AMADOR WATER AGENCY
Board of Directors
Regular Meeting
12800 Ridge Road, Sutter Creek, CA 95685
March 8, 2018
*Amended*
9:00 a.m.
Website Address: www.amadorwater.org

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 Managers to update the Board of Directors on current activities within their areas of responsibility
   A. Administration/Finance
   B. Operations
   C. Engineering

6. AGENCY GENERAL
   A. AWA Mission Statement
      1. Discussion and possible action to approve the recommended changes to the Agency’s Mission Statement
B. Administrative Policy Manual
   1. Discussion and possible action to adopt Resolution No. 2018-04 Approving a revision to section 2050 -Guidelines for Director Compensation

C. Organizational Adhoc Committee
   1. Discussion and possible action regarding work being performed by the adhoc committee

7. WATER SYSTEM
   A. Assembly Bill 142 -Mokelumne River Wild and Scenic River Study Report
      1. Information Only- No action requested

B. Tanner Backwash Project
   1. Discussion and possible action to adopt Resolution No. 2018-05- A resolution authorizing the General Manager to execute a contract with North Valley Labor Compliance Services

8. WASTEWATER SYSTEM
   A. Amador Regional Sanitation Agency (ARSA)
      1. Information Only- No action requested

9. LEGAL COUNSEL’S REPORT
   A. Legislative report
   B. Discussion and possible action regarding Agency positions on pending bills
   C. Other Legal Matters

10. COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
    A. Community Outreach (02-26-18)
    B. Policies (02-26-18)

11. FUTURE AGENDA TOPICS
    A. 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(D)(1) – Existing Administrative Proceedings – State Water Resources Control Board Bay-Delta Water Quality Control Plan Update Proceeding

    B. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6 (Gene Mancebo, Karen Gish, Gary Thomas, Rich Farrington) - AWA Employee Association Bargaining Unit.

13. ADJOURNMENT
AMADOR WATER AGENCY
CONSENT AGENDA
March 8, 2018

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 February 22, 2018

2. MISCELLANEOUS APPROVALS
   A. CAWP Pioneer Water Rehabilitation Project Phase
      1. Notice of Intent to adopt a Mitigated Negative Declaration and Initial Study for the Central Amador Water Project Water Rehabilitation Project—Amador County
   B. CAWP Redwood Tank and Floating Cover Retrofit Project
      1. Notice of intent to file a Notice of Exemption and other associated environmental documents necessary in association with this project

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
February 22, 2018

MINUTES

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

Directors Absent: None

Staff Present: Gene Mancebo, General Manager
Cris Thompson, Assistant GM/ Clerk of the Board
Damon Wyckoff, Operations Manager
Darrel Evensen, Engineering Manager

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

ADDITIONS TO THE AGENDA- None

EMPLOYEE RECOGNITION- Recognition of Steve Hess for his promotion to Water Treatment Plant Operator II (00:01:20- 4:29)

PUBLIC COMMENT: None

CONSENT AGENDA:
It was moved by Director Farrington, seconded by Director Thomas and unanimously carried to approve the consent agenda with suggested revisions
Minutes of the Regular Board Meeting of February 8, 2018
Minutes of the Special Board Meeting of February 8, 2018
Minutes of the Special Board Meeting of February 9, 2018
Minutes of the Special Board Meeting of February 12, 2018
WATER SYSTEMS (06:39- 55:14)
Assembly Bill 142 Study
Discussion and direction regarding Amador Water Agency Comment Letter

Public Comment:
Katherine Evatt, Foothill Conservancy

MOTION: It was moved by President Toy, seconded by Director Molinelli Jr. and unanimously carried to authorize the General Manager and the adhoc committee to draft a response letter to the California Natural Resource Agency for President Toy’s signature.

General Manager Mancebo left the meeting at 9:55 a.m.

AGENCY GENERAL
Amador County Fair (55:16- 56:16)
Discussion and possible action to participate in the 2018 Amador County Fair

MOTION: It was moved by Director Manassero seconded by Director Molinelli Jr. and unanimously carried to authorize participation in the 2018 Amador County Fair.

COMMITTEE REPORTS (56:17- 1:13:50)
   A. ACGMA
   B. SGMA
   C. Budget and Finance (02-20-18)

RECESS was called at 10:15 a.m. SESSION Resumed at 10:25 a.m.

GENERAL MANAGER’S REPORT – Not discussed

ASSISTANT GENERAL MANAGER’S REPORT (1:13:50-1:26:41)

BOARD OF DIRECTOR DISTRICT REPORTS, COMMITTEE REPORTS AND DIRECTOR COMMENTS – (1:26:55- 1:40:22)

FUTURE AGENDA TOPICS
None

ADJOURNMENT
President Toy adjourned the meeting at 10:52 a.m.

________________________________________________________________________
Cris Thompson
Clerk of the Board of Directors
Approved:                                                                

Regular Board Meeting
February 22, 2018
Page 2
DATE: February 28, 2018

TO: Responsible Agencies, Interested Parties, and Organizations

SUBJECT: NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY FOR THE CENTRAL AMADOR WATER PROJECT WATER REHABILITATION PROJECT—AMADOR COUNTY

The Amador Water Agency (AWA) is the California Environmental Quality Act (CEQA) Lead Agency for the proposed Central Amador Water Project Water Rehabilitation Project (Proposed Project). The Proposed Project is being funded through a Community Development Block Grant (CDBG) administered by the U.S. Department of Housing and Urban Development (HUD). Due to the involvement of federal funds, AWA is serving as the National Environmental Policy Act (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 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.

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 15 miles northeast of the City of Jackson along Buckhorn Ridge Road, and spans a distance of approximately 1.8 miles from Tank A, just south of the end of Elkhorn Court, west on Elkhorn Court, south on Deer Trail, southwest on Oxbow Road, south on Prospect Place to Buckhorn Ridge Road and then west on Buckhorn Ridge Road to the intersection with Deadwood Court where Phase 2 terminates.

Project Description: The Proposed Project would include paralleling the existing pipeline in Buckhorn Ridge Road between Deadwood Court and Elkhorn Court. The current pipeline causes a severe distribution system bottleneck that inhibits downstream flow. Specifically, the Proposed Project consists of the installation of approximately 6,700 feet of new 12-inch pipeline from the Tank A and B site (at the end of Elkhorn Court) to the Tank C site. The new pipeline will provide increased capacity from Buckhorn Ridge Road to Tank C, increased capacity at Tank C, and increased capacity downstream. This ensures that Tank C will be able to refill properly during peak usage.

The portion of Phase 2 extending from Tank C to the intersection of Buckhorn Ridge Road and Cedar Heights Drive was included in environmental documentation for Phase 1 of the overall Project and is not included as part of this evaluation. The portion of Phase 2 included in this evaluation would begin at the intersection of Buckhorn Ridge Road and Cedar Heights Drive and extend east to Prospect Place. Then it would continue north on Prospect Place, northeast on Oxbow Road, north on Deer Trail, and east on Elkhorn Court to Tank A.

Potentially Significant Environmental Impacts: Potentially significant impacts to air quality, biological resources, cultural resources, noise, Tribal Cultural Resources, and transportation/traffic were identified in the IS and EA. All impacts would be reduced to a less than significant level with the implementation of mitigation measures.
Hazardous Waste Sites: Pursuant to Section 15087(c)(6) of the Guidelines for California Environmental Quality Act, the AWA acknowledges the non-existence of hazardous waste sites within the project area reviewed by this Mitigated Negative Declaration.

IS/MND Document Review and Availability: The public review and comment period for the IS/MND will extend for 30 days starting March 6, 2018 and ending April 5, 2018. 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

Comments/Questions: Comments and/or questions regarding the IS/MND and EA may be directed to: Brandt Cook, Project Manager, 12800 Ridge Road, Sutter Creek, CA 95685 (209-257-5206).
STAFF REPORT

CAWP Redwood Tank and Floating Cover Retrofit Project

Requested Action:
Direct Staff to proceed with filing the Exemption Notice

Background:
The Water Agency applied for and successfully in received grant funds from Cal OES’s Hazard Mitigation Grant Program to replace 4 Redwood Potable Water Storage Tanks and 2 Hypalon Floating Covers with welded / bolted steel and structurally sound roofs. This project will mitigate the facilities risk to loss from Wildfires. The project has undergone a Federal environmental review by the Federal Emergency Management Agency (FEMA) and a Categorical Exemption Determination was made in accordance with the National Environmental Policy Act (NEPA). This project is also exempted from statewide environmental review under the California Environmental Quality Act (CEQA) Guidelines, Categorical Exemption 15302(C), Replacement and Reconstruction of Existing Facilities with no additional capacity.

Alternatives:
1. Require that staff perform additional environmental review.
2. Choose not file the NOE and place the project on hold

Fiscal Impact:
The fiscal impact is limited to staff time and filing fees.

Reviewed by Committee:
This proposed project and anticipated CEQA exemption was discussed with the Engineering and Planning Committee and is delineated in our projects list for the Fiscal Year 17/18 Budget.

Recommendation: Proceed with filing the Exemption Notice.

