MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, MAY 27, 2015:

A regular meeting of the Board of Directors of the Palmdale Water District was held Wednesday, May 27, 2015, at 2029 East Avenue Q, Palmdale, California, in the Board Room of the District office. President, Kathy Mac Laren, called the meeting to order at 6:00 p.m.

1) Pledge of Allegiance.

President Mac Laren welcomed all guests to the District and stated that the District appreciates the artwork, is happy students were able to learn about water through the District's contests, and is happy students participated and then requested that Director Dizmang lead the pledge of allegiance.

2) Roll Call.

Attendance:	**Others Present:**
Kathy Mac Laren, President	Dennis LaMoreaux, General Manager
Robert Alvarado, Vice President	Patty Quilizapa, General Counsel
Gloria Dizmang, Treasurer	Matt Knudson, Assistant General Manager
Joe Estes, Secretary	Jim Riley, Engineering/Grant Manager
Vincent Dino, Director	Jennifer Emery, Human Resources Director
	Jon Pernula, Water & Energy Resource Director
	Mike Williams, Finance Manager
	Mike McNutt, PIO/Conservation Director
	Tim Moore, Facilities Manager
	Peter Thompson II, Dep. Water & Energy Res. Dir.
	Dennis Hoffmeyer, Accounting Supervisor
	Linda Trevino, Water Conservation Aide
	Dawn Deans, Executive Assistant
	58 members of the public

3) Adoption of Agenda.

It was moved by Director Alvarado, seconded by Director Dizmang, and unanimously carried by all members of the Board of Directors present at the meeting to adopt the agenda, as written.

4) Public Comments for Non-Agenda Items.

There were no public comments.

5) Presentations:

5.1) Water Awareness School Educational Program Contest Winners. (PIO/Conservation Director McNutt)

PIO/Conservation Director McNutt informed students and parents of the seriousness of the drought and the importance of water conservation after which Water Conservation Aide Trevino announced the winners of this year's Water Awareness School Educational Program Contests and recognized the teachers participating in the contests. The contest winners are as follows:

2nd Grade: 1st - Nataly Rojas; 2nd - Hailey Garcia; 3rd - Brandon Palonco

3rd Grade: 1st - Laura Torres and Liana Papikyan; 2nd - Andy Orellana and Jacquelline Guevara; 3rd - Roselyn Valdez

4th Grade: 1st - Brigitte Pineda and Lesly Townsend; 2nd - Danielle Benavidez; 3rd - Krystal Trinidad and Ashley Lopez.

Mr. Raul Maldonado, Superintendent for the Palmdale School District, thanked the Palmdale Water District for the opportunity for students to participate in the contests and for being part of the community, thanked the parents and teachers for encouraging student participation, and stated that the Palmdale Water District is to be recognized for efforts to reach out to the schools.

6) Recess.

At 6:17 p.m., President Mac Laren called for a 30-minute recess. She reconvened the regular meeting at 6:47 p.m.

5) Presentations:

5.1) Cash for Grass Rebate Program. (PIO/Conservation Director McNutt)

PIO/Conservation Director McNutt reviewed before and after photos of recent Cash for Grass Program recipients, the total amount of Cash for Grass Program rebates and water-saving device rebates, the budget for these rebate programs and negative budget balance, the amount of grass removed, and water saved to date followed by discussion of the budget, of potential funding for the rebate programs, and of placing the

programs on hold after which it was determined that an item be placed on the next agenda for "Consideration and possible action on Palmdale Water District Rebate Programs."

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

8.1) Approval of Minutes of Regular Meeting Held May 13, 2015.

8.2) Payment of Bills for May 27, 2015.

8.3) Approval of Adoption of a Y-Rating Policy as Article 16, Section 16.01, of the Rules and Regulations. (Human Resources Director Emery/Personnel Committee)

8.4) Approval of Resolution No. 15-11 Approving Job Descriptions for Operations Technicians I/II and Salary Ranges. (Human Resources Director Emery/Personnel Committee)

8.5) Approval of Amendment to Aleshire & Wynder, LLP General Counsel Contract to Extend Term of Discounted Rates and Appoint Eric Dunn as General Counsel and Adrian Guerra as Assistant General Counsel. (General Counsel Quilizapa)

President Mac Laren announced the items included in the Consent Calendar after which it was moved by Director Alvarado, seconded by Director Estes, and unanimously carried by all members of the Board of Directors present at the meeting to approve those items included in the Consent Calendar.

A copy of said Resolution No. 15-11 is hereby made a portion of the minutes of this meeting.

9) 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.)

