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, some Agenda Items will be heard at a 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
   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
   A. 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. DEPARTMENT REPORTS
   Staff Reports will be provided by Department Heads to update the Board of Directors on current activities within their areas of responsibility.
   A. Administration/Finance
   B. Operations

6. WATER SYSTEMS
   A. Lake Camanche Water System Compliance Project (Tank 9 and Intertie) and Buckhorn Disinfection Byproduct Compliance Project Funding Agreements
      1. Update only
B. CAWP Water Rights
   1. Authorization to General Manager to execute Amendment 1 to the contract between Amador Water Agency and Wagner Bonsignore

   2. Discussion and possible action to authorize the General Manager to execute a loan between Amador Water Agency and Amador County in the amount of $300,000 for completion of the CAWP Water Right Application

7. AGENCY GENERAL
   A. Quarterly Investment Report

   B. Administrative Office Hours
      1. Authorization to staff to proceed with the change of office hours from 8:00 to 5:00 to 8:00 to 4:30

8. AGENCY COUNSEL REPORT
   A. Legislative Report
   B. Other Legal Matters

9. BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS - 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.

   A. Personnel Committee 09-28-16
   B. Budget and Finance Committee 10-11-16

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

11. CLOSED SESSION
    A. 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).

    B. 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).

12. ADJOURNMENT

Robert Manassero, President
Gary Thomas, Vice President
Paul Molinelli
Art Toy
Rich Farrington
AMADOR WATER AGENCY
CONSENT AGENDA

October 13, 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 September 22, 2016
   B. Approval of minutes of the Special Board Meeting of September 21, 2016

2. MISCELLANEOUS APPROVALS
   A. Personnel Matter
      1. Authorization to staff to begin the process to fill the Inspector/ GIS CAD position due to the upcoming retirement of Bob Valdez November 30, 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
AMADOR WATER AGENCY
Board of Directors
Regular Meeting
September 22, 2016

MINUTES

Directors Present: Robert Manassero, Vice President
                  Gary Thomas, Vice President
                  Richard Farrington
                  Art Toy

Directors Absent: Paul Molinelli

Staff Present: Gene Mancebo, General Manager
               Cris Thompson, Assistant General Manager
               Damon Wyckoff, Operations Manager

CALL TO ORDER- President Manassero called the meeting to order at 9:01 a.m.

ADDITIONS TO THE AGENDA – None

PUBLIC COMMENT:
Katharine Evatt, Foothill Conservancy

CONSENT AGENDA ITEMS: (02:20 – 3:00)

MOTION: It was moved by Director Toy, seconded by Director Thomas, and carried to approve consent agenda items 1.A Approval of Regular Board Meeting Minutes of September 8, 2016, 1.B Accounts Payable for August, 2016, and 3.A Adoption of Resolution 2016-21 – Revisions to the Conflict of Interest Code.

Ayes: Directors Toy, Farrington, Thomas and Manassero
Noes: None
Absent: Director Molinelli
Abstain: None

AWA WATER SYSTEMS (3:02:18- 1:24:14)
Long Term Water Needs Study
Presentation and Update by Dave Richardson, RMC Water and Environment
Public Comment:
Katherine Evatt, Foothill Conservancy President

Ione Hydro Project (1:24:25- 1:49:09)
Discussion and possible of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and direction to staff to file the notice of determination Admin Draft Initial Study/Proposed Mitigated Negative Declaration available for review at http://www.amadorwater.org/projects_studies.html

MOTION: It was moved by Director Toy, seconded by Director Thomas, and carried to adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan with direction to staff to file the notice of determination

Matt Swindle, Nline Energy
Kris Kiehne, EN2 Resources

Ayes: Directors Toy, Farrington, Thomas and Manassero
Noes: None
Absent: Director Molinelli
Abstain: None

Discussion and possible adoption of Resolution No. 2016-22, authorizing the General Manager to execute all necessary documents required to apply for and accept the California Energy Commission 1% loan

MOTION: It was moved by Director Farrington, seconded by Director Toy, and carried to adopt Resolution No. 2016-22, authorizing the General Manager to execute all necessary documents required to apply for and accept the California Energy Commission 1% loan

Ayes: Directors Toy, Farrington, Thomas and Manassero
Noes: None
Absent: Director Molinelli
Abstain: None

RECESS was called at 10:53 a.m. SESSION resumed at 11:01 a.m.

CLOSED SESSION was called at 11:02 a.m.
Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Anticipated Litigation – Significant Exposure to Litigation Involving Claims Related to Sierra Mountain Construction Inc.’s performance of the AWA Gravity Supply Line Project.

