Please Note: Members of the public will have the opportunity to directly address the Agency Board of Directors concerning any item listed on the Agenda below before or during consideration of that item. There is a three minute time limit per person.

In order to better accommodate members of the public, specific times above for Agenda Items will be heard at the specified time or soon thereafter. Agenda Items without specific times may be rearranged to accommodate the Board's schedule.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ADDITIONS TO AGENDA
   a. Items added to the agenda must be approved by the Board pursuant to Government Code Section 54954.2.

3. PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA
   A. Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of Amador Water Agency; however, any matter that requires action will be referred to Staff for a report and action at a subsequent Board meeting. Please note there is a three (3) minute time limit per person.

4. CONSENT AGENDA
   Items listed on the consent agenda (see attached) are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

5. AGENCY GENERAL
   A. Amador County Assessor
      1. Update from Jim Rooney, Amador County Assessor

   B. Administrative Policy Manual Revisions
      1. Discussion and possible action to adopt Resolution No.2016-16 adopting revisions to the Agency's Water Code Sections 2.19 and 2.20-Water Conservation

   C. Water Code Amendments
      1. Adoption of Ordinance 2016-02, concerning amendments to the Amador Water
6. AWA WATER SYSTEMS
   A. Public Workshop- Community Development Block Grant-Pioneer

7. PROJECT UPDATES

8. COMMITTEE REPORTS

9. MANAGER’S REPORTS
   General discussion of various items in progress within each area of responsibility. This is for informational and communication purposes. Discussion only, no formal action will be taken. Any matter requiring action will be placed on an upcoming agenda for consideration.

10. BOARD OF DIRECTOR DISTRICT REPORTS - The Board Members may report on various activities, meetings, etc. that they have been involved in. Discussion only, no formal action will be taken. Any matter requiring action will be placed on an upcoming agenda for consideration.

11. FUTURE AGENDA TOPICS - This item is to provide the Board Members an opportunity to request items to be placed on future agendas.

12. CLOSED SESSION
   A. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Pending Litigation- Amador Water Agency v. Lazy Creek Family Trust, et al. (Amador Superior Court Case No. 15-CV-9203).

   B. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and (d)(1) - Existing Litigation- Kenneth Perano and Ken Berry v. Amador Water Agency (Amador Superior Court Case No. 12-CV-7718)

13. ADJOURNMENT
AMADOR WATER AGENCY
CONSENT AGENDA
July 28, 2016

Items listed on the consent agenda are considered routine and may be enacted by one motion. Any item may be removed for discussion and made a part of the regular agenda at the request of a Board member(s).

1. MINUTES
   A. Approval of minutes of the Regular Board Meeting of July 14, 2016
   B. Approval of minutes of the Special Board Meeting of July 20, 2016

2. MISCELLANEOUS APPROVALS
   A. Approval of Accounts Payable for June, 2016

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Cris Thompson at (209) 223-3018 or (209) 257-5281 (fax). Requests must be made as early as possible, and at least two-full business days before the start of the meeting.

Documents and materials relating to an open session agenda item that are provided to the Amador Water Agency Board of Directors less than 72 hours prior to a regular meeting will be available for public inspection and copying at 12800 Ridge Rd, Sutter Creek CA 95685
CALL TO ORDER- President Manassero called the meeting to order at 9:00 a.m.

INTRODUCTION OF NEW EMPLOYEE- Jeffrey Randall, Staff Electrician

ADDITIONS TO THE AGENDA – None

PUBLIC COMMENT:
Mr. David Evitt
Mr. Bill Condrashoff
Ms. Valerie Klinefelter

CONSENT AGENDA ITEMS:

MOTION: It was moved by Director Thomas, seconded by Director Farrington, and unanimously carried to approve consent agenda 1.A Minutes of the Regular Board Meeting of June 23, 2016 and 2.A.1 Approval of Meadow Vista and Highway 88 Water Pipeline Improvement – Notice to staff’s intent to file Notice of Exemption and other associated environmental documents necessary in association with this project. Approved with a Minor change to notice of exception should be Meadow vista drive not lane.
DEPARTMENT REPORTS (14:01- 24:20)
Administration/Finance
Operations

Public Comment:
None

WATER SYSTEMS (24:24- 2:13:04)
Small Diameter Pipeline
Presentation by the General Manager respecting possible funding options, financial impacts, and other project-related questions posed by the Board during the June 9, 2016 Board meeting.

