

## MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT, JULY 23, 2014:

*A regular meeting of the Board of Directors of the Palmdale Water District was held Wednesday, July 23, 2014, at 2029 East Avenue Q, Palmdale, California, in the Board Room of the District office. Vice President, Robert Alvarado, called the meeting to order.*

### 1) Pledge of Allegiance.

At the request of Vice President Alvarado, Attorney Bunn led the pledge of allegiance.

### 2) Roll Call.

#### **Attendance:**

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

Kathy Mac Laren, President --  
EXCUSED ABSENCE

#### **Others Present:**

Dennis LaMoreaux, General Manager  
Bill Wynder, Attorney  
Matt Knudson, Assistant General Manager  
Mike Williams, Finance Manager  
Jon Pernula, Water & Energy Resources Director  
Jennifer Emery, Human Resources Director  
Danielle Henry, Administrative Assistant  
1 member of the public

### 3) Adoption of Agenda.

Attorney Wynder stated that an item arose subsequent to the posting of the agenda for tonight's meeting and requires action prior to the time of the next regular Board meeting and that pursuant to Government Code §54954.2(b)(2), requests that Agenda Item No. 7.1(a) as follows be added to tonight's agenda as an urgency item: "Consideration and possible action on Resolution No. 14-12 being a Resolution of the Board of Directors of the Palmdale Water District Declaring Emergency Water Conservation Restrictions and Adopting State Water Resources Control Board Regulations on the Delivery and Consumption of Water for Public Use."

It was then moved by Director Dizmang, seconded by Director Dino, and unanimously carried by all members of the Board of Directors present at the meeting to adopt the agenda, as amended, adding Agenda Item No. 7.1(a) as an urgency item.

**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 scheduled.

**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 Regular Meeting Held July 9, 2014.**

**6.2) Approval of Minutes of Workshop Meeting Held July 16, 2014.**

**6.3) Payment of Bills for July 23, 2014.**

**6.4) Approval of Job Description and Salary Range for Engineering/Grant Manager. (Human Resources Director Emery)**

**6.5) Approval of Job Description and Salary Range for Deputy Water & Energy Resources Director. (Human Resources Director Emery)**

Vice President Alvarado announced the items included in the Consent Calendar after which it was moved by Director Estes, seconded by Director Dizmang, and unanimously carried by all members of the Board of Directors present at the meeting to approve those 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) Consideration and Possible Action on Resolution No. 14-11 Being a Resolution of the Board of Directors of the Palmdale Water District a) Accepting the Findings of the Bartle & Wells Rate Study, b) Approving the Proposition 218 Notice Regarding Proposed Rate Increases, and c) Setting a Date, Time, and Location for the**

**Public Hearings on Proposed Changes in Rates, Fees, and Charges for Water Service.  
(Bartle Wells/Finance Manager Williams)**

Finance Manager Williams provided an overview of staff's recommendation to approve Resolution No. 14-11 after which Mr. Doug Dove, of Bartle Wells Associates, reviewed the results of their final Rate Study including revisions to the tier structure to an essential usage tier and efficiency usage tiers, standardizing the lowest meter charge to a 1" meter charge, establishing water budgets for commercial/industrial users, basing water quality fees and elevation booster surcharges on five-year rolling averages, revisions to multi-family water budgets, adding a drought surcharge for non-essential usage when mandatory water use cutbacks are required, the effect of several annual five year rate increase options, and meeting the District's target reserve fund.

After a brief discussion of how customers will be affected by the drought surcharge and when this surcharge would be implemented, anticipated rate increases and decreases for customers due to standardizing the lowest meter charge, the Board's ability to implement a rate increase lower than the approved amount set forth in the Proposition 218 notice, and rate comparisons with other agencies, it was moved by Director Dizmang, seconded by Director Dino, and carried on a 3 – 1 vote by all members of the Board of Directors present at the meeting, with Vice President Alvarado opposed, to approve Resolution No. 14-11 being a Resolution of the Board of Directors of the Palmdale Water District a) Accepting the Findings of the Bartle & Wells Rate Study, b) Approving the Proposition 218 Notice Regarding Proposed Rate Increases, and c) Setting a Date, Time, and Location for the Public Hearings on Proposed Changes in Rates, Fees, and Charges for Water Service, as amended, setting the annual water rate increase at 5.5% for a five year period and the Proposition 218 public hearing for September 17, 2014 at 7:00 p.m. at the District's office.

