AGENDA
MESA WATER DISTRICT
BOARD OF DIRECTORS
Thursday, November 10, 2016
1965 Placentia Avenue, Costa Mesa, CA 92627
6:00 p.m. Regular Board Meeting

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PRESENTATION TO MESA WATER MATTERS VIDEO CONTEST WINNERS

PUBLIC COMMENTS

Non-Agendized Matters: Members of the public are invited to address the Board on matters which are not on the Agenda. Each speaker is limited to three (3) minutes. The Board will set aside thirty (30) minutes for public comments.

Agendized Matters: Members of the public may comment on Agenda items before action is taken, or after the Board has discussed the item. Each speaker is limited to five (5) minutes.

ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA
At the discretion of the Board, all items appearing on this agenda, whether or not expressly listed as an Action Item, may be deliberated and may be subject to action by the Board.

CONSENT CALENDAR ITEMS:
Approve all matters under the Consent Calendar by one motion unless a Board member, staff, or a member of the public requests a separate action.

1. Approve minutes of regular Board meeting of October 13, 2016.
2. Approve minutes of special Board meeting of October 17, 2016.
3. Approve minutes of special Board meeting of October 18, 2016.
4. Approve minutes of special Board meeting of October 21, 2016.
5. Approve minutes of special Board meeting of October 27, 2016.
6. Approve attendance considerations (additions, changes, deletions).
7. Board Schedule:
   • Conferences, Seminars, and Meetings
   • Board Calendar
   • Upcoming Community Outreach Events
9. Approve a contract with Liebert Cassidy Whitmore for 5-years with available annual renewals for Employment and Labor Law Legal Counsel Services and authorize the General Manager to execute the contract.
10. Approve a contract change order to Rutan & Tucker for special legal services for an amount not to exceed $40,000.
PRESENTATION AND DISCUSSION ITEMS:

11. MUNICIPAL WATER DISTRICT OF ORANGE COUNTY BRIEFING:

   Recommendation: Receive the presentation.

ACTION ITEMS:

12. RESOLUTION NO. 1484 – AMENDING CONFLICT OF INTEREST CODE:

   Recommendation: Adopt Resolution No. 1484, amending Mesa Water District’s Conflict of Interest Code and superseding Resolution No. 1453.

13. CLOSED SESSION:

   CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE 54957.6:
   District Negotiator: General Manager
   Employee Organization: Represented Employees

   CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE 54957.6 -
   District Negotiator: General Manager
   Employee Organization: Non-Represented Employees

   PURSUANT TO GOVERNMENT CODE SECTION 54957(b):
   PUBLIC EMPLOYEE PERFORMANCE EVALUATION
   Title: General Manager

   RETURN TO OPEN SESSION.

14. ANNUAL PERFORMANCE EVALUATION FOR GENERAL MANAGER:

   Recommendation: Take action as the Board desires.

15. TERMS AND CONDITIONS OF COMPENSATION AND BENEFITS FOR NON-REPRESENTED MANAGEMENT EMPLOYEES:

   Recommendation: Approve/modify the terms and conditions of employment for non-represented management employees.
REPORTS:

16. REPORT OF THE GENERAL MANAGER:
   • October Key Indicators Report
   • Other (no enclosure)

17. DIRECTORS’ REPORTS AND COMMENTS:

INFORMATION ITEMS:

18. DIRECTORS’ REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D)

19. OTHER (NO ENCLOSURE)

In compliance with California law and the Americans with Disabilities Act, if you need disability-related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, or if you need the agenda provided in an alternative format, please contact the District Secretary at (949) 631-1206. Notification 48 hours prior to the meeting will enable Mesa Water District (Mesa Water) to make reasonable arrangements to accommodate your requests.

Agenda materials that are public records, which have been distributed to a majority of the Mesa Water Board of Directors (Board), will be available for public inspection at the District Boardroom, 1965 Placentia Avenue, Costa Mesa, CA and on Mesa Water’s website at www.MesaWater.org. If materials are distributed to the Board less than 72 hours prior or during the meeting, the materials will be available at the time of the meeting.

ADJOURN TO A REGULAR BOARD MEETING SCHEDULED FOR THURSDAY, DECEMBER 8, 2016 AT 6:00 P.M.
CALL TO ORDER
The meeting of the Board of Directors was called to order on October 13, 2016 at 6:00 p.m. by President Dewane at the District Office Boardroom, located at 1965 Placentia Avenue, Costa Mesa, California.

PLEDGE OF ALLEGIANCE
Director Bockmiller led the Pledge of Allegiance.

Director Bockmiller asked for a moment of silence to honor Los Angeles County Sheriff’s Sgt. Steve Owen who lost his life in the line of duty.

Directors Present
Shawn Dewane, President
Ethan Temianka, Vice President
Jim Atkinson, Director
Fred R. Bockmiller, Director
James R. Fisler, Director

Directors Absent
None

Staff Present
Paul E. Shoenberger, P.E., General Manager
Coleen L. Monteleone, Assistant General Manager/District Secretary
Andrew Hamilton, Chief Financial Officer
Cynthia Ragland, Interim Public Affairs Manager
Noelle Collins, Public Affairs Coordinator
Denise Garcia, Executive Assistant to the General Manager/Assistant District Secretary
Rob Anslow, Attorney, Bowie, Arneson, Wiles & Giannone

Others Present
John Kennedy, Executive Director of Engineering and Water Resources, Orange County Water District
Jonathan Lackey, Creative Director, Zuno Studios
Dane McDougall, Project Manager, C&V Consulting, Inc.
Alex Reich, Member of the Public

PUBLIC COMMENTS
President Dewane asked for public comments on non-agendized items. There were no comments and President Dewane proceeded with the meeting.
ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA

General Manager Shoenberger offered there were no items to be added, withdrawn, or reordered on the agenda.

CONSENT CALENDAR ITEMS:

1. Approve minutes of regular Board meeting of September 8, 2016.
2. Approve minutes of special Board meeting of September 20, 2016.
3. Approve minutes of special Board meeting of September 22, 2016.
4. Approve attendance considerations (additions, changes, deletions).
5. Board Schedule:
   • Conferences, Seminars, and Meetings
   • Board Calendar
   • Upcoming Community Outreach Events
6. Declare certain property as surplus and authorize the General Manager to dispose of the property within the established rules and regulations set forth by Resolution No. 1463.
7. Approve the execution of the Preliminary Engineering Agreement with the Orange County Transportation Authority (OCTA) and direct staff to proceed with the OCTA led approach for the Fairview Road water main relocation.
8. Award a contract to General Pump Company for the Reservoirs 1 & 2 Pump Testing Project for $85,100 plus a 10% contingency for a not-to-exceed amount of $93,610.
9. Approve a proclamation honoring Susan Hinman for her sixteen years of faithful and dedicated leadership and service as a Director of the Board of the Municipal Water District of Orange County.

MOTION

Motion by Director Fisler, second by Vice President Temianka, to approve Items 1 – 9 of the Consent Calendar. Motion passed 5-0.

PRESENTATION AND DISCUSSION ITEMS:

10. MESAWATER.ORG UPGRADE STATUS:

   General Manager Shoenberger introduced Interim Public Affairs Manager Ragland. Ms. Ragland offered that in December 2015, Mesa Water issued a proposal for the re-design of its website. Twelve qualified proposals were received. Five firms were interviewed and Zuno Studios was awarded the contract. Staff has been working with Zuno Studios on the interactive site, which features a modern look with easy-to-use navigation that allows visitors to find what they are looking for quickly and easily.

   Ms. Ragland introduced Zuno Studios Creative Director Jonathan Lackey. Mr. Lackey proceeded with a review of the redesigned website which highlighted some of its new features.

   Mr. Lackey responded to questions and the Board thanked Mr. Lackey for the presentation.
President Dewane reopened the Public Comments portion of the meeting.

C&V Consulting, Inc.’s Project Manager Dane McDougall offered comments on a new residential development by Novo Homes.

President Dewane referred the topic to a future Engineering and Operations Committee meeting and thanked Mr. McDougall for his comments.

11. ORANGE COUNTY WATER DISTRICT BRIEFING:

   President Dewane introduced OCWD’s Executive Director of Engineering and Water Resources John Kennedy. Mr. Kennedy proceeded with the presentation which highlighted the following:

   • Groundwater Basin Conditions
   • Ocean Desalination Project Update
   • Ground Water Replenishment System (GWRS) Final Expansion
   • Green Acres Project (GAP) Update

   Mr. Kennedy responded to questions and the Board thanked Mr. Kennedy for the presentation.

The agenda was reordered to take Items 13, 14, and 15 before the Closed Session. There were no objections.

Item 13 - REPORT OF THE GENERAL MANAGER:
   • September Key Indicators Report
   • Other (no enclosure)

Item 14 – DIRECTOR’S REPORTS AND COMMENTS:

Item 15 – DIRECTORS’ REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D):

ACTION ITEMS:

12. CLOSED SESSION:

   Attorney Anslow announced that the Board was going into Closed Session at 6:54 p.m.

   CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:
   Pursuant to California Government Code Sections 54956.9 (d) (1) and 54954.5 (c)
   Case: MESA WATER DISTRICT, vs. KDC, INC., dba KDC SYSTEMS, INC.,
   dba DYNALECTRIC – Orange County Superior Court Case No. 30-2016-00832860-CU-
   BC-CJC

   PURSUANT TO GOVERNMENT CODE SECTION 54957(b):
   PUBLIC EMPLOYEE PERFORMANCE EVALUATION
   Title: General Manager
Mesa Water® Board Meeting October 13, 2016

The Board returned to Open Session at 7:07 p.m.

Attorney Anslow announced the Board held two Closed Sessions. The first Closed Session was conducted pursuant to California Government Code Sections 54956.9 (d) (1) and 54954.5 (c) with the General Manager, Assistant General Manager, and Legal Counsel. The second Closed Session was conducted pursuant to California Government Code Section 54957(b) with the General Manager. The Board received information and there is no other announcement.

REPORTS:

13. REPORT OF THE GENERAL MANAGER:
   • September Key Indicators Report
   • Other (no enclosure)

   Item taken earlier in the agenda.

14. DIRECTORS’ REPORTS AND COMMENTS:

   Item taken earlier in the agenda.

INFORMATION ITEMS:

15. DIRECTORS’ REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (D)

   Item taken earlier in the agenda.

16. OTHER (NO ENCLOSURE)

President Dewane adjourned the meeting at 7:08 p.m. to an Adjourned Regular Board meeting scheduled for Friday, October 21, 2016, at 8:00 a.m.

Approved:

______________________________
Shawn Dewane, President

______________________________
Coleen L. Monteleone, District Secretary

Recording Secretary: Sharon D. Brimer
FINANCE COMMITTEE MEETING

CALL TO ORDER

The meeting of the Board of Directors was called to order on October 17, 2016 at 3:30 p.m. by Chairman Temianka at the District Office Boardroom, located at 1965 Placentia Avenue, Costa Mesa, California.

PLEDGE OF ALLEGIANCE

Director Fisler led the Pledge of Allegiance.

Directors Present
Ethan Temianka, Vice President, Chair
Jim Atkinson, Director
Fred R. Bockmiller, Director
James R. Fisler, Director

Directors Absent
Shawn Dewane, President

Staff Present
Coleen L. Monteleone, Assistant General Manager/District Secretary
Andrew Hamilton, Chief Financial Officer/District Treasurer
Tracy Manning, Assistant Operations Manager

Others Present
None

PUBLIC COMMENTS

There was no public present.

CONSENT CALENDAR ITEMS:

Director Fisler pulled Item 1 for discussion. There were no objections.

1. Accounts Paid Listing
2. Monthly Financial Reports
3. Major Staff Projects

MOTION

Motion by Director Atkinson, second by Director Fisler, to approve Items 2 and 3 of the Consent Calendar. Motion passed 4-0-1, with President Dewane absent.
Staff responded to Director Fisler’s question on the Accounts Paid Listing.

MOTION

Motion by Director Fisler, second by Director Atkinson, to approve Item 1 of the Consent Calendar. Motion passed 4-0-1, with President Dewane absent.

PRESENTATION AND DISCUSSION ITEMS:

None.

ACTION ITEMS:

4. Deny Claim of Mr. Chris Schwartz

MOTION

Motion by Director Bockmiller, second by Director Atkinson, to deny the claim of Mr. Chris Schwartz and refer it to ACWA/Joint Powers Insurance Authority (ACWA/JPIA) for handling. Motion passed 4-0-1, with President Dewane absent.

AGM Monteleone noted that, due to the time limitations for denying claims, this item will not appear on the next Board agenda.

REPORTS:

5. Report of the General Manager

6. Directors’ Reports and Comments

INFORMATION ITEMS:

None.

The Board meeting was adjourned at 3:49 p.m.

Approved:

_______________________________
Shawn Dewane, President

_______________________________
Coleen L. Monteleone, District Secretary
ENGINEERING AND OPERATIONS COMMITTEE MEETING

CALL TO ORDER

The meeting of the Board of Directors was called to order on October 18, 2016 at 3:31 p.m. by Chairman Bockmiller at the District Office Boardroom, located at 1965 Placentia Avenue, Costa Mesa, California.

PLEDGE OF ALLEGIANCE

Director Fisler led the Pledge of Allegiance.

Directors Present
Shawn Dewane, President
Jim Atkinson, Director
Fred R. Bockmiller, Director, Chairman
James R. Fisler, Director

Directors Absent
Ethan Temianka, Vice President

Staff Present
Paul E. Shoenberger, P.E., General Manager
Coleen L. Monteleone, Assistant General Manager/District Secretary
Phil Lauri, P.E., Assistant General Manager
Tracy Manning, Assistant Operations Manager

Others Present
None

PUBLIC COMMENTS

There was no public present.

CONSENT CALENDAR ITEMS:

Director Fisler pulled Item 6. There were no objections.

1. Developer Project Status Report
2. Mesa Water® and Other Agency Projects Status Report
3. Water Quality Call Report
4. Committee Policy & Resolution Review or Development
5. Water Operations Status Report
6. Municipal Water District of Orange County Activities Update
7. Orange County Water District Activities Update
MOTION

Motion by President Dewane, second by Director Fisler, to approve Items 1 – 5 and Item 7 of the Consent Calendar. Motion passed 4-0-1, with Vice President Temianka absent.

Staff responded to Director Fisler’s questions regarding the MWDOC update.

MOTION

Motion by Director Atkinson, second by President Dewane, to approve Item 6 of the Consent Calendar. Motion passed 4-0-1, with Vice President Temianka absent.

PRESENTATION AND DISCUSSION ITEMS:

None.

ACTION ITEMS:

None.

REPORTS:


9. Directors’ Reports and Comments

INFORMATION ITEMS:

None.

The Board meeting was adjourned at 3:52 p.m.

Approved:

______________________________
Shawn Dewane, President

______________________________
Coleen L. Monteleone, District Secretary
CALL TO ORDER
The meeting of the Board of Directors was called to order on October 21, 2016 at 8:11 a.m. by President Dewane at the District Office Boardroom, located at 1965 Placentia Avenue, Costa Mesa, California.

PLEDGE OF ALLEGIANCE
Director Fisler led the Pledge of Allegiance.

Directors Present
Shawn Dewane, President
Ethan Temianka, Vice President
Jim Atkinson, Director
Fred R. Bockmiller, Director
James R. Fisler, Director

Directors Absent
None

Staff Present
Paul E. Shoenberger, P.E., General Manager
Coleen L. Monteleone, Assistant General Manager/District Secretary

Others Present
A. Patrick Munoz, Partner, Rutan & Tucker, LLP
Jeremy N. Jungreis, Senior Counsel, Rutan & Tucker, LLP
Robert E. Anslow, Partner, Bowie Arneson Wiles & Giannone
Jeffrey A. Hoskinson, Attorney, Bowie Arneson Wiles & Giannone
Tiffany J. Israel, Partner, Aleshire & Wynder, LLP
Eric L. Dunn, Partner, Aleshire & Wynder, LLP

PUBLIC COMMENTS
There was no public present at the meeting.

ITEMS TO BE WITHDRAWN OR REORDERED ON THE AGENDA
General Manager Shoenberger offered there were no items to be withdrawn or reordered on the agenda.
ACTION ITEMS:

1. GENERAL LEGAL COUNSEL SERVICES:

   The Board conducted interviews with three firms. Their final selection will be expected to provide a broad range of general legal services and will be essential to successfully performing the role of District Counsel.

MOTION

Motion by President Dewane, second by Director Fisler, to retain the firm of Bowie Arneson Wiles & Giannone as Mesa Water District General Legal Counsel Services and to authorize the General Manager to sign a five-year contract, which includes key staff provisions for the firm to follow. Motion passed 5-0.

REPORTS:

2. REPORT OF THE GENERAL MANAGER

3. DIRECTORS' REPORTS AND COMMENTS

INFORMATION ITEMS:

4. OTHER (NO ENCLOSURE)

President Dewane adjourned the meeting at 1:17 p.m. to an Adjourned Regular Board Meeting scheduled for Tuesday, November 8, 2016, at 8:00 a.m.

Approved:

Shawn Dewane, President

Coleen L. Monteleone, District Secretary
LEGISLATIVE & PUBLIC AFFAIRS COMMITTEE MEETING

CALL TO ORDER
The meeting of the Board of Directors was called to order on October 27, 2016 at 3:30 p.m. by Chairman Fisler at the District Office Upstairs Conference Room, located at 1965 Placentia Avenue, Costa Mesa, California.

PLEDGE OF ALLEGIANCE
Director Bockmiller led the Pledge of Allegiance.

Directors Present
Ethan Temianka, Vice President (teleconference)
Jim Atkinson, Director
Fred R. Bockmiller, Director
James R. Fisler, Director, Chair

Directors Absent
Shawn Dewane, President

Staff Present
Coleen L. Monteleone, Assistant General Manager/District Secretary
Stacy Taylor, External Affairs Manager
Cynthia Ragland, Interim Public Affairs Manager

Others Present
Jim Mosher, Member of the Public

PUBLIC COMMENTS
There were no comments on non-agendized topics.

There was no public present at the teleconference site.

