

RESOLUTION NO. 2009-04
A RESOLUTION REQUESTING
EMPLOYMENT EXTENTION PER
Government Code Section 21221(h)

WHEREAS, Gilbert Tafoya, 5842. retired from the State of California in the position of Data Processing Manager III and CEA III salary, effective March 31, 2007 and,

WHEREAS, the Board of Directors of the Rio Linda/Elverta Community Water District (RLECWD) appointed Gilbert Tafoya to the position of Interim General Manager under Government Code section 21221(h) , a position to be deemed to be of limited duration and requiring specialized skills effective December 8, 2008.;

WHEREAS, Gilbert Tafoya is expected to reach his maximum of 960 hours on or about May 27, 2009;

WHEREAS, the District is facing significant organizational and fiscal challenges. The California Department of Public Health on November 19, 2007 issued Compliance order 01-09-07-CO-004 to the Rio Linda/Elverta Community Water District. The Compliance order documents findings of fact about the water source capacity and low pressure problems observed in the District, and includes nine directives to accurately characterize the problems, evaluate solution options and implement interim measures toward the complete resolution of the water source capacity and low pressure problems.

The California Department of Health issued compliance order 01-09-07-CO-004 also states that "On or after the date of this order, the District shall not add any new service connections to the system and shall not issue any 'will serve' letters to potential water users. The moratorium shall stay in effect until CDPH determines that the system has adequate facilities and capacity to provide a safe, wholesome, and potable supply of domestic water to users in the service area: and gives the District written notification that the moratorium has been lifted."

In accordance with the above mentioned Compliance order, the District's Board of Directors on March 9, 2009 approved the addition of Well #17 to meet source capacity demand during periods of high water demands for the eastside of the District. The Board also authorized the preparation of engineering bid plans specifications and CEQA documents for Well #15, Well #16, and Well #17. The installation of these three wells will provide the District with an adequate supply of safe and potable water to meet source capacity, pressure needs, and maximum day requirements of Compliance Order 01-09-07-CO-004.

On December 15, 2008, the Rio Linda/Elverta Community Water District's Public Accountant, Marcia Fritz & Company, formed a going concern opinion on the financial

September 14, 2009

statements of the Rio Linda/Elverta Community Water District. Marcia Fritz & Co. stated, "At this point our audit procedures have led us to conclude that there is substantial doubt about the District's ability to continue as a going concern for a reasonable period of time." and

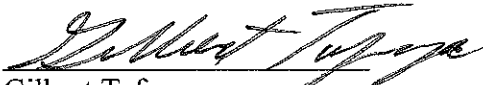
WHEREAS, Gilbert Tafoya has a Masters degree in Business Administration and a working understanding of the culture, rules, operations, and budget processes of Federal, State, County, Municipal Governments, and Special Districts; knowledge and experience of applying State, Federal and Local administrative laws and finding criteria to infrastructure projects, including all forms of competitive procurements from traditional, alternative, to performance based; over 23 years of experience and in depth knowledge of infrastructure funding and day to day management and "24X7" mission critical operations of small to very large complex process control infrastructures; Experience in industry best practices for project management, quality assurance, and budget development and managing multiyear revenue sources to support day to day operations and loan repayments for capital projects, and


BE IT THEREFORE RESOLVED unanimously, by the Board of Directors of the Rio Linda/Elverta Community Water District that the CalPERS Board of Administration be requested to approve an extension in accordance with Government Code section 21221(h) for the temporary employment of Gilbert Tafoya for an additional period of time of 960 hours, provided the total time worked will not exceed a total of 12 months.

APPROVED AND ADOPTED by the Board of Directors of the Rio Linda/Elverta Community Water District on this 14th day of September 2009.

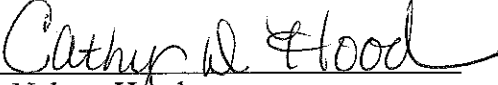
AYES, in favor hereof:
NOES:
ABSTAIN:
ABSENT:

Respectfully Submitted,

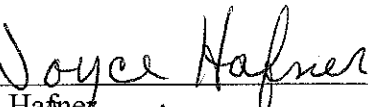

Gilbert Tafoya
Secretary to the Board


Mary R. Harris, President Bd. of Directors

Dated 9-14-2009

By 
Cathy Nelson-Hood

Dated 9-14-09

By 
Joyce Hafner
Dated Sept 14, 2009

September 14, 2009

By Belinda Paine
Belinda Paine
Dated September 14, 2009

By Vivien Spicer-Johnson
Vivien Spicer-Johnson
Dated Sept. 14, 2009

PUBLIC EMPLOYMENT CONTRACT INTERIM GENERAL MANAGER

THIS AGREEMENT is between the Rio Linda/Elverta Community Water District (District) and Gilbert Tafoya, a retiree. It is an interim agreement for a limited duration and is effective on December 8, 2008 and continues until December 7, 2009. It confirms the existing practice and intentions of the parties and has the effect of superseding all previous contracts.

