

**AMADOR WATER AGENCY
Board of Directors
Regular Meeting**

December 10, 2015

MINUTES

Directors Present: Rich Farrington, President
Robert Manassero, Vice President
Paul Molinelli
Gary Thomas
Art Toy

Directors Absent: None

Staff Present: Gene Mancebo, General Manager
Josh Horowitz, Agency Counsel
Cris Thompson, Assistant General Manager
Damon Wyckoff, Operations Manager

CALL TO ORDER- President Farrington called the meeting to order at 9:00 a.m.

ADDITIONS TO THE AGENDA – None

PUBLIC COMMENT- None

CONSENT AGENDA: (0:54:00- 01:16)

MOTION: It was moved by Director Thomas, seconded by Director Toy, and unanimously carried to approve the consent agenda as presented: Regular Board Meeting Minutes of November 12, 2015, Special Board Meeting Minutes of December 3, 2015 and Accounts Payable for October, 2015.

DEPARTMENT REPORTS (01:27- 9:48)

Administration/Finance
Operations

AGENCY GENERAL (9:54- 13:03)

Selection of Board Officers for 2016

MOTION: It was moved by Director Molinelli, seconded by Director Toy and unanimously carried to nominate Director Manassero as President and Director Thomas as Vice President, Gene Mancebo as Secretary and Cris Thompson as Clerk of the Board.

President Manassero proceeded to Chair the meeting.

Board Calendar (19:34- 20:04)

Approval of the 2016 Board Calendar

MOTION: It was moved by Director Thomas, seconded by Director Farrington, and unanimously carried to approve the 2016 Board Calendar.

2016 Committee Assignments (20:11- 35:20)

Discussion and approval of the revised draft Committee Assignments for 2016.

Public Comment:

Terry Strange, CCWD

MOTION: It was moved by Director Farrington, seconded by Director Thomas, and unanimously carried to approve the revised draft Committee Assignments for 2016.

WATER SYSTEMS (35:52- 47:30)

Water Conservation Monitoring Status Report

Update regarding Water Conservation Efforts.

AGENCY PROJECT UPDATES (47:38- 1:09:40)

ACWA CONFERENCE (1:09:47- 1:31:50)

Report on attendance by General Manager Gene Mancebo.

RECESS was called at 10:34 a.m. SESSION resumed at 10:51 a.m.

LEGAL COUNSEL'S REPORT (1:32:06- 2:00:43)

Legal Counsel provided a report on legislative and other legal matters

COMMITTEE REPORTS AND DIRECTOR COMMENTS (2:00:44- 2:03:28)

Personnel Committee (11-16-15)

Community Outreach Committee (11-19-15)

Budget and Finance Committee (11-19-15)

FUTURE AGENDA TOPICS (2:09:19- 2:15:50)

UMRWA/EBMUD proactive forest management

Strategic Plan

JVID Water

Water sales outside the County

Regular Board Meeting

December 10, 2015

Page 2

CLOSED SESSION was called at 11:35 a.m.

A. Conference with legal counsel--anticipated litigation; Government Code sections 54954.5(c) and 54956.9(a) and (d)(2) and (3); significant exposure to litigation involving claims related to Sierra Mountain Construction Inc.'s performance of the AWA Gravity Supply Line Project.

OPEN SESSION resumed at 12:04 p.m.

Report from Closed Session: **(2:15:55- 2:17:35)**

The Board has discussed and approved an agreement entitled Exit and Demobilization Agreement among Amador Water Agency, Sierra Mountain Construction, Inc., and Fidelity Deposit Company of Maryland. Fidelity is the surety for SMCI. The exit agreement provides that SMCI will disengage and demobilize from the Gravity Supply Line Project, and will turn it over to the Agency to be completed. The Agency and SMCI have had a number of disagreements about the conduct of the project, and they have asserted a number of claims between one another. A decision was mutually reached that it would be in the best interests of both parties to disengage and to engage in a separate dispute resolution process. This agreement is intended to accomplish those goals. With the Board's unanimous approval for the President to sign the agreement, all parties will have signed the agreement and it therefore will become a document available for public inspection upon request.

GRAVITY SUPPLY LINE PROJECT (2:17:41- 2:22:32)

Discussion and possible action to approve a finding that work to complete the GSL Project is exempt from public bidding requirements under *Graydon v. Pasadena Redevelopment District* and authorizing staff to award contract for that work.

MOTION: It was moved by Director Farrington, seconded by Director Molinelli, and unanimously carried to approve a finding that work to complete the relocation of the intake structure and possibly the remaining electrical work for the GSL Project is exempt from public bidding requirements under *Graydon v. Pasadena Redevelopment District* and authorizing staff to award contract for that work.

ADJOURNMENT

President Manassero adjourned the meeting at 12:11 p.m.



Cris Thompson
Clerk of the Board of Directors

Approved: 1-14-16