Prepared by:
Damon Wyckoff, Operations Manager
Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Amador
810 Court Street
Jackson, CA 95642

From: (Public Agency): Amador Water Agency
12800 Ridge Road
Sutter Creek, CA 95685

Project Location - Specific:
APN 032-340-018. APN 031-040-025. APN 038-210-068. APN 038 350 003. APN 038-010-120

Project Title: Redwood Tank and Floating Cover Retrofit Project

Project Applicant: Amador Water Agency

Project Location - City: Pioneer and Pine Grove

Project Location - County: Amador

Description of Nature, Purpose and Beneficiaries of Project:
The purpose of this project is to recycle water that is being used for filter and clarifier washing and will result in the reuse/conservation of more than 200 acre feet of water annually. The project reduces water d

Name of Public Agency Approving Project: Amador Water Agency

Name of Person or Agency Carrying Out Project: Amador Water Agency

Exempt Status: (check one):
☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☐ Categorical Exemption. State type and section number: 15302(C)
☐ Statutory Exemptions. State code number:

Reasons why project is exempt:
The project involves no increased water treatment capacity or expanded use and follows a prior NEPA determination of Categorical Exemption. This Project will replace 4 aged redwood potable water storage tanks and 2 hypalon floating covers with welded / bolted steel tanks and structurally sound roofs to mitigate infrastructure loss due to wildfires.

Lead Agency
Contact Person: Gene Mancebo Area Code/Telephone/Extension: (209)257-5245

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: ___________________________ Date: __________ Title: ___________________________

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Revised 2011
Administration Department Report

Customer Service/Human Resources:

- The 2017/2018 (7/1/17-6/30/18) Safety Statistics for Agency staff are:
  - Lost time worker’s comp incident: 0 (date of last incident: 12/12/16)
  - Other Worker Comp incident: 0 (date of last incident: 5/10/17)
  - First Aid incident: 0
  - Avoidable vehicle accident: 1 (10/27/17)
  - Unavoidable vehicle accident: 1 (12/5/17)
- Training: Miller, K-Pesticide; Hays & Roussan – CERBT; Tamantini-Backflow; Haugland & Wilson – AC Pipe; Thompson, M. – D5 Prep
- Certifications/Renewals: Lawson-T3; Miller, K-PAPA; Brewster-CWEA; Gorshorn-CWEA; Pent-T2 renewal
- Staffing: Positions filled: Plant Operator II-Steve Hess; Instrumentation/Electrical Supervisor-offer/pre-employment underway; Vacancies being advertised: Instrumentation/Electrician Technician and Distribution II.
- Liens filed: 1 - $532.37
- Liens Released: 2 - $458.72
- Total Liens filed for the Agency 302- total dollar amount $141,615.85
- Customer Service staff is working on an EDU project; putting the water and wastewater EDU allocations on all customer accounts. This is a long term project as time allows. Currently 4 out of 34 routes have been completed.

Finance/Accounting:

Water Sales Revenues through the month of February are $5,283,691

Wastewater Sales Revenues through the month of February are $1,106,919

Reimbursements received: $307,294

Outstanding Reimbursements are approximately $463,396

Restricted and Unrestricted Cash: Next Page

February Sales Comparison- Attached

February Aging Report- Attached

Prepared by: Karen Gish – HR / Office Manager
Tracey Hays - Finance Manager
Cris Thompson- Assistant General Manager
## Restricted and Unrestricted Cash

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**17-18 Budget**

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**Adjustment To Sales-Write-Offs**

|                      | 722,063    | 8,349  | 74,399  | 450,902   |

**AWA WATER SYSTEM**

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<td>102-04-414000</td>
<td>Irrigation</td>
</tr>
<tr>
<td></td>
<td>102-04-415000</td>
<td>Resale</td>
</tr>
<tr>
<td></td>
<td>102-04-415010</td>
<td>Transfer In Purchased</td>
</tr>
<tr>
<td></td>
<td>102-04-416000</td>
<td>Wholesale</td>
</tr>
<tr>
<td></td>
<td>102-04-417000</td>
<td>Hydrant Use</td>
</tr>
<tr>
<td></td>
<td>102-04-418050</td>
<td>Adjustment To Sales-Write-Offs</td>
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<tr>
<td></td>
<td>102-04-419000</td>
<td>Debt Service Charge</td>
</tr>
<tr>
<td></td>
<td>102-04-419010</td>
<td>Pumping Surcharge</td>
</tr>
<tr>
<td></td>
<td>102-04-419020</td>
<td>Water Shortage Surcharge</td>
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**Water - Sales**

<table>
<thead>
<tr>
<th></th>
<th>102-04-411000</th>
<th>Monthly Service Charge</th>
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<td>102-04-411010</td>
<td>Residential</td>
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<td></td>
<td>102-04-411020</td>
<td>Multi-User</td>
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<td>102-04-412000</td>
<td>Commercial</td>
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<td></td>
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<td>102-04-414000</td>
<td>Irrigation</td>
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<tr>
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<td>102-04-415000</td>
<td>Resale</td>
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<tr>
<td></td>
<td>102-04-415010</td>
<td>Transfer In Purchased</td>
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<tr>
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<td>Wholesale</td>
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<td>Adjustment To Sales-Write-Offs</td>
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<td>102-04-419000</td>
<td>Debt Service Charge</td>
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<td>Pumping Surcharge</td>
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**17-18 Budget**

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<th>YTD totals</th>
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<td></td>
<td>4,135,038.09</td>
<td>4,633,630.73</td>
<td>5,283,690.96</td>
<td>6,823,384.00</td>
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<td></td>
<td>YTD % of Budget</td>
<td>77.44%</td>
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<td>February 28, 2017</td>
<td>Total</td>
<td>Over 120</td>
<td>90-120</td>
<td>60-90</td>
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<td>--------</td>
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<td>Standby/Assessments</td>
<td>48,588.70</td>
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<td>1.72</td>
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<td>Wastewater</td>
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<td>220,043.34</td>
<td>4,685.81</td>
<td>5,023.53</td>
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<td>Water</td>
<td>302,164.36</td>
<td>7,198.92</td>
<td>940.72</td>
<td>1,863.65</td>
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<td>Totals</td>
<td>616,677.50</td>
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<td>5,628.25</td>
<td>6,888.90</td>
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<table>
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<th>28-Feb-18</th>
<th>Total</th>
<th>Over 120</th>
<th>90-120</th>
<th>60-90</th>
<th>30-60</th>
<th>Under 30</th>
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<tbody>
<tr>
<td>Standby/Assessments</td>
<td>37,452.48</td>
<td>36,808.31</td>
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<td>100.00</td>
<td>3,158.64</td>
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<tr>
<td>Wastewater</td>
<td>58,982.44</td>
<td>23,076.00</td>
<td>1,077.91</td>
<td>1,127.84</td>
<td>1,959.74</td>
<td>33,352.93</td>
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<tr>
<td>Water</td>
<td>402,804.18</td>
<td>12,727.34</td>
<td>2,517.44</td>
<td>3,926.09</td>
<td>24,194.84</td>
<td>400,027.55</td>
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<tr>
<td>Totals</td>
<td>499,239.10</td>
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</table>

<table>
<thead>
<tr>
<th>Deleted Accounts</th>
<th>2/28/2017</th>
<th>49,584.44</th>
<th>43,524.34</th>
<th>4,660.30</th>
<th>315.90</th>
<th>833.21</th>
<th>1,632.05</th>
<th>(1,381.36)</th>
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<tbody>
<tr>
<td></td>
<td>2/28/2018</td>
<td>18,546.57</td>
<td>15,330.39</td>
<td>368.28</td>
<td>536.89</td>
<td>1,129.41</td>
<td>1,699.60</td>
<td>(518.00)</td>
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</tbody>
</table>
Operations Report

Covering February 1 – February 26, 2018

Operations Manager:

1. Developed and submitted request and associated grant application to Amador County and CALFIRE for funds to cover the Agency's 25% match requirement for the Tree Mortality Project.
3. Developed and submitted an Outside Services Contract to Pine Grove CSD. Attended PGCSD Board Meeting to discuss proposed contract.
5. Facility Tours of Up-Country (CAWP) infrastructure with the Agency Engineering Manager.
6. Gave tour of the Agency’s Tucker Hill Road Pipeline Project to AWA Finance Staff.

Regulatory Compliance Specialist:

1. Water, Wastewater and Drought reporting.
3. Conference call with website designer on CMMS/Springbrook integration possibilities.
4. Website and Social Media posting.

Water Treatment Plants:

1. Tanner chlorine tank leak repair prep (ordering temp bulk tank, plumbing supply line, gathering parts, cleaning drums, scheduling delivery).
2. Numerous issues due to extreme cold weather conditions. Frozen/stuck pneumatic valves causing filter failures/frozen backwash floats.
3. Emergency replacement of failed Trent Way Pump Station air compressor.
4. Work with electrical department to complete installation and testing of new Sutter Creek meter.
5. Ione plant-completed flow test with Preston raw water line.
6. Ione plant-completed filter test to accumulate data for plant work this summer.
7. Buckhorn plant- replaced finish water tank #1 level transducer after failure.
9. Raw water intake piping froze causing low tank alarm. Switched breaker back on and heat tape is operational again.