Public Comment:
Mr. David Evitt
Ms. Valerie Klinefelter
Mr. Jeff Campbell, Campbell Construction
Mr. Mark Bennett
Ms. Cecily Smith, Foothill Conservancy (press release read into record)
Mr. Bill Condrashoff
Mr. Sean Kriletich
Mr. Marcus Boggs
Mr. Neil Williamson

Discussion and possible action to ratify the Board’s decision to terminate this project

Public Comment:
Ms. Valerie Klinefelter
Ms. Laura Boggs
Mr. Bill Condrashoff
Mr. Sean Kriletich
Ms. Cathy Vandeford
Mr. Jeff Campbell
Ms. Tico Arnese
Mr. Neil Williamson
Mr. David Evitt

MOTION: It was moved by Director Molinelli, seconded by Director Toy, and unanimously carried to approve ratifying the Board’s decision to terminate the Small Diameter Raw Water Pipeline Project

Discussion and possible action to rescind direction to staff to award the construction contract for the project to Campbell Construction

Public Comment: None

Regular Board Meeting
July 14, 2016
Page 2
MOTION: It was moved by Director Thomas, seconded by Director Toy, and unanimously carried to approve rescinding direction to staff to award the construction contract for the project to Campbell Construction.

Discussion and direction to the General Manager regarding to work with DWR and other agencies to modify and discuss possible alternative uses of the grant awarded to the Agency.

Public Comment:
Mr. Bill Condrashoff
Mr. David Evitt
Mr. Sean Kriletich
Ms. Valerie Klinefelter
Mr. Neil Williamson

Direction was given to the General Manager regarding working with DWR and other agencies to modify and discuss possible alternative uses of the grant awarded to the Agency.

RECESS was called at 11:12 a.m. SESSION resumed at 11:34 a.m.

Waste Use Update (2:13:05- 2:29:05)

Public Comment:
Mr. Sean Kriletich

AGENCY GENERAL

Introduction of Ordinance 2016-02, concerning amendments to the Amador Water Agency Water Code Section 2.06 and 2.08 respecting payment of participation fees.

MOTION: It was moved by Director Toy, seconded by Director Molinelli, and unanimously carried to introduce Ordinance 2016-02 and waive the reading of the ordinance concerning amendments to the Amador Water Agency Water Code Section 2.06 and 2.08 respecting payment of participation fees.


AGENCY PROJECT UPDATES (2:46:31- 2:59:04)
Public Comment:
Mr. Sean Kriletich

RECESS was called at 12:23 p.m. SESSION resumed at 1:30 p.m.

AGENCY COUNSEL REPORT (3:00:36-3:10:04)
Legislative Report
Other Legal Matters

COMMITTEE REPORTS (3:10:04-3:16:14)
Budget & Finance (06/22/16)
Budget & Finance (06-29-16)
Policy Committee (07/11/16)

FUTURE AGENDA TOPICS (3:16:54-3:21:07)
Bond Refunding

CLOSED SESSION was called at 2:52 p.m.

A. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and (d)(1) - Existing Litigation - Kenneth Perano and Ken Berry v. Amador Water Agency (Amador Superior Court Case No. 12-CV-7718)

B. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and (d)(1) -- Existing Litigation – Howard Jarvis Taxpayers Association, et al. v. Amador Water Agency, et al. (Amador Superior Court Case No. 16-CVC-09564/Third District Court of Appeal Case No. C081757).

C. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Pending Litigation- Amador Water Agency v. Lazy Creek Family Trust, et al. (Amador Superior Court Case No. 15-CV-9203).

D. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) and (d)(4) - Anticipated Litigation – Significant Exposure to Litigation: One Case.

OPEN SESSION resumed at 2:51 p.m. with direction to staff

ADJOURNMENT
President Manassero adjourned the meeting at 2:53 p.m.

Cris Thompson
Clerk of the Board of Directors
Approved: ____________________

Regular Board Meeting
July 14, 2016
Page 4
AMADOR WATER AGENCY BOARD OF DIRECTORS
Special Board Meeting
July 20, 2016

MINUTES

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

Directors Absent: None

Staff Present: Gene Mancebo, General Manager
Cris Thompson, Assistant General Manager
Damon Wyckoff, Operations Manager
Karen Gish, HR/Office Manager
Tracey Hays, Finance Manager

CALL TO ORDER Vice President Gary Thompson, called the Special Board meeting to
order at 2:36 p.m.

CLOSED SESSION was called at 2:36 p.m.

Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and
(d)(1) - Existing Litigation- Kenneth Perano and Ken Berry v. Amador Water Agency
(Amador Superior Court Case No. 12-CV-7718)

Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) –
Pending Litigation- Amador Water Agency v. Lazy Creek Family Trust, et al. (Amador
Superior Court Case No. 15-CV-9203).

President Manassero joined the meeting at 2:52 p.m.

Closed Session ended at 2:59 with direction to staff

AGENCY GENERAL (3:00 p.m. or as soon thereafter as may be heard)

Special Board Meeting
July 20, 2016
Page 1
Fiscal Year 2015-2016 Draft Actuals-  
Review of draft actuals for fiscal year 2015-2016

Fiscal Year 2016-2017 Draft Budget  
Budget Workshop  
Discussion and possible action regarding the draft fiscal year 2016-2017 budget

MOTION: It was moved by Director Toy, seconded by Director Molinelli and unanimously carried to adopt the FY16-17 Budget as presented.

ADJOURNMENT- President Manassero adjourned the meeting at 4:00 p.m.

Cris L. Thompson  
Clerk of the Board of Directors

Approved:

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Special Board Meeting  
July 20, 2016  
Page 2
## Accounts Payable

### Checks by Date - Summary by Check Date

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**Printed:** 7/8/2016 2:17 PM

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78620 1237  Capital Rubber Inc. 06/28/2016 941.25
78621 3850  Wendy Carrington 06/28/2016 55.53
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78637 3486  Goin* Postal 06/28/2016 13.15
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RESOLUTION NO. 2016-16
OF THE BOARD OF DIRECTORS OF THE
AMADOR WATER AGENCY
ADOPTING REVISIONS TO WATER CODE SECTION 2.19 and 2.20
WATER CONSERVATION

WHEREAS, the State of California is experiencing another critically dry year and has been immediately preceded by two or more consecutive below normal, dry or critically dry years; and

WHEREAS, on January 17, 2014, Governor Brown declared a state of Emergency to exist in California due to prolonged drought conditions; and

WHEREAS, on January 23, 2014, the Board of Directors of the Amador Water Agency took action to encourage its customers to voluntarily conserve to a 20% level consistent with the Governor's request in his Emergency Drought Proclamation; and

WHEREAS, on April 25, 2014, Governor Brown issued an executive order to redouble state drought actions; and

WHEREAS, on May 27, 2014, the State Water Resources Control Board issued a Notice of Unavailability of water and immediate curtailment for those diverting water in the Sacramento and San Joaquin River Watersheds with a Post-1914 Appropriative Right; and

WHEREAS, on July 15, 2014, the State Water Resources Control Board issued Emergency Regulations prohibiting certain activities and mandatory actions during this drought emergency; and

WHEREAS, on August 28, 2014, the Agency Board of Directors declared a Stage 2 Water Shortage Emergency and enacted appropriate conservation measures; which remains in effect; and

WHEREAS, on April 1, 2015, the Governor declared by Executive Order B-29-15, a State of Emergency to exist throughout the State of California due to severe drought conditions; and

