

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

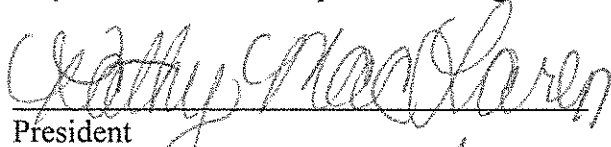
WHEREAS, the maximum base salary for this position is \$8,225.97 and the hourly equivalent is \$47.4575, and the minimum base salary for this position is \$6,767.52 and the hourly equivalent is \$39.0434; and

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

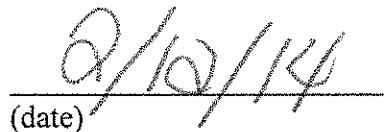
WHEREAS, Ms. Beck has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

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.

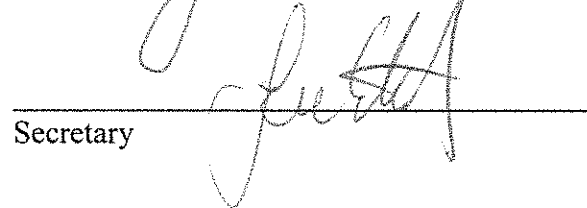
PASSED AND ADOPTED by the Board of Directors of the Palmdale Water District at a duly called and noticed public meeting of said Board held on February 12, 2014.



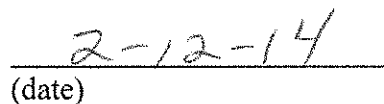
President



(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.

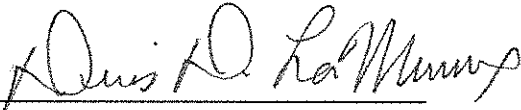
- 4.4 If any provision of this Agreement is held invalid and unenforceable, the remainder of this Agreement shall nevertheless remain in full force and effect.
- 4.5 The failure of either party to insist on strict compliance with any of the terms, covenants or conditions of this Agreement by either party 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.