Wastewater:

1. Began weed abatement in all systems.
2. Continuing repairs on Kmart lift station infiltration problems.
3. Beginning to lay electrical conduit for a dedicated phone line at Kmart lift station. Our connection runs through the closed business.
4. Assisting Electrical Dept in pulling wire at Well 9 site.
5. Pine Grove Camp- continue to monitor all wastewater at the camp and continue to sample as required.
6. Mace Meadows Golf Course- Continue to monitor and keep Pond #7 low with the help of golf course staff.

**Electrical:**
1. Conducted interviews for Electrical Supervisor position.
2. Projects worked on this month:
   a. Buckhorn Backwash Recycle
   b. Tanner Backwash Recycle
   c. Camanche New Tank 9 Instrumentation
3. Installed new Servers at Buckhorn, Tanner, lone and Camanche
4. Failures:
   a. Buckhorn WTP Storage tank 1 transducer failed and was replaced.
   d. Camanche Tank 9 PGE power restored at Tank 9 with new wire pull.

**Construction:**
1. Installed water main at Tucker Hill
2. Leak repair for First Mace Meadows (5gpm)

**Distribution:**
1. Main Line Leak Repairs:
   a. Circle View (CAWP, 10 gpm)
   b. Alpine Drive (CAWP, 20 gpm)
2. Service Line Leak Repair:
   a. Par Ct. (lone, 2gpm)
   b. Roden Lane (CAWP, 5 gpm)
   c. Parkwood (First Mace, 5 gpm)
3. Increased shut off requests due to frozen, broken piping on customers' properties.
4. Replaced batteries at Mt. Crossman pump station generator.

**Canal:**
1. Berm Leak Repairs:
   a. 2 at Lake Tabeau Mile Marker 0.75 (30 gpm each)
   b. W. Clinton Rd. Mile Marker 10.0 (50 gpm)
   c. 2 at lone Canal Mile Marker 1.50 (10 gpm each)
2. Installed 80 ft of HDPE liner at Mile Marker 6.75 (Carter Lane)
3. Installed 32 ft of HDPE 36" dia culvert at Waste Gate #7 drainage at Mile Marker 6.25 Clinton Rd.
4. Pressure Reducing Valve repair on Amador Transmission Line service at Clinton Rd.
5. Downed tree removal at Mile marker 2.25 at New York Ranch Rd.

Prepared by: Andrea Hinton, Regulatory Specialist
Reviewed and edited by: Damon Wyckoff, Operations Manager
River Pines March Dept. Report

February Water Production/Sold

<table>
<thead>
<tr>
<th>Well</th>
<th>Production (gallons)</th>
<th>Total Produced (gallons)</th>
<th>Total Sold (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Well 2</td>
<td>361,300</td>
<td>795,021</td>
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</tr>
<tr>
<td>Well 3R</td>
<td>417,400</td>
<td></td>
<td>543,100</td>
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<tr>
<td>Well 6R</td>
<td>16,321</td>
<td></td>
<td>32%</td>
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</tbody>
</table>

Operations Manager-
- Developed requested budget items for Water, Wastewater, and Distribution System O&M and provided to the PUD General Manager

Regulatory Compliance Specialist-
- Completed December monthly reporting for water and wastewater.

Wastewater-
- Influent flow: 831,000 gallons. Effluent Discharged: 36,900 gallons. Couldn't irrigate more due to weather.
- All samples completed
- Calibration on influent and effluent meters completed. Meters reading accurately.
- Completed more work on shed
- Sprayed access road and weed-eated.

Water-
- Investigate, troubleshoot, and correct problem with turbidimeter at Well 6R.
- Repair failed 3 way valve on chlorine pump at well 2R.
- Replace broken tubing compression fitting on discharge of chlorine pump at well 2R.
- Continued work to install blow off on 2" main to WWTP.
- Identified that the auto dialer at Slate Creek had been switched to the "OFF" position which didn't allow it to call out.
- Staying up to date on weekly, bi-weekly, monthly sampling, and quarterly sampling.

Electrical-
- Review of New Circle Tank plans

Prepared by: Andrea Hinton, Regulatory Specialist
Reviewed by: Damon Wyckoff, Operations Manager

Labor Hrs Water 71.5
Labor Hrs Wastewater 79.5
City of Plymouth Dept Report-February 2018

Operations Manager-
- Met with the City of Plymouth's Operations Superintendent to review the City's Sanitary Sewer Management Plant and discussed areas of concern within the City that need heightened monitoring
- On-going correspondence with both the Regional Water Quality Control Board and the City regarding the Plymouth Water Treatment Plant and its State of Readiness

Regulatory Compliance Specialist-
- Completed monthly water reporting and sent report to Division of Drinking Water and City Manager.
- Posted on Social Media for boil advisory after break.

Distribution-
- Routine flushing
- Routine Distribution Sampling
- Created a Flushing program

Water –
- Continued work to prep plant for standby operation. Completed all filter inspections to find that all 3 need to be completely rebuilt due to damaged filter conditions. Waiting on direction from City Manager

Construction-
- Leak Repair on Main Street.

Wastewater-
- Monitored grease traps and issued pump orders where needed.
- Checked various manholes for backups
- Helped with repairs on 10 inch broken line at Wastewater Treatment Plant

Labor Hrs Water=38.5
Labor Hrs WW= 0
Engineering Department Report

February 1 to February 28, 2018

Capital Projects
- Buckhom DBP – Under construction. Anticipated substantial completion date is March 15, 2018
- Camanche Tank 9 – AWA electrical force account in progress
- CDBG 2 – Grant application forwarded to CDBG, Environmental document is circulating
- Ione Hydro – in design (currently at 70%). Construction costs presented at next board meeting, March 22, 2018
- Ione WTP Rehabilitation – Construction to start soon
- Tanner Backwash – Out to bid
- FEMA Projects (Amador Canal, Preston Pump Station, Eggiman Lane, and Tiger Creek WTP Intake) – Estimations of Cost for repair/replacement in progress, partial funding approved

Developer Projects
- Sutter Creek Bridge – Out to bid
- Washington Place – Under construction
- Castle Oaks Unit 5 – Plan review completed
- Cal-Fire – In redesign
- Wildflower – Punch list work in progress
- Milsap/Tucker Hill – Punch list work in progress
- River Pines – Plan review completed

**Project Expenses through 02-28-18 are attached**

Prepared by: Darrel Evensen, Engineering Manager
## Project Expenses through 02-28-18

<table>
<thead>
<tr>
<th>Project</th>
<th>Funded By</th>
<th>Funding Contract Deadlines</th>
<th>Grant Funds</th>
<th>FY 17-18 Budget</th>
<th>Expended to date</th>
<th>% of FY 17-18 Budget</th>
<th>Expended Life of Project</th>
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</thead>
<tbody>
<tr>
<td>Ione WTP Rehabilitation Design &amp; Construction</td>
<td>Part. Fees / CFD</td>
<td>7/1/2018</td>
<td>$ 2,761,773</td>
<td>$ 89,537</td>
<td>9.85%</td>
<td>$ 134,627</td>
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<tr>
<td>Buckhorn DBP/BW Compliance Construction</td>
<td>Grant</td>
<td>*3/1/2020</td>
<td>$ 2,205,325</td>
<td>$ 1,270,980</td>
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<td>$ 1,897,357</td>
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<td>Redwood Tanks and Floating Cover Repl - HMGP</td>
<td>Grant</td>
<td>7/1/2018</td>
<td>$ 921,819</td>
<td>$ 167</td>
<td>0.01%</td>
<td>$ 1,627</td>
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<tr>
<td>Lake Camanche Tank 9 &amp; Intertie</td>
<td>Grant/Oper Rates</td>
<td>7/1/2018</td>
<td>$ 1,226,856</td>
<td>$ 1,630,454</td>
<td>98.65%</td>
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<tr>
<td>CDAA Storm Repairs - Preston PS Improvements</td>
<td>Grant</td>
<td>*4/30/2019</td>
<td>$ 64,000</td>
<td>$ 916</td>
<td>0.46%</td>
<td>$ 704</td>
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<tr>
<td>CDAA Storm Repairs - Amador Canal</td>
<td>Grant/Oper Rates</td>
<td>*4/30/2019</td>
<td>$ 200,000</td>
<td>$ 121</td>
<td>0.19%</td>
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<tr>
<td>Tanner Backwash Recycling Grant App / Design</td>
<td>Operating Rates</td>
<td>12/31/2018</td>
<td>$ 1,222,000</td>
<td>$ 1,24,208</td>
<td>17.03%</td>
<td>$ 162,813</td>
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<td>Camanche Service Lateral Replacement ph 3</td>
<td>Loan</td>
<td>*4/30/2019</td>
<td>$ 729,429</td>
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<td>CAWP Water Rights</td>
<td>Grant/1 %Loan</td>
<td>12/31/2018</td>
<td>$ 116,618</td>
<td>$ 92,114</td>
<td>78.99%</td>
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<td>Ione Hydroelectric - SDP Phase A - Lower Canal Piping</td>
<td>Operating Rates</td>
<td>1/1/2018</td>
<td>$ 23,800</td>
<td>$ 42,809</td>
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<td>Millkap-Tucker Hill</td>
<td>Operating/ Customer</td>
<td>1/1/2018</td>
<td>$ 20,308</td>
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<td>Ione Canal Abandonment - Design/Easements</td>
<td>Operating Rates</td>
<td>*4/30/2019</td>
<td>$ 95,527</td>
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<td>CDAA Tree Mortality</td>
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<td>Highway 88 Overlay</td>
<td>Operating Rates</td>
<td>2/28/2019</td>
<td>$ 60,000</td>
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<td>CDBG Phase II Environmental</td>
<td>Part Fees</td>
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<td>$ 149,089</td>
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<td>Camanche Wastewater Design/CEQA/NEPA</td>
<td>Grant</td>
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<td>$ 351,165</td>
<td>$ 48</td>
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<td>Pine Grove Monitoring Well Replacement</td>
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<td>$ 9,009</td>
<td>$ -</td>
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<td>$ -</td>
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<td>Highway 49 Overlay</td>
<td>Operating Rates</td>
<td>2/28/2019</td>
<td>$ 120,950</td>
<td>$ -</td>
<td>0.00%</td>
<td>$ -</td>
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<td>Highway 49 / Ridge Road Manhole Replacement</td>
<td>Operating Rates</td>
<td>2/28/2019</td>
<td>$ 76,560</td>
<td>$ 1,059</td>
<td>1.38%</td>
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<td>Martell Force Main Relocation</td>
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*Amendments granted- timelines extended