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).

Regular Board Meeting
September 22, 2016
Page 2
OPEN SESSION resumed at 11:35 a.m.

President Manassero reported out of closed session that the Board approved an agreement with Sierra Mountain Construction, Inc. to settle all claims between the Agency and SMCI related to construction of the Gravity Supply Line Project. The agreement provides for the Agency to pay SMCI the amount of $1,100,000 in exchange for a full release of all claims related to this project. Directors Toy, Thomas and Manassero voted to approve, Director Farrington voted no, and Director Molinelli was absent.

Ayes: Directors Toy, Thomas and Manassero
Noes: Director Farrington
Absent: Director Molinelli
Abstain: None

Water Sales and Production (1:53:02- 2:02:20)
Update regarding current water sales and water production

AGENCY GENERAL (2:02:21- 2:28:27)
Personnel Matters
Discussion and possible action to implement the Salary Structure Ad Hoc Committee recommendations

MOTION: It was moved by Director Toy, seconded by Director Thomas and carried to implement the adhoc committee recommendation to increase the Assistant General Manager’s hourly salary immediately and give direction to staff to communicate with the employees and to complete an in house salary survey with a completion date of March, 2017.

Ayes: Directors Toy, Thomas, Farrington and Manassero
Noes: None
Absent: Director Molinelli
Abstain: None

PROJECT UPDATES (2:30:27- 2:56:20)

COMMITTEE REPORTS (2:56:20-3:05:06)
Engineering Committee (09-22-16)

GENERAL MANAGER’S REPORT (3:05:06- 3:16:45)

Regular Board Meeting
September 22, 2016
Page 3
ASSISTANT GENERAL MANAGER’S REPORT (3:16:48- 3:25:10)

BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS (3:25:15- 3:33:46)

FUTURE AGENDA TOPICS (3:33:50- 3:35:28)
Providing JVID service as a permanent customer

ADJOURNMENT
President Manassero adjourned the meeting at 2:35 p.m.

Cris Thompson
Clerk of the Board of Directors
Approved: ____________________________

Regular Board Meeting
September 22, 2016
Page 4
AMADOR WATER AGENCY BOARD OF DIRECTORS
Special Board Meeting
September 21, 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

CALL TO ORDER  President Manassero called the Special Board meeting to order at 5:08 p.m.

WATER SYSTEMS
Central Amador Water Project Water Right Application
Presentation and scoping meeting regarding the Environmental Impact Report by RMC Water and Environment – Dave Richardson, Katie Cole, and Robin Cort

Public Comment:
Cecily Smith, Foothill Conservancy

ADJOURNMENT- President Manassero adjourned the meeting at 5:45 p.m.

Cris L. Thompson
Clerk of the Board of Directors

Approved:
STAFF REPORT

GIS/ CAD TECHNICIAN/ INSPECTOR

Requested Action:

Discussion and possible authorization to staff to begin the process to fill the GIS CAD Technician/ Inspector position due to the upcoming retirement of Bob Valdez November 30, 2016

Background:

On September 28, 2016, the personnel committee discussed the upcoming retirement of Bob Valdez, Inspector and the Agency's overall needs for both the inspector position and GIS/ CAD technician to update the Agency's system maps and infrastructure documentation. Upon review of the needs of the Engineering department, staff is recommending combining the GIS and Inspector needs into one position. The Personnel committee concurred with staffs recommendation. The job description is attached for your review and consideration. Staff would like to request authorization to fill the position immediately to allow time for training with Bob before he retires.

Alternatives: Hire only for the inspector position or hire only for GIS CAD position

Fiscal Impact:

Reviewed by Committee: Yes this was reviewed and recommended by the committee

Recommendation:
Authorization to staff to begin the process to fill the GIS CAD Technician/ Inspector position due to the upcoming retirement of Bob Valdez November 30, 2016

Prepared by: Cris L. Thompson, Assistant General Manager
NOTICE OF AVAILABLE POSITION

GIS Technician/Inspector
$26.36 - $34.97/Hour

Available Immediately - A fulltime position in the Engineering Department. A complete job description is attached.

Applicants who have experience in either GIS or Inspection may apply. The candidate will receive training in the area needed, with the requirement to enroll in an educational program to receive proper certifications.

The candidate chosen will have a one year probationary period to evaluate the candidates proficiency level in performing essential duties and in obtaining the required level of education. The educational requirement may be extended up to two years to provide adequate time to achieve certification.