ITEMS TO BE ADDED, WITHDRAWN, OR REORDERED ON THE AGENDA
Assistant General Manager Monteleone stated that one Mesa Water Director was attending the meeting via teleconference.

For each action, a roll call vote was taken in accordance with The Brown Act Government Code Section 54953.(b).(2). which states, “all votes taken during a teleconferenced meeting shall be by roll call.”
CONSENT CALENDAR ITEMS:

1. Advocacy Consulting Services Report
2. Legislative Consulting Services Report
3. Outreach Update

MOTION

Motion by Director Atkinson, second by Director Bockmiller, to approve Items 1 - 3 of the Consent Calendar. Motion passed 4-0-1, by the following roll call vote:

AYES: DIRECTORS Atkinson, Bockmiller, Temianka, Fisler
NOES: DIRECTORS None
ABSENT: DIRECTORS Dewane
ABSTAIN: DIRECTORS None

PRESENTATION AND DISCUSSION ITEMS:

None.

ACTION ITEMS:

None.

REPORTS:

4. Report of the General Manager
5. Directors’ Reports and Comments

INFORMATION ITEMS:

None.

The Special Board Meeting was adjourned at 3:55 p.m.

Approved:

______________________________
Shawn Dewane, President

______________________________
Coleen L. Monteleone, District Secretary
RECOMMENDATION

In accordance with Ordinance No. 25, adopted April 9, 2015, authorize attendance at conferences, seminars, meetings, and events.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

PROPOSED LIST

None.

PRIOR BOARD ACTION

On July 14, 2016, the Board approved Fiscal Year 2017 attendance at Conferences, Seminars, Meetings, and Events.

DISCUSSION

During the discussion of this item, if any, the Board may choose to delete any item from the list and/or may choose to add additional conferences, seminars, meetings, or events for approval, subject to available budget or additional appropriation.

FINANCIAL IMPACT

None.

ATTACHMENTS

None.
## 2016 CONFERENCES, SEMINARS, AND MEETINGS:

<table>
<thead>
<tr>
<th>November 29 - December 2, 2016</th>
<th>ACWA/JPIA Fall Conference</th>
<th>Atkinson, Bockmiller, Dewane</th>
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<tr>
<td></td>
<td>Anaheim, CA</td>
<td>Fisler, Temianka</td>
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<tr>
<th>December 14-16, 2016</th>
<th>Colorado River Water Users Association Conference</th>
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<td>Las Vegas, CA</td>
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## 2017 CONFERENCES, SEMINARS, AND MEETINGS:

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<tr>
<th>January 5, 2017</th>
<th>MWDOC Elected Officials Forum</th>
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<td>Fountain Valley, CA</td>
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<tr>
<th>February 8-10, 2017</th>
<th>Urban Water Institute Spring Conference</th>
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<tr>
<th>March 8, 2017</th>
<th>ACWA Legislative Symposium</th>
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<tr>
<th>April 10-13, 2017</th>
<th>Jt. CA-NV AWWA/AMTA Spring Conference</th>
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# November 2016

## Monday

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## Saturday

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**General Election**

- 8:00AM Board Workshop (Boardroom)

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**Veteran's Day ♦ Holiday**

- Pay Period Ends

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**Thanksgiving ♦ Holiday**

- Pay Period Ends

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**ACWA Fall Conference ♦ Anaheim**

- Pay Day

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**November 2016**

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**Calendar**

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<th>October 2016</th>
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**Special Days**

- Pay Day
- General Election
- Veteran's Day ♦ Holiday
- Thanksgiving ♦ Holiday
- Pay Period Ends

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**Calendar References**

- Pay Day
- General Election
- Veteran's Day ♦ Holiday
- Thanksgiving ♦ Holiday
- Pay Period Ends
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<td>7:30AM ISDOC Executive Committee Meeting - Fisler (MWDOC Conference Room 101)</td>
<td>8:30AM ISDOC/OCWD Workshop (MWDOC/OCWD Boardroom)</td>
<td>12:00PM ACC-OC Water Committee (OCTA, 600 S Main St, Orange, CA Conf Room 103/104)</td>
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<td>8:00AM Executive Committee Meeting - Dewane, Temianka (Panian Conf Room; Boardroom)</td>
<td>5:45PM Costa Mesa City Council Mtg</td>
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<td>7:30AM WACO Meeting (MWDOC/OCWD Boardroom)</td>
<td>8:30AM Jt. MWDOC/MWD Workshop (MWDOC/OCWD Boardroom)</td>
<td>8:00AM LAFCO Meeting (OCTA Boardroom; 600 South Main Street Orange, CA)</td>
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<td>6:30PM Vanguard University Christmas Fantasia - Fisler (Segerstrom Center for the Arts)</td>
<td>5:30PM OCWD Board Mtg. - Atkinson, Temianka (MWDOC/OCWD Boardroom)</td>
<td>8:00AM OCWD Water Issues Committee (OCWD Boardroom)</td>
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<td>11:30AM Chamber Networking Luncheon (Royal Tea and Treatery; 2959 Grace Lane)</td>
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<td>12</td>
<td>7:30AM WACO Planning Committee (MWDOC Conference Room 101)</td>
<td>8:00AM ACC-OC Water Committee (OCTA, 600 S Main St, Orange, CA Conf Room 103/104)</td>
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<td>12</td>
<td>13</td>
<td>11:00AM Save the Date - Mesa Water Employee Recognition Event (TBD)</td>
<td>11:30AM Chamber Networking Luncheon (Royal Tea and Treatery; 2959 Grace Lane)</td>
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<td>14</td>
<td>15</td>
<td>3:30PM Finance Committee Meeting - Temianka, Bockmiller (Boardroom)</td>
<td>3:30PM RESCHEDULED WACO Planning Committee - Temianka (MWDOC Boardroom)</td>
<td>7:30AM CM Chamber of Commerce Breakfast - Fisler (1701 Golf Course Drive Costa Mesa, CA 92626)</td>
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<td>15</td>
<td>16</td>
<td></td>
<td>8:30AM LAFCO Meeting (OCTA Boardroom; 600 South Main Street Orange, CA)</td>
<td>11:30AM OC Reuse Chapter Meeting</td>
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<td>16</td>
<td>17</td>
<td>8:00AM OCWD Water Issues Committee (OCWD Boardroom)</td>
<td>11:30AM Chamber Networking Luncheon (Royal Tea and Treatery; 2959 Grace Lane)</td>
<td>3:30PM LPAC Committee Meeting - Fisler, Atkinson (Boardroom)</td>
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<td>18</td>
<td>19</td>
<td>3:30PM RESCHEDULED WACO Planning Committee - Temianka (MWDOC Boardroom)</td>
<td>8:30AM ISDOC/OCWD Workshop (MWDOC/OCWD Boardroom)</td>
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<tr>
<td>19</td>
<td>20</td>
<td>3:30PM Engineering and Operations Committee Meeting - Bockmiller, Fisler (Boardroom)</td>
<td>8:30AM ISDOC/OCWD Workshop (MWDOC/OCWD Boardroom)</td>
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<td>20</td>
<td>21</td>
<td>5:45PM Costa Mesa City Council Mtg</td>
<td>6:30PM Costa Mesa City Council Mtg</td>
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<td>🔴 12:00PM - 1:30PM Executive Committee Meeting (Panian Conf. Room; Boardroom)</td>
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<td>🔴 6:00PM - 7:30PM MWDCC Elected Official Forum (Boardroom)</td>
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<td>🔴 11:30AM - 1:00PM Chamber Networking Luncheon (Royal Tea and Treasury; 2959 Grace Lane)</td>
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<td>🔴 4:00PM - 5:00PM Chamber Board Meeting - Fisler (TBD)</td>
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<td>🔴 3:30PM - 5:00PM Finance Committee Meeting (Boardroom)</td>
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<td>🔴 3:30PM - 5:00PM Engineering and Operations Committee Meeting (Boardroom)</td>
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</tbody>
</table>
## UPComing COMMUNITY OUTREACH EVENTS

<table>
<thead>
<tr>
<th>Event:</th>
<th>Date &amp; Time:</th>
<th>Location:</th>
</tr>
</thead>
<tbody>
<tr>
<td>5th Grade Assembly</td>
<td>Tuesday November 22, 2016 9:40 a.m.</td>
<td>Whittier Elementary 1800 Whittier Ave Costa Mesa, CA 92627</td>
</tr>
<tr>
<td>5th Grade Assembly</td>
<td>Tuesday November 22, 2016 10:40 a.m.</td>
<td>Whittier Elementary 1800 Whittier Ave Costa Mesa, CA 92627</td>
</tr>
<tr>
<td>5th Grade Assembly</td>
<td>Tuesday November 22, 2016 1:30 p.m.</td>
<td>College Park Elementary 2380 Notre Dame Rd Costa Mesa, CA 92626</td>
</tr>
<tr>
<td>5th Grade Assembly</td>
<td>Monday December 5, 2016 1:00 p.m.</td>
<td>Rea Elementary 661 Hamilton St Costa Mesa, CA 92627</td>
</tr>
<tr>
<td>Fantasia Vanguard University Event</td>
<td>Tuesday December 8, 2016 8:00 p.m. to 10:00 p.m.</td>
<td>Renee &amp; Henry Segerstrom Concert Hall 615 Town Center Drive Costa Mesa, CA 92626</td>
</tr>
</tbody>
</table>
MEMORANDUM

TO: Board of Directors  
FROM: Coleen L. Monteleone, Assistant General Manager  
DATE: November 10, 2016  
SUBJECT: Quarterly Training Report

RECOMMENDATION


STRATEGIC PLAN

Goal #5: Attract and retain skilled employees.

DISCUSSION

As part of the Board's adopted 2016 Strategic Plan Goal #5 – Attract and retain skilled employees, Objective B is to Build Employee Skills, specifically the following:

- Fully train a minimum of two employees in key processes to ensure accountability and sustainability
- Develop and implement an operational and institutional knowledge transfer plan

Outcome 3 calls for quarterly training reports to the Board of Directors.

Attached is the Quarterly Training Report for July 1, 2016 to September 30, 2016. In addition to the training listed on the report, staff also conducts safety training for all employees and Monday Morning Tailgate Talks for Water Operations, Engineering and Customer Services field staff.

The Tailgate Talks for this quarter included the following topics:
- An Open and Shut Case for Gate Valve Safety
- Heavy Equipment Yard Practices
- Cutting Pipe Safety with Power Saws
- Climbing Elevated Tans: The Height of Safety
- Listen Up to Protect Your Hearing
- Working with Hazardous Materials
- CPR and AEDs Save Lives
- Quick Equipment Checks: A Basic Safety Tool
- Avoiding Pinch Points
- Hazardous Waste Training
- Be Kind to Your Body: Stretch Before Work
- Safety Tips for Employees Working Remotely or Alone
- Forklift Operation is Serious Business
The Safety Training program included the following topics:

- New Hire Orientation
- Fire Prevention / Fire Extinguisher
- New Hire Safety Training
- Trenching and Excavation Competent Person
- Hazardous Waste
- Forklift Classroom & Practical

Below is the required continuing education hours needed, over a three-year period, for each Distribution and Treatment Certification Renewal held by staff:

<table>
<thead>
<tr>
<th>Distribution and Treatment Certification Renewals – Required Continuing Education Hours (within the last three years)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grade 1</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>12 hours</td>
</tr>
</tbody>
</table>

**FINANCIAL IMPACT**

The cost for the training is budgeted each fiscal year per department or in the overall safety budget.

**ATTACHMENTS**

<table>
<thead>
<tr>
<th>Position</th>
<th>Department</th>
<th>Date of Training</th>
<th>Type of Training</th>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Water Systems Operator</td>
<td>Operations</td>
<td>7/20 - 21/2016</td>
<td>Supervisory Development</td>
<td>ACWA-JPIA</td>
</tr>
<tr>
<td>Water Operations Supervisor</td>
<td>Operations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Human Resources Assistant</td>
<td>Administrative Services</td>
<td>7/27/2016</td>
<td>“Flores v. City of San Gabriel - FLSA Impacts to Employers”</td>
<td>Liebert Cassidy Whitmore</td>
</tr>
<tr>
<td>Senior Human Resources Analyst</td>
<td>Administrative Services</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Construction Inspector</td>
<td>Operations</td>
<td>8/10/2016</td>
<td>Water Education Seminar</td>
<td>CA-NV AWWA</td>
</tr>
<tr>
<td>Water Maintenance Crewleaders</td>
<td>Operations</td>
<td>09/07 - 09/2016</td>
<td>D4/D5 Review</td>
<td>WQI</td>
</tr>
<tr>
<td>Water Maintenance Crewleader</td>
<td>Operations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Quality Technician I</td>
<td>Operations</td>
<td>09/19 - 23/2016</td>
<td>Backflow Tester Course</td>
<td>CA-NV AWWA</td>
</tr>
<tr>
<td>Senior Human Resources Analyst</td>
<td>Administrative Services</td>
<td>9/20 - 22/2016</td>
<td>Management and Supervisory Leadership Training</td>
<td>Public Utilities &amp; Waterworks Management Institute</td>
</tr>
<tr>
<td>Water Quality and Compliance Supervisor</td>
<td>Operations</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Assistant General Manager</td>
<td>Administrative Services</td>
<td>9/28 - 29/2016</td>
<td>Employee Relations</td>
<td>Public Employers Labor Relations Association</td>
</tr>
<tr>
<td>Senior Human Resources Analyst</td>
<td>Administrative Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior Water Systems Operator</td>
<td>Operations</td>
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</tbody>
</table>
RECOMMENDATION

Approve a contract with Liebert Cassidy Whitmore for 5-years with available annual renewals for Employment and Labor Law Legal Counsel Services and authorize the General Manager to execute the contract.

STRATEGIC PLAN

Goal #5: Attract and retain skilled employees.

PRIOR BOARD ACTION/DISCSSION

At the March 21, 2015 Board workshop, the Board directed staff to prepare a Request for Proposal (RFP) for Employment and Labor Law Legal Counsel Services.

DISCUSSION

Mesa Water® sent the Request for Proposal (RFP) to eight firms to submit proposals to serve as contracted Employment and Labor Law Legal Counsel (Counsel). Counsel’s primary role is to provide expert employment and labor legal advice to the Board, General Manager, Assistant General Manager and other designated staff.

The following five firms submitted proposals:
- Atkinson, Andelson, Loya, Ruud & Romo
- Best, Best & Krieger
- Burke, Williams & Sorensen
- Liebert Cassidy Whitmore
- Woodruff, Spradlin & Smart

Each of the proposals was reviewed and scored separately by a four member selection committee composed of the Assistant General Manager, 2 staff from Human Resources, as well as one outside expert – the Human Resources Manager from Santa Margarita Water District.

Based on the proposal ratings of the selection committee, three firms were selected for interviews:
- Atkinson, Andelson, Loya, Ruud & Romo
- Burke, Williams & Sorensen
- Liebert Cassidy Whitmore
On August 30, 2016, the selection committee interviewed the three firms to evaluate their qualifications and depth of experience in comparable work. Below is a summary of the selection process results:

<table>
<thead>
<tr>
<th>Rank</th>
<th>Firm</th>
<th>Partners</th>
<th>Associate Attorneys</th>
<th>Paralegals</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Liebert Cassidy Whitmore</td>
<td>$305-350</td>
<td>$210-280</td>
<td>$75-160</td>
</tr>
<tr>
<td>2</td>
<td>Atkinson, Andelson, Loya, Ruud &amp; Romo</td>
<td>$310-340</td>
<td>$225-280</td>
<td>$165</td>
</tr>
<tr>
<td>3</td>
<td>Burke, Williams &amp; Sorensen</td>
<td>$295-315</td>
<td>$240-275</td>
<td>$135</td>
</tr>
</tbody>
</table>

The interviews were designed to gain a detailed understanding of each firm on the following: firm and staff qualifications and experience, company and staff availability, and understanding of the scope of work.

While each of the firms provided the breadth of knowledge and experience, the selection committee ranked Liebert Cassidy Whitmore as their top choice.

The selected firm will serve as contracted Employment and Labor Law Legal Counsel and has expertise in Federal and California employment and labor laws. The firm has a comprehensive understanding of the public sector and of applicable laws to assist the District in all areas of personnel and employment matters. The services will include, but not be limited to: Affordable Care Act, investigations, labor relations and negotiations, litigation and administrative hearings, retirement health and disability, wage and hour, audits, workplace safety, workers’ compensation, employee benefits and policies, complaints of harassment/discrimination, employment contracts, presentations to the Board of Directors, management staff and/or union representatives at Closed Sessions, Board meetings, Hearings, and Union Negotiation meetings. Counsel will provide training to Human Resources professionals, managers and supervisors on topics related to employment law, as needed.

FINANCIAL IMPACT

In Fiscal Year 2017, $100,000 is budgeted; no funds have been spent to date.

ATTACHMENTS

Attachment A: Employment and Labor Law Legal Counsel Services RFP
Attachment B: Liebert Cassidy Whitmore Proposal
Professional Services
Request for Proposal

Special Legal Counsel
on Employment and Labor Law

June 15, 2016
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   C. Schedule 2

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Attachments
   Appendix A: Professional Services Contract
   Appendix B: Professional Services Contract Acceptance Forms
   Appendix C. Scope of Work
I. Background and Purpose

Mesa Water District (Mesa Water®) is seeking proposals from qualified legal firms with a comprehensive understanding of the public sector and applicable laws to assist the District in the areas of personnel and employment matters. The firm should have a minimum of 10 years of experience representing cities or special district water or wastewater agencies. This Request for Proposal (RFP) provides information to enable firms to submit a proposal to provide professional services for the scope of work as detailed in Appendix C. A submittal of qualification statement does not guarantee that the firm will be contracted to perform any services, only serves notice to the District that the firm desires to be considered.

A. Mesa Water® Overview

Mesa Water®, a special district, was formed on January 1, 1960 as a result of the merger of four water agencies. Mesa Water® is governed by a five-member Board of Directors elected by the constituents of five divisions within the service area.

Mesa Water® employs approximately 55 employees, which includes 1 bargaining unit with 35 full-time employees represented by Orange County Employees Association (OCEA). There are 11 employees in a non-represented Supervisory/Confidential unit and 6 employees in a non-represented Management unit. The General Manager is a contracted employee. Part-time and temporary employees are not represented.