### Developer/Contract Services Revenue

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<th>Amount (USD)</th>
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<td>PG&amp;E OS</td>
<td>16,170.68</td>
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<td>RPPUD</td>
<td>40,122.05</td>
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<td>East Ridge BP</td>
<td>2,331.23</td>
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<td>Arco WW Connection</td>
<td>744.29</td>
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<td>Gold Quartz/ Regan</td>
<td>876.91</td>
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<tr>
<td>Castle Oaks 4A</td>
<td>4,382.95</td>
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<tr>
<td>Castle Oaks 7</td>
<td>716.30</td>
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<td>Wildflower 4</td>
<td>1,899.33</td>
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<td>Wildflower 7</td>
<td>186.07</td>
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<td>Brusatori Ventosa Collina</td>
<td>231.84</td>
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<td>Washington Place</td>
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<td>Plymouth OS Water</td>
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<td>Plymouth OS WW</td>
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<td>Castle Oaks 4B</td>
<td>6,522.58</td>
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<td>Cal Fire Dormitories</td>
<td>540.99</td>
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<td>Castle Oaks village 5</td>
<td>1513.3</td>
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**Total**: $ 167,832.68
STAFF REPORT

Mission Statement

Requested Action:
Discussion and possible action to approve the revised Mission Statement

Background

At the Board Meeting of February 22, 2018, the Policy Committee was assigned to review the current mission statement and make recommendations for a possible revision. Please see the attached Exhibit A recommendation in redline form.

Alternatives: Not approve the suggested revision, or suggest additional revisions

Fiscal Impact: None

Reviewed by Committee: Yes, reviewed and recommended by the Policy Committee

Reviewed by Legal Counsel: No

Staff Recommendation:

Approval of the revised Mission Statement

Prepared by: Cris Thompson, Assistant General Manager
Mission Statement

To enhance the quality of life in Amador County by providing safe, reliable water, wastewater, conservation and reclamation services. We will manage our resources with fiscal and environmental responsibility. We will accomplish this as a professional team, dedicated to public transparency, community partnerships and excellent customer service.

Adopted 04/10/09
STAFF REPORT

Administrative Policy Manual Section 2050
Guidelines for Director Compensation

Requested Action:
Discussion and possible adoption of Resolution No. 2018-04 Approving a revision to section 2050 Guidelines for Director Compensation

Background

At the Board Meeting of February 22, 2018, the Policy Committee was assigned to review the Administrative Policy section regarding Director compensation for meeting attendance as there has been a recent increase in Director participation on various standing committees and special assignments. The current limit of compensated meetings per month is 7 per Director and 10 for the Board President. The Policy Committee reviewed the current policy and recommends that language be added to the current policy to include "The Board President may authorize specific meeting compensation above the 7 meeting days per month limit for extra committee activity not to exceed 10 meeting days per month." See the attached Exhibit A in redline form.

Alternatives: Not adopt the Resolution, suggest additional revisions

Fiscal Impact: An additional 3 meeting days at $119.80 ($359.40) per month depending on the increased committee activities and assignments

Reviewed by Committee: Yes, reviewed and recommended by the Policy Committee

Reviewed by Legal Counsel: No

Staff Recommendation:

Board Adoption of Resolution No. 2018-04 Approving a revision to section 2050 Guidelines for Director Compensation

Prepared by: Cris Thompson, Assistant General Manager
2050 GUIDELINES FOR DIRECTOR COMPENSATION *(Draft Revision)*

2050.1. Directors are authorized to be compensated for attending meetings while conducting Agency related business. In accordance with law, a Director is entitled to be compensated for each day's services rendered as a Director, not exceeding a total of 10 days per month. On January 13, 2011 the Board of Directors unanimously approved a reduction of compensated meetings and/or day's service to a total of 7 meetings/days per month for Directors and a total of 10 meetings/days per month for the Board President. The Board of Directors adopted Resolution No. 96-22 which specifically states the types of meetings for which Directors may request compensation. It is the responsibility of the Board President to periodically review Director Expense reports for compliance with this Policy. The Board President may authorize specific meeting compensation above the 7 meetings per month limit for extra committee activity not to exceed 10 meeting days per month. Director expenses are also subject to annual review by the Agency's Auditor. The types of compensable and day's service are as follows:

2050.1.1 Bi-monthly and special meetings of the Board of Directors

2050.1.2 Amador Water Agency standing and adhoc committee meetings.
RESOLUTION NO. 2018-04
OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
APPROVING THE REVISIONS TO THE ADMINISTRATIVE POLICY MANUAL

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Amador Water Agency hereby approves the revision to the Administrative Policy Manual-Attachment “A”, 2050-Guidelines for Director Compensation

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Water Agency at a regular meeting held on this 8th day of March, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Signed and approved by me after its passage this 8th day of March, 2018

___________________________________________
Arthur J. Toy, President
Board of Directors

ATTEST:

___________________________________________
Cris L. Thompson
Clerk of the Board of Directors
STAFF REPORT

Assembly Bill 142 Study
Amador Water Agency Comment Letter

Requested Action:
Discussion regarding the Water Agency’s comment letter to the California Natural Resource Agency regarding the January 2018 Draft Mokelumne River Wild and Scenic River Study Report.

Background
The Amador Water Agency Board has indicated a willingness to support the California Natural Resources Agency AB 142 study recommendations with the inclusion of the Agency’s proposed revisions that protect the current and future water supplies. Direction was also given to continue to refine the special provision revision requests to seek broad support. As of the date of this report, an Agency AD-Hoc member and staff have met with top executives from the Foothill Conservancy to discuss and understand differences regarding the Agency’s requested revisions.

The deadline for final comments is March 8, 2018. A meeting with primary stakeholders may be conducted early next week (March 5-7), but currently this is not confirmed. The CNRA has indicated a willingness to assist in discussions to achieve broad support. Staff will be meeting with the Ad-Hoc Committee and legal Counsel to prepare a final comment letter for the Board President’s signature prior to the comment period deadline.

Alternatives: None- Discussion only.

Fiscal Impact: Limited to staff and attorney time.

Reviewed by Committee: Yes, the Legislative Ad Hoc Committee will be reviewing the proposed letter.

Reviewed by Legal Counsel: Yes

Staff Recommendation:
Discussion regarding the Water Agency’s comment letter to the California Natural Resource Agency regarding the January 2018 Draft Mokelumne River Wild and Scenic River Study Report.

Prepared by: Gene Mancebo, General Manager
STAFF REPORT

Tanner Backwash Recycling Project Labor Compliance Program

Requested Action:

Board adoption of Resolution No 2018-05 authorizing the General Manager to enter into the attached contract with North Valley Labor Compliance Services ('NVLCS') for preparation and administration of Labor Compliance Program ('LCP') related to the Tanner Backwash Recycling Project. Further, that the Board authorizes NVLCS to submit the LCP to the California Department of Industrial Relations ('DIR') and enforce the approved program on behalf of the Amador Water Agency for said project.

Background:

In accordance with our UMRWA Grant for the Tanner Backwash Recycling Project, wherever outside labor is to be utilized, Amador Water Agency must establish a Labor Compliance Program that satisfies current DIR requirements.

The Agency does not possess sufficient expertise to implement a LCP in-house and would need to retain the services of a consultant to ensure compliance. Therefore, monies were budgeted in the grant application and resultant grant award for these consultant services.

NVLCS has come highly recommended by Calaveras County Water District ('CCWD') and Rob Alcott of UMRWA. NVLCS has previously administering several LCP Projects for AWA, which all were performed well and under budget. Therefore, a scope and fee was only obtained from NVLCS and the amount is within the budget.

This action is before the Board because DIR requires that the LCP contract be approved by the Board directly and also that the Board explicitly authorizes the third-party LCP preparer (in this case NVLCS) to submit an LCP to DIR and enforce the LCP on behalf of the Agency.
Each awarding agency has to have their own state approved labor compliance program to be enforced in house or by a third party administrator. With the program you would have to include the board minutes and attached resolution approving contracting with NVLCS and submittal of the program to the DIR for approval and list the law firm that would represent Amador Water Agency if a prevailing wage case arose. The law firm has to have labor law experience and the DIR asks for their resumes or bios as proof.