9.1) Consideration and Possible Action on Resolution No. 15.9 Declaring Continued Emergency Water Conservation Restrictions and Reaffirming State Water Resources Control Board (SWRCB) Regulations on the Delivery and Consumption of

Water for the Purpose of Achieving the Mandated 32% Reduction in Potable Water Use and Declaring an Elevated Water Shortage Emergency and Adopting Stage 3 of Palmdale Water District's Urban Water Management Plan Calling for Mandatory Conservation in Compliance With the State Water Resources Control Board's Emergency Regulation as Amended on May 5, 2015 Through Resolution No. 2015-0032. (Water & Energy Resources Director Pernula/Water Supply & Reliability Committee)

Water & Energy Resources Director Pernula provided a detailed overview of Resolution No. 15-9, including the Governor's Proclamation and the State Water Resources Control Board's mandate to reduce the District's water production by 32% as compared to 2013 from June 1, 2015 to February 28, 2016, and stated that District customers have substantially reduced water use; that the District will be fined $10,000.00 per day if the 32% mandated reduction is not met; and that staff recommends adoption of Resolution No. 15-9 approving Stage 3 of the District's Urban Water Management Plan, which, among other water reduction requirements, reduces watering days to two days per week being Wednesdays and Saturdays before 10 a.m. or after 6 p.m., implements a Stage 1 Drought Surcharge Fee for non-essential tiers 2 – 6, and authorizes the issuance of warnings and fines.

The Board then expressed their concern and dismay with the requirements of the State Water Resources Control Board and urged a letter-writing campaign to elected officials as the District's customers who have already conserved are now faced with an additional 32% water use reduction, and the District must avoid the $10,000 per day fine in order to keep rates down.

Various members of the public then addressed the Board regarding their water conservation efforts and how the additional restrictions will affect their usage, enforcing reduced water usage in rental units, not allowing new residential housing construction and urging zero growth, the amount of the Drought Surcharge Fee and how it affects Tiers 2 through 6, monitoring water use, the requirements of the District's Cash for Grass Program, banding together to find a solution and writing letters, deep watering to save trees, water consumption for swimming pools, and too much government after which General Manager LaMoreaux addressed these questions and concerns and reviewed the District's cooperative water conservation efforts with the City of Palmdale.

After a further discussion of Resolution No. 15-9, it was moved by Director Dino, seconded by Director Dizmang, and unanimously carried by all members of the Board of Directors present at the meeting to approve Resolution No. 15-9 Declaring Continued Emergency Water Conservation Restrictions and Reaffirming State Water Resources

Control Board (SWRCB) Regulations on the Delivery and Consumption of Water for the Purpose of Achieving the Mandated 32% Reduction in Potable Water Use and Declaring an Elevated Water Shortage Emergency and Adopting Stage 3 of Palmdale Water District's Urban Water Management Plan Calling for Mandatory Conservation in Compliance With the State Water Resources Control Board's Emergency Regulation as Amended on May 5, 2015 Through Resolution No. 2015-0032.

A copy of said Resolution No. 15-9 is hereby made a portion of the minutes of this meeting.

9.2) Consideration and Possible Action on Resolution No. 15-10 Amending the Rules and Regulations as They Relate to Notice Given to Delinquent Consumers and Actual Users, Including Amendment of Article 8, Section 8.04 (G) Titled "Delinquent Bills" and Amendment of Article 10, Section 10.02 Titled "Application for Service." (Finance Manager Williams/Ad Hoc Committee)

Finance Manager Williams provided an overview of Resolution No. 15-10, new law, and communication with customers for delinquent notices, and after a brief discussion, it was moved by Director Alvarado, seconded by Director Dino, and unanimously carried by all members of the Board of Directors present at the meeting to approve Resolution No. 15-10 Amending the Rules and Regulations as They Relate to Notice Given to Delinquent Consumers and Actual Users, Including Amendment of Article 8, Section 8.04 (G) Titled "Delinquent Bills" and Amendment of Article 10, Section 10.02 Titled "Application for Service."

A copy of said Resolution No. 15-10 is hereby made a portion of the minutes of this meeting.

9.3) Consideration and Possible Action on Rescheduling Second Regular Board Meeting in June. (General Manager LaMoreaux)

After a brief discussion of a lack of a quorum at the June 24 Regular Board Meeting, it was moved by Director Alvarado, seconded by Director Estes, and carried on a vote of 4 – 0 – 1, with Director Dizmang abstaining, to reschedule the second Regular Board Meeting in June from June 24 to June 22, 2015.

9.4 Discussion of Status of the Total Reallocation of Recycled Water to Supply the Palmdale Recycled Water Authority. (Director Dizmang/General Manager LaMoreaux)

Director Dizmang stated that the forming of the Palmdale Recycled Water Authority (PRWA) was agreed to by the District as part of the lawsuit Settlement Agreement between the City of Palmdale and the District provided promises to reallocate recycled water to PRWA were kept; that it has been 2-1/2 years, and the recycled water has not been secured; that she understands a meeting with Supervisor Antonovich will be held in June regarding the providers of the recycled water; but that the District has paid into PRWA, she is concerned with project contracts being issued without financial backing, and she is very concerned about the reallocation of the recycled water.