Employees wishing to be considered for this position should submit their request in writing to the Human Resources Department no later than 4:30 p.m., Friday, ____________.

Questions regarding this position should be directed to Damon Wyckoff or Karen Gish.
AMADOR WATER AGENCY

Job Title: GIS TECHNICIAN/INSPECTOR
Department: Engineering
FLSA Status: Non-Exempt
Bargaining Unit: AWA Employees' Association
Approved By: General Manager
Approved Date: 

SUMMARY

Under direction of the Engineering Supervisor, is responsible for:

Inspecting, coordinating and overseeing the construction of facilities related to the water and wastewater operations of the Agency. Creating and maintaining GIS data related to the Agency's system maps; producing new maps and completing GIS analysis and development of maps for special projects; performing skilled delineation work for maps, drawings, charts and graphs.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. Other duties may be assigned.

GIS Technician:
Prepare and maintain Agency systems maps using GIS software; create and edit facility locations which may require the use of engineering plan sets, assessor parcel maps, public entity drawings, legal descriptions, easements, rights-of-way, aerial photos, GIS data, interpretation of rough sketches and data collected by field personnel or engineering staff, CAD drawings or GIS layers and databases in various formats. Make field visits to verify existing conditions and collect data for map updating; use GPS equipment and software. Create maps on demand for special projects or presentations which may require the use of DEMS, coordinate system conversions, contour lines, generation of reports or GIS analysis. Develop and refine written procedures for all aspects of GIS data development and use of Agency hardware related to mapping. Assist in the interface of the Agency CAD based map system with other Agency software and database systems. Maintain lines of communication and professional working relationships with other agencies and offices in and around Amador county related to GIS to facilitate acquisition of new and updated data sets.

Inspector:
Review construction in accordance with plans and Agency specifications; coordinate change orders with the project manager; prepare construction diary and reports; review plans, As-Builts and plan check projects; coordinate final project approval. Read, understand and interpret construction plans and specifications; develop punch lists; communicate closely with contractors, vendors and field personnel during construction and final. Measure distances to verify accuracy of structural installations and layouts.

QUALIFICATIONS To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Knowledge of the nomenclature, techniques and instruments used in GIS, engineering and mapping; knowledge of the use of AutoCAD, GPS Pathfinder, SQL database, ArcGIS/Munsys and Microsoft software suites as well as a basic level of knowledge in the technical concepts and issues related to computer networks. Knowledge of the fundamentals of database management.
Familiarity with plotters and printers and engineering office and field practices, including operation of equipment safely and following safety practices/procedures.

Ability to perform minimal geometric mathematical computations.

EDUCATION and/or EXPERIENCE
An Associate's Degree in GIS or Construction Management, GIS certification, PMP certification or Certified Public Infrastructure Inspector certification is desired. Two to four years' experience in GIS mapping OR two to four years' experience in construction inspection and/or construction trades or a reasonable combination thereof. A one year probationary period will apply. The incumbent will need to show appropriate proficiency levels within that timeframe. Educational requirements may be extended to provide adequate time to achieve certification levels.

CERTIFICATES, LICENSES, REGISTRATIONS
Valid California Driver's License and a continuing acceptable driving record.

PHYSICAL DEMANDS  The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand; walk; reach with hands and arms; climb or balance; and stoop, kneel, crouch, or crawl; climb steep hill sides, uneven ground; in and out of trenches and/or active construction sites. The employee may occasionally be exposed to toxic or caustic chemicals. The employee must frequently lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, and color vision. The employee may be required to sit for long periods of time.

WORK ENVIRONMENT  The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently exposed to moving mechanical parts; high, precarious places; fumes or airborne particles; and outside weather conditions. The employee is occasionally exposed to toxic or caustic chemicals. The noise level in the work environment is usually loud.

This job specification should not be construed to imply that these requirements are the exclusive standards of the position. Incumbents will follow any other instructions and perform any other related duties as may be required.
ADMINISTRATION DEPARTMENT REPORT

Customer Service/Human Resources:

- The 2016/2017 (7/1/16-6/30/17) Safety Statistics for Agency staff are:
  - Lost time worker's comp incident: 1 (date of last incident: 9/7/16)
  - Other Worker Comp incident: 2 (date of last incident: 9/30/16)
  - First Aid incident: 0
  - Avoidable vehicle accident: 0
  - Unavoidable vehicle accident: 0
- Training: Karschner/Bates Conference
- Certifications/Renewals: None
- Staffing: Larson Separated; Tamantini filled vacancy; Distribution II vacancy
- Liens filed: 1 - $67,128.99
- Liens Released: 2 - $393,03
- Total Liens filed for the Agency 293- total dollar amount $508,903
- Springbrook: Continue to work on miscellaneous issues.