**Alternatives:**

The Board could direct Administration Staff to research, develop and implement an LCP in-house.

**Fiscal Impact:**

$26,00.00 to be paid for by the grant.

**Reviewed by Committee:**

No

**Recommendation:**

Board adoption of Resolution No. 2018-05 authorizing the General Manager to enter into the attached contract with NVLCS for preparation and administration of the LCP related to the Tanner Backwash Recycling Project. Further, that the Board authorizes NVLCS to submit the LCP to DIR and enforce the approved program on behalf of the Amador Water Agency for said project.

**Prepared by:**

Brandt Cook, Resident Engineer
RESOLUTION NO. 2018-05
OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
APPROVING A CONTRACT WITH NORTH VALLEY LABOR COMPLIANCE SERVICES

Whereas, as a condition of receiving said grant funds, Amador Water Agency must submit a labor compliance program to the California Department of Industrial Relations for review and approval, Amador Water Agency has contracted with North Valley Labor Compliance Services to assist by writing a Labor Compliance Program for approval; and

Whereas, Amador Water Agency lacks the expertise in the creation and administration of a labor compliance program that will satisfy the requirements of the California Department of Industrial Relations, Amador Water Agency has elected to contract with a qualified outside firm to provide necessary services.

Now, therefore, be it resolved, Amador Water Agency has elected to contract with North Valley Labor Compliance Services, of 6955 North Durango Drive, Suite 1115-254, Las Vegas NV 89149, to provide labor compliance and monitoring services, and the law firm of Deborah E.G. Wilder, of 635 Mariners Island Boulevard, Suite 200, San Mateo, CA, for legal services that Amador Water Agency may require in the effective administration of said labor compliance program; and

Be it further resolved, that Amador Water Agency authorizes North Valley Labor Compliance Services to submit a labor compliance program, and all necessary related documentation, to the California Department of Industrial Relations for review and approval, and to enforce said program.

The foregoing resolution was duly passed and adopted by the Board of Directors of the Amador Water Agency at a regular meeting held on this 8th day of March by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Signed and approved by me after its passage this 8th day of March, 2018

Arthur J. Toy, President
Board of Directors

ATTEST:

Cris L. Thompson
Clerk of the Board of Directors
STAFF REPORT

City of Sutter Creek & ARSA
Master Sewer Plan Approval

Requested Action:
No action is requested. This is solely a discussion item.

Background

The Amador Water Agency (Agency) through a contract with City of Sutter Creek treats wastewater and disposes of the wastewater through the Amador Regional Sanitation Authority (ARSA) for the Martell Wastewater system. The ARSA system collects and stores secondary treated wastewater from the City of Sutter Creek and then delivers that water to local ranches near its reservoir for reuse with the bulk of the water being delivered to the City of Ione for tertiary treatment and irrigation on the Castle Oaks Golf Course.

As discussed during the February 8, 2018 AWA Board meeting, the City of Ione has initiated the termination of the ARSA agreement which will become final in 4 ½ years. ARSA and now the City of Sutter Creek feel that their best low-cost alternative is to construct a new tertiary wastewater treatment plant at the Sutter Creek wastewater treatment plant site and directly discharge treated wastewater into Sutter Creek year-round. This will eliminate the need for ARSA.

Staff is in the process of reviewing options for the Water Agency, some of which would not include sending wastewater from the Martel system to the City of Sutter Creek. The cost to customers as a result of this new plant and disposal permit is unknown at this time. This agenda item is solely to update the Board and promote discussion as staff continues to seek and evaluate alternatives.

Alternatives: This is informational only and no action is requested.

Fiscal Impact: There are no actions be requested and therefore no fiscal impact with this agenda item other than on-going staff and legal time..

Reviewed by Committee: No.

Reviewed by Legal Counsel: No

Staff Recommendation:
No action is requested; however, this topic is expected to be on future Engineering and Planning Committee agendas for continued review.

Prepared by: Gene Mancebo, General Manager
MEMORANDUM

TO: BOARD OF DIRECTORS, AMADOR WATER AGENCY
CC: GENE MANCEBO, GENERAL MANAGER
FROM: JOSHUA M. HOROWITZ & PATRICK K. FITZGERALD
DATE: MARCH 2, 2018
RE: LEGISLATIVE REPORT FOR THE MARCH 8, 2018 AMADOR WATER AGENCY BOARD MEETING

The following are bills of potential interest to the Amador Water Agency pending in the California Legislature. All two year bills noted in this report as dead will be deleted from the April report.

STATE ASSEMBLY

Introduced: 12/05/16
Status: 01/31/2018 – Dead pursuant to Art. IV, Sec. 10(c) of the Constitution.
Existing law, with certain exceptions, establishes 8 hours as a day’s work and a 40-hour workweek, and requires overtime pay for additional hours work. AB 5 would require an employer with 10 or more employees to offer additional hours of work to an existing non-exempt employee before hiring an additional employee or subcontractor using a transparent, nondiscriminatory process to distribute the additional hours of work among existing employees, except that the employer will not be required to offer an employee additional work hours if it would result in the employer having to compensate the employee with overtime pay under applicable laws or a collective bargaining agreement. The bill also would require the employer to post a specified notice of employee rights and to maintain certain related documentation. In addition, it would authorize an employee to file a complaint for violations of AB 5’s provisions with the Division of Labor Standards Employment, and would make a violation of AB 5 punishable by civil penalty.
ACWA: None.

AB 12 (Cooley) – State Government: Administrative Regulations: Review.
Introduced: 12/5/2016
Status: 01/20/2018 – Dead pursuant to Art. IV, Sec. 10(c) of the Constitution.
This bill would require each state agency to review that agency’s regulations by January 1, 2020, identify any regulations that are duplicative, overlapping, inconsistent, or outdated, to revise those identified regulations, and report to the Legislature and Governor, as specified. The bill would repeal these provisions on January 1, 2021.
ACWA: None.
Introduced: 12/5/2016  
Status: 09/01/2017 - Passed from Senate Comm. on Governance & Finance, re-referred to Senate Comm. on Appropriations, held in committee.  
This bill would enact the California Clean Water, Climate, and Coastal Protection and Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds amounting to $3,470,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, and coastal protection and outdoor access for all programs.  
ACWA: Favor if amended.  

AB 968 (Rubio) – Urban Water Use. Water Efficiency.  
Introduced: 02/16/2017  
Status: 01/31/2018 – Dead pursuant to Art. IV, Sec. 10(c) of the Constitution.  
This bill is being sponsored by the Regional Water Authority (RWA) and Irvine Ranch Water District, and has widespread support among local water agencies and business groups statewide, particularly in the Sacramento region. It also is being actively supported by ACWA. It presents an alternative to the administration’s bills (AB 1668/1669 and Budget Trailer Bill 810) and is being touted, along with AB 1654, as the vehicle that would establish new water efficiency targets for urban retail water suppliers for 2025 in a manner that provides three options for use in determining targets, recognize and incentivize development of resilient supplies such as recycled water, and protect existing water rights. It also would preserve the Legislature’s authority and oversight over long-term water use target setting (as opposed to allowing the SWRCB to set targets) and require DWR to establish a collaborative urban stakeholder process to continue improvement in water use efficiency beyond 2025.

Among other things, AB 968 would specifically revise the definitions of “gross water use” and recycled water” for purposes of developing urban water use targets and an interim urban water use target; require DWR to reconvene its Urban Stakeholder Committee in order to develop certain methodologies; require the Committee, by January 1, 2020 and every 5 years thereafter, to develop a report to provide information and recommendations to DWR and the Legislature about new demand management measures, technologies, and approaches; require, by December 31, 2025, the Committee (in consultation with DWR and SWRCB) to submit a report to the Legislature recommending for potential adjustments to water efficiency targets and commercial, industrial, and institutional performance measures; and require DWR to convene a commercial, industrial, and institutional water use efficiency task for by July 1, 2018 to recommend appropriate water efficiency measures for various segments of the commercial, industrial, and institutional water use sector.

This bill also would make amendments to the Urban Water Management Planning Act by requiring each urban retail water supplier to develop a water efficiency target, as defined, for 2025 in its 2020 urban water management plan (UWMP), and to achieve that target. It also would authorize a water supplier to adjust and update the water efficiency target, as appropriate, when the supplier reports its compliance to achieving the water efficiency targets and its implementation of the identified performance measures in its 2025 UWMP. It would require each urban retail water supplier to meet its adjusted 2025 water efficiency target by December 31, 2025, unless the supplier submits certain reports to DWR.
Finally, AB 968 would require DWR, by July 1, 2019, to provide to urban retail water suppliers in electronic form a database of validated aerial imagery and specified measured irrigable area, and to conduct a statistically valid review of the accuracy of the information in the database before providing it to an urban retail water supplier. It also would extend the deadline for a water supplier to submit its UWMP if DWR does not release the database by July 1, 2019.
ACWA: Support.

AB 975 (Friedman) – Natural resources: Wild and scenic rivers.
Introduced: 02/16/2017
Status: 02/01/2018 – Died on inactive file.
Existing law states California’s policy that certain rivers possessing extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the State. This bill would revise that policy to specify that certain rivers possessing extraordinary scenic, recreational, fishery, wildlife, historical, cultural, geological, or other similar values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the State. It would also revise the definition of “immediate environments” and add a definition for the term “extraordinary value” to mean “a natural, cultural, or similar value that is outstanding or remarkable in a local, regional, or statewide context.
ACWA: Oppose.

