISTRICT**
**2029 EAST AVENUE Q**
**PALMDALE, CALIFORNIA**
**REGULAR MEETING AGENDA NO. 7**
**AUGUST 21, 2013**
**7:00 P.M.**

**www.cityofpalmdale.org**
**www.palmdalewater.org.**

## WELCOME

**NOTE*:*** Materials related to an item on this Agenda submitted to the Palmdale Recycled Water Authority Board of Directors, or after distribution of the agenda packet, are available for public inspection at the City of Palmdale City Hall, located at 38300 Sierra Highway, Suite A, Palmdale, California, and at the Palmdale Water District, 2029 East Avenue Q, Palmdale, California during normal business hours and will also be available at the meeting. Those items provided by others at the meeting will be available at City Hall during normal business hours.

A **three-minute time limit** will be imposed on all speakers other than staff members.

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the Palmdale Water District at least 48 hours prior to the meeting.

**Your courtesy is requested to help our meeting run smoothly. If you'll be kind enough to follow these simple rules, we can make the best possible use of your time and ours:**

- Please refrain from public displays or outbursts such as unsolicited applause, comments, cheering, foul language, or obscenities.
- Any disruptive activities that substantially interfere with the ability of the Board of Directors to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Please turn off cell phones and pagers.

## 1. CALL TO ORDER.

**2. ROLL CALL: DIRECTORS JAMES C. LEDFORD, JR., GORDON DEXTER, LAURA BETTENCOURT, KATHRYN MAC LAREN, AND HELEN GONZALEZ**

**3. PLEDGE OF ALLEGIANCE.**

**4. CONSENT CALENDAR – PUBLIC COMMENTS ONLY:** If you wish to comment on any item(s) listed on the Consent Calendars on this agenda, please come forward to the podium and state the item number(s) and your comments. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker other than staff members.

**5. CONSENT CALENDAR:**

**NOTICE:** All matters listed under the Consent Calendar will be enacted by one motion unless an item(s) is pulled by the Board, in which case the item(s) will be removed from the Calendar and will be considered separately following this portion of the Agenda.

**5**.1 Approve receipt and filing of the Treasurer's Report for the month ended July 31, 2013. (Staff Reference: Treasurer/Auditor St. John)

5.2 Consideration and possible action regarding an amendment proposal of the Joint Exercise of Powers Agreement (JPA) between the City of Palmdale and the Palmdale Water District as to JPA Section 4.19 "Authority Documents" which requires written resolutions for specific matters and amending to allow Authority direction on minor or routine matters via "minute orders". (Staff Reference: Authority Counsel Ditzhazy)

5.3 Approve the Minutes from the previous meeting held on June 19, 2013. (Staff Reference: Secretary Smith)

**Staff Recommendation:** Move to approve the recommendations and findings on all items listed under this Consent Calendar. (Voice Vote - Requires a majority to approve.)

**6. PUBLIC COMMENTS:** This portion of the Agenda allows an individual the opportunity to address the Board of Directors on any subject regarding Palmdale Recycled Water Authority business. Under state legislation, no action can be taken on items not specifically referenced on the Agenda. **PLEASE NOTE: A three-minute time limit** will be imposed on each speaker other than staff members.

**7. INFORMATIONAL REPORT OF THE BOARD OF DIRECTORS, EXECUTIVE DIRECTOR, AND ASSISTANT EXECUTIVE DIRECTOR.**

**8. ADJOURNMENT** to September 18, 2013 at 7:00 p.m. at the City of Palmdale City Hall Council Chambers located at 38300 Sierra Highway, Suite B, Palmdale, California.

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Complete packets can be viewed at City Hall, located at 38300 Sierra Highway, Suite A, Palmdale, California; Palmdale Water District, 2029 East Avenue Q, Palmdale, California, and the Main Library, located at 700 East Palmdale Boulevard, Palmdale, California. You can also view the Agenda for the Palmdale Recycled Water Authority on the City's website at www.cityofpalmdale.org or the Palmdale Water District website at www.palmdalewater.org.