Finance/Accounting:

Water Sales Revenues through the month of September are $1,709,500

Wastewater Sales Revenues through the month of September $382,555

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<th>Jul-15</th>
<th>Jul-16</th>
<th>Aug-15</th>
<th>Aug-16</th>
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<td>3,761,933</td>
<td>3,124,669</td>
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The Change in total cash from August to September is due to the settlement payment of $500,000 and debt service payments totaling $299,845
Year to date Operating and Non-Operating Revenue exceeded Expenses by $773,936
Grant Reimbursements received: $206,119 (total includes $29,506 Butte Fire (Fed) and $8,114 Butte Fire (Cal OES)

Prepared by: Karen Gish – HR / Office Manager

Tracey Hays – Finance Manager
Operations Report

Covering September 1st – September 30th, 2016

Operations Manager:
1. Completed and submitted a CAL FIRE State Responsibility Grant Application for $200K in funds to remove hazard trees killed by the drought.
2. Secured the services of Mark Frederick Pump and Supply to rehabilitate Well 9 in Camanche.
3. Responded to comments received on the Initial Study, Mitigated Negative Declaration for the Ione Hydroelectric Project.
4. Developed benchmarks and benchmark monitoring for our UMRWA grant funded projects – Camanche Tank Liner, Lateral Replacements Phase I and II, AWS Metering Project
5. Attended Cosumnes Sub-Basin SGMA work group meeting. Topics of discussion included individual GSA filing status and intentions and Cosumnes Sub-Basin GSA formation.
6. Continued work on a CEQA IS/MND and AB-52 compliance for our CARWSP Phase II project

Admin Assist III:
2. Completed lead and copper reporting for PG&E at Tiger Creek.
3. Boil Release calls for main break on Van De Hei.

Water Treatment Plants:
1. Plant operators inspected and repaired the surface wash system on all four filters at the Ione water treatment plant.
2. Plant operators successfully recharged the Gravity Supply Line syphon at the Regulator as a preventative maintenance measure.
3. Operators performed relief operations at River Pines for three weeks.

Wastewater:
1. Performed maintenance on K-Mart / Wal-Mart lift station by removing corrosion on fittings and coating them with CIM (corrosion inhibiting material). Replacing fittings as needed.
2. De-sludged all lift stations in Lk Camanche system.
3. Emptied storage ponds at Gayla and Lk Camanche wastewater treatment plants.
4. Continued to monitor Pond 7 at Mace Meadows Golf Course.
5. Completing fall maintenance on all generators before weather begins.

Engineering
1. Agency Projects:
   a. CDBG: Environmental and engineering
   b. GSL: Mediation, tree replanting and grant reimbursement
   d. New York Ranch Rd Intersection: Project management, construction, inspection
e. Tanner Hydroelectric: Close out
f. Buckhorn WTP DBP & Recycling: Project management
g. Camanche Wastewater: Grant reimbursement
h. Lake Camanche Tank 9 & Interie: Project management

2. Developer Projects:
   a. Gold Quartz: Plan review/signature
   b. Wildflower Units 4 & 5: Main line extension agreements, site walk and Inspection
c. Castle Oaks 4 & 7: Meetings, plan review and Inspection
d. Dollar General Pioneer: Project management, Inspection
e. ARCO: Project management

Electrical:

1. Failures:
   a. Gravity Supply Line Regulator - Communications failure, Master Radio, Reset and verified operation.
b. Kmart Lift Station – Control problem with Floats, Float replaced.
c. Camanche Well 9 – Auxiliary Power Panel failure – In shop for repair
d. Camanche Tank 9 – Backup Batteries and Charger Failure, Charger and Batteries Replaced.
e. Buckhorn High Service Pump 2 - Tripping off line – Investigated and modified Breaker setting.
f. Lake Tabaud Canal VFD Failure- Replaced Remote Display Controller and ordered additional Surge protection for communication and power.
g. River Pines wastewater Lift Station Generator Failure – Control Board Fuse Replaced.
h. Sierra West Lift Station Level Transducer Failed - Level Transducer Replaced.