AB 1323 (Weber) – Sustainable water use and demand reduction: stakeholder workgroup.
Introduced: 02/17/2017
Status: 09/01/2017 – Failed deadline for passage out of Senate Comm. on Appropriations; may be acted upon Jan. 2018 (2-year bill).
This bill would require DWR to convene a stakeholder workgroup with specified invited participants, including, among others, representatives of urban water suppliers, DWR and the SWRCB, no later than February 1, 2019. The bill would require the stakeholder workgroup to develop, evaluate, and recommend proposals for establishing new water use targets for urban water suppliers and to examine and report to the Governor and the Legislature by December 31, 2019, as specified. The bill would require all expenses for the stakeholder working group to be the responsibility of the non-state agency stakeholders, although no local agency would be required to contribute to the workgroup’s expenses. This bill would be automatically repealed on January 1, 2023.
ACWA: Favor.

AB 1654 (Rubio) – Water shortage: urban water management planning.
Introduced: 02/17/2017
Status: 07/17/2017 – Failed committee passage deadline (Comm. on Rules); may be acted upon Jan. 2018 (2-year bill); not subject to deadline because in Rules Committee.
This bill was originally part of the two-bill package being sponsored by RWA and Irvine Ranch Water District, and is being actively supported by ACWA. It proposed to establish new water supply and demand reporting requirements for urban water suppliers and prohibit a water supplier from being required to reduce its use of available water supplies beyond the steps specified in its water shortage contingency analysis, thereby protecting water suppliers’ and their customers’ investments in resilient water supplies.
Assembly Member Rubio had amended AB 1654 to delete all of its previous language and to make it a spot bill concerning water conservation. While it was thought that this bill might become a vehicle for moving compromise water conservation legislation through the Legislature, Assembly Member Rubio elected not to amend the bill when the Legislature returned from the summer recess.

ACWA: Support.

**AB 1667 (Friedman) – Water Management Planning.**

**Introduced:** 02/17/2017  
**Status:** 07/14/2017 – Failed committee passage deadline (Sen. Comm. on N.R. & W.), may be acted upon Jan. 2018 (2-year bill).

This bill would require the SWRCB, in consultation with DWR, to adopt long-term standards for urban water conservation and water use on or before May 20, 2021. The bill would also require the SWRCB, in consultation with DWR, to adopt performance measures for commercial, industrial, and institutional water use on or before that date. The bill would authorize a court or public entity to hold a person civilly liable in an amount not to exceed $10,000 for a violation of a regulation adopted under these provisions, unless the regulation provides otherwise.

The bill would require an urban water supplier to calculate a water use target, as provided, no later than July 1 of each calendar year, beginning the calendar year after the board adopts long-term standards for urban water conservation and water use. The bill would require an urban water supplier to submit an annual report to the department for these purposes by July 1 of each year. The bill would authorize the SWRCB to issue information orders, written notices, and conservation orders to an urban water supplier that does not meet its water use target, as specified. The bill would also authorize the SWRCB to issue a regulation or informational order requiring a distributor of a public water supply to submit information relating to water production, water use, or water conservation. Among other things, this bill also would require the annual report for the prior year to be submitted to DWR April 1 of each year, as provided, and to be organized by basin within the service area of the agricultural water supplier. It would authorize the SWRCB to issue a cease and desist order in response to a violation or threatened violation of any regulation adopted by the board, except as provided.

In addition, the bill would require an urban water management plan (UWMP) to be updated on or before July 1, in years ending in 6 and one, incorporating updated and new information from the 5 years preceding the plan update. The bill would require DWR to propose to the Governor and the Legislature, on or before August 1, 2020, recommendations and guidance relating to the development and use of countywide drought contingency plans to address drought planning for small water suppliers and rural communities, as provided. It would require a UWMP to contain a drought risk assessment that examines water shortage risks for a drought lasting the next 5 or more consecutive years.

This bill would require an urban water supplier to prepare, adopt, and periodically review a water shortage contingency plan (WSCP), as prescribed, and as part of its UWMP. The bill would require the plan to consist of certain elements that are within the authority of the urban water supplier, including, among other things, annual water budget forecast procedures, standard water shortage levels, shortage response actions, and communication...
protocols and procedures. It would require an urban water supplier to make the WSCP available to its customers and any city or county within which it provides water supplies no later than 30 days after adoption; and to conduct an annual water budget forecast and submit an annual water shortage assessment report to DWR with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan by June 1 of each year. It would also require the supplier to adhere to the procedures and implement determined shortage response actions in its WSCP in drought and water shortage conditions.

The bill would require the governing body of a distributor of a public water supply to declare a water shortage emergency condition whenever it finds and determines the above-described circumstances or upon determining a water shortage of 40% or greater exists. The bill would require an urban water supplier to declare a water shortage emergency if either a water shortage of 40% or greater is determined to exist or in the event that a severe catastrophic interruption of the urban water supplier's water supply has occurred. The bill would require an urban water supplier to coordinate with any city or county within which it provides water supply services for a possible proclamation of a local emergency. Finally, it would require an agricultural water supplier to update its agricultural water management plan on or before April 1, 2021, and thereafter on or before April 1 in years ending in 6 and in years ending in one. The bill would require an agricultural water supplier to submit its plan to the department no later than 30 days after the adoption of the plan. The bill would require the department to review an agricultural water management plan and notify an agricultural water supplier if DWR determines that it is noncompliant, as provided. The bill would authorize DWR, if it has not received a plan or determined that the plan submitted is noncompliant, to contract with certain entities to prepare or complete a plan on behalf of the agricultural water supplier.

Finally, the bill would require an agricultural water supplier to submit copies of its plan to specified entities no later than 30 days after DWR's review of the plan. The bill would require DWR to submit its report summarizing the status of the plans to the Legislature on or before April 30 in years ending in 7 and in years ending in 2.

ACWA: Watch.

AB 1668 (Friedman) – Water management planning.
Introduced: 02/17/2017
Status: 09/15/2017 – Passed by Senate Comm. on Appropriations and re-referred to Comm. on Rules.
This bill is widely known as the "administration's bill" and aims to create a new drought response plan by making numerous changes to water supply planning and drought planning to incorporate climate change, enhance water supply analysis, and strengthening the enforceability of UWMPs and drought contingency planning.

Assembly Member Freidman has amended this bill to delete all of its previous language and to make it a spot bill concerning water conservation. As discussed below, this (and SB 606, containing identical language) has become a vehicle for moving compromise water conservation legislation through the Legislature. As of February, no further action has been taken on either bill in 2018.
ACWA: Oppose Unless Amended.
AB 1669 (Friedman) – Urban water conservation standards and use reporting.

Introduced: 02/17/2017

Status: 01/20/2018 – Dead pursuant to Art. IV, Sec. 10(c) of the Constitution.

This bill, similar to AB 1668, is widely known as the “administration’s bill” and is the competing bill to AB 968. It requires the SWRCB, in consultation with DWR, to adopt long-term standards for urban water conservation and water use by May 20, 2021. Specifically, it would require the long-term standard to include indoor residential use, outdoor irrigation water use, and industrial, institutional and commercial use; allow SWRCB, in consultation with DWR, to adopt and update interim standards for urban water conservation and water use; prohibit the SWRCB from setting new or revised standards after it adopts long-term standards; require the long-term standards to be adopted in accordance with the regular rulemaking process; provide that a person who violates a long-term standard regulation be held civilly liable for up to $10,000; extend the drought or water waste emergency regulation adopted by the SWRCB from 270 days to 1 year; allow any decision or order allowed under existing urban water conservation law and under the long-term standards that could be adopted under this bill to be subject to judicial review; and allow the SWRCB to issue a cease and desist order to a person violating or threatening to violate a long-term standard that could be adopted under this bill.

ACWA: Oppose.

***Current status of Long-term Water Conservation Legislation:

On August 2, 2017, Dennis O’Connor, the principal consultant to the Senate Committee on Natural Resources & Water, convened a meeting of interested parties to review a proposal on long-term water conservation put forward by Senators Bob Hertzberg (southern California) and Nancy Skinner (Oakland). Following this and other conversations with stakeholders, AB 1668 and SB 606 were amended on August 21 to include the long-term water conservation proposal.

The proposal is better than the previous proposals from the Governor and Assembly member Friedman that would place all power to implement long-term water conservation permanently in the SWRCB’s hands, but it is far from perfect. Among other things, there are a number of terms that are undefined and how much power to mandate measures the SWRCB and DWR will have on the one hand, versus the authority water agencies will have on the other hand to exercise local control, also is left to negotiation of the bill language.

The key provisions of the proposal include:

- It would not grant the SWRCB continuing authority to modify the conservation standards, but rather would allow the SWRCB, in consultation with DWR, to set standards for interior residential use, exterior residential use, leaks, CII use, and “other water uses” once under detailed factors established in the bill. Standards would be set for urban retail water suppliers, urban wholesale water suppliers, and “distributors of recycled water.”
• The authors appear willing to place some limits on the SWRCB's authority to issue new emergency conservation regulations during a future drought by stating legislative intent that the SWRCB should defer to local programs “to the extent possible.”