WHEREAS, per Executive Order B-29-15, the State Water Resources Control Board shall impose restrictions to achieve a statewide 25% reduction in potable urban water usage through February 28, 2016; and
WHEREAS, On November 13, 2015 the Governor issued an executive order that directs the State Board to, if drought conditions persist through January 2016, extend until October 31, 2016 restrictions to achieve a statewide reduction in potable usage; and

WHEREAS, On May 9, 2016, the Governor issued an Executive Order that directs the State Board to adjust and extend its emergency water conservation regulations through the end of January 2017 in recognition of the differing water supply conditions for many communities; the drought conditions that formed the basis of the Governor’s emergency proclamations continue to exist; and the drought conditions will likely continue for the foreseeable future and additional action by both the State Water Resources Control Board and local water suppliers will likely be necessary to prevent waste and unreasonable use of water and to further promote conservation; and

WHEREAS, the Board of Directors of the Amador Water Agency desires to revise the Water Conservation Code Section 2.19 and 2.20 to align with the current End-User Requirements in Promotion of Water Conservation as issued by the Governor’s Executive Order of May 9, 2016.

NOW, THEREFORE BE IT RESOLVED the Board of Directors of the Amador Water Agency hereby adopts Resolution No. 2016-16, revisions to Water Code Section 2.19- and 2.20 Water Conservation as amended in Exhibit 1 attached.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Water Agency at special Board meeting held on this 28th day of July, 2016.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Signed and approved by me after its passage this 28th day of July, 2016.

Robert Manassero  
President Board of Directors

ATTEST:

Cris L. Thompson  
Clerk of the Board of Directors
Water Code Section 2.19 Water Conservation

The Amador Water Agency promotes an ongoing voluntary water conservation program to ensure that water supplies available to the Agency are put to their maximum reasonable and beneficial use. Water Conservation measures are put in place to help prevent the waste of water, and serve as a guide for the Agency in response to water supply shortages and regional and state-wide impacts from drought and other emergency conditions.

The Agency recognizes that water is a scarce, natural resource that requires careful management not only in times of drought, but at all times. The Agency is hereby establishing permanent water conservation measures that will be in effect at all times, regardless of whether a declared water shortage is in effect. They are necessary to conserve water, enable effective water supply planning, assure reasonable and beneficial use of water, and to prevent waste and unreasonable use of water. Should customer actions warrant, the Agency will issue violations and levy fees as appropriate per the Amador Water Agency Water Code.

In addition, the Agency has established four water shortage stages and required conservation measures for each. Each water shortage stage presents a goal for increased demand reductions to meet the projected decrease in water supplies. Demand reductions are designed to minimize impacts to the Agency’s customers and community. The Agency’s permanent water conservation measures and four water shortage stages and required conservation measures are listed below.
Conservation under each stage applies to all customer classifications, including Residential, Commercial, Industrial, Canal and Ditch Water Customers.

Permanent – Recommended Conservation (Water Use Reduction) Normal Conditions

All Water Users Are Prohibited From The Following:

- The application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;
- The use of a hose that dispenses potable water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;
- The application of potable water to driveways and sidewalks;
- The use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculating system;
- The application of potable water to outdoor landscapes during and within 48 hours after measurable rainfall;
- Unauthorized use of hydrants. Authorization for use must be given by the Agency per Water Code Section 2.49(d);
- The serving of drinking water other than upon request in eating and drinking establishments, including but not limited to restaurants, hotels, cafes, cafeterias, bars or other public places where food or drink are served and/or purchased;
- The irrigation with potable water of landscapes outside of newly constructed homes and buildings in a manner inconsistent with regulations or other requirements established by the California Building Standards Commission and the Department of Housing and Community Development;

Best Practices for Wise Water Use

- Fix leaks or faulty sprinklers promptly
- Wash only full loads when machine washing dishes or clothes when possible
- Use pool covers to minimize evaporation.
- Use of water conservation kits supplied by AWA or other water utilities.
- To promote water conservation, operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.
- Commercial, Industrial, and Institutional equipment must be properly maintained and in full working order.
Stage 1 – Water Alert (Up to 20% Reduction)