RECITALS

WHEREAS, the District wishes to retain the services of Gilbert Tafoya, a retiree, as the Interim General Manager on a temporary basis pursuant to Government Code section 21221(h) for a maximum period of 1 year while it recruits for a permanent General Manager for the District; and

WHEREAS, Retiree desires to serve as the Interim General Manager of District pursuant to Section 30540 of the Water Code of the State of California; and

WHEREAS, the Board of Directors of District, as the appointing authority, and Retiree Gilbert Tafoya desires to set forth the terms and conditions of employment in writing.

AGREEMENT

NOW THEREFORE, DISTRICT AND RETIREE AGREE AS FOLLOWS:

- A. District hereby appoints Retiree to render services as the Interim General Manager for the District. Retiree shall perform the functions and duties specified in Water Code Section 30580 and chapter 2.10 of the District Policy manual. Retiree shall also perform such other legally permissible and proper duties and functions as the District Board may from time to time assign.
- B. Retiree shall perform his duties to the best of his ability in accordance with the highest professional and ethical standards of the profession and shall comply with all general rules and regulations established by the District Board.
- C. It is agreed that Retiree may engage in outside business activities during the period of time established in this contract, so long as the other activities do not interfere with Retiree's performance of his obligations under this agreement.
- D. Retiree shall establish working hours and shall devote sufficient time to the performance of his duties. Retiree shall have the authority to take personal leave and Retiree shall coordinate such leave with the president of the Board. The duties of Interim General Manager may require work outside normal office hours in order to conduct the affairs of the District. The parties recognize that the position is on a temporary basis while the Board recruits for a permanent General Manager of District.

- E. The District agrees to pay to retiree the sum of \$6,000.00 a month beginning on December 5, 2008. The District agrees to pay the sum of \$8,000.00 beginning on March 4, 2009 for the remaining period of time under the terms of this agreement. This sum shall be paid to a corporation entitled Global Technology Construction Inc. A 1099 form shall be issued to that corporation for the payments made.
- F. It is understood that the payment of the sum of \$8,000. is the entire compensation Retiree is entitled to receive. Since Mr. Tafoya is a retired annuitant, Mr. Tafoya does not receive medical insurance through the District.
- G. As a retired annuitant, Mr. Tafoya, does not accrue leave credits and does not have the right to accrue vacation pay, sick leave or administrative leave.
- H. Prior to the specified termination date, the agreement may be terminated by the District subject to 24 hours written notice. In such event, Retiree will be compensated for that portion of the month actually worked and paid severance pay in the amount of 2 months compensation.

GILBERT TAFOYA

By *Gilbert Tafoya*

Dated SEPTEMBER 14, 2009

RIO LINDA/ELVERTA COMMUNITY
WATER DISTRICT

By *Mary Harris*
Mary Harris President

Dated 9-14-2009

By *Cathy Nelson-Hood*
Cathy Nelson-Hood

Dated 9-14-2009

By *Joyce Hafner*
Joyce Hafner

Dated Sept 14, 2009

By *Belinda Paine*
Belinda Paine

Dated September 14, 2009

By *Vivien Spicer-Johnson*
Vivien Spicer-Johnson

Dated Sept. 14, 2009

RESOLUTION NO. 2009-03

**A RESOLUTION REQUESTING
EMPLOYMENT EXTENSION PER
Government Code Section 21221(h)**

WHEREAS, Gilbert Tafoya, 5842, Retired from the State of California in the position of Data Processing Manager III and CEA III salary, effective Marcy 31, 2007 and,

WHEREAS, the Board of Directors of the Rio Linda/Elverta Community Water District (RLECWD) appointed Gilbert Tafoya to the position of Interim General manager under Government Code section 21221(h), a position to be deemed to be of limited duration and requiring specialized skills effective December 8, 2008;

WHEREAS, Gilbert Tafoya is expected to reach his maximum of 960 hours on or about May 27, 2009 and,

WHEREAS, the District is facing significant organizational and fiscal challenges. The California Department of Public Health on November 19, 2007 issued Compliance order 01-09-07-CO-004 to the Rio Linda/Elverta Community Water District. The Compliance order documents findings of fact about the water source capacity and low pressure problems observed in the District, and includes nine directives to accurately characterize the problems, evaluate solution options and implement interim measures toward the complete resolution of the water source capacity and low pressure problems.