2. Tanner Hydro Electric Station – Completed Major Programing and Operational Testing
   a. Hydro Generator 2 - At MarTech Shop for Inspection and Repairs.
b. Control Power Problem when Generator Isolated from System – UPS’s and Control wiring changes re-engineered and made by AWA.

Construction:

1. Completed a 10" water main project from Tank A/B to Oxbow Rd.
2. Assisted First Mace Meadow with a 4" main break on Sugar Pine Dr. (50+ gpm)
3. Service line leak repairs:
   a. 633 Glenbrook (lone 5 gpm)
b. 629 Glenbrook (lone .5 gpm)
c. W. Marlette (lone 5 gpm)
4. Relocated Dann water service as part of New York Ranch and Ridge Rd intersection project.
5. Raised fire hydrant in lone on Main Street
6. 3" Main break on Van De Hei Ranch Rd (Buckhorn 5 gpm)

Distribution:

1. Service line leak repairs:
   a. Glenbrook (lone 5 gpm)
b. Foothill Blvd. (lone 3 gpm)
c. W. Marlette (lone 5 gpm)
d. N. Camanche Pkwy (Camanche 10 gpm)
e. Village Dr (Camanche 3 gpm)
2. Main Break repairs:
   a. Van De Hei Ranch Rd. (BH system 5 GPM)
3. Rebuilt sample stations at Mierkey Ct, Mace Drive, Van De Hei Rd, and McKenzie Dr. (Buckhorn)
4. Fire hydrant repair
   a. Corner of Lakeview Dr and Camanche Pkwy
b. Main Street, lone
5. Well 9 rehabilitation
6. A total of 10 Large meters tested in Aws System, at Pine Grove tank and Druid Lane.

**Canal:**

1. Berm Leak Repairs:
   a. Mile Marker 6.50 (10 gpm) Previtali Rd
   b. Mile Marker 10.50 (5 gpm) Near West Clinton Crossing
2. Flume #5 leak repair at Mile Marker 13.00 (1 gpm) near Pioneer Drive in KC Ranchettes

**Prepared by:** Damon Wyckoff, Operations Manager
STAFF REPORT
CAWP Water Right
Consultant Services Agreement Amendment
Wagner & Bonsignore Consulting Civil Engineers

Requested Action:
Authorize the General Manager to execute the proposed Amendment #1 to the Agreement with Wagner & Bonsignore Consulting Civil Engineers for an added compensation of Up to $15,000 regarding the CAWP Water Right project.

Background:
The Water Agency filed an application for additional water rights for the CAWP system in 2003. The Water Agency entered into an agreement with Wagner & Bonsignore Consulting Civil Engineers in 2007 to assist the Water Agency with obtaining a water right permit for the CAWP system. The process has taken longer than expected and staff would like to expand the services associated with this agreement. This includes obtaining a license for the current CAWP water right permit 17579 and assistance with review of technical memos and water model for the environmental review.

Alternatives:
1. Do not approve the amendment and forego the requested services.
2. Seek the services from an alternative consultant.

Fiscal Impact:
Not to exceed $15,000.

Reviewed by Committee:
The Engineering and Planning Committee reviewed this item on October 4, 2016 and recommends approval of the amendment.

Recommendation:
Authorize the General Manager to execute the proposed Amendment #1 to the Agreement with Wagner & Bonsignore Consulting Civil Engineers for an added compensation of Up to $15,000 regarding the CAWP Water Right project.

Prepared by: Gene Mancebo, General Manager
AMENDMENT NO. 1
TO CONSULTANT AGREEMENT BETWEEN
AMADOR WATER AGENCY
AND
WAGNER & BONSIGNORE
CONSULTING CIVIL ENGINEERS
For
WATER RIGHTS CONTRACT FOR ENGINEERING SERVICES

THIS AMENDMENT No. 1 is made this ___ day of________, 2016 in Amador County, California, by and between the Amador Water Agency, a public entity created by special act of the Legislature of the State of California ("Water Agency"), and Wagner & Bonsignore Consulting Civil Engineers. ("Consultant") for the CAWP Water Rights Application Project ("Project")- Engineering Services Agreement dated December 31, 2007 between the parties.;

WITNESSETH:

WHEREAS, on December 31, 2007, the Water Agency and Consultant entered into an Agreement ("Agreement") Attachment A attached hereto and incorporated herein by this reference whereby Consultant agreed to perform engineering services in connection with Project, which services were described in Exhibit A to the Agreement; and

WHEREAS, paragraph 1 of the Agreement further provides that the Consultant shall perform the work identified in the Scope of Work provided in Exhibit A to the Agreement; and

WHEREAS, paragraph 2 of the Agreement provides that the total cost of the services, as described in paragraph 1, shall not exceed the total cost of $$63,000.00 as set forth in Exhibit A; and

WHEREAS, the Project has continued for nearly nine years since the Agreement was executed and taken longer than expected by no fault of the Consultant; and

WHEREAS, the Water Agency and Consultant now desire to further amend the scope of work and compensation.