Mesa Water’s primary purpose is to manage and deliver water and water-related services to customers within its service area. Mesa Water® (The District) distributes a combination of imported water and local groundwater to approximately 23,500 retail accounts (population of over 108,000) in an 18 square mile area, which includes the city of Costa Mesa, parts of Newport Beach, and unincorporated areas of Orange County, including the John Wayne Airport and the Orange County Fair Grounds.

Mesa Water® predominately uses local groundwater, recycled water, and conservation to meet 100% of its demands. Mesa Water® operates clear water wells in the northern part of its service area, and treats amber-tinted water from the deep aquifer from two additional wells at the Mesa Water® Reliability Facility (MWRF). Mesa Water® has two storage reservoirs that provide approximately 25 million gallons of storage.
B. Proposal Overview

Mesa Water District (Mesa Water®) seeks qualified law firms to serve as contracted Special Legal Counsel with expertise in Federal and California employment and labor laws. The firm will have a comprehensive understanding of the public sector, and applicable laws to assist the District in all areas of personnel and employment matters. The services will include, but not be limited to: Affordable Care Act, investigations, labor relations and negotiations, litigation and administrative hearings, retirement health and disability, wage and hour, audits, workplace safety, workers’ compensation, employee benefits and policies, complaints of harassment/discrimination, employment contracts, presentations to the Board of Directors, management staff and/or union representatives at Closed Sessions, Board meetings, Hearings, and Union Negotiation meetings. The Special Legal Counsel will provide training to Human Resources professionals, managers and supervisors on topics related to employment law, as needed.

The successful firm shall possess sufficient resources to ensure that the demands of the District’s legal needs will be met on a timely basis. This relationship will be on a consulting or contractual basis, as opposed to a staff position.

Your firm has been invited to submit a proposal for Special Legal Services.

C. Schedule

The notification to the selected firm is expected October 14, 2016 or sooner depending on the Board of Directors’ agenda and schedule. The professional services contract will be for a minimum of five years with possible contract extensions.

End of Section
II. General Information

This RFP information packet contains instructions governing the proposals to be submitted and the material to be included therein; a description of the engagement and specific services to be provided; general evaluation criteria; and other pertinent information. The submission of this proposal shall be considered evidence that the proposer has and is in acceptance with this RFP.

Any modifications or changes made in this RFP will be made in writing in the form of an addendum issued by Mesa Water®. All proposers will receive written notice of any changes or modifications, which may be made by Mesa Water®. Oral communications from Mesa Water® personnel or others concerning this RFP shall not be binding on Mesa Water® and shall not in any way be considered as a commitment by Mesa Water®.

A. Proposal Submittal

Submit one original, eight (8) hardcopies and one electronic copy of the proposal to the address listed below no later than August 3, 2016 at 5:00 p.m. After this date and time proposals will not be accepted and will remain unopened and disqualified. **Faxed proposals will not be accepted.** Postmarks will not be accepted in lieu of actual receipt.

**The proposed Fee Schedule is to be submitted to the same address, separately from the proposals, in a sealed envelope. Only one copy of the proposed Fee Schedule is required.**

Proposals are to be submitted to:

Coleen L. Monteleone, Assistant General Manager
Mesa Water District
1965 Placentia Avenue, Costa Mesa, CA 92627

All materials submitted in accordance with this Request for Proposal (RFP) become the property of Mesa Water® and will not be returned. The materials may become public record subject to the disclosure provisions of the Public Records Act (Government Code Section 6250 et seq.).
B. Proposal Schedule

The following proposal timeframe is listed below:

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Release of RFP</td>
<td>June 15, 2016</td>
</tr>
<tr>
<td>Deadline for Inquiries</td>
<td>July 6, 2016</td>
</tr>
<tr>
<td>Response to Inquiries</td>
<td>July 14, 2016</td>
</tr>
<tr>
<td>Proposals Due Date</td>
<td>August 3, 2016 at 5:00 p.m.</td>
</tr>
<tr>
<td>Announce Shortlist</td>
<td>August 25, 2016</td>
</tr>
<tr>
<td>Interviews of shortlisted firms at Mesa Water</td>
<td>Tuesday, August 30, 2016 (Please tentatively reserve)</td>
</tr>
<tr>
<td>Tentative Date for notification to Selected Firm</td>
<td>October 14, 2016 – may be sooner depending on the Board of Directors’ agenda and schedule</td>
</tr>
</tbody>
</table>

C. Inquiries

Inquiries regarding this RFP must be requested in writing via email to Coleen Monteleone, Assistant General Manager at ColeenM@MesaWater.org. The deadline for inquiries is July 6, 2016.

D. Contract and Terms

Prior to the commencement of services, the selected Consultant awarded the contract will be required to execute a Professional Services Agreement (Sample Agreement: Appendix A) between itself and Mesa Water®. The contract shall incorporate the scope of work defined herein and all RFP terms and conditions. Portions of the Consultant’s proposal may be considered for inclusion into the scope of work at Mesa Water’s discretion. Insurance coverage requirements are included in the contract.

The selected Consultant will not be permitted to levy any service or other charges against Mesa Water®, other than those listed in Appendix C Scope of Work, without being previously negotiated with Mesa Water®.

E. Sample Agreement

A Sample Agreement has been attached for review in Appendix A. This agreement is representative of the agreement that will be executed upon award to the successful Proposer. Mesa Water does not make changes to agreement terms and conditions. Submission of your proposal in response to this RFP constitutes your acceptance of all Terms & Conditions set forth in this Sample Agreement.

**Please indicate that the Sample Professional Services Agreement has been reviewed and will be executed with no exceptions, if selected, by signing and dating the Professional Services Agreement Acceptance Form (Appendix B).**

End of Section
III. Proposal Requirements

A. General

• All interested and qualified firms are invited to submit a proposal for consideration. Submission of a proposal indicates that you have read and understand the entire RFP, including all appendices, schedules, and addendums (as applicable), and that all concerns regarding the RFP have been satisfied.

• Proposals must be submitted in the format described below. Proposals are to be prepared in such a way as to provide a straightforward, concise description of the capabilities to satisfy the requirements of this RFP.

• Expensive bindings, colored displays, promotional materials, etc., are neither necessary nor desired. Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to the RFP requirements, and on completeness and clarity of content.

• Proposals must be completed in all respects as required in this section. A proposal may not be considered if it is conditional or incomplete.

• All proposals and materials submitted become property of Mesa Water®.

• Responses are to be clear and complete. Be as specific as possible and include explanations where necessary.

B. Proposal Presentation

1. All proposals must be submitted on 8 ½" x 11" sheets of paper, neatly typed, double-sided, with standard (1 inch) margins and single-spaced with headings, sections, and sub-sections identified appropriately. Font must be at least 12 pt. Each page, including attachments, must be clearly and consecutively numbered at the bottom center of each page.

2. The proposal must be divided into five (5) sections with references to parts of this RFP done on a section number and sub-section basis. The sections shall be clearly identified matching the outline in Section III-C.

3. One (1) separate and sealed fee proposal as outlined in Section 2.1 Proposal Submittal and one (1) original and 8 copies, and one electronic version (PDF or MS Word format on a CD, DVD, or USB Flash Drive) of the complete proposal must be received by the deadline specified in Section II.B - Proposal Schedule.
4. The original, all copies of the proposal, and the separate and sealed cost sheet or bid must be in a sealed envelope, container, or package stating the following on the outside:

- Business/Company Name
- Address
- Telephone Number
- Request for Proposal Title
- Proposal Deadline

5. Hand carried proposals may be delivered to the address documented in Section II-A during normal business hours, Monday through Friday, excluding holidays observed by Mesa Water®. Firms are responsible for informing any commercial delivery service, if used, of all delivery requirements, and for ensuring that the address information appears on the outer envelope, container, or package used by such service.

C. Proposal Format

Firms must provide this information in the following format:

Proposal Cover Page

The outline below is to be used as the cover page for the proposal. These items must be fully completed and signed by an authorized officer of the business entity.

- Name of Business/Company:
- Business/Company Address:
- Telephone Number(s):
- E-mail Address:
- Website Address:
- Federal Tax ID Number:
- Type of Business (Sole Proprietorship; Partnership; Corporation; or Other (Explain)):
- Number of Years in Business:
- Name, title, telephone number and, if different, address of person(s) authorized to represent business entity:
- Name, title, telephone number and, if different, address of person(s) authorized to sign contracts for the business entity:
  - Certificate of Insurance showing a minimum of $1 M in Professional Liability (not included in page count).
Proposal Table of Contents

All pages of the proposal, including the enclosures, must be clearly and consecutively numbered and correspond to the Table of Contents as outlined below:

Section 1. Firm Qualifications and Experience (5 pages max)

This section should establish the firm’s ability to perform the required work to the expectations of Mesa Water®. Narrative should include the firm’s background, including main business focus, length of time in business, number of employees and location that will primarily support the engagement. Any subcontractors, if proposed on this engagement must be identified in this section. Areas to focus on include:

- Introduction to the firm
- Strength and stability of firm
- Overview of the firm’s capabilities in scope
- Provide a description of three to five engagements similar to this scope of work that have been completed for public agencies, water districts, federal government, non-profit organizations, or private companies. Include the name of the organization, and the address, name, email, and telephone number for the owner’s point of contact. Note the relevance of each engagement to the objectives of this engagement. Brief descriptions of additional engagements that demonstrate the firm’s track record to perform the required services may be included.
- Provide reasoning why the prospective firm would be the best choice for providing services as described in the RFP for Mesa Water®.
- Provide a listing of all current or former clients, including pro bono, with real property ownership, residence or principal place of business within the boundaries of Mesa Water District within the last three years.
- Provide a list of all public clients within the boundaries of the County of Orange for which you or your firm currently provide services under a fee for service basis or on a retainer basis.
- Identify any foreseeable or potential conflicts of interest which would result from such representation and the manner in which such conflicts would be resolved.
- Identify if the firm or any of the attorneys employed by the firms, have ever been sued by special districts, local governments or other clients for malpractice and/or been the subject of complaints filed with the State Bar or had discipline imposed by the State Bar. Please provide information on the nature of the incident, the date(s) when the matter began and concluded, and the results of the matter.
• Identify other value-added qualifications or services, if any, which have not been listed in the RFP that you feel Mesa Water® should consider when making its selection. Such services would include those which could be made available to the Board, General Manager or staff at no cost or at a significantly reduced cost.

Section 2. Staff Experience and Availability (10 pages max)
This section should introduce the key staff that the firm shall commit to Mesa Water®. The section shall include:

• An organizational chart that shows the primary Special Legal Counsel and each attorney(s) proposed that are anticipated to play a significant role in ongoing or special legal services to Mesa Water®. If the primary Special Legal Counsel is not an Officer of the firm, include the name of the Officer that is authorized to sign contracts for the firm.

• Biographical resumes of each attorney and a statement that the proposed attorneys are available to perform requested work. Include resumes in Appendix A of the proposal, which will not be included in the page count. Include the biographical sketches that may perform work on behalf of the firm. Resumes should include the following:
  ▪ Legal training and years of practice including date of admission to the California Bar
  ▪ Years of local public sector law practice as a full-time government attorney and/or in a private law office that specializes in the representation of special districts or other public agency clients
  ▪ Types of clientele represented and years representing each
  ▪ Litigation experience and demonstration of positive outcomes before a court or in contested administrative agency proceedings
  ▪ Other notable qualifications that would enable the primary and supporting counsel to fulfill the needs of the District

• Current work load for the proposed team members as it relates to the ability to perform this work to the planned project schedule.

Section 3. Scope of Work Understanding and Schedule (10 pages max)
The firm should clearly state its understanding of the objectives and scope of work. Do not simply repeat the scope of work provided in Appendix C. Instead, address the following areas in the proposal:

• Describe your firm’s approach to the work and how it will benefit Mesa Water®.
• Outline processes or steps that the consultant will take to ensure quality deliverables.

• Describe the type of training program offered by the firm and format (i.e. webinar, classroom training, customized training, conferences, etc.), the topics covered, and the frequency of these events.

• The contract for this engagement shall incorporate the scope of work defined in Appendix C. The firm may wish to include options and enhancements to the scope of work for Mesa Water’s consideration. Portions of the firm’s proposal may be considered for inclusion into the contract Scope of Work at Mesa Water’s discretion. The firm shall not be permitted to levy any service or other charges against Mesa Water®, other than those listed in Scope of Work, without being previously negotiated with Mesa Water®.

Appendix A of the Proposal: Resumes of Key Staff

Include resumes of key staff. Please indicate if a particular attorney will be the lead on Mesa Water® matters. Limit each resume to two (2) pages. Resumes are not included in overall page count.

Appendix B of the Proposal: Professional Services Agreement Acceptance Form

Include the signed Professional Services Agreement Acceptance Form from Appendix B of this RFP. Appendix B is not included in the overall page count.

D. Fee Proposal- Separate Sealed Envelope

Please Note: The Fee Proposal is to be kept separate from the proposal and submitted separately in a sealed envelope. The costs will be reviewed after the contents of the proposals are reviewed and rankings are determined.

A detailed breakdown of billing rates and expenses should be included in the proposal including: hourly rates by attorney classification (partner, principal, associate, etc.), transportation, administrative, overhead, incidentals, etc. and all other items that may be considered billable in the scope of work. The firm shall denote billable fractions of time, including minimum increments, if applicable. Specific hourly billing rates should be noted, if different, based on consultation and attendance at Board meetings (which may occur during the evenings/weekends), court attendance, administrative hearing attendance, etc. Provide training costs, if applicable, to support the firm’s response to #5 (Training Program) in the Scope of Work.

Affidavit of Non-collusion: As part of the response to the RFP, each firm and/or individual submitting a proposal shall include a signed and dated declaration
under the penalty of perjury attesting that this proposal is made without collusion with any other person, firm or corporation and that the only person or parties interested as principals are named therein. Further, the bidder shall attest that they have not offered any gratuities, favors, or anything of monetary value to any official, employee or agent of the District for the purpose of influencing consideration of this proposal.

End of Section
IV. Evaluation Criteria and Selection Process

A Selection Team will review, evaluate, and score the proposals. The scoring system will be based on a scale of 1 to 5 with 5 being the most favorable score. The Evaluation Team shall evaluate the proposals based upon the following weighted criteria:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firm and Staff Qualifications &amp; Experience</td>
<td>30%</td>
</tr>
<tr>
<td>Staff Availability</td>
<td>30%</td>
</tr>
<tr>
<td>Understanding of Scope of Work to be Performed</td>
<td>30%</td>
</tr>
<tr>
<td>Proposal Quality</td>
<td>10%</td>
</tr>
</tbody>
</table>

The Selection Team may select the proposal that clearly exceeds the others in all mandatory specifications of the RFP or they may select finalist proposals that meet specifications and whose score on evaluation factors is sufficiently high to merit further consideration by the Selection Team.

The Selection Team may conduct interviews with the most qualified and responsive firms. The consulting firms asked to participate in the interview process may be required to submit other information or clarification on submitted proposals.

If interviewed, each firm will be expected to respond to a series of questions posed by the Selection Team.

The Selection Team may ask for further clarification of the submitted cost prior to completing the selection rankings.

Mesa Water® reserves the right to reject any and all proposals for any reason. Mesa Water® may decide to not proceed, for any reason, with the selection process if Mesa Water® deems it is in the best interest of the organization. Mesa Water® shall not be responsible to any of the submitters for the cost to prepare their proposal in response to this RFP.

Proposals must include the entire scope of work as outlined in this RFP.

End of Section
Appendix A: Professional Services Contract
Appendix B: Professional Services Agreement Acceptance Form

Firm Name: ______________________________________________________________

Address: ______________________________________________________________________

City ________________________     State ________ Zip Code ______________

Telephone: __________________________

I have reviewed the RFP and Professional Services Agreement in their entirety. Our firm will execute the Professional Services Agreement with no exceptions.

Printed Name of Authorized Representative: ______________________________

Signature of Authorized Representative: ______________________________

Direct phone number: ____________________

Email: ______________________________

Date: _____________________________
Appendix C Scope of Work

Under the proposed agreement, Employment and Labor Law Legal Counsel will provide legal services which may include, but not limited to:

1. Advising and/or preparing documentation on the following areas:
   - Affordable Care Act
   - Audits
   - Compliance with:
     - Americans with Disabilities Act
     - California Occupational Safety and Health Administration
     - Fair Labor Standards Act
     - Family and Medical Leave Act
   - Employee benefits
   - Employment law
   - Health and disability
   - Investigations
   - Labor relations and negotiations
   - Records Retention
   - Recruitment and hiring
   - Reduction in force and separation agreements
   - Retirement (CalPERS)
   - Wage and hour
   - Workers’ Compensation

2. Reviewing, updating and/or preparing the following:
   - Contract documents
   - Employee policies and procedures for compliance with applicable laws
   - Employment agreements
   - Memoranda of Understanding
   - Ordinances and resolutions

3. Representation by initiating or defending litigation or administrative proceedings

4. Meeting and/or making presentations to the Board of Directors and staff or consultants on various topics
5. Training Program: Providing training to HR professionals, management and staff on employment-related topics such as: performance management, discipline, documentation, sexual harassment preventative training, etc.