General Manager LaMoreaux then provided an overview of the lawsuit Settlement Agreement between the District and the City of Palmdale, the formation of PRWA with rights for recycled water, the reallocation of recycled water, and ongoing PRWA projects and recommended confirmation of the reallocation of recycled water prior to construction of any projects with this recommendation conveyed to the PRWA Board.

President Mac Laren and Director Alvarado, PRWA Directors, stated that they continue to pressure the PRWA Board to make sure the reallocation process is moving forward followed by discussion of direction for both PRWA and the District to conduct a closed session on this matter after the meeting with Supervisor Antonovich.

9.5) Consideration and Possible Action on Authorization of the Following Conferences, Seminars, and Training Sessions for Board and Staff Attendance Within Budget Amounts Previously Approved in the 2015 Budget:

a) None at This Time.

There were conferences, seminars, and training sessions to consider.

10) Information Items.

8.1) Reports of Directors:

a) Meetings/General Report.

Director Estes stated that he has no report.

Director Alvarado reported that on May 16, he attended the successful and fun Palmdale Water District Employee Appreciation Picnic, which was the Board's way of saying thank you to District employees for a job well done; that on May 20, he attended

the Palmdale Recycled Water Authority meeting with President Mac Laren; and that on May 26, he attended a Board briefing with General Manager LaMoreaux.

President Mac Laren reported that on May 20, she attended the Palmdale Recycled Water Authority meeting with Director Alvarado, and the Authority is seriously working on obtaining and making use of recycled water and that on May 26, she attended a telephone Board briefing with General Manager LaMoreaux.

Director Dizmang reported that on May 14, she attended the Outreach Committee meeting with Director Estes where they had a brief review of ongoing outreach items; that on May 16, she attended the Palmdale Water District Employee Appreciation Picnic, it was a nice event, the food was good, and the company was wonderful; that on May 20, she attended the Water Supply & Reliability Committee meeting with Director Dino where they discussed Resolution No. 15-9 considered earlier this evening, the District's water supplies, the status of the State Water Project, the arrogance of the State Water Resources Control Board, who is demanding a 32% reduction in water use, and the status of recycled water through PRWA; that also on May 20, she attended iPad training with Information Technology Manager Stanton; that also on May 20, she attended the Palmdale Recycled Water Authority meeting; and that on May 27, she attended a Board briefing with General Manager LaMoreaux.

Director Dino reported that on May 20, he attended the Water Supply & Reliability Committee meeting with Director Dizmang; that also on May 20, he attended the Palmdale Recycled Water Authority meeting; that on May 21, he attended a Board briefing with General Manager LaMoreaux; that on May 25, he attended the Veteran's Memorial Services at Desert Lawn; and that on May 26, he attended the AVEK Board Meeting.

There were no further reports from Directors.

b) Standing Committee/Assignment Reports (Chair):

1) Outreach Committee
2) Water Supply & Reliability Committee
3) Palmdale Recycled Water Authority

There were no additional reports for these Committees.

10.2) Report of General Manager.

Facilities Manager Moore informed the Board of an emergency leak at a booster station site that serves the upper portion of the Ana Verde Hills and commended staff for their teamwork in quickly repairing the leak and restoring water service to our customers after which the Board thanked staff for their efforts.

General Manager LaMoreaux then reported that on May 18, staff was notified of someone calling District customers trying to collect money; that a file was opened with the Sheriff's Department; and that a notice was placed on Facebook, and staff continues to monitor this situation.

10.3) Report of Attorney.

General Counsel Quilizapa stated that this is her last meeting; that her transition is a positive move for her family; that she has really enjoyed serving District staff and the Board over the last year; and that the District will continue to do great work.

11) Public Comments on Closed Session Agenda Matters.

Director Estes apologized to Facilities Manager Moore for not requesting pictures of new vehicles at the last Regular Board Meeting after which Facilities Manager Moore stated that he will have the pictures available at the next Regular Board Meeting.

There were no additional public comments on closed session agenda matters.

At 9:04 p.m., President Mac Laren called for a fourteen-minute recess. She reconvened the regular meeting at 9:18 p.m.

12) Closed Session Under:

12.1) Conference with Legal Counsel – Existing Litigation: A Closed Session Will be Held Pursuant to Government Code §54956.9 (d)(1), to Confer with Special Litigation Counsel Regarding Pending Litigation to Which the District is a Party. The Title of Such Litigation is as Follows: ***Antelope Valley Ground Water Cases.***

12.2) Conference with Legal Counsel – Anticipated Litigation: A Closed Session Will be Held, Pursuant to Government Code §54956.9(d)(2) & (e)(2) Because There is a Significant Exposure to Litigation in One Case.