• It allows local agencies to calculate their targets, which presumably would leave some room to maneuver under the standards set by the SWRCB. It also would allow local agencies to adopt alternate targets. It’s not clear how this would work because the proposal is not detailed, but the concept is better than full, permanent SWRCB control.

• It would require the SWRCB to adopt variances, although again how this would work is undefined.

• The proposal includes language about how failure to meet a target could be considered in evaluating unreasonable use, but would not be definitive proof of unreasonable use. Because this language is similar to existing law, it will be very hard to dislodge from any legislation. But it probably is not a big legal problem because if someone claims that a local agency is using water unreasonably, the SWRCB already may consider this issue in any proceeding and the targeted agency has the right to provide evidence rebutting such claims.

• The SWRCB would be authorized to issue cease and desist orders against water users only in two circumstances: (1) if the SWRCB finds that an urban water supplier has failed to make a good faith effort to comply with the Act; and (2) issuance of conservation orders” in undefined circumstances. The “lack of good faith” standard would be hard to for the SWRCB to prove. Even if it can, the SWRCB's only remedy would be to require that the water supplier comply with the act. More concerning is that the SWRCB would have continuing authority to issue “conservation orders”. Such orders are rare so the water community has little experience with them, but SWRCB staff sought to write those orders very broadly during the drought.

The Hertzberg/Skinner proposal at least reflects the water industry's views that the Legislature should define in some detail the terms and conditions for long-term water conservation and ensure that there is some local control. As a result, this proposal is a much better basis for negotiation than the administration's framework proposal that would give the SWRCB authority to impose “top down” mandates.

The bill was further amended on August 29. Subsequent amendments included lowering the standard for individual residential water use after 2025 to 50 gallons per capita daily, with the pre-2025 standard (following adoption by the SWRCB) set at 55 gallons. The amendments also clarified that a conservation order issued by the SWRCB may not curtail or otherwise limit the exercise of a water right. Further amendments are expected regarding credit for recycled water received by an urban water supplier to its urban water use objective.
On August 30, 2017, ACWA and the water industry’s “north-south” coalition, and other groups re-iterated their “oppose unless amended” position on the legislation, identifying the following issues with the bill:

- The bill grants to the SWRCB the authority to adopt a variety of enforceable water use standards, but the bill does not clearly define such standards.

- The bill provides only a temporary and limited credit for recycled water (starting at 10% maximum, declining by 1% each year for 10 years), which does not adequately protect and encourage investments in recycled water and potable reuse.

- The one-time requirement for DWR to provide data to water suppliers to calculate the required annual water use objective is insufficient, so the annual reporting requirement should be removed or water suppliers should be provided with regularly updated data.

- The bill should require the establishment of variances from standards to account for unique local conditions as well as technical, economic, and administrative feasibility. The current proposal grants state agencies the discretion whether to adopt variances.

- The new enforcement powers granted to state agencies should be shifted from a focus on punitive enforcement toward technical assistance and information-sharing.

Ultimately, both AB 1668 and SB 606 became 2-year bills when they were held in the legislature on Sept. 16. Notwithstanding late-breaking amendments, ACWA maintained an “oppose unless amended” position for both bills. As of February 2018, no further action has been taken on either bill although there are on-going talks among water groups and the legislators involved in the various bills to find common ground. Water industry representatives report that some progress has been made to modify SB 606 to make its provisions closer to ACWA’s position.

**AB 2038 (Gallagher) - Countywide drought and water shortage contingency plans.**

*Introduced: 02/06/18*

*Status: 02/16/18 - Referred to Assembly Comm. on Water, Parks and Wildlife*

This bill would require the Department of Water Resources, no later than January 1, 2020, in consultation with the State Water Resources Control Board and other relevant state and local agencies and stakeholders, to use available data to identify small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and would require the department to notify counties and groundwater sustainability agencies of those suppliers or communities. The bill would require the department, in consultation with the board, to propose to the Governor and the Legislature, by January 1, 2020, recommendations and guidance relating to the development and implementation of countywide drought and water shortage contingency plans to address the planning needs of small water suppliers and rural communities, as provided.

**ACWA: No position yet.**
AB 2065 (Ting) – Local agencies: surplus land.
Introduced: 02/07/2018
Status: 2/22/2018 - Referred to Assembly Comm. on Local Government.
Existing law prescribes requirements for the disposal of surplus land by a local agency and defines “local agency” for these purposes as every city, county, city and county, and district, including school districts of any kind or class, empowered to acquire and hold real property. Existing law defines “surplus land” for these purposes as land owned by any local agency that is determined to be no longer necessary for the agency’s use, except property being held by the agency for the purpose of exchange. This bill would expand the definition of “local agency” to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land. The bill would revise the definition of “surplus land” to mean land owned by any local agency that is not necessary for the agency’s governmental operations, except property being held by the agency expressly for the purpose of exchange for another property necessary for its governmental operations and would provide that land is presumed to be surplus land when a local agency initiates an action to dispose of it.
ACWA: None.

AB 2071 (Bloom) Accessory Dwelling units: improvements: liability
Introduced: 02/07/2018
Status: Referred to Assembly Comm. on Local Government and Comm. on the Judiciary
This bill would provide that a public entity, public officer, or an employee of a public entity, is not liable for any personal injury, death, property damage, or inverse condemnation, that has arisen from or is related to the use of an accessory dwelling unit and that is proximately caused by any utility system that the public entity owns, operates, or maintains if the legislative body of a local agency has permitted the water, electrical system equipment, or accessory dwelling unit, to remain in the same location as it existed prior to January 1, 2018. The bill would only apply to specified accessory dwelling units constructed prior to January 1, 2018 that, at the time of the personal injury, death, property damage, or inverse condemnation, the owner was attempting to bring into compliance with applicable local agency rules, regulations, or ordinances
ACWA: No position yet.

AB 2283 (Holden) – Income taxes: exclusion: turf removal water conservation program
Introduced: 2/13/2018
Status: 2/14/2018-From printer. May be heard in committee March 16.
The Personal Income Tax Law and the Corporation Tax Law, for taxable years beginning on or after January 1, 2014, and before January 1, 2019, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for participation in a turf removal water conservation program. This bill would extend the operation of those provisions to January 1, 2024.
ACWA: None.
AB 2545 (Gallagher) - Department of Fish and Wildlife: lake or streambed alteration agreements: definitions.
Introduced: 2/15/2018
Status: 2/16/2018-From printer. May be heard in committee March 18.
Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or from depositing certain material where it may pass into any river, stream, or lake, without first notifying the Department of Fish and Wildlife of that activity, and entering into a lake or streambed alteration agreement if required by the department to protect fish and wildlife resources. This bill would define “river” and “stream” for purposes of these provisions.
ACWA: No position yet.

ACA 28 (Mathis, Eduardo Garcia) - Water: projects: funding.
Introduced: 02/26/18
Status: From printer. May be heard in committee March 29.
This constitutional amendment would allocate a certain percentage of state general fund revenues to pay the principal and interest on bonds authorized by Proposition 1 in 2014, with the remainder allocated to DWR and the SWRCB for certain projects.
ACWA: No position yet.

STATE SENATE

SB 80 (Wieckowski) – California Environmental Quality Act: Notices.
Introduced: 01/11/2017
Status: 10/15/2017 – Vetoed by the Governor. In Senate; consideration of Governor’s veto pending.
Under the California Environmental Quality Act (CEQA), lead agencies are required to post certain notices for environmental documents for a period of 20 or 30 days in the office of the county clerk in the county where the project will be located, and also to mail the notices to persons who have filed written requests for notices. This bill would require the lead agency to post notices on the agency’s website and to offer to provide those notices by email if it determines that a project falls within a class of projects that is exempt from CEQA. It also would require the county clerk to post the CEQA notices on the county’s website for 30 days, and require that a notice of determination be filed with the county clerk for projects that are exempt from CEQA’s requirements.
ACWA: Oppose unless amended.

SB 163 (Bradford) – Elections: Domicile: Residence.
Introduced: 1/19/2017
Status: 01/20/2018 – Dead.
Existing law defines “residence” for voting purposes as a person’s domicile. Existing law describes the domicile of a person as that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. Existing law provides that a person may have only one domicile at a given time, but may have more than one residence. Existing law also provides that, for purposes of determining the domicile of a Member of the Legislature or a Representative in the Congress of the United States, it shall be conclusively presumed that the residence address indicated on that person’s currently filed affidavit of voter registration is that person’s domicile. This bill would provide that a person’s domicile or
residence may also be the place in which the person has legal tenancy. This bill would define legal tenancy for voting purposes to mean a person's right to possess or hold property, whether by lease or by title. This bill would provide that the conclusive presumption for determining a legislator's domicile applies if the person has legal tenancy at the residence address indicated on his or her affidavit of voter registration.

ACWA: No position.

SB 265 (Berryhill) — Disaster relief.
Introduced: 02/08/2017
Status: 09/01/2017 – Held in Assembly Comm. on Appropriations suspension file; may be acted upon Jan. 2018 (2-year bill).

The California Disaster Assistance Act provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified events for which the state share is up to 100% of state eligible costs. This bill would provide that the state share for the removal of dead and dying trees in connection with the Governor's Proclamation of a State of Emergency issued on October 30, 2015, is no more than 90% of total state eligible costs.