NOW, THEREFORE, the parties hereto agree to amend the Agreement as follows:

1. Additional Work
The Consultant shall perform the additional engineering services to support the Project. This work will include consultant services to assist the Agency with acquiring a license for permit17579 and assistance in reviewing technical memos and water models used in the environmental review for the Project.

2. Changes in Compensation

The compensation in paragraph 2 of the original Agreement shall be increased by $15,000, for an amended total compensation not to exceed $78,000.00.

Incorporation by Reference

Except as specifically provided herein, the Agreement shall remain in full force and effect and its terms are incorporated herein by this reference.

IN WITNESS WHEREOF, the parties execute this Amendment No. 1 to the Agreement on the day and year first above written.

AMADOR WATER AGENCY

By:

Gene Mancebo, General Manager

Wagner & Bonsignore Consulting Engineers

By:

Nicholas F. Bonsignore
STAFF REPORT

CAWP Water Right Environmental
County Water Development Loan

Requested Action:
Authorize the Board President to execute the proposed Water Development Fund loan for $300,000 for the CAWP Water Right Environmental work as provided in the agenda package.

Background:
The Water Agency approved an agreement on February 11, 2016 with RMC Environmental and Water for preparation of environmental review and documents associated with the CAWP Water Right Permit for an amount not to exceed $289,429. During that same meeting, the Board authorized the General Manager to investigating a potential loan from the Water Development Fund. On March 8, 2016, the Board of Supervisors approved terms for a $300,00 loan to the Water Agency from the Water Development Fund for this project. In general, the term of the loan is a fixed interest rate of 1.84% for ten years with quarterly payments. The proposed loan agreement and repayment schedule is attached for the Board's consideration. A date has not been set yet when the agreement will go back to the Board of Supervisors for execution, but I have assumed a disbursement of funds November 1, 2016.

Alternatives:
1. Forego the proposed loan and instead fund the work through a combination of participation fees and water revenues.
2. Request alternative loan terms from the County Board of Supervisors

Fiscal Impact:
The estimated interest cost (1.84% per annum) over the life of the loan is projected to be $27,833.65

Reviewed by Committee:
Budget and Finance Committee is scheduled to review this agreement on October 11, 2016.

Recommendation:
Authorize the Board President to execute the proposed Water Development Loan for $300,000 as provided in the agenda package.

Prepared by: Gene Mancebo, General Manager
AGREEMENT FOR LOAN AND ITS REPAYMENT

THIS AGREEMENT FOR LOAN AND ITS REPAYMENT (this "Agreement") is entered into as of __________________, 2016 by and between the COUNTY OF AMADOR, a political subdivision of the State of California ("County"), and AMADOR WATER AGENCY, a public agency created by the Amador Water Agency Act (Chapter 95 of West's California Water Code Appendix), a special act of the Legislature of the State of California ("AWA").

RECITALS

A. AWA, a public agency created by the California Legislature, is pursuing a Central Amador Water Project Water Right Application (the "Project"). One component of the Project remaining to be completed is a comprehensive environmental review.

B. The County maintains a revolving Water Supply Fund (formerly the "Amador County Water Development Sinking Fund") in order to support the development of a wide range of water and wastewater related projects, which would include the proposed Project.

C. AWA is requesting a loan from the County's Water Supply fund to cover the portion of the Project costs related to completing the environmental review, and County desires to make such a loan to AWA, in accordance with the terms more particularly set forth below.

NOW, THEREFORE, for valuable consideration, receipt of which is acknowledged, the parties agree as follows:

1. LOAN. County hereby agrees to loan to AWA the amount of three Hundred Thousand and No/100ths Dollars ($300,000) from the Water Supply Fund (the "Loan") for the Project. Upon execution of this Agreement by both parties, County will deliver a check to AWA of the full loan amount.

2. INTEREST. The amount of the Loan shall bear interest at 1.84% per annum from the date of distribution until repaid in full.

3. USE OF FUNDS. The funds provided by the Loan shall be used for the sole purpose of completing the Project referenced in the Recitals.