12.3) Conference with Legal Counsel – Potential Litigation: A Closed Session Will be Held, Pursuant to Government Code §54956.9(d)(3) and (4) to Confer with District General Counsel Regarding to Determine Whether to Initiate Litigation.

At 9:18 p.m., President Mac Laren called for a closed session pursuant to Government Code §54956.9(d)(1) to confer with Special Litigation Counsel regarding pending litigation to which the District is a party being the *Antelope Valley Ground Water Cases;* pursuant to Government Code §54956.9(d)(2) & (e)(2) because there is a significant exposure to litigation in one case; and pursuant to Government Code §54956.9(d)(3) and (4) to confer with District General Counsel regarding to determine whether to initiate litigation.

She reconvened the regular meeting at 10:01 p.m.

13) Public Report of Any Action Taken in Closed Session.

President Mac Laren stated that a closed session was held pursuant to Government Code §54956.9(d)(1) to confer with Special Litigation Counsel regarding pending litigation to which the District is a party being the *Antelope Valley Ground Water Cases;* that the Board was briefed via teleconference by Special Litigation Counsel regarding this matter; but that no reportable action was taken in closed session.

Attorney Quilizapa stated that a closed session was also held pursuant to Government Code §54956.9(d)(2) & (e)(2) because there is a significant exposure to litigation in one case; that the Board was provided an update on this matter; but that no reportable action was taken in closed session.

Attorney Quilizapa stated that a closed session was also held pursuant to Government Code §54956.9(d)(3) and (4) to confer with District General Counsel regarding to determine whether to initiate litigation and that after discussion, the Board took unanimous action in closed session to direct District General Counsel to pursue a Tolling Agreement.

14) Board Members' Requests for Future Agenda Items.

Director Alvarado requested items be placed on the next agenda for "Consideration and possible action on adoption of a Resolution encouraging the responsible use of State Water Project facilities and objecting to the designation of fresh potable water to environmental purposes, such as the protection of the Delta smelt" and

"Consideration and possible action on adoption of a Resolution commending the City of Palmdale City Council for encouraging responsible growth in east Palmdale."

It was then stated that "Consideration and possible action on Palmdale Water District Rebate Programs" will be placed on the next agenda.

There were no further requests for future agenda items.

15) Adjournment.

There being no further business to come before the Board, the meeting was adjourned at 10:03 p.m.

Secretary

PALMDALE WATER DISTRICT
RESOLUTION NO. 15-9

RESOLUTION OF THE BOARD OF DIRECTORS OF PALMDALE WATER DISTRICT DECLARING CONTINUED EMERGENCY WATER CONSERVATION RESTRICTIONS AND REAFFIRMING STATE WATER RESOURCES CONTROL BOARD REGULATIONS FOR THE PURPOSE OF ACHIEVING THE MANDATORY PRESCRIBED 32% REDUCTION IN POTABLE WATER USE

WHEREAS, Palmdale Water District ("District") is a water district empowered to provide water service within District boundaries; and

WHEREAS, due to inadequate snowfall and rainfall, opposition to the development and construction of water supply facilities, and legal restrictions on the flow of State Water Project water to Southern California, California in general, and the Antelope Valley, in particular, is experiencing shortages in water supplies; and

WHEREAS, the State Water Project allocation for 2015 has been established at a critically low 20% and deliveries have, therefore, been drastically curtailed in response to the inadequacy of water supplies; and

WHEREAS, groundwater supplies which provide a supplemental source of water to the District, are limited in nature, being subjected to increased demands, and now subject to legal rulings arising from a groundwater basin adjudication action that further limit the District groundwater supplies; and

WHEREAS, conservation of water by all District consumers that have not already conserved will help relieve the problems caused by the shortage in water supplies; and

WHEREAS, the District has attempted, through its public information program, to advise and alert the consumers to the serious nature of the water supply situation. Customers have made significant progress in water use efficiency from pre-2009 by exceeding the State required 20% reduction by the year 2020 under SBX 7-7, but the District has not experienced any significant reduction in consumer demand compared to 2013; and

WHEREAS, on January 17, 2014, Governor Edmund G. Brown Jr. issued a Proclamation January 17, 2014 declaring a State of Emergency to exist in California due to severe drought conditions; and

WHEREAS, on April 25, 2014, Governor Edmund G. Brown Jr. further issued an Executive Order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water; and

WHEREAS, on April 1, 2015, Governor Edmund G. Brown Jr. further issued an Executive Order to re-affirm the orders and provisions contained in the January 17, 2014 Proclamation, the April 25 Proclamation, and Executive Orders B-26-14 and B-28-14 and mandated further restrictions and programs for the purpose of achieving a statewide reduction in potable water use through February 28, 2016; and

WHEREAS, on May 5, 2015, The State Water Resource Control Board adopted Resolution 2015-0032, prescribing mandatory 32% conservation for Palmdale Water District from June 1, 2015-February 28, 2016 compared to the same months in 2013; and further affirmed the restrictions and programs specified in Executive Order B-29-15; and