The tape recording of public meetings by Board members and the public was then clarified.

A copy of said Resolution No. 14-11 is hereby made a portion of the minutes of this meeting.

**7.1(a) Consideration and Possible Action on Resolution No. 14-12 Being a Resolution of the Board of Directors of the Palmdale Water District Declaring Emergency Water Conservation Restrictions and Adopting State Water Resources Control Board Regulations on the Delivery and Consumption of Water for Public Use.**

Water & Energy Resources Director Pernula provided an overview of Resolution No. 14-12, recent action by the State Water Resources Control Board, and customer's efforts to reduce water use, and after a brief discussion of notifying the District's customers of watering restrictions, of exceptions to these restrictions, coordination with other agencies regarding water waste, and the stages of fines, it was moved by Director Dizmang, seconded by Director Estes, and unanimously carried by all members of the Board of Directors present at the meeting to approve Resolution No. 14-12 Being a Resolution of the Board of Directors of the Palmdale Water District Declaring Emergency Water Conservation Restrictions Effective August 1, 2014 and Adopting State Water Resources Control Board Regulations on the Delivery and Consumption of Water for Public Use.

A copy of said Resolution No. 14-12 is hereby made a portion of the minutes of this meeting.

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

**a) Professionals in Human Resources Association (PIHRA) California HR Conference to be held August 25 – 27, 2014 in Anaheim.**

**b) California Utility Executive Management Association (CUEMA) Leadership Summit 2014 to be held September 3 – 5, 2014 in Monterey.**

After a brief discussion of the conferences, seminars, and training sessions presented, it was moved by Director Dino, seconded by Director Estes, and unanimously carried to approve Board and staff attendance at conferences, seminars, and training sessions as follows: Professionals in Human Resources Association (PIHRA) California HR Conference to be held August 25 – 27, 2014 in Anaheim and California Utility Executive Management Association (CUEMA) Leadership Summit 2014 to be held September 3 – 5, 2014 in Monterey.

**8) Information Items.**

**8.1) Reports of Directors:**

**a) Meetings/General Report.**

- b) **Standing Committee/Assignment Reports (Chair):**
- 1) **Facilities Committee**
  - 2) **Finance Committee**
  - 3) **Personnel Committee**
  - 4) **Outreach Committee**
  - 5) **Water Supply & Reliability Committee**
  - 6) **Antelope Valley State Water Contractors Association**
  - 7) **Palmdale Recycled Water Authority**

Director Dizmang reported that on July 14, she attended an Ad Hoc Board Norms Committee meeting with President Mac Laren; that on July 16, she attended the Rate Study Workshop; that on July 17, she attended a Board briefing regarding the Rate Study Workshop and telephone survey results regarding water rates; and that on July 21, she attended a Board briefing with General Manager LaMoreaux.

Director Estes reported that on July 10, he attended the City of Palmdale Planning Commission meeting regarding the Four-Points Swap Meet where not much was accomplished; that on July 15, he attended the Facilities Committee meeting with Director Dino where they discussed a Board room redesign presented by an Antelope Valley College interior design student, a proposed telecommunications site lease with Verizon Wireless, which will generate an additional \$3,000.00 per month in revenue for the District, goals and projects for all facilities, the wind turbine's performance, and the Board room voting system; that on July 16, he attended the Rate Study Workshop, and he suggests the District tread lightly regarding rates as 42% of the District's surveyed ratepayers were strongly opposed to the last rate increase, and the drought and possible mandatory cutbacks and fines are leading to rough water; that on July 17, he and Director Dino attended a briefing with Passantino Andersen regarding the ratepayer survey, which indicated 40% of the customers surveyed were unfamiliar with the current rate structure; that on July 18, he attended an Ad Hoc Littlerock Dam Committee meeting with President Mac Laren, General Manager LaMoreaux, Assistant General Manager Knudson, and Attorney Wynder and discussions will be continued; that on July 22, he attended an employee benefits webinar at the District's office with Human Resources Director Emery and General Manager LaMoreaux where good information was presented, and a second webinar will be scheduled due to the large amount of information available on the Affordable Care Act; and that also on July 22, he attended a Board briefing with General Manager LaMoreaux.

