



RUNNING SPRINGS WATER DISTRICT
A MULTI-SERVICE INDEPENDENT SPECIAL DISTRICT

31242 Hilltop Boulevard • P.O. Box 2206
Running Springs, CA 92382

TO: BOARD OF DIRECTORS DATE POSTED: JUNE 28, 2022
RE: SPECIAL BOARD MEETING FROM: BOARD SECRETARY

A Special Meeting of the Board of Directors of the Running Springs Water District will be held on **Wednesday, June 29, 2022, at the hour of 10am** at the District Office located at 31242 Hilltop Boulevard, Running Springs, California. This agenda was posted prior to 10:00 am on June 28, 2022 at the Running Springs Water District Office and Website.

Pursuant to AB 361 and state and local recommendations of social distancing in response to the COVID-19 emergency, the meeting will be conducted as a hybrid (in-person and via Zoom) meeting. In-Person Public Participation: Members wishing to attend the meeting in-person should be prepared to wear a face covering.

To join the meeting:

<https://us02web.zoom.us/j/86868790525?pwd=g2l9Nl35fjNzzXV8TfPI9A4GK14Tqa.1>

Dial: 669-900-6833

Meeting ID: 868 6879 0525

Passcode: 2766

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Amie Crowder, Board Secretary at (909) 867-2766 at least 48 hours before the meeting, if possible.

Copies of documents provided to members of the Board for discussion in open session may be obtained from the District at the address indicated above.

AGENDA

1. Call Meeting to Order and Pledge of Allegiance
2. Recognize and Hear from Visitors / Public Comment
3. Discuss and provide direction to the General Manager on the retention of a recruitment firm for the Fire Chief position
4. Consider Adopting Resolution No. 13-22, Rescinding March 30, 2022 action related to Interim Fire Chief appointment on June 30, 2022 and ratify August 19, 2021 action appointing Interim Fire Chief Grabow until the regular full time Fire Chief begins employment
5. General Manager's Report

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6. Board Member Comments / Meetings

7. Meeting Adjournment

Upcoming Meetings: Regular Board Meeting, July 20, 2022 at 9:00 am

RESOLUTION NO. 13-22

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RUNNING SPRINGS WATER DISTRICT TO RESCIND MARCH 30, 2022 ACTION TO TERMINATE CHIEF GRABOW'S INTERIM APPOINTMENT ON JUNE 30, 2022 AND RATIFY AUGUST 19, 2021 ACTION TO APPOINT CHIEF GRABOW AS INTERIM FIRE CHIEF UNTIL THE REGULAR FIRE CHIEF BEGINS EMPLOYMENT

WHEREAS, on August 19, 2021, the Board of Directors approved, pursuant to minute order, the interim appointment of Anthony Grabow as Fire Chief pending the recruitment of a regular Fire Chief; and

WHEREAS, CalPERS Circular Letter 200-025-22, dated March 22, 2022, informed CalPERS employers that the COVID-19 waivers of certain working after retirement rules were set to expire effective April 1, 2022, including the waiver of the single appointment rule applicable to interim appointments; and

WHEREAS, with respect to the single appointment rule, Circular Letter 200-025-22, appeared to suggest that the extension of interim appointments past the April 1, 2022 expiration of the waivers had to be approved by the Board of Directors prior to April 1, 2022 and only if the appointment terminated no later than June 30, 2022; and

WHEREAS, out an abundance of caution, the Board of Directors took action on March 30, 2022, by minute order, to extend the appointment of Chief Grabow to June 30, 2022; and

WHEREAS, in consultation with CalPERS, it was recently determined that the March 30, 2022 extension was unnecessary because the August 19, 2021 appointment approved the interim appointment of Chief Grabow pending the recruitment of a regular appointment to the Fire Chief position; and

WHEREAS, a duration of the interim appointment tied to the successful recruitment and employment of a regular Fire Chief is critical as it ensures the continuity in leadership of a critical service even if the recruitment process takes longer than anticipated; and

WHEREAS, accordingly, the Board of Directors wishes to rescind the March 30, 2022 minute action to terminate Chief Grabow's interim appointment on June 30, 2022 and ratify the August 19, 2021 action to appoint Chief Grabow as interim Fire Chief until the regular Fire Chief begins employment subject to further clarification of the terms of such appointment as set forth below; and

WHEREAS, Government Code sections 7522.56 and 21221(h) permit the Running Springs Water District ("District") to appoint a California Public Employees' Retirement System ("CalPERS") retired annuitant to a vacant position requiring specialized skills during recruitment

for a regular appointment, and provides that such appointment will not subject the retired person to reinstatement from retirement or loss of benefits so long as it is a single appointment that does not exceed 960 hours in a fiscal year; and

WHEREAS, the Board of Directors appointed Anthony Grabow, a CalPERS retiree, as interim Fire Chief at its special meeting on August 19, 2021; and

WHEREAS, Anthony Grabow has significant experience in managing, directing and overseeing the operation of a fire department given his prior experience as the District's Fire Chief prior to his retirement on December 8, 2014; and

WHEREAS, an appointment under Government Code Section 21221(h) requires an active, publicly posted recruitment for a regular replacement; and

WHEREAS, the recruitment for a regular appointment is active and is publicly posted at <https://www.runningspringsfire.org/employment>; and

WHEREAS, given the challenges in the recruitment process to date, the District will be pursuing other efforts, including, but not limited to, the retention of a recruitment firm to assist in the recruitment of a Fire Chief; and

WHEREAS, this Section 21221(h) appointment shall only be made once and, therefore, will end on the date immediately preceding the date on which the regular replacement for the vacant position of Fire Chief commences his or her employment or, if earlier, the date that this appointment is terminated by the District or Anthony Grabow; and

WHEREAS, it is understood by the District and Anthony Grabow that the combined total hours to be served by Anthony Grabow in any fiscal year, for all retired annuitant positions with any CalPERS employers, shall not exceed the 960-hour limitation set forth in California Government Code sections 7522.56(d) and 21221(h), unless an exception applies; and

WHEREAS, the compensation paid to retired annuitants cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal an hourly rate; and

WHEREAS, the minimum hourly rate for the Fire Chief position is \$68.63 and the maximum hourly rate for this position is \$75.75; and

WHEREAS, the hourly rate that has been and will continue to be paid to Anthony Grabow is \$72.10, subject to any cost of living adjustments as reflected in any publicly approved pay schedule; and

WHEREAS, Anthony Grabow has not and will not receive any other benefits, incentives, compensation in lieu of benefit or any other form of compensation in addition to this hourly pay rate.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE RUNNING SPRINGS WATER DISTRICT RESOLVES AS FOLLOWS:

SECTION 1. All facts set forth in the background section of this Resolution are true and correct.

SECTION 2. The Board of Directors hereby rescinds the March 30, 2022 action taken by minute order to terminate Anthony Grabow's interim Fire Chief appointment on June 30, 2022;

SECTION 3. The Board of Directors hereby ratifies the August 19, 2021 action taken by minute order to appoint Anthony Grabow as interim Fire Chief until the regular Fire Chief begins employment subject to the further clarification of the terms of such appointment as set forth above.

SECTION 4. The General Manager is hereby authorized to execute an employment agreement, or an amendment thereto, between the District and Anthony Grabow on behalf of the District, that conforms to the preceding resolutions.

PASSED, APPROVED AND ADOPTED at a special meeting of the Board of Directors of the Running Springs Water District, on this 29th day of June, 2022.

Ayes:

Noes:

Abstentions:

Absent:

President, Board of Directors
Running Springs Water District

ATTEST:

Secretary of the Board of Directors
Running Springs Water District