WHEREAS, the District adopted Resolution No. 14-9 on May 14, 2014 urging heightened water conservation by customers in response to drought and the April 25, 2014 Governor's Proclamation; and

WHEREAS, Water Code Section 1058.5 grants the State Water Resources Control Board the authority to adopt emergency regulations in certain drought years in order to: "prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation;" and

WHEREAS, on July 15, 2014, the State Water Resources Control Board adopted emergency water conservation regulations prohibiting all individuals from engaging in certain water use practices and would require mandatory conservation-related actions of public water suppliers during the current drought emergency; and

WHEREAS, following the making of findings as required by law, the District has the power and authority to adopt mandatory water conservation measures within its boundaries pursuant to Part 5 of the Irrigation District Law, codified at Division 11 of the California Water Code; and

WHEREAS, the District is required to comply with State law, including regulations adopted by the State Water Resources Control Board (SWRCB), codified at Title 23 of the California Code of Regulations and is authorized pursuant thereto to implement its requirements; and

WHEREAS the District now desires to comply with the SWRCB emergency water conservation regulations and to implement the Stage 3 Water Shortage Emergency Plan contained in the District's 2010 Urban Water Management Plan, including mandatory water rationing which measures shall be implemented.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Palmdale Water District as follows:

Section 1: Findings: The Board of Directors of the District hereby finds and declares as follows:

1) On July 15, 2014, the State Water Resources Control Board issued mandatory Emergency Water Conservation Regulations prohibiting all individuals from engaging in certain water use practices and requiring the District to implement its mandatory water conservation measures.

2) The State Water Project water available to the District is a critically low (20%) allocation.

3) Continued production of water from the groundwater basin without proportionate recharge of the basin through stream runoff, rainfall, and snow melt could result in irreparable damage to the storage capacity of the basin aquifers and impair the long-term water delivery capability of the District.

4) Voluntary water conservation measures have not resulted in the recommended 25% reduction in consumption.

5) At present, without supplemental supplies, the anticipated water available to the District is insufficient to meet anticipated demands.

6) Should existing drought conditions continue, or should the District lose its water production capacity, there may be insufficient water available for human consumption, sanitation and fire protection.

Section 2: Declaration of Stage 3 Water Shortage Emergency: The Board of Directors of the District, in accordance with the foregoing findings, hereby determines and declares the existence of an emergency condition of water shortage within its service area and further determines and declares that the regulations and restrictions on delivery of water and consumption of water within its service area as hereinafter set forth are necessary, in the sound discretion of the Board of Directors of the District, to conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection.

Section 3: Authorization to Implement Restrictions on Water Consumption: The Board of Directors of the District hereby authorizes the General Manager of the District to take specific steps to meet water conservation goals, regulations, and restrictions on water consumption as hereinafter set forth.

Section 4: Conservation Goal and Authorized Actions. The conservation goal of the District and the State Water Board is a reduction in water use of thirty-two percent (32%) when compared against usage in 2013, which goal is mandatory through February 28, 2016. The General Manager is authorized to implement Action 1 Paragraphs 1 through 13 of this Resolution to meet said conservation goal.

Action 1. Mandatory Water Conservation Regulations. The General Manager shall take all steps necessary to advise the District's customers of the following mandatory regulations and to enforce them in accordance with the District's existing Waste of Water Policy:

1. There shall be no hose washing of sidewalks, walkways, buildings, walls, patios, driveways, parking areas or other paved surfaces, or walls, except to eliminate conditions dangerous to public health or safety or when required as surface preparation for the application of architectural coating or painting.

2. Washing of motor vehicles, trailers, boats and other types of equipment shall be done only with a hand-held nozzle for quick rinses, except that washing may be done with reclaimed wastewater or by a commercial car wash using recycled water.

3. No water shall be used to clean, fill or maintain levels in decorative fountains, ponds, lakes or other similar aesthetic structures unless such water is part of a closed recycling system.

4. No restaurant, hotel, cafe, cafeteria or other public place where food is sold, served or offered for sale, shall serve drinking water to any customer unless expressly requested and shall display a notice to that effect.

5. All water users shall repair all leaks from indoor and outdoor plumbing fixtures within one week of discovery.

6. No lawn, landscape, or other turf area shall be watered more often than two (2) days per week nor during the hours between 10:00 a.m. and 6:00 p.m. Water days will be set as follows: Wednesdays and Saturdays only.

7. Irrigation with potable water of ornamental turf on public street medians is prohibited.

8. Irrigation with potable water outside of newly constructed homes and buildings not delivered by drip or microspray is prohibited.

Under Stage 3 exemption 6b. is revoked.