Thank you for attending your Palmdale Recycled Water Authority meeting. If you have any further questions, please contact the Secretary's Office at (661) 267-5151, Monday through Thursday, 7:30 a.m. to 6:00 p.m., closed every Friday.

# PALMDALE RECYCLED WATER AUTHORITY

# BOARD MEMORANDUM

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|---|---|---|
| **DATE:** | August 13, 2013 | **August 21, 2013** |
| **TO:** | BOARD OF DIRECTORS | **Board Meeting** |
| **FROM:** | Betsy St John, Treasurer-Auditor, PRWA | |
| **VIA:** | Mr. Dennis LaMoreaux, Executive Director, PRWA | |

**RE: AGENDA ITEM NO. 5.1 – TREASURER'S REPORT FOR JULY 2013**

## Recommendation:

Palmdale Recycled Water Authority (PRWA) staff recommends the Board of Directors to receive and file the Treasurer's Report for the month ended July 31, 2013.

## Background:

To comply with provisions required by Section 4.13 of the Joint Powers of Authority Agreement and responsibilities of Treasurer, a Financial Report is prepared and submitted to the Board of Directors who certifies the availability of funds for the reports presented. These reports are hereby submitted to the Board of Directors for ratification.

## Financial Impact:

During the month of July the PRWA invoiced the City of Palmdale and the Palmdale Water District their 2013 agreed upon contribution. The contribution of $100,000 each is not due until August 23, 2013, therefore PRWA reports no funds held in the bank for July 2013. PRWA has unpaid invoices due of $3,199.57.

## Supporting Documents:

July 2013 Treasurer's Report.

# PALMDALE RECYCLED WATER AUTHORITY

# BOARD MEMORANDUM

| | | |
|---|---|---|
| **DATE:** | August 12, 2013 | **August 21, 2013** |
| **TO:** | BOARD OF DIRECTORS | **Board Meeting** |
| **FROM:** | Wm. Matthew Ditzhazy, Authority Counsel | |
| **VIA:** | Mr. Dennis LaMoreaux, Executive Director, PRWA | |

**RE:** ***AGENDA ITEM NO. 5.2 – CONSIDERATION AND POSSIBLE ACTION ON AUTHORITY RECOMMENDATION REGARDING JOINT POWERS AGREEMENT AMENDMENT PROPOSAL TO THE CITY OF PALMDALE AND THE PALMDALE WATER DISTRICT AS TO JPA SECTION 4.19 "AUTHORITY DOCUMENTS"***

**Recommendation:**

Palmdale Recycled Water Authority (PRWA) staff recommends that the Authority Board discuss the proposed amendment and recommend that the JPA be amended to require written resolutions for specific matters and allow Authority direction on minor or routine matters via "minute orders" .

**Background:**

Section 4.19 "Authority Documents" of the "Joint Exercise of Powers Agreement Creating the 'Palmdale Recycled Water Authority'" (hereinafter "JPA") states, in pertinent part as follows:

"*The Members acknowledge and agree that the affairs of the Authority will be implemented through various documents duly adopted by the Board* ***through Board resolution****, including but not necessarily limited to the Operating Rules and Regulations, the annual budget, and specified plans and policies defined as Authority Documents by this Agreement….." (emphasis added)*

Staff has interpreted this provision to include virtually all actions of the Board. Providing written resolutions for all Authority actions can result in time-consuming, burdensome and inefficient delays. Many minor and routine actions are taken by both JPA Members without using the formal resolution process. Staff is also concerned that such an ambiguity could result in actions being declared void if no written resolution is prepared and passed.