Director Dino reported that on July 15, he attended the Facilities Committee meeting with Director Estes; that on July 16, he attended the Rate Study Workshop

presented by Bartle Wells Associates, which was very educational; that on July 17, he attended a briefing with Passantino Andersen; and that on July 21, he attended a Board briefing with General Manager LaMoreaux.

Vice President Alvarado reported that on July 16, he attended the Rate Study Workshop; that on July 17, he attended a briefing with PR firm Passantino Andersen; that on July 21, he attended a Board briefing with General Manager LaMoreaux; that on July 22, he and General Manager LaMoreaux were invited to a taped-radio interview with Spanish radio station 1470 A.M. and La Prensa Spanish newspaper where they explained the District's new regulations set forth by the State and consequences for water agencies and ratepayers, and they have been invited to future interviews.

There were no further reports from Directors.

**8.2) Report of General Manager.**

**a) District Vacancies.**

General Manager LaMoreaux reported that the District's new Service Worker began work this week; that with the Board's action this evening, internal recruitment for the Deputy Water & Energy Resources Director will begin; and that The Mathis Group is continuing recruitment for the Engineering/Grant Manager position.

He then stated that the Palmdale Recycled Water Authority Site Supervisor training is scheduled for July 28 at 10:00 a.m. at the City of Palmdale's Facilities Building on 3<sup>rd</sup> Street East across from Desert Sands Park and that a full agenda for the CUEMA Conference approved earlier this evening is now available.

**b) Human Resources Department Activities. (Human Resources Director Emery)**

Human Resources Director Emery provided a detailed overview of the responsibilities of the Human Resources Department summarizing these activities into tasks such as processing of paperwork, documentation, and compliance issues; strategic planning such as benefits, administration, and salary surveys; and support to other departments regarding training, performance management, and helping departments reach their goals.

The Board then thanked Human Resources Director Emery for her presentation followed by discussion of dental benefits.

**8.3) Report of Attorney.**

Attorney Wynder reported that in addition to Director Estes' report regarding the Ad Hoc Littlerock Dam Committee, their firm was tasked with requesting certain documents from the Forest Service to better understand the Forest Service's relationship with the recreational property owner and scheduling an all-hands meeting with District staff, legal counsel, the Forest Service, the recreational property owner, and their legal counsel.

He then provided an overview of Senate Bill No. 854, its impact on public works contracting, and how this bill impacts staff and future award of contracts.

Vice President Alvarado then stated that Attorney Wynder's report is received, approved, and file.

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

**10) Closed Session Under:**

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

At 8:30 p.m., Vice President Alvarado called for a closed session pursuant to Government Code §54956.9 (d)(1), to confer with legal counsel regarding pending litigation to which the District is a party – One Case: *Antelope Valley Ground Water Cases*.

He reconvened the regular meeting at 9:53 p.m.

**11) Public Report of Any Action Taken in Closed Session.**

Attorney Bunn reported that a closed session had been held pursuant to Government Code §54956.9 (d)(1), to confer with legal counsel regarding pending litigation to which the District is a party – One Case: *Antelope Valley Ground Water Cases*;

that the Board was briefed on the current status of this item of litigation; and that no reportable action was taken in closed session.

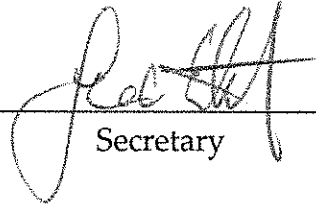
**12) Board Members' Requests for Future Agenda Items.**

Director Dizmang stated that her previously requested items of the Rate Assistance Program and the report on the equalizing of water rights are forthcoming.