Exemptions:

a. No watering hour restrictions during the months of November, December, January, February, and March. Watering can occur between the hours of 6:00 a.m. and 6:00 p.m.

b. ~~The District will allow an exemption from the watering schedule if an ET based controller is installed and operating. *The ET Controller Exemption Form* must be completed and the installation verified by a licensed landscape architect or PWD staff.~~

9. No water users shall cause or allow the water to run off landscape areas into adjoining streets, sidewalks, or other paved areas due to incorrectly directed or maintained sprinklers or excessive watering. If cited, random acts of vandalism will be considered in any appeal.

10. No water shall be applied to outdoor landscapes during and within 48 hours of measurable rainfall.

11. The owner and manager of every hotel, motel, inn, guest house, bed and breakfast facility, and short-term commercial lodging shall post a notice of such shortage and any necessary compliance measures.

12. Commercial nurseries, golf courses, parks, school yards, and other public open space, and landscaped areas shall be prohibited from watering lawn, landscaping, and other turf areas no more than two (2) days a week (Wednesdays and Saturdays) and between the hours of 6:00 a.m. and 6:00 p.m. except that there shall be no restriction on watering utilizing reclaimed water or where public use requires a modified and approved watering schedule.

    Under Stage 3 exemption 6c is revoked.

    Exemptions:

    a. Athletic field watering can occur between the hours of 6:00 p.m. and 10:00 a.m. the following morning.

    b. No watering hour restrictions during the months of November, December, January, February, and March. Watering can occur between the hours of 6:00 a.m. and 6:00 p.m.

    c. ~~The District will allow an exemption from the watering schedule if an ET based controller is installed and operating. *The ET Controller Exemption Form* must be completed and the installation verified by a licensed landscape architect or PWD staff.~~

    d. Watering schedules must be adhered to at all times. The District requires advance written notice of any maintenance activities requiring water use between the hours of 6:00 a.m. and 6:00 p.m.

13. The use of water from fire hydrants shall be limited to fire fighting and related activities and other uses of water for municipal purposes shall be limited to activities necessary to maintain the public health, safety, and welfare. Ongoing water system improvement projects are also exempt

under this section and may continue to use construction meters in accordance with standard District policy.

Action 2: Mandatory Water Rationing: Upon specific authorization by the Board of Directors, the General Manager shall implement a phased water rationing to protect the water supply of the District and to guarantee adequate supply for domestic use, sanitation, and fire protection as follows:

1. Stage 3: Water Rationing: An over thirty percent (30%) reduction in water deliveries to all District customers.

Action 3: Adoption of Drought Surcharge: Upon specific authorization by the Board of Directors, the General Manager shall implement a phased drought surcharge to cover costs due to lost revenue during mandatory water cutbacks.

1. Stage 1: Drought Surcharge: A 45 cent surcharge on all non-essential usage tiers (Tiers 2-6). This will be effective on water use as of June 1, 2015.

Section 5: Duration of Water Emergency: The regulations, restrictions, and actions set forth herein shall take full force and effect immediately upon authorization by the Board of Directors and shall remain in full force and effect through February 28, 2016 or until otherwise directed by the SWRCB.

Section 6: Appeal: Decisions made by the District under the regulations set forth in this Resolution may be appealed by consumers in accordance with the procedure set forth in the District Rules and Regulations.

Section 7: Violation: A violation of the regulations and restrictions set forth herein will result in progressive warnings, fines, or result in the discontinuance of service to consumers willfully violating the conservation measures set forth herein or such other penalty or restriction as may be allowed by law. The Stage 3 fines under Water Shortage Emergency Plan (2010 UWMP) will be set as follows:

1. First violation will result in a documented warning.
2. Second violation will result in fine of $50.
3. Third violation will result in a fine of $500.
4. Fourth violation will result in discontinuance of service with a $1,000 water waste fine to reconnect service.

Section 8: Severability: If any portion of this Resolution is found to be unconstitutional or invalid, the District hereby declares that it would have enacted the remainder of this Resolution regardless of the absence of any such valid part.

Section 9: Effective Date: This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that the Board of Directors finds that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions and as a rate setting measure pursuant to Public Resources Code §21080(b)(4) and (8).

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Palmdale Water District held on May 27, 2015.