- All customers will observe practices to achieve up to a 20% reduction in their monthly water use over 2013 usage.
- Discontinue watering lawns and gardens or any other irrigation between the hours of 9:00 a.m. and 7:00 p.m.
- Require restaurants to only serve water to customers upon request.
- All run-off and street flooding from outdoor irrigation is prohibited.
- No unattended watering except where automatic shut-off equipment is used.
- Automatic shut-off nozzles or valves are required when washing cars and other vehicles.
- Washing sidewalks, driveways, patios, parking lots, and tennis courts with water is prohibited.
- Emptying and refilling of swimming pools and hot tubs is prohibited.
- Maintaining pools, hot tubs and fire protection storage facilities at normal operating levels is permitted.
- Drinking water used in decorative fountains must be recirculated.
- Drinking water may not be used in scenic ponds and lakes except for the minimum amount needed to support existing aquatic life.
- Use of Conservation kits supplied by AWA or other water utilities
- No irrigation of new landscaping will be permitted during a drought emergency for new construction.
- No irrigation during and up to 48 hours after measurable rainfall
- Fix leaks or faulty sprinklers within 7 day(s).
- Water only three days per week for turf watering when using potable water.
- Plant containers, trees, shrubs, and vegetable gardens may be watered additional days using only drip irrigation or hand watering, provided that any such drip irrigation system or hose is equipped with a working and activated automatic shut-off device.
Stage 2 – Water Warning (21- 30% Reduction)

- All customers will observe practices to achieve up to a 30% reduction in their monthly water use over 2013 usage.
- Discontinue watering lawns and gardens or any other irrigation between the hours of 9:00 a.m. and 7:00 p.m.
- Require restaurants to only serve water to customers upon request.
- All run-off and street flooding from outdoor irrigation is prohibited.
- No unattended watering except where automatic shut-off equipment is used.
- Automatic shut-off nozzles or valves are required when washing cars and other vehicles.
- Washing sidewalks, driveways, patios, parking lots, and tennis courts with water is prohibited.
- Use of water conservation kits supplied by AWA or other water utilities.
- Emptying and refilling of swimming pools and hot tubs is prohibited.
- Maintaining pools, hot tubs and fire protection storage facilities at normal operating levels is permitted.
- Drinking water may be used in decorative fountains, if equipped with a recirculation system.
- Drinking water may not be used in scenic ponds and lakes except for the minimum amount needed to support existing aquatic life.
- Applications for new service connections shall be granted only on the condition that the water shall be used for interior purposes and not for lawn or gardening watering or any other irrigation use for the duration of the drought emergency.
- No irrigation of new landscaping will be permitted during a drought emergency for new construction.
- No irrigation during and up to 48 hours after measurable rainfall
- Fix leaks or faulty sprinklers within 5 day(s).

Warm/Dry Season
Up to two days per week turf watering when using potable water.

Plant containers, trees, shrubs and vegetable gardens may be watered additional days using only drip irrigation or hand watering, provided that any such drip irrigation system or hose is equipped with a working and activated automatic shut-off device.

Cool/Wet Season
Turf shall not be watered unless utilizing non-potable water during extended dry spells.

Plant containers, trees, shrubs, and vegetable gardens may be watered additional days using only drip irrigation or hand watering, provided that any such drip irrigation system or hose is equipped with a working and activated automatic shut-off device.
Stage 3 – Water Crisis (31-40% Reduction)