4. QUARTERLY REPAYMENT OF LOAN. AWA shall repay to County the Loan in quarterly installments over a ten-year period, (including without limitation principal and accrued but unpaid interest) according to the repayment schedule attached and incorporated herein as Attachment A.
5. **REPAYMENT OBLIGATION.** The parties acknowledge as follows:

   a. AWA as a whole is obligated to repay the Loan, notwithstanding any individual default by AWA's constituents or others in the payment to AWA of fees, taxes, assessments, tolls, or other charges levied by AWA, and the Board of Directors of AWA shall provide for the punctual payment to County of all amounts as they become due under this Agreement.

   b. Subject to compliance with applicable laws, the Board of Directors of AWA shall, if necessary, levy upon all property within the AWA not exempt from taxation a tax, assessment, toll or charge, or combination thereof, sufficient to provide for all payments due under this Agreement, and shall enforce and collect all taxes, assessments, tolls, or charges levied and/or assessed for the purpose of providing such payments.

   c. In the event of failure, neglect, or refusal of any officer of AWA to levy any tax, assessment, toll, or charge, or combination thereof, necessary to provide for payment of amounts due under this Agreement, to enforce or to collect such taxes, assessments, tolls, or charges, or to pay over to County any money collected on such taxes, assessments, tolls or charges necessary to satisfy any amounts due under this Agreement, County may take such action in a court of competent jurisdiction as it deems necessary to compel the performance in their proper sequence of all duties relating to the levying and collection of the taxes, assessments, tolls or charges, and the payment of the money collected therefrom to the County. Action taken pursuant to this paragraph shall not deprive County of, or limit the application of, any other remedy provided by law or by this Agreement.

6. **COLLECTION COSTS.** Upon any default by AWA, County shall be entitled to recover from AWA all costs of collection and enforcement, including without limitation reasonable attorneys' fees. All collection and enforcement costs, and all pre-judgment past due interest, shall bear interest at the rate set forth in this Agreement.

7. **TRANSACTION CHARACTERIZATION.** This Agreement is a contract to extend a financial accommodation for the benefit of AWA. It is the intent of the parties hereto that the business relationship created by this Agreement is solely that of creditor and debtor and has been entered into by both parties in reliance upon the economic and legal bargains contained in the Agreement. None of the terms contained herein is intended, nor shall the same be deemed or construed, to create a partnership between AWA and COUNTY, to make them joint venturers, to make AWA an agent, legal representative, partner,
subsidiary or employee of COUNTY, nor to make COUNTY in any way responsible for the debts, obligations or losses of AWA.

8. INCORPORATION OF AGREEMENTS AND AMENDMENTS. This Agreement contains all agreements of the parties with respect to any matter mentioned herein. No other agreement or understanding pertaining to any such matter shall be effective, unless in writing signed by the party to be charged.

9. TERM. This Agreement shall take effect on the date first above-stated, and shall remain in effect until AWA has fully repaid the Loan and accrued interest thereon, and any associated costs and charges.

10. CONSTRUED PURSUANT TO CALIFORNIA LAW. The parties hereto agree that the provisions of this Agreement shall be construed pursuant to the laws of the State of California.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

COUNTY OF AMADOR

BY: ____________________________________________
Chairman, Board of Supervisors

AMADOR WATER AGENCY

BY: ____________________________________________
President, Board of Directors

ATTEST:
JENNIFER BURNS, Clerk of the Board of Supervisors

ATTEST:
Clerk of the Board of Directors

APPROVED AS TO FORM:
Office of the County Counsel

BY: ____________________________________________

10/7/2016
STAFF REPORT

Quarterly Investment Report – Period ending September 30, 2016

Requested Action: None

Background: The Amador Water Agency’s Investment Policy requires and Government Code Section 53646 encourages submittal to the Board of Directors a quarterly investment report reflecting the quarterly interest earnings received by the Agency from institutions holding Agency funds for investment purposes.

This report presents the Agency’s investment portfolio as of September 30, 2016. It includes all investments managed by the Agency but not those held by external trustees. Funds held by trustees include assets such as bond reserve funds and deferred compensation plans.

- The portfolio is invested in short-term investments with the American River Bank, the Local Agency Investment Fund (LAIF) administered by the State Treasurer. These are very high quality investments available to public agencies in terms of safety, liquidity and yield. These funds are FDIC insured up to $250,000 per investor and excess values are collateralized in accordance with Government Code Section 53651 and 53652.

- The balance represents the amount invested at a given point in time and is equal to the purchase price, par or face value, account balance and all represent the cost paid or funds invested in the vehicle.

