

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

September 8, 2016

MINUTES

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

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

MOTION: It was moved by Director Farrington, seconded by Director Thomas, and unanimously carried to approve consent agenda 1.A Minutes of the Regular Board Meeting of August 25, 2016, 1.B Minutes of the Special Board Meeting of August 25, 2016, and 2.A Approval of General Manager's contract for the term July 1, 2016 to June 30, 2016

DEPARTMENT REPORTS (00:01:05- 12:36)

Staff Reports will be provided by Department Heads to update the Board of Directors on current activities within their areas of responsibility.

Administration/Finance

Operations

AGENCY GENERAL (12:38- 16:08)

Proposed Changes to Miscellaneous Fees

Regular Board Meeting

September 8, 2016

Page 1

Public Hearing – Consideration of proposed fees – Discussion and possible adoption of Resolution No. 2016-19 adopting revisions to the Agency’s Miscellaneous Fees and Charges

President Manassero declared the public hearing was duly noticed and opened at 9:13 a.m.

Public Comment: None

MOTION: It was moved by Director Thomas, seconded by Director Molinelli and unanimously carried to close the public hearing

MOTION: It was moved by Director Thomas, and seconded by Director Toy, and unanimously carried to adopt Resolution No. 2016-19 adopting revisions to the Agency’s Miscellaneous Fees and Charges

WATER SYSTEMS (16:09- 25:08)

Community Development Block Grant (CDBG) – Pioneer Water Rehabilitation Project

Discussion and possible approval of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and direction to staff to file the notice of determination

Chris Stubenfeldt, ECORP

MOTION: It was moved by Director Farrington, and seconded by Director Thomas, and unanimously carried to approve the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and direction to staff to file the notice of determination for the CAWP Pioneer Water Rehabilitation Project

MOTION amended to **adopt** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan and direction to staff to file the notice of determination for the CAWP Pioneer Water Rehabilitation Project

Hazard Mitigation Grant Program (25:09- 32:12)

Discussion and possible action to adopt Resolution 2016-20 authorizing the General Manager to execute a new funding match commitment letter associated with the Agency’s Hazard Mitigation Grant Application for the CAWP Redwood Tank and Hypalon Floating Cover Retrofit Project

MOTION: It was moved by Director Farrington, and seconded by Director Thomas, and unanimously carried to adopt Resolution 2016-20 authorizing the General Manager to execute a new funding match commitment letter associated with the Agency’s Hazard Mitigation Grant Application which incorporates the additional costs associated with the revised design and engineers cost estimate for the CAWP Redwood Tank and Hypalon Floating Cover Retrofit Project \$307,273.04

WASTEWATER SYSTEMS (32:13- 40:44)

Martell Wastewater

Discussion and possible action to transfer 18 wastewater customers in the Martell

system to the City of Jackson and terminate and terminate the June 4, 1991 agreement with the City of Jackson associated with service to these properties

MOTION: It was moved by Director Molinelli, and seconded by Director Farrington, and unanimously carried to transfer 18 wastewater customers in the Martell system to the City of Jackson and terminate and terminate the June 4, 1991 agreement with the City of Jackson associated with service to these properties

AGENCY COUNSEL REPORT (40:44- 1:02:28)

Legislative Report
Other Legal Matters

BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS) (1:02:30- 1:18:07)

Engineering Ad Hoc

President Manassero assigned a salary structure Adhoc committee of Directors Molinelli and Thomas to review the salary structure of the management team

FUTURE AGENDA TOPICS (1:18:07- 1:20:22)

Bond Refunding

RECESS was called at 10:21 a.m. **SESSION** resumed at 10:34 a.m.

CLOSED SESSION was called at 10:34 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.

Director Molinelli left the meeting at 11:44 a.m.

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).

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).

Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) and (d)(2) Significant Exposure to Litigation -- Claim for damages filed by Campbell Construction Related to Termination of Small Diameter Pipeline Project

Regular Board Meeting
September 8, 2016

Page 3

OPEN SESSION RESUMED at 12:02p.m.

Report out from Closed Session:

The four Board members present (Director Molinelli absent) voted unanimously to approve an agreement with Campbell Construction settling its damages claims related to termination of the Small Diameter Pipeline Project in the amount of \$25,000 in exchange for a full release of all claims related to that project.

ADJOURNMENT

President Manassero adjourned the meeting at 12:03 p.m.



Cris Thompson
Clerk of the Board of Directors

Approved: 9/22/14