6. Performing other legal services and tasks, as requested
<table>
<thead>
<tr>
<th>Name of Business:</th>
<th>Liebert Cassidy Whitmore</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business Address:</td>
<td>6033 W. Century Blvd., 5th Floor,</td>
</tr>
<tr>
<td></td>
<td>Los Angeles, CA 90045</td>
</tr>
<tr>
<td>Telephone Numbers:</td>
<td>(310) 981-2000</td>
</tr>
<tr>
<td>Email Address:</td>
<td><a href="mailto:info@lcwlegal.com">info@lcwlegal.com</a></td>
</tr>
<tr>
<td>Website Address:</td>
<td><a href="http://www.lcwlegal.com">www.lcwlegal.com</a></td>
</tr>
<tr>
<td>Federal Tax ID Number:</td>
<td>95-365-8973</td>
</tr>
<tr>
<td>Type of Business:</td>
<td>California Corporation</td>
</tr>
<tr>
<td>Number of Years in Business:</td>
<td>36</td>
</tr>
</tbody>
</table>
| Person(s) authorized to represent the Business: | Scott Tiedemann, President and Managing Partner  
|                           | Geoff Sheldon, Partner                        |
|                           | Elizabeth Arce, Partner                       |
|                           | Heather DeBlanc, Partner                      |
|                           | Gary Connally, Executive Director            |
|                           | Liebert Cassidy Whitmore                     |
|                           | 6033 W. Century Blvd., 5th Floor             |
|                           | Los Angeles, CA 90045                        |
|                           | (310) 981-2000                               |
| Person(s) authorized to sign contracts: | Same as above                               |
| Certificate of Insurance: | Enclosed                                     |
| Signed:                   | J. Scott Tiedemann                           |
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Section 1  Firm Qualifications

Liebert Cassidy Whitmore ("LCW") has represented a variety of public entities and non-profit organizations in all aspects of employment law and labor relations since 1980. We have been fortunate to work with District since 1998 and are proud that they are a member of our training consortium. We value our partnership with the District and welcome the opportunity to continue working together.

As you know, our firm takes a problem-solving, preventive law approach as legal counsel. We strive to assist our clients in avoiding liability through training, workshops and legal advice as matters arise. We are also, however, experienced in all aspects of hearings, arbitration and litigation up through jury trials if required. We are known throughout the state for the breadth and depth of our expertise in representing special districts, cities, counties, schools and school districts, county offices of education and community college districts.

We have offices in Los Angeles, San Francisco, Fresno, San Diego, and Sacramento and have 90 attorneys on staff. We are proud of the depth of experience, varied personalities, and diversity of skills our firm offers our clients. The attorneys with whom you will work are experts in and knowledgeable about public sector agencies and non-profit corporations. We regularly work with our clients to ensure that they have prompt, quality answers to their questions. We are a proactive firm and we believe in assisting our clients to avoid problems and disputes before they arise. Likewise we strive to minimize the costs to our clients.

Last year alone we were privileged to serve over 60% of California’s counties, over 50% of California’s cities, and well over 100 special districts. We bring this specialized insight and experience to all our clients.

A primary focus of our practice is to provide proactive advice to prevent our clients from becoming parties in an adversarial proceeding. We often accomplish this goal through advice and counsel, reviewing employee agreements, reviewing and revising Employee Handbooks and providing policy maintenance. We also have renowned training programs and provide customized training programs to address specific needs of our clients.

We do not see the role of legal counsel solely as a “lawyer.” Rather, we view it as trusted advisor and we work closely with clients to avoid their having to face legal problems in the first instance. When legal issues do arise, our attorneys explore practical and cost-sensitive alternatives to best serve the client's goals. We collaborate with our clients to couple best practices with the challenge at hand and work closely with appointed staff on all matters and maintain those relationships through continued contact. We often receive compliments regarding our client communication. We provide monthly newsletters and special bulletins to all of our clients, but we also look for and highlight items of interest for clients based on their specific goals and needs. The attorneys with whom you would work are an outstanding group dedicated to helping public entities succeed.
We serve public agencies on a full range of legal issues, including but not limited to:

- **Conflict of Interest and Open Government Laws**: Government Code section 1090; Political Reform Act; Brown Act, Public Records Act; and other Statutory and Constitutional Ethics Laws.

- **General Employee Relations and Disciplinary Actions**: HR Practices; Personnel Rules; Maintenance of Personnel Files; Employee Discipline; Skelly Hearings; Due Process Rights; Lubey Rights; and Weingarten Rights.

- **Federal and California Employment Discrimination, Harassment, Retaliation, and Civil Rights Laws**: Title VII of the Civil Rights Act of 1964; Age Discrimination in Employment Act (ADEA); Americans with Disabilities Act (ADA); Federal Civil Rights Acts ($ 1981 and $ 1983 claims); and the California Fair Employment and Housing Act (FEHA).

- **Leave of Absence Laws**: Family and Medical Care Leave Acts (FMLA); California Family Rights Act (CFRA); Pregnancy Disability Leave (PDL); Military Leaves of Absence (USERRA and California Military & Veterans Code); Workers’ Compensation; and other California Statutory Leaves of Absence (Jury Duty, Witness Leave, Domestic Violence Leave, Victims of Crime Leave, and School Activities Leave).

- **Federal and California Wage and Hour Laws**: We are the preeminent law firm providing Fair Labor Standards Act (FLSA) services to public employers in California and are active in legislative efforts to mitigate the harsh impact of the FLSA on public agencies. We provide our reference publication *The Fair Labor Standards Act: A Public Sector Compliance Guide* our training programs and our FLSA audits that identify compliance issues and recommend practical solutions.

- **Public Sector Labor Laws and Procedures**: The Meyers-Milias-Brown Act (MMBA) and labor relations procedures before the Public Employment Relations Board (PERB).

- **Public Employee Retirement/Pension Laws & Health Benefits**: Public Employees’ Retirement System (PERS); County Employees’ Retirement Act (“1937 Act”); and addressing service and disability retirements and eligibility for benefits under these programs. We also have a team of experts that addresses compliance with the Patient Protection and Affordable Care Act (ACA).

We have provided services similar to those being sought by the District to hundreds of public agencies throughout California. We provide the following references for the District. You are welcome to contact any of them.

Eileen Martin, Human Resources Manager
Tri-City Mental Health Services
1717 North Indian Hill Boulevard #B
Claremont, CA 91711
Phone: (909) 451-6427

Services provided: We have assisted Tri-City Mental Health Services with many items similar to those being sought by the District including personnel policy review and updating, advice and handling of grievances, termination appeals, discipline, investigations and workplace violence.
Gina Knight, Human Resources and Risk Manager  
Yorba Linda Water District  
PO Box 309  
Yorba Linda, CA 92885  
Phone: (714) 701-3032  
Email: gknight@ylwd.com

Services provided: We have assisted Yorba Linda Water District with a range of legal services over the years including labor and employment matters, negotiations, and advice and counsel.

Anita Jones, Human Resources Manager  
Coachella Valley Mosquito and Vector Control  
P.O. Box 2967  
Indio, CA 92202  
Phone: (760) 342-8287 ext. 222  
Email: Ajones@cvmvcd.org

Services provided: We have assisted Coachella Valley Mosquito and Vector Control District with many items over the years including general advice and representation on suspensions, terminations, negotiations, investigations and litigation. We have also provided advice on the Affordable Care Act and personnel issues.

Chris Theisen, General Manager  
Ventura Regional Sanitation District  
1001 Partridge Drive, Suite 150  
Ventura, CA 93003  
Phone: (805) 658-4600  
Email: christtheisen@vrsd.com

Services provided: We have provided Ventura Regional Sanitation District assistance as needed on matters ranging from investigations, discipline, negotiations, terminations, and OSHA appeal hearings.

We understand the District seeks contract counsel to assist in a myriad of labor and employment law matters as they arise. As the largest public sector labor and employment firm, Liebert Cassidy Whitmore is well suited to assist the District in these matters. Last year we provided similar legal services to more than 500 public agencies across the state. Public sector law is not part of our practice, it is our practice.

We bring our experience working with public entities across the state and couple it with our history of working with and understanding the District's goals, objectives and challenges to provide the District with cost effective, customized solutions that incorporate best practices.

In addition to the Mesa Water District, Liebert Cassidy Whitmore has provided legal services to the following public agencies in Orange County, some of which fall within the District's service area:
<table>
<thead>
<tr>
<th>Costa Mesa Sanitary District</th>
<th>City of La Habra</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orange County Cemetery District</td>
<td>City of Los Alamitos</td>
</tr>
<tr>
<td>Orange County Fire Authority</td>
<td>City of Newport Beach</td>
</tr>
<tr>
<td>Orange County Sanitation District</td>
<td>City of Orange</td>
</tr>
<tr>
<td>Moulton Niguel Water District</td>
<td>City of Placentia</td>
</tr>
<tr>
<td>South Coast Water District</td>
<td>City of Rancho Santa Margarita</td>
</tr>
<tr>
<td>Trabuco Canyon Water District</td>
<td>City of San Clemente</td>
</tr>
<tr>
<td>Yorba Linda Water District</td>
<td>City of San Juan Capistrano</td>
</tr>
<tr>
<td>City of Aliso Viejo</td>
<td>City of Seal Beach</td>
</tr>
<tr>
<td>City of Anaheim</td>
<td>City of Tustin</td>
</tr>
<tr>
<td>City of Brea</td>
<td>City of Westminster</td>
</tr>
<tr>
<td>City of Buena Park</td>
<td>County of Orange</td>
</tr>
<tr>
<td>City of Costa Mesa</td>
<td>Coast Community College District</td>
</tr>
<tr>
<td>City of Cypress</td>
<td>North Orange County Community College District</td>
</tr>
<tr>
<td>City of Fountain Valley</td>
<td>Rancho Santiago Community College District</td>
</tr>
<tr>
<td>City of Fullerton</td>
<td>South Orange County Community College District</td>
</tr>
<tr>
<td>City of Garden Grove</td>
<td>University of California, Irvine Police Department</td>
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<tr>
<td>City of Huntington Beach</td>
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<td>City of Irvine</td>
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<tr>
<td>City of Laguna Beach</td>
<td></td>
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<tr>
<td>City of Laguna Niguel</td>
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</tr>
</tbody>
</table>

There are no foreseeable conflicts. Since we focus our practice on the representation of public entities, this has not resulted in any conflicts with other public entities and there is no foreseeable or potential conflict of interest for us to represent the Mesa Water District. Our focused representation of public entities has allowed our clients to benefit from the work we have already completed on behalf of other public entities. We do, of course, conduct due diligence with each new matter/client by performing an extensive conflict check and if a potential conflict is discovered, we address it with both parties and determine the best course of action.

Since 2005 the firm has been sued twice for alleged malpractice. A 2005 lawsuit was subsequently withdrawn, and a lawsuit filed in 2006 was settled in 2008 for a nominal amount.

The firm offers a number of value-added services to benefit the District:

As a member of our Orange County Employment Relations Consortium (ERC), the District receives unlimited, complimentary telephone consultation on legal matters. This is a huge cost savings to the District and allows us to deepen our understanding of the District’s issues while providing guidance and best practices.
We also provide a monthly newsletter, *Client Update*, which reports a range of significant legal cases and updates important to public agencies. In addition to this monthly publication, we also make multiple up-to-the-minute legal articles available weekly on our firm’s blog which is accessible to all clients. We also issue *Special Bulletins* which are emailed to clients when urgent cases come out. These bulletins report on not only the facts, but also our recommendations and best practices.

We employ a Litigation Manager to aid our strong litigation infrastructure. Our Litigation Manager, an attorney with extensive employment law experience, works closely with the litigation team on compliance with litigation guidelines, budgeting and defense strategy. Her services help ensure that matters are handled effectively and efficiently from inception through resolution or trial, and our clients are *not* billed for this service. In addition, at regular intervals throughout the matter, a team of our litigators from across the firm convene to share resources, insights, and strategies about each case. This is a value-added component provided by LCW and again, clients are *not* billed for this resource.
Section 2  Staff Experience and Availability

We offer the District a dedicated team of attorneys, as well as access to our full bench of attorneys statewide, all of whom provided experienced advice and representation to the array of issues that might confront you. We propose the following District team of attorneys from our Los Angeles Office: Partners Geoff Sheldon, Elizabeth (Liz) Arce, Heather DeBlanc; Senior Counsel Adrianna Guzman; and Associates Oliver Yee, Jennifer Palagi and Amit Katzir. All are available to perform the request work. Geoff, Liz and Heather are all authorized Officers of the firm and can sign contracts on behalf of the firm.

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**Geoff Sheldon, Partner**

Geoff is one of the firm’s litigation experts and routinely represents employers in employment litigation and administrative hearings. The types of matters Geoff handles for firm clients (both employers and individually named defendants) include complex litigation (class and collective actions), arbitrations and like hearings (e.g., employee discipline hearings, grievance arbitrations, unfair practice charge hearings) and traditional single plaintiff lawsuits. The claims Geoff has successfully defended include alleged violations of the Fair Labor Standards Act, the California Labor Code, Title VII of the 1964 Civil Rights Act, the Fair Employment and Housing Act, the Americans with Disabilities Act, the Confidentiality of Medical Information Act, the Military and Veterans Code, the Uniformed Services Employment and Reemployment Rights Act, the California and United States Constitutions, and similar claims. Geoff’s track record of success is not limited to lawsuits as he has extensive experience handling writs, injunctions, and appeals at both the state and federal level.

While litigation is a focus of Geoff’s practice, he routinely provides advice and counsel to firm clients. For example, Geoff strategizes with and counsel’s firm clients on employee performance and discipline issues, absenteeism and employee leaves, fitness-for-duty and disability accommodations issues, etc. Geoff also assists firm clients in responding to DFEH and EEOC charges, Public Record Act requests and alleged Brown
Act violations, and he conducts internal investigations as well.

**Professional and Academic Achievements:** Geoff earned his Juris Doctorate from Southwestern Law School. He has been recognized by the *Daily Journal* as one of the State of California’s Top 75 labor and Employment lawyers for 2015.

**Date of Admission to the California Bar:** December 1996  
**Years of Practice:** 19.5  
**Years of Public Sector Law Practice:** Geoff represents special districts, cities and counties and has done so for 15 years.

Geoff’s resume is included in Appendix A. It includes sample representative matters ranging from administrative hearings to jury and bench trials.

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**Elizabeth Arce, Partner**

Liz is an accomplished advocate with experience litigating a wide array of labor and employment cases in state and federal trial and appellate courts. Liz has successfully represented employers in matters ranging from single plaintiff lawsuits to wage and hour class and collective actions. Her litigation experience includes numerous successful summary judgment motions, defeating class certification, and decertifying collective actions. Liz’s litigation practice also includes handling matters in arbitration and before administrative agencies where she has been effective at obtaining favorable results for the firm’s clients.

When she is not defending litigation matters, Liz advises employers on a wide range of diverse employment matters such as wage and hour, disability accommodations, public safety, employee discipline, disability retirements, and anti-discrimination, harassment and retaliation laws. At the center of her employment counseling practice is auditing employer policies and practices for compliance with wage and hour laws such as the Fair Labor Standards Act.

**Professional and Academic Achievements:** Liz earned her Juris Doctorate from St. John’s University School of Law.

**Date of Admission to the California Bar:** December 2001  
**Years of Practice:** 14.5  
**Years of Public Sector Law Practice:** Liz represents special districts, cities, counties and educational institutions and has done so for 9 years.

Liz’s resume is included in Appendix A. It includes sample representative
matters ranging from administrative hearings to jury and bench trials.

Heather DeBlanc, Partner
Heather has developed an expertise advising employers on the Patient Protection and Affordable Care Act (ACA), as well as other related healthcare laws. She leads a team of attorneys at LCW called the ACA Strike Team, which regularly assists clients with ACA compliance and training. In addition, Heather has prepared terms and conditions for website usage for district websites and has performed investigations relating to business procedures and whether employees followed public contracting requirements. Heather regularly practices in areas involving the Government Code, Public Contract Code, Business & Professions Code, and the Civil Code and has extensive litigation experience, including law and motion, depositions, and discovery.

Professional and Academic Achievements: Heather earned her Juris Doctorate from the Pepperdine University School of Law.

Date of Admission to the California Bar: December 1997
Years of Practice: 18.5
Years of Public Sector Law Practice: Heather represents special districts, cities, counties and educational institutions and has done so for 15.5 years.

Heather’s resume is included in Appendix A. It includes sample representative matters including administrative hearings and her work with the Affordable Care Act. Heather’s litigation experience is in the area of construction law and as such is not included in her labor and employment law resume.

Adrianna Guzman, Senior Counsel
Adrianna represents clients in employment litigation, administrative proceedings, arbitrations and negotiations. She regularly advises and represents clients in all aspects of employment and labor issues, including disciplinary and grievance hearings, unfair practice charges, layoffs, and discrimination and harassment litigation. She has extensive experience in representing agencies before the Public Employment Relations Board on such issues as unfair practice charges, representation issues, requests for injunctive relief, and impasse procedures. She has drafted more than 55 responses to unfair practice charges, and has been very successful in having charges dismissed or withdrawn before a complaint is issued.

Adrianna also represents agencies at the bargaining table. She handles all aspects of negotiations, including bargaining for a successor agreement, to impact bargaining associated with a layoff of personnel.
<table>
<thead>
<tr>
<th><strong>Professional and Academic Achievements:</strong> Adrianna earned her Juris Doctorate from University of California, Berkeley.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date of Admission to the California Bar:</strong> June 1997</td>
</tr>
<tr>
<td><strong>Years of Practice:</strong> 18.5</td>
</tr>
<tr>
<td><strong>Years of Public Sector Law Practice:</strong> Adrianna represents special districts, cities, counties and educational institutions and has done so for 18.5 years.</td>
</tr>
</tbody>
</table>

Adrianna’s resume is included in Appendix A. It includes sample representative matters ranging from administrative hearings to jury and bench trials. It also includes representative negotiation matters and matters before PERB.

<table>
<thead>
<tr>
<th><strong>Oliver Yee, Associate</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Oliver’s practice involves representing and advising clients on a variety of labor and employment issues including labor negotiations, personnel rules and policies, the Fair Labor Standards Act, laws and regulations of public employment retirement plans, unfair labor practices, employee grievances, leave and disability issues, and disciplinary actions.</td>
</tr>
</tbody>
</table>

Oliver has extensive experience in labor negotiations, having represented public agency clients as their chief negotiator in all aspects of the negotiations process, from the pre-negotiations planning phase up to and including impasse and fact finding. Oliver also has extensive experience in performing audits of public agency personnel rules, administrative policies and employee handbooks.

In addition, Oliver has successfully represented clients in class action matters involving the FLSA, and single plaintiff litigation employment matters in both state and federal court from inception through discovery, pre-trial proceedings, and settlement or trial. He has also successfully represented clients before the Public Employment Relations Board and on appeals involving CalPERS and disability retirement determinations.