There were no further requests for future agenda items.

**13) Adjournment.**

There being no further business to come before the Board, the meeting was adjourned.

  
Secretary



**RESOLUTION NO. 14-11**

**BOARD OF DIRECTORS OF THE PALMDALE WATER DISTRICT  
(A) ACCEPTING FINDINGS OF THE BARTLE WELLS ASSOCIATES  
RATE STUDY, AND (B) APPROVING THE PROPOSITION 218 NOTICE  
REGARDING PROPOSED RATE INCREASES, AND (C) SETTING A  
DATE, TIME AND LOCATION FOR PUBLIC HEARING ON PROPOSED  
CHANGES IN RATES, FEES, AND CHARGES FOR WATER SERVICE**

**WHEREAS**, The Palmdale Water District (the "District") is authorized to collect charges and set rates for water service pursuant to the Irrigation District Law, codified as Division 11 of the Water Code, specifically at Sections 22280 through 22284;

**WHEREAS**, The District's current water rates are set forth as Appendix C of the Rules and Regulations of the Palmdale Water District;

**WHEREAS**, District staff has undertaken a review of the District's financial position and determined the current water rate revenues are not sufficient to offset the cost of providing the water service, including, among other things, increased operation and maintenance expenses, increased costs for necessary infrastructure repairs and enhancements, increased water quality regulations, and increased water supply costs;

**WHEREAS**, On April 17, 2014, the District retained Bartle Wells Associates, an independent water rate consultant, pursuant to an open bid process to perform a financial study of the District's existing water rates and rate structure and the District's existing and future reasonably estimated costs of providing water service;

**WHEREAS**, on July 16, 2014, Bartle Wells Associates made a presentation to the Board of Directors that concluded the current rates and rate structure will not be sufficient to cover the reasonably estimated costs of providing the District's water service over the next five years and proposed a revised rate structure and incremental annual rate increases of 5.5% for the next five years;

**WHEREAS**, on July 23, 2014, Bartle Wells Associates presented a draft study to the Board of Directors, providing additional support for its conclusions;

**WHEREAS**, District staff has recommended the new rate structure and the 5.5% annual rate increases proposed by Bartle Wells Associates;

**WHEREAS**, the District's charges and fees for water service are subject to the substantive and procedural requirements of Proposition 218 (Cal. Const. Art. XIII D). Section 6 of Article XIII D of the California Constitution sets forth notice, hearing, and protest requirements applicable to increases of water rates; and

**WHEREAS**, the District may not adopt or impose any new or increased water rates if it receives a majority protest by those who will be subject to the rates.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that the Board of Directors of the Palmdale Water District does hereby resolve as follows:

1. The foregoing recitals, and all information presented in the Bartle Wells Associates presentation and staff report, are hereby found to be true and correct and incorporated herein by this reference.

2. The proposed revised rate structure and proposed annual rate increase of 5.5% meets the substantive requirements of Proposition 218 (Cal. Const. Art. XIII D) as follows:

- a. *Fee for Service Provided Only:* Revenues derived from the fee may not be used for any purpose other than that for which the fee was imposed. Revenues derived from the proposed rates will be used only for the purpose of providing water service.
- b. *Fee not to Exceed Cost of Service:* Revenues derived from the fee may not exceed the funds required to provide water service. The revenues derived from the proposed rates do not exceed the funds required to provide the water service, as set forth in the Bartle Wells Associates presentation and staff report.
- c. *Fee not to Exceed Proportional Cost:* The amount of the fee may not exceed the proportional cost of the water service attributable to each parcel. The proposed rate structure is based upon classes of users and tiers, which reasonably allocate the District's costs to provide the service to each parcel.

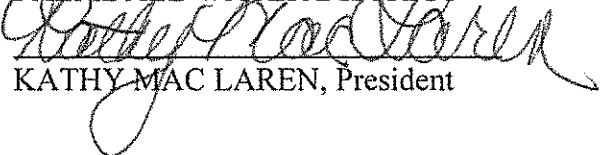
3. The proposed revised rate structure and 5.5% annual rate increases offer the best rate structure to allow the District to meet minimum operating requirements and provide a minimum level of funding for capital improvements, including bond covenants associated with capital improvements, over the next five years.