- All customers will observe practices to achieve at least a 40% reduction in their monthly water use over 2013 usage.
- Discontinue watering lawns and gardens or any other irrigation between the hours of 9:00 a.m. and 7:00 p.m.
- Require restaurants to only serve water to customers upon request.
- All run-off and street flooding from outdoor irrigation is prohibited.
- No unattended watering except where automatic shut-off equipment is used.
- Automatic shut-off nozzles or valves are required when washing cars and other vehicles.
- Washing sidewalks, driveways, patios, parking lots, and tennis courts with water is prohibited.
- Use water conservation kits supplied by AWA or other water utilities.
- Emptying and refilling of swimming pools and hot tubs is prohibited.
- Maintaining pools, hot tubs and fire protection storage facilities at normal operating levels is permitted.
- Drinking water may be used in decorative fountains, if equipped with a recirculation system.
- Drinking water may not be used in scenic ponds and lakes except for the minimum amount needed to support existing aquatic life.
- Applications for new service connections shall be granted only on the condition that the water shall be used for interior purposes and not for lawn or gardening watering or any other irrigation use for the duration of the drought emergency.
- No irrigation of new landscaping will be permitted during a drought emergency for new construction.
- No irrigation during and up to 48 hours after measurable rainfall
- Fix leaks or faulty sprinklers within 3 day(s).

Warm/Dry Season
Up to one day per week turf watering when using potable water.

Plant containers, trees, shrubs and vegetable gardens may be watered additional days using only drip irrigation or hand watering, provided that any such drip irrigation system or hose is equipped with a working and activated automatic shut-off device.

Cool/Wet Season
Turf shall not be watered unless utilizing non-potable water during extended dry spells.

Plant containers, trees, shrubs, and vegetable gardens may be watered additional days using only drip irrigation or hand watering, provided that any such drip irrigation system or hose is equipped with a working and activated automatic shut-off device.
Stage 4 – Water Emergency (41-50% Reduction)

Water use for public health and safety purposes only

Special provisions for recycled water will be handled on a case by case basis.

Enforcement

AWA’s primary focus is customer education on the critical need to conserve our precious water resources, however, failure to observe these mandatory water conservation measures is a violation of the law and therefore may be subject to fines.

The following lists the violation procedures of the Conservation Plan requirements. Violations and penalty assignments are at the discretion of the Board.

- **First violation**: A written warning that further violation will result in possible water restrictions.

- **Second violation**: A water restriction device will be placed on the customer’s meter for one-week and associated call fees will be charged to the customer.

- **Third Violation**: A water restriction device will be placed on the customer’s meter for the duration of the water drought or water emergency, and associated service call fees will be charged to the customer.

- **Variances**: May be granted from any of the above regulations and restrictions upon application in writing stating in detail the reason therefor.
STAFF REPORT

Water Code Amendment Regarding Payment of Participation Fee

Requested Action:
Adoption of Ordinance 2016-02, concerning amendments to the Water Code Sections 2.06 and 2.08

Background:
The Board is considering adopting Ordinance 2016-02 respecting payment of participation fees which was introduced during the July 14, 2016 Board meeting. The current participation fee payment requirement is a complicated process that initiates with the conditional will serve and continues with bringing up the fees paid up to 25% at the final map and adjust the participation fees by additional 25% each year thereafter. The participation fees normally increase each year due to inflation, so there needs to be a calculation each year to readjust the payment to account for inflationary adjustments and any individual parcel participation fee payments. This is further complicated by accounting for both wholesale participation fees and the Community Facilities District #1.

The attached proposed amendment requires that the participation fees are simply paid at the time of lot sale, building permit request, or meter request, whichever occurs first. The amendment requires that all participation fees become due ten years from the final map approval and that a recordable agreement be executed with each owner subdividing land to memorialize these requirements.

Fiscal Impact: The timing of the participation fee payment would change as a result of this agreement and the actual amount of fees paid may vary slightly as the fee paid will be those in effect at the time of payment.

Reviewed by Committee: Yes, this proposed amendment is recommended by the Budget and Finance Committee

Recommendation:
Adoption of Ordinance 2016-02 concerning amendments to the Amador Water Agency Water Code Sections 2.06 and 2.08 respecting payment of participation fees.

Prepared by: Gene Mancebo, General Manager
ORDINANCE NO. 2016-02

AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE AMADOR WATER AGENCY AMENDING SECTIONS 2.06 AND 2.08
OF THE AGENCY WATER CODE REGARDING THE PAYMENT OF
PARTICIPATION FEES

Be it ordained by the Board of Directors of the Amador Water Agency as follows;

SECTION ONE. AMENDMENT TO SECTION 2.06 OF THE AGENCY WATER CODE.