<table>
<thead>
<tr>
<th><strong>Professional and Academic Achievements:</strong> Oliver earned his Juris Doctorate from Washington University School of Law, St. Louis. He has been recognized as a Southern California Super Lawyer Rising Star specifically in the area of labor and employment law for three consecutive years.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date of Admission to the California Bar:</strong> June 2005</td>
</tr>
<tr>
<td><strong>Years of Practice:</strong> 11</td>
</tr>
</tbody>
</table>
**Years of Public Sector Law Practice:** Oliver represents special districts, cities, counties and educational institutions and has done so for 9 years.

Oliver’s resume is included in Appendix A. It includes sample representative matters including his litigation and negotiation experience.

**Jennifer Palagi, Associate**
Jennifer provides representation to management in all aspects of labor and employment law including counseling and litigation involving discrimination, harassment, wrongful termination, employee discipline, whistleblower issues and state and federal wage and hour claims. Jennifer has demonstrated a record of success for the firm’s clients in handling law and motion, mediation, settlement and appeal matters.

**Professional and Academic Achievements:** Jennifer earned her Juris Doctorate from University of San Diego School of Law.

**Date of Admission to the California Bar:** December 2002
**Years of Practice:** 13.5
**Years of Public Sector Law Practice:** Jennifer represents special districts, cities, counties and educational institutions and has done so for 9.5 years.

Jennifer’s resume is included in Appendix A. It includes sample litigation representative matters.

**Amit Katzir, Associate**
Amit provides counsel and representation in various labor and employment matters. Amit assists clients in complying with federal and California healthcare, medical privacy, retirement, wage and hour, leave, and discrimination laws. He also advises on labor negotiations, employment policies and agreements, and disciplinary actions. In addition to his advisory work, Amit has successfully defended clients in disciplinary appeals.

**Professional and Academic Achievements:** Amit earned his Juris Doctorate from University of California, Los Angeles School of Law.

**Date of Admission to the California Bar:** December 2014
**Years of Practice:** 1.5
**Years of Public Sector Law Practice:** Amit represents special districts, cities, counties and educational institutions and has done so for 1.5 years.

Amit’s resume is included in Appendix A. It includes sample litigation representative matters.
Section 3    Scope of Work Understanding and Schedule

We currently provide similar services to public entities across the state as those listed in the District’s Scope of Work. In most cases we serve our clients on an as needed basis. We provide advice and counsel, document review and revision, training and litigation/administrative hearing representation daily in the areas of public sector employment and labor law. We bring our vast experience to aid the District efficiently and succinctly.

As stated previously, we have identified a team of attorneys to assist the District, but make our entire bench of attorneys available to it. The District could either work directly with the partner only, who would then delegate and supervise work as needed; or the District would be free to contact anyone on the team directly. In working directly with one of the partners (Geoff, Liz and Heather), the partner and District will determine the person best suited to assist the District in any particular matter; matching the assignment with the experience and availability of the team member.

We understand the need to manage the cost of legal services and frequently work with clients to create budgets and cost strategies that suit them. For our work with the District, a partner will oversee an associate in any work assigned. When possible we will utilize an associate or a paralegal to assist with matters so that the client can benefit from the lower billing rate. We are also aware that there are times that it is financially prudent for the client to have a higher billing partner complete a task than a lower billing associate due to the fact that the partner may be able to complete the task in less time than an associate. We do not waste our clients’ resources by letting an inexperienced, lower billing attorney “practice” on a client. Instead, we will pair the associate with a partner but only bill the client for one attorney. This allows our associate to learn without the client paying for that education.

The District’s work is very important to us and providing quality, responsive service is one of our founding principles. We would propose achieving this level of service in one or more of several ways - depending upon the approach that best meets the District’s needs. These include:

- **Providing “24-7” access to the District.** As a matter of regular practice we respond to calls swiftly. When the regular contact attorney knows he or she will not be available, a back-up plan is always in place so that clients can quickly reach an attorney with the expertise to address the situation.

- **Providing the “team” approach.** This is an approach that has allowed us to be both highly responsive and cost effective. This approach ensures timely assistance by an attorney with the necessary expertise, and assistance by an attorney that has developed a personal knowledge of the District’s practices, procedures and people.

- **Providing dedicated time for District matters.** We understand that our clients - in particular our special district clients - cannot predict when they will need legal assistance. Thus, it is our practice to be available to our clients whenever the need arises. However, some of our clients who require frequent assistance on numerous matters also request that a lead attorney block out a dedicated time one day a week or once every other week for that client. In these situations, the lead attorney either visits the District or makes every
effort to be available by phone during the designated time each week, and not to schedule other obligations during that time. However, the client is billed for the time only if it is utilized.

As a matter of course, we always have at least two attorneys familiar with each client. This team approach allows for a timely response to any issue that may arise. We respond to telephone calls the same day they are received. Additionally, there is always a partner available to respond to any immediate needs our clients have.

Because our practice is virtually limited to the representation of public agencies, we will ensure efficient and cost-effective service. We share briefs, motions, points and authorities, research memos and opinion letters so that we do not needlessly research issues and principles of law. Of course, we provide the most updated briefs and arguments in the course of our practicing efficiently and effectively.

A partner reviews all work done for the District to ensure quality.

In regards to the specific Scope of Work, we offer the following:

**Advising and/or preparing documentation**

All of the District’s proposed team members provide advice to public agencies on a daily basis. Attorneys in the firm, through their interaction with our public sector clients, are aware of the current issues confronting public agencies in California and are skilled at providing clear practical guidance on those issues quickly and effectively. As a result, our firm frequently provides public agencies with legal advice on a wide range of labor and employment law issues through formal opinion letters and policy reviews.

While all LCW attorneys practice employment and labor law, we have subject matter experts as well. For example, Geoff and Liz are recognized statewide for their work with the FLSA; Heather DeBlanc is a renowned expert in the area of the Affordable Care Act; Oliver Yee authors our Model Personnel Policy service and Adrianna Guzman leads the firm in success rate before PERB. These areas of sub-specialty benefit the District because we readily share information internally and consult openly with our colleagues. Where some firms have some attorneys who work in employment and labor law, all of our attorneys do so. With 90 attorneys in this area it allows us to have sub-specialty experts who can nimbly assist clients as the need arises.

**Reviewing, updating and/or preparing documents, agreements, procedures**

A regular part of our practice is the auditing of contracts, policies and documents for legal accuracy, best practices and agency goals and objectives. Our statewide work in this area allows us to issue spot quickly and efficiently.
**Litigation or administrative proceedings**

We have a litigation practice with a strong infrastructure and statewide practice. We take a problem-solving, preventive law approach; we proactively assist our clients to avoid liability through trainings, policy and procedure audits, and legal advice as matters arise. However, not all litigation can be prevented. When disputes rise to this level, LCW has the expertise to represent its clients in all administrative and judicial forums. Our attorneys have expertise in all aspects of litigation and administrative hearings, arbitrations and civil litigation, including all phases of litigation in both federal and state courts: pleading, discovery, motion practice, alternative dispute resolution, settlement and trial. Our particular expertise is the defense of public agencies in actions brought by employees, former employees, applicants or other individuals alleging employment related claims such as violations of: California Fair Employment and Housing Act (FEHA); Title VII of the Civil Rights Act of 1964; Age Discrimination in Employment Act (ADEA); Americans with Disabilities Act (ADA); Federal Civil Rights Acts (§ 1981 and § 1983 claims); Fair Labor Standards Act (FLSA); Meyers-Milias-Brown Act (MMBA); Family and Medical Care Leave Acts (FMLA/CFRA); wrongful termination; and violation of state and/or federal constitutional rights including due process, First Amendment, and privacy rights.

The Firm’s attorneys have handled many cases that have culminated in jury trials resulting in defense verdicts. These include claims for violation of constitutional rights; violation of the Age Discrimination in Employment Act; violation of the Fair Employment and Housing Act; reverse discrimination; sex discrimination; sexual harassment; national origin discrimination; intentional infliction of emotional distress and retaliation under both state and federal laws. We are most proud of our success at the pre-trial stage. We have won many cases at the initial pleading stage and through summary judgments.

A unique feature of our litigation practice is that we employ an internal Litigation Manager, an attorney with extensive trial court and case management experience, who works closely with litigation teams on compliance with litigation guidelines, budgeting, and defense strategy. Her services help ensure that matters are handled effectively and efficiently from inception through resolution or trial. Our clients are not billed for this service. In addition, at regular intervals throughout the matter, a team of our litigators from across the firm convene to share resources, insights, and strategies about each case. This is a value-added component provided by LCW and, again, clients are not billed for this resource.

At the outset of the litigation, LCW provides a detailed case analysis and plan outlining the initial case strategy, and communicates regularly with our clients on the execution of the plan. We also create a detailed budget for each phase of the litigation and review and update this budget at regular intervals and discuss any necessary changes with the client.

LCW carefully tracks and manages legal costs to ensure that our clients receive the most effective and cost-efficient representation. The firm employs the latest time-management software to ensure our attorneys are tracking and recording actual time spent on legal matters.
Partners of the firm and the firm’s Litigation Manager also review all billings on a monthly basis in order to ensure that the billings are appropriate and accurate and in line with the proposed budget.

The firm understands that court-ordered or voluntary alternative dispute resolution can play an important role in litigated matters. We have participated in hundreds of mediations and other forms of ADR and we work closely with our clients to evaluate settlement when it is aligned with the client’s goals.

**Meeting with or presenting to the Board of Directors and staff**

LCW provides extensive legal assistance and advice directly to, and tailored for, boards of directors. For example, we have designed a series of workshops designed specifically for Boards including: Board Efficacy, Brown Act, Public Records Act, Ethics, Board Role in Negotiations, and Participatory Governance. Additionally our service includes: meeting and advising boards as chief labor negotiator; assisting with the evaluation of; and contracting with, general managers; advising on Brown Act compliance; providing policy reviews/audits; providing risk/cost assessment when facing litigation; and providing opinion letters on board conflicts of interest. We also regularly assist districts in responding to requests for documents under the California Public Records Act. We provide advice and counsel regarding government tort claims, strategizing the timing and how best to respond to them. A regular service we provide is "scripting" talking points for board presidents when they have to preside over public hearings.

**Training Programs**

We are the state leader in the delivery of relevant, hands-on, practical training. Annually we present more than 800 presentations and it is rare to have a workday without one of our attorneys presenting somewhere in the state. Our goal is to help our clients need us less by building the internal skills and knowledge of district managers and staff. Our trainings include practical examples, hypotheticals, interactive exercises, templates and other tools designed to strengthen the skills of participants.

More than 750 agencies, including Mesa Water District, participate in our 33 Employment Relations Consortiums (ERCs) where as part of their membership we provide training to their employees throughout the year. As a member of the Orange County ERC, the District receives 12 half day group training workshops. These are all presented classroom style at a host agency’s location. The topics for the 2016 year include:

<table>
<thead>
<tr>
<th>Public Service: Understanding the Roles and Responsibilities of Public Employees</th>
<th>Preventing Workplace Harassment, Discrimination and Retaliation (presented twice)</th>
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<tbody>
<tr>
<td>Risk Management Skills for the First Line Supervisor</td>
<td>Maximizing Supervisory Skills for the First Line Supervisor (full day workshop)</td>
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<td>Navigating the Crossroads of</td>
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| Los Angeles | San Francisco | Fresno | San Diego | Sacramento |

| www.lcwlegal.com |

| Page 16 |
In addition to our consortium workshops, we regularly develop customized training for our clients, designed to address their specific needs and incorporating their unique policies, procedures, contracts and concerns. These are conducted classroom style at your location.

We have more than 50 topics that we can present at a moment’s notice. These topics cover the full gamut of labor and employment law including: supervision and performance management, risk management, investigations, harassment, discrimination, records management, FLSA, retirement, leaves, privacy, labor relations, negotiations, disability interactive process, ethics, and the public records act. Truthfully if there is a topic that falls under the auspices of labor and employment, we have probably provided training on it.

In addition to these programs, the firm offers webinars, seminars and conferences throughout the year on a variety of labor and employment topics. Recent topics have included FLSA in light of the Flores case, Affordable Care Act Academies, Factfinding, Addressing and Accommodating Mental Disabilities, and Mandated Ethic for Elected Officials.
Appendix A  Resumes of Key Staff:

Geoff Sheldon
Elizabeth Arce
Heather DeBlanc
Adrianna Guzman
Oliver Yee
Jennifer Palagi
Amit Katzir
Geoff is the Chair of the firm’s Public Safety Practice Group, and is a member of the firm’s Litigation Practice Group’s Executive Committee. As one of the firm’s litigation experts, Geoff routinely represents employers in employment litigation and administrative hearings. The types of matters Geoff handles for firm clients (both employers and individually named defendants) include complex litigation (class and collective actions), arbitrations and like hearings (e.g., employee discipline hearings, grievance arbitrations, unfair practice charge hearings) and traditional single plaintiff lawsuits. The claims Geoff has successfully defended include alleged violations of the Peace Officers Bill of Rights Act, the Firefighters Bill of Rights Act, the Fair Labor Standards Act, the California Labor Code, Title VII of the 1964 Civil Rights Act, the Fair Employment and Housing Act, the Americans with Disabilities Act, the Confidentiality of Medical Information Act, the Military and Veterans Code, the Uniformed Services Employment and Reemployment Rights Act, the California and United States Constitutions, and similar claims. Geoff’s track record of success is not limited to lawsuits as he has extensive experience handling writs, injunctions, and appeals at both the state and federal level.

While litigation is a focus of Geoff’s practice, he routinely provides advice and counsel to firm clients (both public safety and non-public safety). For example, Geoff strategizes with and counsels firm clients on employee performance and discipline issues, absenteeism and employee leaves, fitness-for-duty and disability accommodations issues, etc. Geoff also assists firm clients in responding to DFEH and EEOC charges, Public Record Act requests and alleged Brown Act violations, and he conducts internal investigations as well.

In addition to his work on behalf of our clients, Geoff co-authors the firm’s public safety monthly newsletters, Briefing Room and Fire Watch.

In June 2015, Geoff was named by the Los Angeles and San Francisco Daily Journal as one of the State of California’s Top 75 Labor and Employment lawyers. Geoff was also recognized as a “Rising Star” in the field of labor and employment law in Law & Politics Magazine (e.g., Los Angeles Magazine) for five straight years, i.e., from 2004-08.

Prior to joining Liebert Cassidy Whitmore, Geoff worked for a large litigation defense firm where he represented clients in products liability, tort and commercial litigation.

Education

JD, Southwestern Law School, Los Angeles
BA, University of Massachusetts at Amherst

Legal Expertise

<table>
<thead>
<tr>
<th>Class Action Litigation</th>
<th>Litigation Services</th>
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<tbody>
<tr>
<td>Employment Law</td>
<td>Public Safety</td>
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<tr>
<td>Investigations</td>
<td>Wage and Hour</td>
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Representative Matters

Administrative Hearings:

Police Officer v. City (2015) - Successfully prosecuted the dismissal of a peace officer for dishonesty. Officer had a history of absenteeism, and he requested a shift off using false pretenses. The officer attempted to blame his conduct on alcohol abuse and retained an expert to support his alleged defense, but City and its expert rebutted the defense.

Police Officer v. City (2015) - City prevailed in appeal by police officer who appealed her removal from a canine assignment.

Police Officer v. City (2014) - Prevailed in a police officer’s appeal of his dismissal for dishonesty on his application materials. The dishonesty related to involvement in a conspiracy to plant narcotics on suspects while working at another agency. The City’s Police Department conducted an internal investigation and terminated the officer. A neutral arbitrator sustained the termination and the City Manager adopted the arbitrator’s findings as his own. The City then prevailed after the officer challenged the termination in Superior Court.

Police Officer v. City (2014) - Successfully prosecuted termination of a police officer in a long running dispute involving excessive force and whether the officer was psychologically fit for duty.

Appellate:

Berndt et al v. City of Los Angeles et al. (2015) - Approximately 20 Police officers employed by the City of Los Angeles’ Police Department ("LAPD") filed a lawsuit in federal court alleging various wage and hour violations under the FLSA and provisions of the Labor Code. After the trial court granted the City’s motion to dismiss, the only remaining claims were allegations involving compensatory time off (CTO) for non-FLSA hours worked and paying overtime using a 40-hour overtime threshold for a seven-day period rather than the 171-hour overtime threshold for a 28-day period (also known as the 7(k) exemption). The City successfully moved for summary judgment on both FLSA claims, and the plaintiffs appealed. The Ninth Circuit affirmed the District Court’s decision and held that the FLSA regulations expressly permit employers to compensate employees with CTO for "non-FLSA" overtime, and the Ninth Circuit also agreed that the City properly established the 7(k) exemption and that the police officers did not present sufficient evidence to demonstrate that it did not apply to any of them individually.

County of Los Angeles v. LA County Employee Relations Commission, et al. (2015) - The firm successfully represented the County in a case where after entering into MOUs, two public safety unions filed "class" grievances on behalf of approximately 10,000 current or former employees seeking MOU overtime pay for "donning and doffing" activities and overtime for "off-the-clock" supervisory activities. The County and its Sheriff’s Department sued the Commission and the two unions for declaratory relief, injunctive relief and a writ of mandate. The unions, in turn, filed a cross-complaint seeking to litigate their members’ overtime claims in a class action venue in Superior Court. Ultimately, the Court of Appeal held that since the parties never contracted for "class" arbitration the only way the various overtime claims could be pursued was in individual arbitrations.

Litigation:

Biggers v. City of Indio (2015) - Prevailed for City in police officer’s petition for writ of administrative mandamus challenging his termination for dishonesty associated with false statements on his application materials.

Petersen Law Firm v. City of Los Angeles (2009 and 2013) - Represented City and individual defendants in action in which they prevailed on Anti-SLAPP motion in a case challenging investigation of police officers. After matter was appealed and remanded, the trial court reconsidered the City’s motion for attorney’s fees and ruled that the City was entitled to recover the entire amount of attorney’s fees and costs it requested.
Elizabeth Tom Arce  
Partner, Los Angeles Office  
earce@lcwlegal.com  
Tel: 310.981.2000  Fax: 310.337.0837  
California Bar Number: 216687; Admitted: December 2001

Liz is an accomplished advocate with experience litigating a wide array of labor and employment cases in state and federal trial and appellate courts. Liz has successfully represented employers in matters ranging from single plaintiff lawsuits to wage and hour class and collective actions. Her litigation experience includes numerous successful summary judgment motions, defeating class certification, and decertifying collective actions. Liz's litigation practice also includes handling matters in arbitration and before administrative agencies where she has been effective at obtaining favorable results for the firm's clients.