President, Board of Directors
Palmdale Water District

Secretary, Board of Directors
Palmdale Water District

APPROVED AS TO FORM:

Aleshire & Wynder, LLP
District Legal Counsel

PALMDALE WATER DISTRICT
RESOLUTION NO. 15-10

A RESOLUTION OF THE BOARD OF DIRECTORS OF PALMDALE WATER DISTRICT AMENDING THE PALMDALE WATER DISTRICT RULES AND REGULATIONS AS THEY RELATE TO NOTICE GIVEN TO DELINQUENT CONSUMERS AND ACTUAL USERS, INCLUDING AMENDMENT OF ARTICLE 8, SECTION 8.04 (G) TITLED "DELINQUENT BILLS" AND AMENDMENT OF ARTICLE 10, SECTION 10.02 TITLED "APPLICATION FOR SERVICE"

WHEREAS, District staff and the General Counsel have developed revisions to the Palmdale Water District Rules and Regulations in order to comply with District Utility Services Law, codified at Government Code §60370, et seq., and the requirements of the newly effective AB 2747;

WHEREAS, the District Utility Services Law requires the District mail a 10-day notice of disconnection of water services;

WHEREAS, the District Utility Services Law requires that the District "make every good faith effort to inform the actual users of the services" in advance of disconnection of water serves, when the account is delinquent on a multiunit residential structure, park, or farm labor camp, and more recently "single family dwellings" as a result of AB2747. (Gov. Code §60371(a).);

WHEREAS, the staff has presented evidence to the Board that the District does not have the ability or resources to ascertain the identify or specific unit addresses of all "actual users" of the District's water service in multiunit residential structure, park, or farm labor camp;

WHEREAS, the District obtains from customers the address for property managers and landowners of multiunit residential structure, park, or farm labor camp;

WHEREAS, by requiring consumers to provide a property manager's address when the consumer allows actual users other than the consumer to use water provided by the District, the District will ensure notice to the actual users through the property manager;

WHEREAS, AB 2747 added the requirement that a utility service district also provide the notice in six languages;

WHEREAS, the District Utility Services Law requires the District to make a reasonable, good faith effort to contact by mail or in person an adult at the premises prior to disconnecting water service, or mail notice when such telephonic or personal notice cannot be accomplished. (Gov. Code §60373(b).);

WHEREAS, staff has presented evidence that the District does not have the required staffing to attempt personal contact or phone calls to an adult at each residence. In order to achieve contact with an adult at each consumer's residence, the District will instead mail a second notice to each consumer's address seven days before disconnection to ensure 48-hour notice prior to disconnection of water service; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Palmdale Water District as follows:

Section 1: The above recitals are all true and correct and are hereby adopted as findings.

Section 2: Article 8, Section 8.04 (G) of the Palmdale Water District Rules and Regulations titled "Delinquent Bills" is hereby amended to read as follows:

G. Delinquent Bills: The following rules apply to Consumers whose bills remain unpaid after 25 days from the invoice date.

1. **Small Balance Accounts**. If any balance amounting to $10.00 or less remains unpaid, it shall be carried over and added to the next billing.

2. **Delinquent Balances**. If payment for a billing period is not made on or before the 25th day after the date of the invoice, a late charge will be assessed to the account as listed in Appendix D. The Consumer then has eight (8) days prior to issuance of a 48-Hour Mailed Disconnect Notice to settle the account. After receipt of the invoice and up to 2 days prior to the date set for disconnection, the Consumer may request an amortization payment plan pursuant to Article 8.04(J).

3. **Turn-Off Deadline**. Water service charges and late charges must be paid on or prior to 6:00 p.m. on the date specified on the 48-Hour Disconnect Notice.

4. **First Written Mailed Notice of Disconnection**. Upon assessment of a late charge on the account, no later than the 25th day after the date of the invoice and no less than 15 days before

the account is scheduled to be subject to disconnection, the District will mail notices to the Account Holder, *i.e.,* the person or entity responsible for the payment on the account, and to water users at the property address(es) served on the account (or to property managers, in the case of multi-unit properties), if that address is different from the Account Holder's mailing address, informing them of:

(1) The name and address of the Account Holder whose account is delinquent.

(2) The amount of the delinquency.

(3) The date by which payment or arrangements for payment pursuant to Section 8.04(J) is required in order to avoid termination.

(4) The procedure by which the Account Holder may initiate a complaint or request an investigation pursuant to Section 8.04(H) concerning service or charges, except that if the bill for service contains a description of that procedure, the notice is not required to contain that information.

(5) The procedure by which the customer may request amortization of the unpaid charges, pursuant to Section 8.04(J).

(6) The procedure for the Account Holder to obtain information on the availability of financial assistance, including the District's Rate Assistance Program, or any private, local, state, or federal sources, if applicable.

(7) The telephone number of a representative of the District who can provide additional information or institute arrangements for payment pursuant to Section 8.04(J).

(8) Notice to the "Water User" in English, Spanish, Chinese, Tagalog, Vietnamese and Korean as follows:

NOTICE TO ALL PROPERTY OWNERS, LANDOWNERS, AND PROPERTY MANAGERS THIS NOTICE OF TERMINATION MUST BE PROVIDED TO TENANTS/RESIDENTS

WATER SERVICE TO BE TURNED OFF IN 10 DAYS

Date of Mailing:
Date of TurnOff:
Service Property Address:

TO THE WATER USER:

Water service to this address is scheduled to be discontinued in 10 days for non-payment. To avoid the loss of water service, you must contact your landlord, property manager or property owner regarding payment of the water bill.