4. District Staff and General Counsel are directed to prepare and mail public notices proposing the adoption of the revised rate structure and 5.5% annual rate increases. Said notice shall be issued in compliance with Proposition 218 (Cal. Const. Art. XIII D) for the initiation of the 45-day public review period before a majority protest hearing on September 17, 2014 at 7:00 p.m.

5. The District will hold a majority protest hearing on the proposed revised rate structure and 5.5% annual rate increases on September 17, 2014 at 7:00 p.m.

PASSED AND ADOPTED on this 23<sup>rd</sup> day of July, 2014 by the Board of Directors, the governing body of the Palmdale Water District.

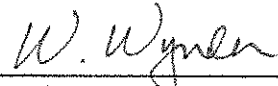
PALMDALE WATER DISTRICT

  
KATHY MAC LAREN, President

ATTEST

  
JOE ESTES, Secretary

APPROVED AS TO FORM:

By:   
Aleshire & Wynder, General Counsel

**PALMDALE WATER DISTRICT  
RESOLUTION NO. 14-12**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF PALMDALE WATER DISTRICT  
DECLARING EMERGENCY WATER CONSERVATION RESTRICTIONS  
AND ADOPTING STATE WATER RESOURCE CONTROL BOARD REGULATIONS  
ON THE DELIVERY AND CONSUMPTION  
OF WATER FOR PUBLIC 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 2014 has been established at a historically low 5% 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 challenges arising from a groundwater basin adjudication action that could 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 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**, the District adopted Resolution 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;

**WHEREAS** the District now desires to comply with the SWRCB emergency water conservation regulations and to implement the Stage 1 Water Shortage Emergency Plan contained in the Districts 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 has been reduced to a (5%), allocation with no guarantee that the District will receive emergency water deliveries.

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 20% 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 1 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 twenty percent (20%), which goal is subject to adjustment from time to time based upon demands, supplies, and conservation. The General Manager is authorized to implement Action 1, Paragraphs 1 through 10 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 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 or sale, shall serve drinking water to any customer unless expressly requested and shall display a notice to that effect.
5. All water users shall promptly repair all leaks from indoor and outdoor plumbing fixtures.
6. No lawn, landscape, or other turf area shall be watered more often than three (3) days per week and no more often than every other day nor during the hours between 10:00 a.m. and 4:00 p.m. Water days will be set as follows: addresses ending in an even number starting on Monday, and; addresses ending in an odd number starting on Tuesday.

*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.
7. 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.
  8. 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.

9. 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 more often than five days per week 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.

*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.
10. 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 1: Water Rationing: A twenty percent (20%) reduction in water deliveries to all District customers.
2. Stage 2: Water Rationing: A thirty percent (30%) reduction in water deliveries to all District customers.

3. **Stage 3: Water Rationing:** A forty percent (40%) reduction in water deliveries to all District customers.

**Section 5: Duration of Water Emergency:** The regulations, restrictions, and actions set forth herein shall take full force and effect on August 1, 2014 upon authorization by the Board of Directors and shall remain in full force and effect for 270 days 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.

**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 August 1, 2014.

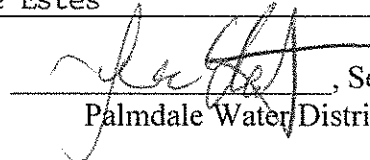
**BE IT FURTHER RESOLVED**, that the Board of Directors finds that the provisions of this Resolution are exempt from the provisions of the California Environmental Quality Act as an action to mitigate emergency conditions and as a rate setting measure pursuant to Public Resources Code §21080(b)(4) and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

**PASSED AND ADOPTED** at a special meeting of the Board of Directors of Palmdale Water District held on July 23, 2014.



Robert E. Alvarado, Vice President  
Palmdale Water District

Joe Estes

  
Secretary  
Palmdale Water District