The proposed amendment to the JPA would be an added paragraph to Section 4.19 and would be as follows:

*"All actions of the Authority Board pursuant to Section 4.9 "Special Voting Situations" shall be via written resolution formally adopted at a regular or adjourned regular meeting of the Authority. All other Authority Board matters may be adopted via motion and vote and so noted in the minutes."*

Please note that the Authority can only recommend the adoption by the JPA Members (Palmdale Water District Board and the City of Palmdale City Council). If the above proposed amendment meets with the approval of the Authority Board, staff for the respective agencies will have counsel for both Members review the proposed amendment and cause the contract amendment to be added to both agendas for consideration and possible adoption.

**Financial Impact:**

No fiscal impact.

**Supporting Documents:**

A copy of the entire JPA is available to the Authority Board and the public.

**PALMDALE RECYCLED WATER AUTHORITY (PRWA)**
**CITY OF PALMDALE**
**CITY HALL COUNCIL CHAMBERS**
**38300 SIERRA HIGHWAY, SUITE B**
**PALMDALE, CALIFORNIA**
**REGULAR MEETING MINUTES**
**JUNE 19, 2013**
**7:00 P.M.**

## 1. CALL TO ORDER.

Called to order at 7:00 p.m.

## 2. ROLL CALL: CHAIR JAMES C. LEDFORD, JR., VICE CHAIR KATHRYN MAC LAREN, DIRECTORS GORDON DEXTER, LAURA BETTENCOURT, AND HELEN GONZALEZ

Vice Chair Mac Laren, and Directors Dexter, Bettencourt, and Gonzalez were present.

Motion: Excuse the absence of Chair Ledford
Moved by Director Bettencourt, seconded by Vice Chair Mac Laren.

Vote: Motion carried (4-0).
Yes: Vice Chair Mac Laren and Directors Dexter, Bettencourt, and Gonzalez
Absent: Chair Ledford

## 3. PLEDGE OF ALLEGIANCE.

Director Gonzalez led the Pledge of Allegiance.

## 4. WAIVER OF FULL READING OF RESOLUTION(S).

Motion: waive full reading of the Resolution(s) to be considered and voted on at this meeting.
Moved by Director Bettencourt, seconded by Director Dexter

Vote: Motion carried (4-0).
Yes: Vice Chair Mac Laren and Directors Dexter, Bettencourt, and Gonzalez

Absent: Chair Ledford

**5. CONSENT CALENDAR – PUBLIC COMMENTS:**

None.

**6. CONSENT CALENDAR:**

6.1 Adopt Resolution No. PRWA 2013-014, a Resolution of the Palmdale Recycled Water Authority approving the PRWA website. (Staff Reference: Authority Counsel Ditzhazy)

6.2 Approve the Minutes from the previous meeting held on May 15, 2013. (Staff Reference: Secretary Smith)

Motion: Approve the recommendations and findings on all items listed under this Consent Calendar.
Moved by: Director Bettencourt, seconded by Director Dexter

Vote: Motion carried (4-0).
Yes: Vice Chair Mac Laren and Directors Dexter, Bettencourt, and Gonzalez
Absent: Chair Ledford

**7. PUBLIC COMMENTS:**

None.

**8. INFORMATIONAL REPORT OF THE BOARD OF DIRECTORS, EXECUTIVE DIRECTOR, AND ASSISTANT EXECUTIVE DIRECTOR.**

Executive Director LaMoreaux stated that the City of Palmdale forwarded a copy of the draft agreements for reallocation of the Sanitation District water. The agreements do not satisfy the structure that was agreed to in our settlement agreement. The City is working with us to correct the agreements.

**9. ADJOURNMENT:**

Vice Chair Mac Laren adjourned the meeting to August 21, 2013 at 7:00 p.m. at the Palmdale Water District Board Room located at 2029 East Avenue Q, Palmdale, California..

PASSED, APPROVED, AND ADOPTED this 21tst day of August 2013.

_____
James C. Ledford, Jr.
Chair

ATTEST:

_____
Rebecca J. Smith
Secretary