When she is not defending litigation matters, Liz advises employers on a wide range of diverse employment matters such as wage and hour, disability accommodations, public safety, employee discipline, disability retirements, and anti-discrimination, harassment and retaliation laws. At the center of her employment counseling practice is auditing employer policies and practices for compliance with wage and hour laws such as the Fair Labor Standards Act.

Liz is also a dynamic trainer who is motivated by her commitment to the firm's clients and her passion for employment law. She draws from her litigation experience during her presentations to educate and encourage employers to take preventative measures to reduce exposure to liability and costly litigation. In addition to presenting to the firm's consortiums, Liz also frequently speaks at regional, statewide and national conferences on a variety of employment related topics.

Liz is a contributing author to the firm's California Public Agency Labor & Employment Blog and co-authored Chapter 4 (Leaves of Absence) of the California Public Sector Employment Law practice guide (Matthew Bender 2011). Articles authored by Liz have also appeared in leading publications in the legal industry and for public employers.

Prior to joining Liebert Cassidy Whitmore, Liz was a litigator in the Los Angeles office of an international law firm where she represented businesses of all sizes in employment and commercial litigation matters.

Education

JD, St. John's University School of Law, Jamaica, New York  
BA, University of Southern California

Legal Expertise

<table>
<thead>
<tr>
<th>Class Action Litigation</th>
<th>Retirement, Health and Disability</th>
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<tbody>
<tr>
<td>Employment Law</td>
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<tr>
<td>Litigation Services</td>
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Administrative Hearings:

Employee v. Police Department (2014) - After 12 days of hearing, Arbitrator upheld decision to terminate police officer for neglect of duty and failure to follow the City's policies.

Employee v. City (2013) - Successfully defended the City's decision to deny police officer's application for an industrial disability retirement before an Administrative Law Judge of the Office of Administrative Hearings.

Employee v. Police Department (2013) - Arbitrator upheld decision to terminate police officer for dishonesty.

Employee v. Police Department (2012) - Hearing officer upheld three day suspension of police officer for sleeping on duty.

Litigation:

Plaintiff v. City (2015) - Obtained summary judgment on behalf of the City and several individual defendants in lawsuit alleging whistleblower and first amendment retaliation.

Buckley v. Los Angeles Civil Service Commission (2014) - Trial court denied deputy sheriff's petition for writ of mandate and upheld the County's termination of his employment for neglect of duty.

Association for Los Angeles Deputy Sheriffs, et al. v. County of Los Angeles, et al. (2012) - We represented the County in a FLSA collective action where the U.S. District Court granted several key motions filed by LCW on behalf of the County. The lawsuit involved the "donning and doffing" claims of approximately 3,000 deputy sheriffs in two different, yet consolidated, collective action lawsuits filed against the County and its Sheriff. The trial court also granted the County's motion to decertify the remaining "off-the-clock" work claims. The District Court's rulings effectively ended two large collective/class action lawsuits after several years of litigation.

Reed v. County of Orange (2010) - The firm successfully decertified a collective/class action consisting of over 600 OCSD deputy sheriffs. The deputies alleged that the County violated the FLSA by failing to properly compensate them for missed meal breaks, donning and doffing their uniforms, and other "off-the-clock" work. This case resulted in two published opinions in favor of the County, Reed v. County of Orange, 266 F.R.D. 446 (C.D. Cal. 2010) and Reed v. County of Orange, 716 F.Supp.2d 876 (C.D. Cal. 2010). LCW obtained summary judgment on the donning and doffing claims and decertified the collective action as to the remaining overtime claims. The case ultimately settled.

Publications

Stay Tuned For More Developments In GINA, Law360, August 2013

The Meaning of "Clothes" To Be Decided by U.S. Supreme Court, Employment Law360, April 2013

Lessons From Latest EEOC Pregnancy Discrimination Cases, Law360, November 2012

EEOC Lawsuits Are A Reminder To Employers To Comply With The American With Disabilities Act, California Public Employee Relations Program (CPER) Journal, June 2012

Recent EEOC Disability Discrimination Lawsuits Are A Reminder To Employers To Comply With The ADA, Law360, December 2011

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Heather DeBlanc
Partner, Los Angeles Office
hdeblanc@lcwlegal.com
Tel: 310.981.2028  Fax: 310.337.0837
California Bar Number: 190983; Admitted: December 1997

Heather practices employment, construction and business law, representing both public sector clients in litigation, alternative dispute resolution, and transactional matters. She has developed an expertise advising employers on the Patient Protection and Affordable Care Act (ACA), as well as other related healthcare laws.

Heather regularly advises clients on compliance with ACA, including the employer shared responsibility provisions, affordability, penalties, reporting and notice requirements, the 2018 excise tax, non-discrimination provisions, appeals procedures for challenging exchange subsidy determinations and IRS penalties. She closely follows this developing law and provides clients with assistance revising policies and procedures and adopting resolutions or plans to implement this new law. She advises on collective bargaining language and changes needed to existing eligibility provisions in line with the ACA. She regularly provides training to clients on best practices for compliance with ACA.

Heather also has more than a decade of experience in construction law, helping clients develop efficient and smooth running construction projects. She has represented public agency project owners as well as general and sub-contrators on public works projects - with a special emphasis on educational facilities. She has extensive experience litigating and advising school districts and other public agency project owners on payment and performance issues (including delay, disruption, acceleration, and change order disputes), surety issues (including payment, performance and license bonds), bidding, prequalification, stop notices, and warranty issues.

Heather has experience drafting bid documents and a variety of construction contracts (including surety takeover agreements and professional services agreements) and investigating projects during and after construction. She is adept at identifying and minimizing risk in construction contracts because of her familiarity with the construction process and successful litigation record.

Heather’s employment experience includes handling issues relating to hiring, terminations, layoffs, discrimination and harassment. She regularly handles administrative hearings related to disciplinary actions.

Education

JD, Pepperdine University School of Law
BA, University of California, Santa Barbara

Legal Expertise

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<tr>
<th>Affordable Care Act</th>
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<td>Litigation Services</td>
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Administrative Hearings:

*Employee v. City (2014)* - The City terminated a human resources analyst for doing her husband's homework on City time. The hearing officer upheld all of the factual allegations, but recommended suspension rather than termination. The City Manager upheld the termination. Employee filed a writ petition. Heather opposed the petition and conducted oral argument on behalf of the City. The writ was denied.

*Employee v. Community College District (2014)* - A classified employee brought a grievance that the district prematurely ended her light duty assignment. The District put her on leave when her light duty assignment ended at the time her temporary condition became permanent, pursuant to the terms of the CBA. She requested that the District restore extended sick leave and vacation hours she had used. The arbitrator denied the grievance in its entirety.

*Employee v. Community College District (2014)* - The District terminated a custodian because he was part of an operation where custodians were stealing books from the bookstore and selling them to students. The employee appealed. The hearing officer recommended that the appeal be denied.

*Employee v. City (2012)* - Employee, a Motor Coach Operator, was terminated for rear-ending a car on Lincoln Blvd. He also had several previous preventable and non-preventable accidents in the past. Employee was terminated to failure to practice defensive driving despite efforts at retraining. The hearing officer recommended that the termination be sustained. The Personnel Board upheld the termination.

*Employee v. City (2012)* - Employee was suspended for repeatedly failing to follow orders to conceal her pink, then purple hair. She was suspended for failure to follow the Department's grooming policy and insubordination. The Personnel Board upheld the suspension.

*City Police Officer Discipline Appeal Hearing (2012)* - In a police officer discipline appeal hearing handled by Heather DeBlanc of our Los Angles Office, a police department prevailed against a police officer who appealed his termination. The officer was terminated for purchasing human growth hormone and steroids in a parking lot without a prescription. The evidence supporting his termination was initially gathered as part of a separate criminal investigation of an officer from the police department. Text messages discovered during this separate criminal investigation evidenced that the officer was engaging in illegal drug transactions. During the internal affairs investigation, the officer failed to provide truthful information about the text messages, the transactions and his use of the performance enhancing drugs.

Affordable Care Act / Healthcare:

*Affordable Care Act (2014)* - Analyzed potential penalty exposure and developed comprehensive plan for City's compliance with ACA.

*Affordable Care Act (2014)* - Advised community college district and prepared comprehensive plan on options to comply with ACA relating to part-time faculty and temporary employees.

*COBRA (2014)* - Advised community college districts and cities on various COBRA issues including its intersection with the ACA.
Adrianna represents clients in employment litigation, administrative proceedings, arbitrations and negotiations. She regularly advises and represents clients in all aspects of employment and labor issues, including disciplinary and grievance hearings, unfair practice charges, layoffs, and discrimination and harassment litigation. She has extensive experience in representing agencies before the Public Employment Relations Board on such issues as unfair practice charges, representation issues, requests for injunctive relief, and impasse procedures. She has drafted more than 55 responses to unfair practice charges, and has been very successful in having charges dismissed or withdrawn before a complaint is issued.

Adrianna also represents agencies at the bargaining table. She handles all aspects of negotiations, including bargaining for a successor agreement, to impact bargaining associated with a layoff of personnel. Prior to joining Liebert Cassidy Whitmore, Adrianna represented public entities in employment litigation and disciplinary actions.

Education

JD, University of California, Berkeley, Boalt Hall School of Law
BA, California State University, Northridge

Legal Expertise

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<td>Public Safety</td>
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<td>Retirement, Health and Disability</td>
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Representative Matters

Appellate:

Glendale City Employees Association v. Public Employment Relations Board, City of Glendale (2014) - In an unpublished opinion, the Court of Appeal, Second District, affirmed trial court's decision sustaining demurrer to first amended petition.

Mendoza v. Julian (2007) - In an unpublished opinion, the California Court of Appeal, Fifth District, affirmed a peace officer's termination for insubordination.

Disciplinary Appeals:

Employee v. City of Santa Monica, Big Blue Bus (2012) - Personnel Board adopted hearing officer’s recommendation to uphold termination of bus driver for physically assaulting a drunk and belligerent passenger who had made numerous racial epithets at driver and spit on him.

Employee v. City of Santa Monica, Big Blue Bus (2012) - Personnel Board upheld termination of motor coach supervisor for violating City's harassment and email usage policy by sending inappropriate and offensive emails to
Adrianna E. Guzman

coworkers and subordinate employees.

Employee v. City of Santa Monica, Big Blue Bus (2012) - Personnel Board adopted hearing officer's recommendation to uphold termination of bus driver for physically assaulting a juvenile passenger who had made racial epithets at driver.

Litigation:

Police Officer v. City of Hawthorne (2014) - Court denied police officer’s petition for writ of mandate challenging his 15-day suspension for excessive use of force.

International Brotherhood of Electrical Workers, Local 18 v. Public Employment Relations Board, City of Glendale (2013) - Court sustained demurrer to first amended petition filed by employee organization challenging City’s refusal to appoint a panel member to a factfinding panel. Court agreed with City that factfinding request was untimely, and that employee organization had failed to exhaust administrative remedies.

Glendale City Employees Association v. Public Employees Relations Board (PERB) (City of Glendale, Real Party in Interest) (2012) - Court sustained demurrer to first amended petition filed by employee organization challenging PERB’s refusal to issue a complaint. Court agreed with City that it did not have jurisdiction because GCEA had not alleged facts showing that PERB’s refusal was based on erroneous statutory construction.

Highley v. City of Richmond (2009) - Court sustained demurrer as to all named defendants in race/sex harassment, discrimination and retaliation lawsuit filed by former employee, sustained demurrer to six causes of action on third amended complaint, and granted summary judgment as to sole remaining retaliation cause of action.

Hernandez v. City of Richmond (2008) - Court sustained City’s demurrer to first amended complaint filed by former employee who claimed wrongful termination and emotional distress.

Negotiations:

Conejo Recreation and Parks District - Service Employees International Union, Local 721.
City of Redlands - Miscellaneous units.
City of Glendale - Impact bargaining over layoffs involving miscellaneous unit (IBEW Local 18).
Mt. San Antonio Community College District - Classified Unit (CSEA 851).
City of South Pasadena - Fire Management Unit Negotiations.

PERB:

Los Angeles County Unions v. County of Los Angeles (2013) - PERB denied injunctive relief request filed by 11 County of Los Angeles unions and dismissed their consolidated unfair practice charges. PERB agreed with County that it lacked jurisdiction.

Union of American Physicians and Dentists v. County of Kern (2013) - Union alleged that the County had failed to exhaust impasse procedures, unilaterally imposed terms not reasonably comprehended within last, best and final offer, refused to participate in fact-finding, and refused and failed to provide information necessary and relevant to the Union's representational duties. Prior to the hearing, the Union withdrew its failure to provide information request. The ALJ dismissed the UPC following a one-day hearing. The ALJ found that the Union’s requests for fact-finding were untimely, and that the terms imposed were discussed during negotiations. The decision became final when the Union chose not to appeal the ALJ’s decision.

San Bernardino Public Employees Association v. City of Hesperia (2012) - PERB Regional Attorney dismissed unfair practice charge filed by SBPEA challenging the City’s severance of certain classifications from the bargaining unit represented by SBPEA.
T. Oliver Yee
Associate, Los Angeles Office
oyee@lcwlegal.com
Tel: 310.981.2044   Fax: 310.337.0837
California Bar Number: 237057; Admitted: June 2005

Oliver provides representation and legal counsel to Liebert Cassidy Whitmore’s city, county, special district, school and community college district, and public safety clients. His practice involves representing and advising clients on a variety of labor and employment issues including labor negotiations, personnel rules and policies, the Fair Labor Standards Act, laws and regulations of public employment retirement plans, unfair labor practices, employee grievances, leave and disability issues, and disciplinary actions.

Oliver has extensive experience in labor negotiations, having represented public agency clients as their chief negotiator in all aspects of the negotiations process, from the pre-negotiations planning phase up to and including impasse and fact finding. Oliver also has extensive experience in performing audits of public agency personnel rules, administrative policies and employee handbooks.

In addition, Oliver has successfully represented clients in class action matters involving the FLSA, and single plaintiff litigation employment matters in both state and federal court from inception through discovery, pre-trial proceedings, and settlement or trial. He has also successfully represented clients before the Public Employment Relations Board and on appeals involving CalPERS and disability retirement determinations.

Oliver is a prolific presenter in Liebert Cassidy Whitmore’s training program. He regularly trains governing bodies, managers, supervisors and human resources personnel. He also frequently presents at public sector conferences on relevant labor and employment topics.

In 2013, 2014 and 2015, Oliver was named a Southern California Super Lawyers Rising Star – Labor and Employment Law.

Education

JD, Washington University School of Law, St. Louis
MA, Washington University, St. Louis
BA, Washington University, St. Louis

Legal Expertise

<table>
<thead>
<tr>
<th>Class Action Litigation</th>
<th>Public Education Law</th>
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<td>Employment Law</td>
<td>Public Safety</td>
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<tr>
<td>Labor Relations and Negotiation Services</td>
<td>Retirement, Health and Disability</td>
</tr>
<tr>
<td>Litigation Services</td>
<td>Wage and Hour</td>
</tr>
</tbody>
</table>
T. Oliver Yee  
Representative Matters

Litigation:

Association for Los Angeles Deputy Sheriffs, et al. v. County of Los Angeles, et al. (2012) - Handled a Fair Labor Standards Act collective/class action case where the U.S. District Court granted a County law enforcement employer's summary judgment motion. The lawsuit involved the "donning and doffing" claims of approximately 3,000 deputy sheriffs in two different, yet consolidated, collective action lawsuits filed against the County and its Sheriff (collectively "the County"). The district court also granted the County's motion to decertify the remaining "off-the-clock" work claims. The district court's rulings effectively ended two large collective/class action lawsuits after several years of litigation.

Rosales v. County of Los Angeles (2011) - This FLSA collective action sought compensation for unreported overtime and certification of a class of 700 IHSS social workers who evaluated IHSS recipients' needs and made recommendations regarding the services to be performed by IHSS providers. We successfully defeated plaintiffs' attempt to certify the class and limited the case to just one social worker. The case then settled for nuisance value.

Petersen Law Firm v. City of Los Angeles (2009 and 2013) - Represented City and individual defendants in action in which they prevailed on Anti-SLAPP motion in a case challenging investigation of police officers. After matter was appealed and remanded, the trial court reconsidered the City's motion for attorney's fees and ruled that the City was entitled to recover the entire amount of attorney's fees and costs it requested.


Negotiations:

City of Redlands - Oliver served as chief negotiator during MOU negotiations, and successfully negotiated labor agreements between the City and its safety employee groups.

Orange County Cemetery District - Oliver served as chief negotiator during MOU negotiations, and successfully negotiated a labor agreement between the District and its miscellaneous employee unit.

City of La Verne - Oliver served as chief negotiator during MOU negotiations. He also represented the City in factfinding and impasse proceedings, which resulted in the implementation of terms and conditions of employment for a safety employee group.

City of Cudahy - Oliver served as chief negotiator during MOU negotiations with the City's miscellaneous employee unit.

City of Sierra Madre - Oliver has provided advice and counsel over the years during the City's MOU negotiations and in its labor relations with its employee groups.

Publications

Achieving Brown Act Success: What Are The Top Five "Dos And Don'ts" For Closed Session?, California Special Districts Association (CSDA), June 2015, with Mark Meyerhoff

Drug Use And The ADA — A Flexible Approach Prevails, Law360, June 2011

Are Your Layoffs Legal?, Los Angeles/San Francisco Daily Journal, February 2009, with Jeffrey C. Freedman
Jennifer Palagi
Associate, Los Angeles Office

jpalagi@lcwlegal.com
Tel: 310.981.2000  Fax: 310.337.0837
California Bar Number: 222536 ; Admitted: December 2002

Jennifer provides representation to management in all aspects of labor and employment law including counseling and litigation involving discrimination, harassment, wrongful termination, employee discipline, whistleblower issues and state and federal wage and hour claims. Jennifer has demonstrated a record of success for the firm’s clients in handling law and motion, mediation, settlement and appeal matters.