The California Department of Health issued Compliance order 01-09-07-CO-004 also states that “On or after the date of this order, the District shall not add any new service connections to the system and shall not issue any ‘will serve’ letters to potential water users. The moratorium shall stay in effect until CDPH determines that the system has adequate facilities and capacity to provide a safe, wholesome, and potable supply of domestic water to users in the service area: and gives the District written notification that the moratorium has been lifted.”

In accordance with the above mentioned Compliance order, the District’s Board of Directors on March 9, 2009 approved the addition of Well #17 to meet source capacity demand during periods of high water demands for the eastside of the District. The Board also authorized the preparation of engineering bid plans specifications and CEQA documents for Well #15, Well #16, and Well #17. The installation of these three wells will provide the District with an adequate supply of safe and potable water to meet source capacity, pressure needs, and maximum day requirements of Compliance Order 01-09-07-CO-004.

On December 15, 2008, the Rio Linda / Elverta Community Water District’s Public Accountant, Marcia Fritz & Company, formed a going concern opinion on the financial statements of the Rio Linda/Elverta Community Water District. Marcia Fritz & Co. stated,

“At this point our audit procedures have led us to conclude that there is substantial doubt about the District’s ability to continue as going concern for a reasonable period of time.” and

WHEREAS, Gilbert Tafoya has a Masters degree in Business Administration and a working understanding of the culture, rules, operations, and budget processes and experience of applying State, Federal and Local administrative laws and finding criteria to infrastructure projects, including all forms of competitive procurements from traditional, alternative, to performance based; over 23 years of experience and in depth knowledge of infrastructure funding and day to day management and “24X7” mission critical operations of small to very large complex process control infrastructures; experience in industry best practices for project management, quality assurance, and budget development and managing multiyear revenue sources to support day to day operations and loan repayments for capital projects, and

BE IT THEREFORE RESOLVED by the Board of Directors of the Rio Linda/Elverta Community Water District that the CalPERS Board of Administration be requested to approve an extension in accordance with Government Code section 21221(h) for the temporary employment of Gilbert Tafoya for an additional period of time of 960 hours, provided the total time worked will not exceed a total of 12 months.

ADOPTED, SIGNED AND APPROVED this 20th day of July, 2009 by the following vote:

- AYES, in favor hereof: (4-0-1) Harris, Nelson-Hood, Hafner, and Spicer-Johnson
- NOES: None
- ABSTAIN: None
- ABSENT: (1) Paine

Mary R. Harris,
President of the Board

Respectfully Submitted,

Cathy Nelson-Hood
Vice President

Gilbert Tafoya
Secretary to the Board

Belinda Paine, Board Member

Joyce Hafner, Board Member

Vivien Spicer-Johnson, Board Member

RESOLUTION REPEALED 7/20/2009 BY 2009-03

RESOLUTION NO. 2009-02

**A RESOLUTION REQUESTING EMPLOYMENT
EXTENTION PER GCS 21221(H)**

WHEREAS, Gilbert Tafoya, 5842, retired from the State of California in the position of Data Processing Manager III and CEA III salary, effective March 31, 2007 and,

WHEREAS, the Board of Directors of the Rio Linda / Elverta Community Water District (RLECWD) appointed Gilbert Tafoya to the position of Interim General Manager under Government Code section 21221(H), a position to be deemed to be of limited duration and requiring specialized skills, effective December 8, 2008 and extended General Manager appointment to March 27, 2009, and,

WHEREAS, Gilbert Tafoya is expected to reach his maximum of 960 hours this fiscal year on or about July 15, 2009 and,

WHEREAS, due to: The California Department of Public Health on November 19, 2007 issued Compliance Order 01-09-07-CO-004 to the Rio Linda/Elverta Community Water District. The Compliance Order documents finding of facts about the water source capacity and low-pressure problems observed in the District, and includes nine Directives to accurately characterize the problems, evaluate solution options, and implement interim measures towards the complete resolution of the water source capacity and low-pressure problems.