The existing provision of Section 2.06, titled “Will Serve Commitments”, of the Amador Water Agency Water Code regarding the payment of participation fees is hereby deleted and replaced in full as set forth below:

Payment of Participation Fees.

Participation fees shall be paid at the earliest of the following times: (1) by the developer or owner at the time of the initial sale of a lot or parcel which is part of the subdivision; (2) by the developer or the owner of a lot or parcel before and as a condition of the issuance of a building permit for the subject lot or parcel; or (3) by the developer or owner at the time that an application for water service and request for a water meter is filed with the Agency.

Any developer or landowner that subdivides property shall enter into an agreement prepared by the Water Agency which shall specify the participation fee payment requirements of this section and identify the specific land or parcels pertaining to the agreement. This agreement shall be recorded prior to approval of the final subdivision map. Failure to execute this participation fee agreement as provided above shall void any will serve or conditional will serve commitment the Water Agency may have to provide water service regardless if on a retail or wholesale basis.

In the event that Developer sells to a purchaser in one conveyance all of the parcels or a major portion of the parcels covered by a final map approved by a city or the County respecting the Development, participation fees for the lots covered by the final map shall not be due through the escrow for that sale if, prior to the close of the escrow, the purchaser of the land either assumes the existing developer agreement or executes a new agreement with substantially the same terms and conditions as the agreement entered into by the original developer described above in this section. Any successor agreement also shall be recorded by the Agency.

In every circumstance where any participation fees remain unpaid on any lots or parcels in a multi-unit subdivision ten (10) years after the date that the final subdivision map for a large-unit development is issued, or a single parcel or small lot subdivision is approved, by Amador County or any city within the County, then the
developer or owner, or his, her or its successor, shall pay all remaining participation fees to the Agency within 30 days of the tenth anniversary date of the issuance of the final map. If any such unpaid and due participation fees become delinquent, then the developer or owner shall be subject to all applicable penalties, fees and interest, and the Agency may file a lien against the lots or parcels on which the unpaid fees are owed and refuse service to the developer, owner or any successor until the delinquent fees are paid in full, including all applicable penalties, fees and accrued interest.

In every case, the participation fees to be paid on any lot or parcel will be those fees in effect on the date when payment is made.

SECTION TWO. EFFECTIVE DATE.

This Ordinance shall take effect 30 days after its final passage.

SECTION THREE. PUBLICATION.

The Clerk of the Board of Directors is directed to publish this Ordinance once with the names of the members voting for and against the Ordinance, in a newspaper published in the Agency within 15 days after the adoption of this Ordinance.

SECTION FOUR. INCONSISTENCY.

To the extent that the terms and provisions of this Ordinance may be inconsistent or in conflict with the terms or provisions of any prior Agency ordinances, resolutions, rules or regulations governing the same subject, the terms of this Ordinance shall prevail with respect to the subject matter thereof, and such inconsistent or conflicting provisions of prior ordinances, resolutions, rules or regulations are hereby repealed.

SECTION FIVE. INVALIDITY.

If any provision of this Ordinance or application thereof to any person or circumstance is held invalid, no other provisions of this Ordinance shall be affected thereby.

INTRODUCED by the Board of Directors of the Amador Water Agency on July 14, 2016.

PASSED AND ADOPTED by the Board of Directors of the Amador Water Agency on July __, 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Attest:

Clerk of the Board of Directors

President, Board of Directors
The Amador Water Agency (AWA) is the California Environmental Quality Act (CEQA) Lead Agency for the proposed Central Amador Water Project (CAWP) Pioneer Water Rehabilitation Project (Proposed Project). The Proposed Project is being funded through a $1,420,000 Community Development Block Grant (CDBG) administered by the U.S. Department of Housing and Urban Development (HUD). Due to the involvement of federal funds, HUD is serving as the National Environmental Policy Act (NEPA) Lead Agency and AWA is serving as the NEPA Responsible Entity (RE) for the Proposed Project. AWA has directed the preparation of an Initial Study (IS) in compliance with CEQA and an Environmental Assessment (EA) in compliance with NEPA. The purpose of the IS and the EA is to provide decision makers, public agencies, and the general public with an objective and informative document that facilitates a basic understanding of the Proposed Project and fully discloses the potential environmental effects associated with the Proposed Project, including direct, indirect, and cumulative environmental effects. Based on the studies performed and information contained in the IS, AWA is proposing to adopt a Mitigated Negative Declaration (MND). AWA will use the IS/MND and EA to obtain permits, agreements, and approvals from necessary agencies to implement the project.

Public Workshop: The Amador Water Agency will be holding a Public Workshop, with environmental consultant ECORP Consulting, Inc. (ECORP), to overview the project and accept comments on the IS/MND and EA on July 28, 2016 commencing at 9:00 A.M. in conjunction with Amador Water Agency’s Board Meeting at the Amador Water Agency facility located at 12800 Ridge Road, Sutter Creek, CA 95685.

Project Location: The Proposed Project is located in Amador County, California approximately 30 miles southeast of the City of Sacramento on the eastern slope of the Sierra Nevada. The Proposed Project transects the Pioneer community area, located approximately 12 miles northeast of the City of Jackson along State Route (SR) 88, and
spans a distance of approximately two miles, beginning along Buckhorn Ridge Road near North Cedar Heights Drive and proceeding southwest towards the intersection of Carson Drive and Meadow Crest Drive.

Project Description: The Amador Water Agency (AWA) is proposing a new pipeline in order to increase fire flow and improve the distribution system reliability in the Buckhorn Ridge and Carson Drive area of the Central Amador Water Project (CAWP) system. The Proposed Project would commence at the intersection of Buckhorn Ridge Road and Cedar Heights Drive, and end at Carson Drive, between Gold Circle Drive and Meadow Crest Drive. New construction of facilities and appurtenances include the following:

- Installation of approximately 9,250 feet of buried 12-inch potable water gravity-flow pipeline commencing on Buckhorn Ridge Road near North Cedar Heights Drive and ending at distribution system piping in Carson Drive;

- Connection to Tank C with a pressure-reducing valve (PRV);

- Replacement of a PRV station located at the north end of North Cedar Heights Drive and adjacent to Buckhorn Ridge Road;

- Connection to existing distribution system piping in Carson Drive; and

- Connections to existing distribution system piping in Buckhorn Ridge Road and Pioneer Creek Road.

The proposed pipeline alignment would travel within the Amador County rights-of-way along Buckhorn Ridge Road and connect to Tank C. Continuing southwest along Buckhorn Ridge Road to the intersection of Pioneer Creek Road, the proposed pipeline alignment would then transect through the private property known as Schaefer Ranch before finally terminating with a tie-in to existing distribution system piping on Carson Drive. The Proposed Project would provide an adequately sized main to supply upper Carson Drive and areas at lower elevation within the CAWP through a more direct route that would reduce the bottlenecks of the existing pipe and provide a looped system.

IS/MND Document Review and Availability: The public review and comment period for the IS/MND will extend for 30 days starting July 15, 2016 and ending August 15, 2016. The IS/MND is available for public review at the following location:

- Amador Water Agency, 12800 Ridge Road, Sutter Creek, CA 95685 (8:00 A.M. to 5:00 P.M., Monday through Friday)
The IS/MND can also be viewed and/or downloaded at the Amador Water Agency website via the following:

http://www.amadorwater.org/projects_studies.html

**EA Document Review and Availability:** The public review and comment period for the EA will extend 15 days starting **July 15, 2016 and ending July 29, 2016.** The EA is available for public review on the Amador Water Agency website and the Amador County website via the following:

http://www.amadorwater.org/projects_studies.html

**Comments/Questions:** Comments and/or questions regarding the IS/MND and EA may be directed to: 12800 Ridge Road, Sutter Creek, CA 95685.