Prior to joining LCW, Jennifer worked in the area of employment law where she handled cases involving wrongful termination, sexual harassment, retaliation and breach of contract. She has experience with the Fair Employment and Housing Act, Labor Code, Government Code, federal discrimination laws and Title VII.

Education

JD, University of San Diego School of Law
BS, Rutgers University

Legal Expertise

<table>
<thead>
<tr>
<th>Class Action Litigation</th>
<th>Public Safety</th>
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<tbody>
<tr>
<td>Employment Law</td>
<td>Retirement, Health and Disability</td>
</tr>
<tr>
<td>Litigation Services</td>
<td>Wage and Hour</td>
</tr>
</tbody>
</table>
Representative Matters

Litigation:

Heath v. City of Desert Hot Springs, et al (2013) - Plaintiff, a police officer, brought suit to recover for alleged retaliation arising from her reporting of alleged excessive use of force by fellow police officers. The United States Central District Court granted defendants' motion to dismiss in its entirety, with prejudice as to the first two claims – the 42 U.S.C. § 1983/First Amendment free speech claims – and without prejudice as to five remaining state court claims.

Association for Los Angeles Deputy Sheriffs, et al v. County of Los Angeles, et al. (2012) - Handled a Fair Labor Standards Act collective/class action case where the U.S. District Court granted a County law enforcement employer's summary judgment motion. The lawsuit involved the "donning and doffing" claims of approximately 3,000 deputy sheriffs in two different, yet consolidated, collective action lawsuits filed against the County and its Sheriff (collectively "the County"). The district court also granted the County's motion to decertify the remaining "off-the-clock" work claims. The district court's rulings effectively ended two large collective/class action lawsuits after several years of litigation.

Awards

Selected for inclusion in Southern CA Rising Star, 2010

Publications

Your Employee Is On-Call, But Is Your Employee Working?, Law360, February 2015

Amit provides counsel and representation in various labor and employment matters. Amit assists clients in complying with federal and California healthcare, medical privacy, retirement, wage and hour, leave, and discrimination laws. He also advises on labor negotiations, employment policies and agreements, and disciplinary actions. In addition to his advisory work, Amit has successfully defended clients in disciplinary appeals.

Amit earned his BA from the University of California, Davis and his JD from UCLA School of Law. During law school, Amit served as Editor- In-Chief for the UCLA Pacific Basin Law Journal and was a judicial extern with the U.S Court of Appeals for the Ninth Circuit.

Education

JD, University of California, Los Angeles School of Law
MA, University of California, San Diego
BA, University of California, Davis

Legal Expertise

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<tr>
<td>Litigation Services</td>
<td>Retirement, Health and Disability</td>
</tr>
</tbody>
</table>

Representative Matters

*Police Officer v. City* (2016) – Personnel Board upheld suspension of a Police Officer for, among other things, arresting a bystander who had used a smartphone camera to film the Officer during a verbal exchange.

*Police Officer v. City* (2015) – Hearing officer upheld demotion of a Police Lieutenant to Police Officer for, among other things, inappropriate instant messaging between the Lieutenant and a subordinate employee.
Appendix B: Professional Services Agreement Acceptance Form

Firm Name: Liebert Cassidy Whitmore

Address: 4033 W. Century Blvd, Suite 520

City: Los Angeles State: CA Zip Code: 90045

Telephone: (310) 981-2000

I have reviewed the RFP and Professional Services Agreement in their entirety. Our firm will execute the Professional Services Agreement with no exceptions.

Printed Name of Authorized Representative: J. Scott Jiedemann

Signature of Authorized Representative:

Direct phone number: (310) 981-2000 ext. 2022

Email: stiedemann@lewlegal.com

Date: 8.2.16
CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFRMS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Narver Insurance
641 W. Las Tunas Drive
PO Box 1509
San Gabriel, CA 91778-1509
WESLEY HAMPTON HOUSE

INSURED
Liebert Cassidy Whitmore
8033 W. Century Blvd.
Los Angeles, CA 90045

INSURER(S) AFFORDING COVERAGE
INSURER A: Sentinel Insurance Company
INSURER B: Federal Insurance
INSURER C: Aspen Specialty Insurance
INSURER D: Colony Insurance Company

COVERAGES

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<td>AGGREGATE $2,000,000</td>
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<td>EL/EXPENSE - POLICY LIMIT $1,000,000</td>
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DESCRIPTION OF OPERATIONS/Locations/Vehicles (attach ACORD 191 Additional Remarks Schedule, if more space is required)
Certificate Holder is named as Additional Insured as respects attached General Liability Form $5 00 06 04 05, per written contract or agreement.

CERTIFICATE HOLDER
Mesa Water District
1965 Placentia Ave.
Costa Mesa, CA 92627

CANCELATION
MESAWAT

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2009/9)

Page 33
RECOMMENDATION

Approve a contract change order to Rutan & Tucker for special legal services for an amount not to exceed $40,000.

STRATEGIC PLAN

Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #7: Actively participate in regional water issues.

PRIOR BOARD ACTION/DISCUSSION

At the May 19, 2016 Board meeting, the Board concurred with the General Manager to retain Rutan & Tucker for an amount not to exceed $50,000 to provide special legal services for a special advisory measure.

DISCUSSION

Rutan & Tucker has provided special legal services to Mesa Water® in connection with Measure TT regarding a potential consolidation of Mesa Water District and Costa Mesa Sanitary District.

Staff recommends that the Board authorize a change order to Rutan & Tucker for special legal services for an amount not to exceed $40,000.

FINANCIAL IMPACT

In Fiscal Year 2017, $100,000 is budgeted in the Office of the General Manager’s Support Services budget account:

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<tr>
<th>Project Estimate Amounts</th>
<th>Project Cost Amounts</th>
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<tr>
<td>Initial Services Estimate (FY 2016)</td>
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<tr>
<td>Original Contracts</td>
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<tr>
<td>Requested funding (Change Order #1)</td>
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<tr>
<td>Revised Contracts</td>
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<td>Actual spent to date (FY2016)</td>
<td>$ 46,060</td>
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<tr>
<td>Revised Project Estimate</td>
<td>$ 90,000</td>
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ATTACHMENTS

None.
MEMORANDUM

TO: Board of Directors
FROM: Paul E. Shoenberger, P.E., General Manager
DATE: November 10, 2016
SUBJECT: Municipal Water District of Orange County Briefing

RECOMMENDATION

Receive the presentation.

STRATEGIC PLAN

Goal #1: Provide a safe and reliable water supply.
Goal #3: Be financially responsible and maintain competitive rates.
Goal #4: Increase public awareness about Mesa Water® and about water.

DISCUSSION

At the request of the Board of Directors, the Municipal Water District of Orange County (MWDOC) has presented briefings since 2003.

The following topics will be covered in MWDOC’s presentation:

- Rate Study
- Reliability Study
- MWD Allocation Study
- MWD Fixed Treatment Charge
- Existing South County Emergency Services Agreement
- Other

FINANCIAL IMPACT

None.

ATTACHMENTS

None.
MEMORANDUM

TO: Board of Directors
FROM: Coleen L. Monteleone, Assistant General Manager
DATE: November 10, 2016
SUBJECT: Amending Conflict of Interest Code

RECOMMENDATION

Adopt Resolution No. 1484, amending Mesa Water District’s Conflict of Interest Code and superseding Resolution No. 1453.

STRATEGIC PLAN

Goal #3: Be financially responsible and transparent.

PRIOR BOARD ACTION/DISCUSSION

Resolution No. 1453 was adopted by the Board of Directors on November 13, 2014.

LEGAL REVIEW

Staff worked with General Legal Counsel, Bowie, Arneson, Wiles, and Giannone on the proposed amendments to Mesa Water District’s Conflict of Interest Code (Mesa Water Code).

DISCUSSION

The Political Reform Act prohibits a public official from using his or her official position to influence a governmental decision in which he or she has a financial interest. Mesa Water District (Mesa Water®) must adopt a conflict of interest code that identifies all officials and employees within the District who make governmental decisions based on the positions they hold. The individuals in the designed positions must disclose their financial interests, as specified in the Mesa Water Code.

Over time, the structure of Mesa Water® will change because employees’ duties shift, positions are renamed or eliminated, and the organizational structure is modified. When the District makes these types of changes, the Mesa Water Code must be amended accordingly. To ensure the Mesa Water Code remains current and accurate, the District is required to review its Conflict of Interest Code every other year.

The amendments to the Mesa Water Code are as follows:

- Add new position Business Administrator
- Add new position External Affairs Manager
- Rename position title from Public and Government Affairs Manager to Public Affairs Manager
FINANCIAL IMPACT

None.

ATTACHMENTS

Attachment A: Draft Conflict of Interest Code Resolution No. 1484
Attachment B: Redline Conflict of Interest Code Resolution No. 1453
RESOLUTION NO. 1484

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING ITS CONFLICT OF INTEREST CODE AND
SUPERSEDING RESOLUTION NO. 1453

WHEREAS, the Mesa Water District ("Mesa Water®") is a county water district organized and operating according to California law; and

WHEREAS, the Political Reform Act of 1974, being California Government Code Section 81000 et seq. (the "Act"), requires a local government agency to adopt a Conflict of Interest Code pursuant to the Act; and

WHEREAS, the Board of Directors ("Board") of Mesa Water® has previously adopted Mesa Water’s Conflict of Interest Code ("Mesa Water Code") pursuant to the provisions of the Act; and

WHEREAS, the California Fair Political Practices Commission has adopted a regulation, being Title 2, California Code of Regulations, Section 18730, which contains terms for a standard model Conflict of Interest Code, which together with amendments thereto, may be adopted by public agencies and incorporated by reference to save public agencies time and money by minimizing the actions required of such agencies to keep their codes in conformity with the requirements of the Act; and

WHEREAS, amendments to the Act have in the past and foreseeably will in the future require conforming amendments to be made to the Mesa Water Code; and

WHEREAS, changes have occurred within the positions of Mesa Water® since the most recent adopted update to the Mesa Water Code undertaken by the adoption of Resolution No. 1453; and

WHEREAS, the Board has determined that it is appropriate to update and amend the Mesa Water Code by the adoption of this Resolution, which shall supersede Resolution No. 1453.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The terms of Title 2, California Code of Regulations, Section 18730 (Attachment A), and any amendments to it duly adopted by the California Fair Political Practices Commission, are hereby incorporated by reference and, together with Attachment A, and Exhibits A and B in which Board members and employees are designated and disclosure
categories are set forth, shall constitute the Conflict of Interest Code of
the Mesa Water District.

Section 2. The provisions of all Mesa Water Codes, and amendments and
updates thereto, previously adopted by Mesa Water® shall be
superseded upon the adoption of this Resolution.

Section 3. Mesa Water’s Filing Officer is hereby authorized and directed to
forward a copy of this Resolution to the Clerk of the Orange County
Board of Supervisors for review and approval by the Orange County
Board of Supervisors as required by California Government Code
Section 87303.

Section 4. Resolution No. 1453 shall be superseded upon the adoption of this
Resolution.

Section 5. This Resolution shall take effect upon adoption by the Board.

ADOPTED, SIGNED, and APPROVED this 10th day of November 2016, by a roll call
vote:

AYES: DIRECTORS:
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:

______________________________
Shawn Dewane
President, Board of Directors

______________________________
Coleen L. Monteleone
District Secretary
ATTACHMENT A

RESOLUTION NO. 1484

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING ITS CONFLICT OF INTEREST CODE AND
SUPERSEDING RESOLUTION NO. 1453

CONFLICT OF INTEREST CODE FOR THE
MESA WATER DISTRICT

The Political Reform Act, being California Government Code Sections 81000, et seq., requires State and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) which contains the terms of a standard Conflict of Interest Code, which may be incorporated by reference in an agency’s code. After a public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Mesa Water District (Mesa Water®).

Designated employees shall file statements of economic interests with Mesa Water's Political Reform Act Filing Officer (the District Secretary) who will make statements available for public inspection and reproduction (Government Code Section 82008). Upon receipt of the statements of the Board of Directors, General Manager, Assistant General Manager(s), and Attorney, the Filing Officer shall make and retain a copy and forward the original of these statements to the Clerk of the Orange County Board of Supervisors. Statements for all other designated employees will be retained by the Filing Officer.
EXHIBIT A

RESOLUTION NO. 1484

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING ITS CONFLICT OF INTEREST CODE
SUPERSEDED RESOLUTION NO. 1453

LIST OF DESIGNATED POSITIONS -
CONFLICT OF INTEREST CODE

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<thead>
<tr>
<th>Designated Positions</th>
<th>Disclosure Categories</th>
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<td>Director</td>
<td>OC-01</td>
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<tr>
<td>General Manager</td>
<td>OC-01</td>
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<td>Assistant General Manager</td>
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<td>Administrative Services Manager</td>
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<tr>
<td>Chief Financial Officer</td>
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<tr>
<td>Customer Services Manager</td>
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<td>District Engineer</td>
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<td>District Secretary</td>
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<td>Engineering and Operations Manager</td>
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<td>External Affairs Manager</td>
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<td>Financial Services Manager</td>
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<td>Public Affairs Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Water Operations Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Water Resources Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Assistant Operations Manager</td>
<td>OC-02</td>
</tr>
<tr>
<td>Business Administrator</td>
<td>OC-02</td>
</tr>
<tr>
<td>Water Operations Supervisor</td>
<td>OC-02</td>
</tr>
<tr>
<td>Water Quality and Compliance Supervisor</td>
<td>OC-02</td>
</tr>
<tr>
<td>Buyer</td>
<td>OC-05</td>
</tr>
<tr>
<td>Human Resources Supervisor</td>
<td>OC-11</td>
</tr>
<tr>
<td>Attorney</td>
<td>OC-01</td>
</tr>
<tr>
<td>Consultant</td>
<td>OC-30</td>
</tr>
</tbody>
</table>
EXHIBIT B

RESOLUTION NO. 1484

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING ITS CONFLICT OF INTEREST CODE AND
SUPERSEADING RESOLUTION NO. 1453

MESA WATER DISTRICT
DISCLOSURE CATEGORIES

<table>
<thead>
<tr>
<th>No.</th>
<th>Disclosure Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>OC-01</td>
<td>All interests in real property in Orange County or the District, as well as investments, business positions and sources of income (including gifts, loans and travel payments).</td>
</tr>
<tr>
<td>OC-02</td>
<td>All investments, business positions and sources of income (including gifts, loans and travel payments).</td>
</tr>
<tr>
<td>OC-05</td>
<td>All investments in, business positions with and income (including gifts, loans and travel payments) from sources that provide services, supplies, materials, machinery, equipment (including training and consulting services) used by this department or District.</td>
</tr>
<tr>
<td>OC-09</td>
<td>All interests in real property in Orange County, as well as investments in, business positions with and income (including gifts, loans and travel payments) from sources owning property in Orange County.</td>
</tr>
<tr>
<td>OC-11</td>
<td>All interests in real property in Orange County or located entirely or partly within district boundaries, as well as investments in, business positions with and income (including gifts, loans and travel payments) from sources that are engaged in the supply of equipment related to recruitment, employment search &amp; marketing, classification, training, or negotiation with personnel; employee benefits, and health and welfare benefits.</td>
</tr>
<tr>
<td>OC-30</td>
<td>Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation: The Department Head/Director/General Manager/ Superintendent/ etc. may determine that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure required. The determination of disclosure is a public record and shall be filed with the Form 700 and retained by the Filing Officer for public inspection.</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 14531484

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING ITS CONFLICT OF INTEREST CODE AND
SUPERSEDING RESOLUTION NO. 14241453

WHEREAS, the Mesa Water District ("Mesa Water®") is a county water district organized and operating according to California law; and

WHEREAS, the Political Reform Act of 1974, being California Government Code Section 81000 et seq. (the “Act”), requires a local government agency to adopt a Conflict of Interest Code pursuant to the Act; and

WHEREAS, the Board of Directors ("Board") of Mesa Water® has previously adopted Resolution No. 14241453, Mesa Water's Conflict of Interest Code ("Mesa Water Code") pursuant to the provisions of the Act and that Code now requires updating; and

WHEREAS, amendments to the Act have in the past and foreseeably will in the future require conforming amendments to be made to the Conflict of Interest Code; and

WHEREAS, the California Fair Political Practices Commission has adopted a regulation, being Title 2, California Code of Regulations, Section 18730, which contains terms for a standard model Conflict of Interest Code, which together with amendments thereto, may be adopted by public agencies and incorporated by reference to save public agencies time and money by minimizing the actions required of such agencies to keep their codes in conformity with the Political Reform requirements of the Act; and

WHEREAS, amendments to the Act have in the past and foreseeably will in the future require conforming amendments to be made to the Mesa Water Code; and

WHEREAS, changes have occurred within the positions of Mesa Water® since the most recent adopted update to the Mesa Water Code undertaken by the adoption of Resolution No. 1453; and

WHEREAS, the Board has determined that it is appropriate to update and amend the Mesa Water Code by the adoption of this Resolution, which shall supersede Resolution No. 1453.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MESA WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The terms of Title 2, California Code of Regulations, Section 18730 (Attachment A), and any amendments to it duly adopted by the California Fair Political Practices Commission, are hereby incorporated
by reference and, together with Attachment A, and Exhibits A and B in which Board members and employees are designated and disclosure categories are set forth, shall constitute the Conflict of Interest Code of the Mesa Water District.

Section 2. The provisions of all Mesa Water Conflict of Interest Codes, and Amendments and updates thereto, previously adopted by Mesa Water® the Mesa Water District and are hereby superseded upon the adoption of this Resolution.

Section 3. Mesa Water’s The Filing Officer is hereby authorized and directed to forward a copy of this Resolution to the Clerk of the Orange County Board of Supervisors for review and approval by the Orange County Board of Supervisors as required by California Government Code Section 87303.

Section 4. Resolution No. 1453 shall be superseded upon the adoption of this Resolution.