The California Department of Public Health issued Compliance Order 01-09-07-CO-004 also states that “On or after the date of this Order, the District shall not add any new service connections to the system and shall not issue any “will serve” letters to potential water users. This moratorium shall stay in effect until CDPH determines that the system has adequate facilities and capacity to provide a safe, wholesome, and potable supply of domestic water to users in the service area; and gives the District written notification that the moratorium has been lifted.”

In accordance with the above-mentioned Compliance Order, the District’s Board of Directors on March 9, 2009 approved the addition of Well #17 to meet source capacity demand during periods of high water demands for the Eastside of the District. The Board also authorized the preparation of engineering bid plans specifications and CEQA documents for Well #15, Well #16, and Well #17. The installation of these three wells, will provide the District’s with an adequate supply of safe and potable water to meet source capacity, pressure need, and maximum day requirements of Compliance Order 01-09-07-CO-004.

On December 15, 2008, the Rio Linda/Elverta Community Water District's Certified Public Accountant, Marcia Fritz & Company, formed a going concern opinion on the financial statements of the Rio Linda/Elverta Community Water District. Marcia Fritz & Company stated "At this point our audit procedures have led us to conclude that there is substantial doubt about the District's ability to continue as a going concern for a reasonable period of time." and,

WHEREAS, Gilbert Tafoya has a Master of Business Administration and a working understanding of the culture, rules, operations, and budget processes of Federal, State, County, Municipal Governments, and Special Districts; Knowledge and experience of applying State, Federal and Local administrative laws and funding criteria to infrastructure projects, including all forms of competitive procurements from traditional, alternative, to performance based; Over 23 years of experience and in-depth knowledge of infrastructure funding and day-to-day management and "24x7" mission critical operations of small to very large complex process control infrastructures; Experience in industry best practices for project management, quality assurance, and budgetary controls for successful infrastructure projects; and Experience in multiyear operational budget development and managing multiyear revenue sources to support day-to-day operations and loan repayments for capital projects. and,

BE IT THEREFORE RESOLVED by the Board of Directors of the Rio Linda / Elverta Community Water District that the CalPERS Board of Administration be requested to approve an extension in accordance with Government Code section 21221(H) for the temporary employment of Gilbert Tafoya for 2,080 additional hours or through March 27, 2010. An appointment made under this section of this subdivision may not exceed a total of 12 months.

ADOPTED, SIGNED AND APPROVED this 13 day of July, 2009

Mary R. Harris
President of the Board of Directors

ATTEST:

Gilbert Tafoya
Secretary of the Board of Directors

June 22, 2009

RESOLUTION NO. 2009-01

**A RESOLUTION DECLARING PARTICIPATION OF
THE RIO LINDA / ELVERTA COMMUNITY WATER DISTRICT
WITH AMERICA AT WORK, INC. IN APPLYING
FOR FEDERAL, STATE, LOCAL GOVERNMENT,
AND AGENCY CAPITAL GRANTS**

WHEREAS, the Rio Linda / Elverta Community Water District (RLECWD) is desirous to participate with America At Work, Inc. in applying Federal, State, Local Government, and Agency Capital Grants; and


WHEREAS, the RLECWD seeks an agreement with America At Work, Inc., a 501 (c) (3) nonprofit California Corporation, to submit applications for Federal, State, Local Government, and Agency Capital Grants; and

WHEREAS, the General Manager will identify capital projects that will satisfy the Federal Capital Grants requirements and America At Work, Inc. will write and submit applications to the Federal, State, Local Government, and Agency for Capital Improvement Grants,

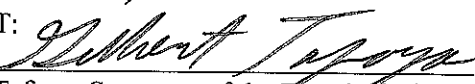
NOW, THEREFORE BE IT RESOLVED, the RLECWD will enter into an agreement with America At Work, Inc. to engage in submitting Federal, State, Local Government, and Capital Improvement Grants.

BE IT THEREFORE RESOLVED, that the Board authorizes the General Manager to participate with and enter into an agreement to culminate in the aforementioned activity.

ADOPTED, SIGNED AND APPROVED this 22nd day of June, 2009



Mary R. Harris
President of the Board of Directors

ATTEST: 

Gilbert Tafoya, Secretary of the Board of Directors