ACWA: No position.

SB 606 (Hertzberg/Skinner) — Water management planning
Introduced: 02/17/2017
Status: 09/13/2017 – Suspended under Assembly Rule 96. Withdrawn from Sen. Comm. on Rules. Ordered to third reading

For further discussion, see section on Current status of Long-term Water Conservation Legislation, under AB 1669 above.

ACWA: Oppose unless amended.

SB 623 (Monning) — Safe and Affordable Drinking Water Fund.
Introduced: 02/17/2017
Status: 09/01/2017 – From Assembly Comm. on Appropriations without recommendation and re-referred to Comm. on Rules; may be acted upon Jan. 2018 (2-year bill).

This bill would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the SWRCB. As currently written, the bill would require the SWRCB to administer the fund and would require the SWRCB to expend moneys in the fund for grants, loans, contracts, or services to assist those without access to safe and affordable drinking water consistent with a fund implementation plan that is adopted annually. It would prohibit the SWRCB or a regional board, beginning January 1, 2028, from subjecting an agricultural operation to specified enforcement from causing/contributing to an exceedance of a water quality objective for nitrate in groundwater or to a condition of pollution or nuisance for nitrates if the agricultural operation demonstrates that it has satisfied certain mitigation requirements, including, among other requirements, the timely payment of any applicable fee, assessment, or charge into the fund. On August 21, 2017, the bill was amended to add a tax on drinking water (called a "safe and affordable drinking water fee") to fund DAC drinking water programs. On July 26, 2017, ACWA sent out an alert asking for members to oppose SB 623; this Board subsequently voted to oppose the bill.
As of February 2018, SB 623 is still parked in the Assembly Rules Committee. However, the Brown Administration, in coordination with SB 623’s proponents, is working to advance the SB 623 proposal in a budget trailer bill. A bill number for the budget trailer bill is not yet available. The relevant subcommittees to the Budget Committee will take the budget trailing bill up in March. According to ACWA, if the Administration is not successful with the budget trailer bill, Sen. Monning will try to advance SB 623.

ACWA: Oppose unless amended.

SB 740 (Wiener) – Onsite treated water.
Introduced: 02/17/2017
Status: 01/20/2018 – Dead.
This bill would, on or before December 1, 2018, require the SWRCB, in consultation with other state agencies, to adopt regulations consistent with federal and state law in effect on January 1, 2018, to provide comprehensive risk-based standards for local jurisdictions permitting programs for onsite recycling of water in multifamily residential, commercial, and mixed-use buildings for nonpotable use. It would require the regulations to address specified issues and practices relating to the management, monitoring, and treatment of recycled water for nonpotable use. The bill also would require that a local jurisdiction comply with those regulations if the local jurisdiction allows the onsite recycling of water and subsequent uses of that recycled water.

ACWA: No position.

SB 778 (Hertzberg) – Water systems: consolidations: administrative and managerial services.
Introduced: 02/17/2017
Status: 09/01/2017 – Hearing held on September 1. Held in Assembly Comm. on Appropriations and under submission; may be acted upon Jan. 2018 (2-year bill).
Similar to SB 623, SB 778’s current language serves as a placeholder for a major proposal on drinking water funding that the environmental justice community and others are developing. As currently written, the bill would require, on or before March 1, 2018, and regularly thereafter, the SWRCB to post on its website an analysis of all voluntary and ordered consolidations of water systems that have occurred on or after July 1, 2014, including the resulting outcomes of the consolidations and whether the consolidations have succeeded or failed in providing an adequate supply of safe drinking water to the communities served by the consolidated water systems.

According to ACWA staff, two major issues are being discussed: the operation and maintenance costs for drinking water treatment in certain disadvantaged communities; and drinking water affordability. This bill is likely to address the funding sources for one or both of these issues and will likely be a major bill for ACWA. Accordingly, ACWA will be monitoring this bill closely.

ACWA: Watch.

SB 831 (Wieckowski) – Land use: accessory dwelling units.
Introduced: 1/4/2018
Status: 1/16/2018–Referred to Senate Comm. on Transportation & Housing, and Comm. on Governance & Finance.
In 2016 and 2017, the legislature passed bills (SB 1069 and SB 229, respectively) to streamline applications to create accessory dwelling units (ADUs), also known as “granny flats” or “second units.” As a result of consulting with ACWA, these bills included language
that permitting a local agency to require, for certain ADU units, a new or separate utility connection directly between the ADU and the utility, or a reasonable, proportionate connection fee or capacity charge. This legislation would remove that language and would prohibit local agencies from considering an ADU to be new residential use for the purposes of calculating fees, and would further exempt ADUs from impact fees, utility connection fees, capacity charges, or any other fees levied by local agencies.

ACWA: Oppose.

SB 919 (Dodd) – Water resources: stream gages.
Introduced: 1/22/2018
Status: 2/26/2018-From committee with author's amendments. Read second time and amended. Re-referred to Senate Comm. on Natural Resources & Wildlife.
This bill would require the Department of Water Resources, upon appropriation by the Legislature, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for reactivating existing gages. The bill would require the department, in consultation with the State Water Resources Control Board, the Department of Fish and Wildlife, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to prioritize the deployment of stream gages based upon gaps in the existing system of gages and specified considerations.
ACWA: Support if amended.

SB 998 (Dodd) - Water shutoffs: urban and community water systems.
Introduced: 2/5/2018
This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on residential service shutoff available in English, Spanish, or any other language spoken by at least 5% of the people residing in its service area. The bill would require the policy to include certain components and be available on the system’s Internet Web site and be provided annually to customers in writing.
ACWA: No position yet.

SB 1167 (Anderson) – Eminent domain: final offer of compensation.
Introduced: 2/14/2018
Status: 02/22/2018 – Referred to Senate Comm. on the Judiciary
Existing law allows a defendant in an eminent domain proceeding to move for a finding of the court, which would require the plaintiff to pay the defendant’s litigation expenses as part of the compensation awarded if the court finds that the plaintiffs’ final offer was unreasonable and that the demand of the defendant was reasonable. This bill would provide that if a court finds, on motion of the defendant, that the offer of the plaintiff agency was lower than 85% of the compensation awarded in the proceeding, then the court would be required to include the defendant’s litigation costs in the costs allowed. If the court finds that the offer of the plaintiff was at least 85% and less than 100% of the compensation awarded in the proceeding, the court would be authorized to include the defendant’s litigation costs in the costs allowed.
ACWA: None.
SCA 4 (Hertzberg) – Water conservation.
Introduced: 02/01/2017
Status: 02/16/2017 – Referred to Senate Comm. on Rules for assignment.
This Senate Constitutional Amendment states the intent of the Legislature to propose a ballot measure to amend the California Constitution to include Article X C, which would provide local water agencies with the discretion to offer “lifeline” subsidized water rates to low income customers and increased flexibility to set and impose tiered water rates to promote water conservation.
ACWA: Sponsor on specified conditions.

FEDERAL LEGISLATION

HR 23 (Valadao) – Gaining Responsibility on Water (GROW) Act
Introduced: 01/03/2017
Status: 07/18/2017 – Received in the Senate and referred to the Committee on Energy and Natural Resources.
HR 23 is a variant of HR 1837 from 2015. As passed by the House and sent to the Senate, this bill is very long and is controversial both within the Republican caucus in the House and in the Senate, where both California senators oppose it. Governor Brown also has announced his opposition to the bill. Because of the Senate’s rules, until Senators Feinstein and Harris remove their opposition or HR 23 is amended to their satisfaction, the bill will not move in the Senate.

The key items of interest in this bill are:

- The U.S. Bureau of Reclamation’s obligations under the CVPIA to provide environmental water flows to restore anadromous fish production in the Central Valley would be limited to a reasonable amount not to exceed 800,000 acre-feet annually (800,000 AF is the current environmental water floor). Any such water supplies purchased must be at a reasonable cost and take into account the need for those supplies to remain available for consumptive uses.

- Reclamation would be required to expedite water transfers under a number of detailed requirements in the existing bill.

- The State of California would be prohibited from imposing restrictions on the “take” of any nonnative fish that preys upon one or more native fish species in the Sacramento and San Joaquin Rivers and their tributaries or the Sacramento-San Joaquin Rivers Delta.

- The Department of Interior would be required to strictly comply with California’s water rights law and priorities and to honor water rights senior to those held by the CVP. This bill also includes provisions to ensure that the Endangered Species Act is implemented in a manner that honors water right priorities.
• The Secretary of Interior would be required to ensure there are no redirected adverse water supply or fiscal impacts to water right holders and water users within the Sacramento River or the San Joaquin River watershed or to the State Water Project arising from CVP operations.

• Section 405 of HR 23 expresses Congressional disapproval and opposition to the violation of private property rights by the California State Water Resources Control Board and expresses the need to provide reliable water supplies to municipal, industrial, and agricultural users across the State.

• The Secretary of the Interior would be authorized to partner with local joint powers authorities to advance surface storage projects including the Shasta Dam and Los Vaqueros expansion, construction of Sites Reservoir, and construction of a new facility on the Upper San Joaquin River, if non-federal funds are used for construction. HR 23 would impose certain requirements and timelines on federal agencies for facilitating these and other surface water storage and supply projects.