Section 5. This Resolution shall take effect upon adoption by the Board.

ADOPTED, SIGNED, and APPROVED this 10th day of November 2014, by a roll call vote:

AYES: DIRECTORS:
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:

________________________________________
James R. Fisler Shawn Dewane
President, Board of Directors

________________________________________
Coleen L. Monteleone
District Secretary
ATTACHMENT A

RESOLUTION NO. 14531484

RESOLUTION OF THE MESA WATER DISTRICT BOARD OF DIRECTORS AMENDING ITS CONFLICT OF INTEREST CODE AND SUPERSEDMING RESOLUTION NO. 14241453

CONFLICT OF INTEREST CODE FOR THE MESA WATER DISTRICT

The Political Reform Act, being California Government Code Sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730) which contains the terms of a standard Conflict of Interest Code, which may be incorporated by reference in an agency's code. After a public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the Conflict of Interest Code of the Mesa Water District (Mesa Water®).

Designated employees shall file statements of economic interests with Mesa Water's Political Reform Act Filing Officer (the District Secretary) who will make statements available for public inspection and reproduction (Government Code Section 82008). Upon receipt of the statements of the Board of Directors, General Manager, Assistant General Manager(s), and Attorney, the Filing Officer shall make and retain a copy and forward the original of these statements to the Clerk of the Orange County Board of Supervisors. Statements for all other designated employees will be retained by the Filing Officer.
EXHIBIT A

RESOLUTION NO. 14531484

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING ITS CONFLICT OF INTEREST CODE
SUPERSEDING RESOLUTION NO. 14241453

LIST OF DESIGNATED POSITIONS - CONFLICT OF INTEREST CODE

<table>
<thead>
<tr>
<th>Designated Positions</th>
<th>Disclosure Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Director</td>
<td>OC-01</td>
</tr>
<tr>
<td>General Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Assistant General Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Administrative Services Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Chief Financial Officer</td>
<td>OC-01</td>
</tr>
<tr>
<td>Customer Services Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>District Engineer</td>
<td>OC-01</td>
</tr>
<tr>
<td>District Secretary</td>
<td>OC-01</td>
</tr>
<tr>
<td>District Treasurer</td>
<td>OC-01</td>
</tr>
<tr>
<td>Engineering and Operations Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td><strong>External Affairs Manager</strong></td>
<td>OC-01</td>
</tr>
<tr>
<td>Financial Services Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Human Resources Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Public and Government Affairs Manager</td>
<td>OC-01</td>
</tr>
<tr>
<td>Water Operations Manager</td>
<td>OC-01</td>
</tr>
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EXHIBIT B

RESOLUTION NO. 14531484

RESOLUTION OF THE
MESA WATER DISTRICT BOARD OF DIRECTORS
AMENDING ITS CONFLICT OF INTEREST CODE AND
SUPERSEDING RESOLUTION NO. 14241453

MESA WATER DISTRICT
DISCLOSURE CATEGORIES

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</tr>
</tbody>
</table>
ACTION ITEMS:

13. CLOSED SESSION:

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE 54957.6:
District Negotiator: General Manager
Employee Organization: Represented Employees

CONFERENCE WITH LABOR NEGOTIATOR PURSUANT TO GOVERNMENT CODE 54957.6 -
District Negotiator: General Manager
Employee Organization: Non-Represented Employees

PURSUANT TO GOVERNMENT CODE SECTION 54957(b):
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Title: General Manager
RECOMMENDATION

Take action as the Board desires.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

DISCUSSION

This item has been agendized to provide the Board the opportunity to discuss the General Manager’s contract terms and conditions of employment, and take action if desired.

FINANCIAL IMPACT

There is no financial impact for the discussion of this item unless action is taken by the Board.

ATTACHMENTS

None.
MEMORANDUM

TO: Board of Directors
FROM: Paul E. Shoenberger, P.E.
DATE: November 10, 2016
SUBJECT: Terms and Conditions of Compensation and Benefits for Non-Represented Management Employees

RECOMMENDATION

Approve/modify the terms and conditions of employment for non-represented management employees.

STRATEGIC PLAN

Goal #1: Provide a safe, abundant, and reliable water supply.
Goal #2: Practice perpetual infrastructure renewal and improvement.
Goal #3: Be financially responsible and transparent.
Goal #4: Increase public awareness about Mesa Water® and about water.
Goal #5: Attract and retain skilled employees.
Goal #6: Provide outstanding customer service.
Goal #7: Actively participate in regional water issues.

DISCUSSION

This item has been agendized to provide the Board the opportunity to take action if desired to the terms and conditions of employment for non-represented management employees.

FINANCIAL IMPACT

There is no financial impact for the discussion of this item unless action is taken by the Board.

ATTACHMENTS

None.
REPORTS AND INFORMATION ITEMS:

16. REPORT OF THE GENERAL MANAGER:
   • October Key Indicators Report
   • Other (no enclosure)
**Goal #1: Provide a safe, abundant, and reliable water supply**

**FY 2017 Potable Production (Acre Feet)**

<table>
<thead>
<tr>
<th>Water Supply Source</th>
<th>FY 2017 YTD Actual (AF)</th>
<th>FY 2017 YTD Budget (AF)</th>
<th>FY 2017 Annual Budget (AF)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clear Water</td>
<td>3,418</td>
<td>4,110</td>
<td>12,690</td>
</tr>
<tr>
<td>Amber Water (MWRF)</td>
<td>2,853</td>
<td>1,915</td>
<td>4,241</td>
</tr>
<tr>
<td>Import</td>
<td>80</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>CPTP</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Production</strong></td>
<td><strong>6,350</strong></td>
<td><strong>6,025</strong></td>
<td><strong>16,931</strong></td>
</tr>
</tbody>
</table>

YTD actual water production (AF) through October 31, 2016

---

**Water Production by Source - 12 Month Trailing Percent of Acre Feet Produced**

[Graph showing water production by source from November to October, with Clear Water, Amber, CPTP, and Imported categories.

---

Page 1 of 7
## Goal #1: Provide a safe, abundant, and reliable water supply

**FY16 System Water Quality** – This data reflects samples taken in September

<table>
<thead>
<tr>
<th>Distribution System:</th>
<th>Average</th>
<th>Range</th>
<th>MCL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chlorine Residual (mg/L)</td>
<td>1.91</td>
<td>Current RAA = 1.81</td>
<td>4 RAA</td>
</tr>
<tr>
<td>Coliform Positive %</td>
<td>0</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Temperature (° F)</td>
<td>79.3</td>
<td>70 – 87</td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reservoir I &amp; II:</th>
<th>Average</th>
<th>Range</th>
<th>MCL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chlorine Residual (mg/L)</td>
<td>1.49</td>
<td>0.95 – 2.06</td>
<td>None</td>
</tr>
<tr>
<td>Monochloramine (mg/L)</td>
<td>1.38</td>
<td>0.86 – 1.96</td>
<td>None</td>
</tr>
<tr>
<td>Ammonia (mg/L)</td>
<td>0.36</td>
<td>0.19 – 0.52</td>
<td>None</td>
</tr>
<tr>
<td>Temperature (° F)</td>
<td>77.5</td>
<td>73 – 85</td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Wells (Treated):</th>
<th>Average</th>
<th>Range</th>
<th>MCL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chlorine Residual (mg/L)</td>
<td>2.47</td>
<td>2.14 – 2.79</td>
<td>None</td>
</tr>
<tr>
<td>Monochloramine (mg/L)</td>
<td>2.23</td>
<td>1.94 – 2.47</td>
<td>None</td>
</tr>
<tr>
<td>Ammonia (mg/L)</td>
<td>0.57</td>
<td>0.53 – 0.62</td>
<td>None</td>
</tr>
<tr>
<td>Temperature (° F)</td>
<td>74.9</td>
<td>69 – 83</td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>MWRF:</th>
<th>Average</th>
<th>Range</th>
<th>MCL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chlorine Residual (mg/L)</td>
<td>2.49</td>
<td>1.97 – 3.19</td>
<td>None</td>
</tr>
<tr>
<td>Monochloramine (mg/L)</td>
<td>2.39</td>
<td>1.78 – 3.21</td>
<td>None</td>
</tr>
<tr>
<td>Ammonia (mg/L)</td>
<td>0.60</td>
<td>0.42 – 0.74</td>
<td>None</td>
</tr>
<tr>
<td>Temperature (° F)</td>
<td>82.5</td>
<td>80 – 85</td>
<td>None</td>
</tr>
<tr>
<td>Color (CU) Compliance</td>
<td>ND</td>
<td>ND</td>
<td>15</td>
</tr>
<tr>
<td>Odor (TON) Compliance</td>
<td>2</td>
<td>2 – 2</td>
<td>3</td>
</tr>
</tbody>
</table>

**Water Quality Calls/Investigations:**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Calls</td>
<td>2</td>
</tr>
<tr>
<td>Total Investigations (from calls)</td>
<td>0</td>
</tr>
</tbody>
</table>
Goal #2: Practice perpetual infrastructure renewal and improvement

Revenues of Potable Water
(in thousands)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jun</td>
<td></td>
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</tr>
<tr>
<td>May</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Apr</td>
<td></td>
<td></td>
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<tr>
<td>Mar</td>
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<tr>
<td>Feb</td>
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<tr>
<td>Jan</td>
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<tr>
<td>Dec</td>
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<tr>
<td>Nov</td>
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<tr>
<td>Oct</td>
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<tr>
<td>Sep</td>
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</tr>
<tr>
<td>Aug</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Jul</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Actual</th>
<th>Budget</th>
<th>Difference</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total YTD $</td>
<td>9,249,000</td>
<td>8,774,947</td>
<td>474,053</td>
<td>5.40%</td>
</tr>
</tbody>
</table>
Goal #3: Be financially responsible and transparent
Goal #4: Increase public awareness about Mesa Water® and about water

### Web Site Information

<table>
<thead>
<tr>
<th>Web Site Information</th>
<th>September 2016</th>
<th>October 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visits to the web site</td>
<td>5,635</td>
<td>6,233</td>
</tr>
<tr>
<td>Unique visitors (First time to the site)</td>
<td>3,070</td>
<td>3,389</td>
</tr>
<tr>
<td>Average per day</td>
<td>187</td>
<td>201</td>
</tr>
<tr>
<td>Average visit length</td>
<td>2 minutes, 25 seconds</td>
<td>2 minutes, 30 seconds</td>
</tr>
<tr>
<td>Page visited most</td>
<td>Contact</td>
<td>Online Bill Pay</td>
</tr>
<tr>
<td>Second most visited page</td>
<td>Payment Options</td>
<td>About</td>
</tr>
<tr>
<td>Third most visited page</td>
<td>Board Meetings</td>
<td>Human Resources</td>
</tr>
<tr>
<td>Fourth most visited page</td>
<td>Rates &amp; Fees</td>
<td>Board</td>
</tr>
<tr>
<td>Fifth most visited page</td>
<td>Start and Stop Service</td>
<td>Board Meeting Packets</td>
</tr>
<tr>
<td>Most downloaded file</td>
<td>NEW Shaded Division Map</td>
<td>Shaded Division Map</td>
</tr>
<tr>
<td>Second most downloaded file</td>
<td>all-job-class-salary-range.pdf</td>
<td>October 13 Board Packet</td>
</tr>
<tr>
<td>Most active day of the week</td>
<td>Monday</td>
<td>Monday</td>
</tr>
<tr>
<td>Least active day of the week</td>
<td>Saturday</td>
<td>Saturday</td>
</tr>
</tbody>
</table>

**Total visits since June 1, 2002** 1,140,875

### Water Vending Machine Information

<table>
<thead>
<tr>
<th>Vending Machine Location</th>
<th>Vend Measurement</th>
<th>October 2016 Vends</th>
<th>Totals Vends</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mesa Water Office</td>
<td>1 gal</td>
<td>2,835</td>
<td>229,224</td>
</tr>
</tbody>
</table>
## Goal #5: Attract and retain skilled employees

<table>
<thead>
<tr>
<th>DEPARTMENT:</th>
<th>FY 2017</th>
<th>COMMENTS:</th>
</tr>
</thead>
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<tr>
<td><strong>OFFICE OF THE GENERAL MANAGER:</strong></td>
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<tr>
<td>Business Processes</td>
<td>1.00</td>
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<tr>
<td><strong>Subtotal</strong></td>
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<tr>
<td><strong>ADMINISTRATIVE SERVICES:</strong></td>
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<td>Administrative Services</td>
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<td><strong>Subtotal</strong></td>
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<td>7.50</td>
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<tr>
<td><strong>CUSTOMER SERVICES:</strong></td>
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<td>Information Technology Coordinator - vacant/using temporary assistance</td>
</tr>
<tr>
<td>Conservation</td>
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<td>1.00</td>
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<tr>
<td>Customer Service</td>
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<td>Information Technology</td>
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<td><strong>Subtotal</strong></td>
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<td>5.00</td>
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<tr>
<td><strong>EXTERNAL AFFAIRS:</strong></td>
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<td>Department Assistant - new position</td>
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<td>Legislative &amp; Governmental Affairs</td>
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<td>1.00</td>
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<td><strong>Subtotal</strong></td>
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<td>1.00</td>
</tr>
<tr>
<td><strong>FINANCIAL SERVICES:</strong></td>
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<td>Controller - vacant using temporary assistance</td>
</tr>
<tr>
<td>Financial Reporting/ Purchasing</td>
<td>4.00</td>
<td>3.00</td>
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<td>Accounting</td>
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<td><strong>Subtotal</strong></td>
<td>7.00</td>
<td>4.00</td>
</tr>
<tr>
<td><strong>PUBLIC AFFAIRS:</strong></td>
<td></td>
<td>Public Affairs Manager - vacant using temporary assistance</td>
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<tr>
<td>Outreach, Education &amp; Communications</td>
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<td>1.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>2.50</td>
<td>1.00</td>
</tr>
<tr>
<td><strong>WATER OPERATIONS:</strong></td>
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<td>Water Operations Coordinator- recruitment in process</td>
</tr>
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<td>Supervision/Support</td>
<td>6.00</td>
<td>5.00</td>
</tr>
<tr>
<td>Distribution</td>
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<td>10.00</td>
</tr>
<tr>
<td>Production</td>
<td>3.00</td>
<td>3.00</td>
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<tr>
<td>Water Quality</td>
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<td><strong>Subtotal</strong></td>
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<tr>
<td><strong>TOTAL BUDGETED POSITIONS:</strong></td>
<td>57.50</td>
<td>50.50</td>
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<tr>
<td><strong>INTERNS:</strong> (0.5 FTE = 1 Intern)</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>1.50</td>
<td>1.00</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>1.50</td>
<td>1.00</td>
</tr>
<tr>
<td><strong>TOTAL:</strong></td>
<td>59.00</td>
<td>51.50</td>
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Goal #6: Provide outstanding customer service

Customer Calls

<table>
<thead>
<tr>
<th>Call Type</th>
<th>FY17 YTD</th>
<th>October 2016</th>
<th>YTD Weekly Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Billing Question</td>
<td>936</td>
<td>168</td>
<td>55</td>
</tr>
<tr>
<td>Service Requests</td>
<td>692</td>
<td>198</td>
<td>41</td>
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<tr>
<td>High Bill</td>
<td>389</td>
<td>112</td>
<td>23</td>
</tr>
<tr>
<td>Payments</td>
<td>750</td>
<td>190</td>
<td>44</td>
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<tr>
<td>Late Fee</td>
<td>476</td>
<td>136</td>
<td>28</td>
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<tr>
<td>Account Maintenance</td>
<td>155</td>
<td>40</td>
<td>9</td>
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<tr>
<td>On-Line Bill Pay</td>
<td>520</td>
<td>128</td>
<td>31</td>
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<tr>
<td>Water Pressure</td>
<td>17</td>
<td>4</td>
<td>1</td>
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<tr>
<td>No Water</td>
<td>128</td>
<td>40</td>
<td>8</td>
</tr>
<tr>
<td>Conservation</td>
<td>333</td>
<td>24</td>
<td>20</td>
</tr>
<tr>
<td>Water Waste</td>
<td>43</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Other (District info. other utility info. etc.)</td>
<td>1590</td>
<td>324</td>
<td>94</td>
</tr>
<tr>
<td>Rate Increase</td>
<td>8</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Fluoridation</td>
<td>8</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>TOTAL CUSTOMER CALLS</td>
<td>6045</td>
<td>1368</td>
<td>356</td>
</tr>
<tr>
<td>AVERAGE ANSWER TIME (Seconds)</td>
<td>8</td>
<td>8</td>
<td>8</td>
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Online Bill Pay Customers

<table>
<thead>
<tr>
<th>Current Customers Enrolled</th>
<th>FY 2017 YTD</th>
<th>October 2016</th>
<th>YTD Weekly Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>11034</td>
<td>756</td>
<td>188</td>
<td>44</td>
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</tbody>
</table>
REPORTS AND INFORMATION ITEMS:

17. DIRECTORS' REPORTS AND COMMENTS:
DIRECTORS’ REPORTS (AB 1234) PER CA GOVERNMENT CODE SECTION 53232.3 (d)

In accordance with CA Government Code 53232.3 (d), the following report identifies the meetings for which Mesa Water Directors received expense reimbursement.

<table>
<thead>
<tr>
<th>Name</th>
<th>Meetings Attended</th>
</tr>
</thead>
<tbody>
<tr>
<td>James F. Atkinson</td>
<td>Reimbursement Date: Description, Date</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Fred R. Bockmiller, Jr., P.E.</td>
<td>Reimbursement Date: Description, Date</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Shawn Dewane</td>
<td>Reimbursement Date: Description, Date</td>
</tr>
<tr>
<td></td>
<td>10/24/16 CalDesal Meeting, 9/22</td>
</tr>
<tr>
<td></td>
<td>10/24/16 Meeting w/Congressman Rohrabacher, 10/4</td>
</tr>
<tr>
<td>James Fisler</td>
<td>Reimbursement Date: Description, Date</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
<tr>
<td>Ethan Temianka</td>
<td>Reimbursement Date: Description, Date</td>
</tr>
<tr>
<td></td>
<td>N/A</td>
</tr>
</tbody>
</table>
There are no support materials for this item.