- The market value of any instrument is the spot price between a willing buyer and seller and is a function of supply & demand, market and credit risk. The market value on instruments being bought and sold will fluctuate on a daily basis, while the purchase price, par or face values are constants. The market value for short term interest bearing accounts that are currently within the Agency’s portfolio is simply the balance in the account. Interest is credited to the Agency’s investment accounts on a monthly and quarterly (LAIF) basis and is given in the interest earned column.

- The quoted yield is given on an annual basis and taken from the monthly statement. The yield is a function of average daily balances, considering deposits and withdrawals, for short-term interest accounts or agreed rates for instruments that are bought and sold. Purchased instruments that are traded have purchased dates and maturities associated with them.
**Alternatives:** Alternatively, the Agency could choose to invest more in longer term securities. However, higher yield investments with longer maturities will increase liquidity risk.

**Fiscal Impact:** The overall weighted average return of the portfolio is 4.45% which is the product of the individual instruments’ weights and yields, this equates to $3,692 for the September 30, 2016 period. The attached table provides some significant statistics on the Agency’s portfolio. The valuation source is the September 30, 2016 month ending statements from each of the respective institutions.

**Reviewed by Committee:** No

**Recommendation:** Presently, the Agency’s portfolio is consistent with its investment policy and the prudent investor rule.

**Prepared by:** Tracey Hays, Finance Manager
<table>
<thead>
<tr>
<th>Portfolio Investments</th>
<th>Investment Type</th>
<th>Balance at 9/30/2016</th>
<th>Market Value</th>
<th>Investment Weight</th>
<th>Interest Earned</th>
<th>Quoted Yield</th>
<th>Purchase Date</th>
<th>Maturity Date</th>
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<tbody>
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<td>American River Bank</td>
<td>Commercial Checking Account</td>
<td>761,705</td>
<td>761,705</td>
<td>25%</td>
<td>30</td>
<td>0.020%</td>
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<tr>
<td>American River Bank *</td>
<td>GSL Commercial Checking</td>
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<td>0%</td>
<td>-</td>
<td>0.000%</td>
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<tr>
<td>American River Bank</td>
<td>Payroll Account</td>
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<td>American River Bank</td>
<td>Savings</td>
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<td>2%</td>
<td>3</td>
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<tr>
<td>LAIF</td>
<td>S-T Interest Account</td>
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<td>2,189,462</td>
<td>72%</td>
<td>3,659</td>
<td>6.140%</td>
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<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>3,025,937</strong></td>
<td></td>
<td></td>
<td>$3,692</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Unrestricted 1,167,681
Restricted 1,858,256

3,025,937

Portfolio Weighted Average Return 4.45%
Requested Action:
Discussion and possible authorization to implement a change to the Administrative Office hours from 8:00 a.m. to 5:00 p.m. to 8:00 a.m. to 4:30 p.m.

Background:
On September 28, 2016, the personnel committee discussed a request made by the Administrative office staff to close the office and forward the phones at 4:30 p.m. instead of 5:00 p.m. Staff brought this to the personnel committee for discussion and recommendation. Staff made their request based on the following:

1. The counter cash drawer needs to be counted and balanced each day; closing at 4:30 would ensure that this could be completed without interruption and without payment crossovers, allowing for cleaner accounting records. This also provides a more secure environment for handling the daily cash.
2. Time to complete pending daily tasks without interruption; this would provide the time necessary to finish tasks that are difficult to complete with the constant interruption. therefore, eliminating the possibility for errors and overtime.
3. Allow time for daily end of day clean up. Taking recycling out, flag down, cleaning up the office and preparing it for the next day.
4. Allow time to have quick meetings to update current workload for the day and prepare for the following day’s business.
5. This would also eliminate the possibility for overtime due to customers that come in a few minutes to 5:00 to do their business.

The Committee recommends implementation of the new hours with direction to staff to post the change in the lobby, use mailing inserts and post the change on the home page of the website for a period of time before actually implementing the change. Staff concurs and recommends implementing the change on November 14th, giving staff a month for customers to be notified.
Alternatives: Leave the hours the same, or discuss other alternatives

Fiscal Impact: Minimal, time to update the website, other changes to forms etc will be done as old stock is used up.

Reviewed by Committee: Yes

Recommendation:
Board authorization to implement a change to the Administrative Office hours from 8:00 a.m. to 5:00 p.m. to 8:00 a.m. to 4:30 p.m.

Prepared by: Cris L. Thompson, Assistant General Manager