Please call a customer service representative at (XXX) XXX-XXXX to learn how to continue water service at your address; receive an estimated monthly cost of water service, and obtain the address of the local office where you can speak to a customer care representative in person.

5. **Second Written Mailed Disconnection Notice**. At least seven days prior to actual disconnection, the District shall mail a

second notice to the account holder to ensure the Consumer receives notice at least 48 hours before disconnection. This second mailed notice shall include:

(1) The Account Holder's name and address

(2) The amount of delinquency

(3) The date by which payment must be made or arrangements for payment pursuant to Section 8.04(J) is required in order to avoid termination.

(4) The procedure for the Account Holder to obtain information on the availability of financial assistance, including private, local state, or federal sources if applicable.

(5) The telephone number of the District representative who can provide additional information or institute arrangements for payment pursuant to Section 8.04(J).

6. **Waiver of Second Mailed Notice to Public Agencies**. Because of usual sound financial base and variations in warrant payment procedures, public agencies will not be sent a 48-Hour Delinquent Notice for delinquent payment of current accounts.

7. **Notification of Rejected Payment Disposition**. Upon receipt of a rejected payment taken as remittance of water service or other charges, the District will consider the account not paid. The District will make a reasonable, good-faith effort to notify the Consumer of the rejected payment. Water service will be disconnected if the amount of the rejected payment, the rejected payment charge, and a deposit if required, are not paid within 48

hours of the date of notice. All amounts paid must be cash or certified funds.

In the event a consumer's payment is rejected for any reason and the rejected payment was tendered for water service disconnected for non-payment, and as a result the District restores the service, the District may again promptly disconnect service without providing further notice. No additional notices will be given in the case of a rejected payment tendered for payment of water charges that were subject to discontinuance.

8. **Rejected Payment-Issued to Restore Service**. Any Consumer whose payment is rejected for any reason and the payment was submitted to restore service turned off for non-payment, will be required to pay, for one year, cash or certified funds to have service restored if turned off again within this time period for non-payment.

Section 3: Article 10, Section 10.02 of the Palmdale Water District Rules and Regulations titled "Application For Service" is hereby amended to read as follows:

10.02: APPLICATION FOR SERVICE

Each applicant is required to contact the District office to apply for service. In most cases, this must be the Owner of the property. Residential/Multi-Family, Commercial/Industrial/Irrigation, and Realtor Applications are attached hereto as Appendix S. The District may request the following information, depending upon the type of service, either in application form or verbally by a customer service representative:

A. Contents:

1. Date applicant obtained ownership of property/requested date of activation.

2. Location and address of premises to be served, including the mailing address of a property manager of any multiunit residential structure, mobilehome park, or farm labor camp where the owner, manager or employer is the customer of record.

3. Applicant's Information.

4. Contact Information, including mobile telephone number, if the Consumer approves such method of communication from the District.

5. Agreement to assume any outstanding water charges for property where service is requested.

6. Agreement to abide by District Rules and Regulations.

7. Such other information and/or supporting documents as the District may reasonably require.

B. **Purpose:** The application is merely a written/verbal request for service and does not bind the applicant to take service for a period of time longer than that upon which the minimum charge is based; neither does it bind the District to serve, except under reasonable conditions and upon the approval of the Manager.

Section 3: Severability. If any section, subsection, paragraph, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this resolution, it being expressly declared that this resolution and each section, subsection, paragraph, sentence, clause and phrase thereof would have been adopted, irrespective of the fact that one or more other section, subsection, paragraph, sentence, clause or phrase be declared invalid or unconstitutional.

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Board of Directors of Palmdale Water District held on May 27, 2015.

Kathy Mac Laren, President
Palmdale Water District

Joe Estes, Secretary
Palmdale Water District

Approved As To Form:

Patty Quilizapa
General Counsel

RESOLUTION NO. 15-11

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT APPROVING JOB DESCRIPTIONS FOR OPERATIONS TECHNICIANS I/II AND SALARY RANGES.

WHEREAS, the Board of Directors of the Palmdale Water District has adopted a new job description entitled Operations Technician I/II in order to gain the maximum efficiency for the District; and

WHEREAS, this job description is inclusive of all employees previously under the job descriptions of Pump Operators I/II, Plant Maintenance Mechanic, Senior Plant Maintenance Mechanic, and Equipment Mechanic I/II.

WHEREAS, this job description complies with the Y-rating policy adopted by the Board of Directors of the Palmdale Water District.

NOW, THEREFORE, BE IT RESOLVED that the job description for Operations Technician I will be at salary range 24, and the job description for Operations Technician II will be at salary range 26.

PASSED AND ADOPTED this 27th day of May, 2015.

President, Board of Directors

Secretary, Board of Directors

APPROVED AS TO FORM:

BY: _____
ALESHIRE & WYNDER, General Counsel