

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

June 9, 2016

MINUTES

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

Directors Absent: Paul Molinelli

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

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

ADDITIONS TO THE AGENDA – None

PUBLIC COMMENT: None

CONSENT AGENDA ITEMS: (01:20:00-01:36:58)

MOTION: It was moved by Director Thomas , seconded by Director Toy , and unanimously carried to approve the consent agenda Minutes of the Regular Board Meeting of May 26, 2016 with minor revisions and Adopt Resolution No. 2016-09 - Authorizing Designated Individuals to Execute, On Behalf Of The Amador Water Agency, Project Assurances For Federal Assistance for Non-State Agencies.

DEPARTMENT REPORTS (00:01:37-0:12:16)

Administration/Finance
Operations

WATER SYSTEMS

Zinfandel Development, LLC (0:12:16-1:01:29)

Discussion and possible action to authorize the General Manager to enter into a

Participation Fee Agreement between AWA and Zinfandel Development

MOTION: It was moved by Director Toy, seconded by Director Thomas and unanimously carried to authorize the General Manager to enter into a Participation Fee Agreement between AWA and Zinfandel Development LLC regarding Zinfandel Ridge Phase One

Public Comment:

Ms. Valerie Klinefelter

Ms. Stefan Horstschaer, Zinfandel Ridge

Ayes: Directors Toy, Thomas, Farrington and Manassero

Noes: None

Absent: Director Molinelli

Abstain: None

Rabb Park Community Services District (31:27- 1:01:30)

Discussion and possible action to adopt Resolution 2016-08- A Resolution for application to LAFCO initiating proceedings for change of Organization-Dissolution of Rabb Park CSD

Public Comment:

Mr. Mike Miller, Vice President, Rabb Park CSD

MOTION: It was moved by Director Farrington, seconded by Director Thomas and unanimously carried to adopt Resolution 2016-08- A Resolution for application to LAFCO initiating proceedings for change of Organization-Dissolution of RABB Park CSD and transferring ownership and operation to Amador Water Agency with suggested revisions to the resolution.

Public Comment:

Ms. Valerie Klinefelter

Ayes: Directors Toy, Thomas, Farrington, and Manassero

Noes: None

Absent: Director Molinelli

Abstain: None

Small Diameter Pipeline Project (1:01:56-1:38:24)

Discussion and possible action to rescind award of construction contract for project to Campbell Construction and to terminate grant agreement and consultant work on project.

Public Comment:

Ms. Lois McDonald

Mr. David Evitt

Ms. Valerie Klinefelter
Mr. Jeff Campbell, Campbell Construction
Ms. Cecily Smith, private citizen
Mr. Mike Miller

MOTION: It was moved by Director Toy, seconded by Director Manassero to rescind award of construction contract for project to Campbell Construction and to terminate grant agreement and consultant work on project and continue discussion with the state

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

MOTION FAILED

Direction to staff to bring back options associated with the possible unknown costs including land acquisitions, easements, litigation, project extensions and possible re-scoping, cost to the Agency to give back the grant, review of staffing levels, all costs going forward, and additional funds contributions from others.

Public Comment:

Ms. Valerie Klinefelter

RECESS was called at 10:38 a.m. **SESSION** resumed at 10:55 a.m.

AGENCY GENERAL (1:38:24- 2:27:00)

Fiscal Year 2014/2015 Annual Audit

Presentation of FY 2014/2015 Annual audit by Michael Zizzi from the firm of Leaf & Cole

Direction to auditors to finalize the audit ending June 30, 2015

MOTION: It was moved by Director Farrington seconded by Director Thomas to finalize the audit ending June 30, 2015

AGENCY PROJECT UPDATES (2:27:00-2:39:17)

AGENCY COUNSEL REPORT (2:38:24-2:44:26)

Legislative Report

Other Legal Matters

COMMITTEE REPORTS (2:44:26- 2:54:36)

Engineering Committee (06-07-16)

FUTURE AGENDA TOPICS (2:54:41- 2:56:38)

CLOSED SESSION was called at 12:13 pm

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 Labor Negotiators Pursuant to Government Code Section 54957.6 (Gene Mancebo, Karen Gish, Paul Molinelli, Robert Manassero) - AWA Employee Association and the Management Bargaining Unit.

OPEN SESSION resumed at 12:26 p.m.

ADJOURNMENT

President Manassero adjourned the meeting at 12:27 p.m.



Cris Thompson

Clerk of the Board of Directors

Approved: 6/23/16