

AMADOR WATER AGENCY

Board of Directors

Regular Meeting

12800 Ridge Road, Sutter Creek, CA 95685

May 24, 2018

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

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ADDITIONS TO AGENDA

- a. Items added to the agenda must be approved by the Board pursuant to Government Code Section 54954.2

3. PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA

A. Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of Amador Water Agency; however, any matter that requires action will be referred to Staff for a report and action at a subsequent Board meeting. Please note there is a three (3) minute time limit per person

4. CONSENT AGENDA

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

5. AGENCY GENERAL

A. Board Recognition

1. Adoption of Resolution No. 2018-11 Honoring Patrick Purnell upon his retirement from service as Electrical/ Instrumentation Supervisor of the Amador Water Agency

B. Gualco Group Inc.

1. Discussion and possible action to authorize the General Manager to execute an amendment to the agreement with the Gualco Group, Inc. for continued consultant lobbying related activities associated with AB142.

BOARD OF DIRECTORS

C. Cost Sharing Agreement

1. Discussion and possible authorization to staff to execute a cost sharing agreement between Amador Water Agency and other local water agencies expenditures related to the AB 142 study recommendation implementation.

D. Compensation Study

1. Discussion and possible action to authorize the General Manager to execute a contract with Bryce Consulting to conduct a salary survey.

6. WATER SYSTEM

A. Ione Reservoir Water Quality Update

7. WASTEWATER SYSTEM

A. Lake Camanche Wastewater Monitoring Wells

1. Discussion and authorization to use the Graydon exception to contract for three monitoring wells required by the Regional Water Quality Control Board.

8. ACWA Conference

A. Report on topics of interest

9. GENERAL MANAGER'S REPORT

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

10. ASSISTANT GENERAL MANAGER'S REPORT

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

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

A. Budget and Finance Committee (05-17-18)

B. Joint Water Committee (05-17-18)

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

13. 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 and Karen Gish) - AWA Employee Association Bargaining Unit

14. ADJOURNMENT

BOARD OF DIRECTORS

Art Toy, President Paul Molinelli Jr., Vice President Rich Farrington Gary Thomas Robert Manassero

**AMADOR WATER AGENCY
CONSENT AGENDA
April 26, 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 May 10, 2018

2. MISCELLANEOUS APPROVALS

A. Approval of Accounts Payable for April, 2018

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

BOARD OF DIRECTORS

Art Toy, President Paul Molinelli Jr., Vice President Rich Farrington Gary Thomas Robert Manassero

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Unapproved

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

May 10, 2018

MINUTES

Directors Present: Art Toy, President
Paul Molinelli Jr., Vice President
Richard Farrington

Directors Absent: Robert Manassero
Gary Thomas

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

CALL TO ORDER- President Toy called the meeting to order at 9:02 a.m.

ADDITIONS TO THE AGENDA – None

PUBLIC COMMENT: None

CONSENT AGENDA: (0:00:35-0:00:51)

MOTION: It was moved by Director Molinelli Jr., seconded by Director Farrington and carried to approve the consent agenda as presented.

Ayes: Directors Molinelli Jr., Farrington, and Toy

Noes: None

Absent: Directors Manassero and Thomas

Abstain: None

DEPARTMENT REPORTS (01:20- 26:33)

Administration/Finance

Operations

Engineering

WATER SYSTEM (26:38- 43:00)

Wholesale Raw Water Service

Discussion and possible action to approve an agreement with East Bay Municipal Utility District to provide wholesale raw water service for Camanche North Shore Recreation Area facilities.

MOTION: It was moved by Director Molinelli Jr., seconded by Director Farrington and carried to approve the proposed wholesale raw water service agreement with East Bay Municipal Utility District (EBMUD) to provide a surface water supply to the EBMUD's Camanche service area and to authorize the Board President to execute the agreement, with finalization of the agreement being contingent upon PGandE approval. Motion includes ratification of the filing of Notice of Exemption for Agency's entering into Wholesale Water Agreement with EBMUD.

Ayes: Directors Molinelli Jr., Farrington, and Toy

Noes: None

Absent: Directors Manassero and Thomas

Abstain: None

Amador Water System Transmission Project (43:04- 56:11)

Discussion and possible action to approve Amendment #2 to the August 16, 2000 agreement for the project among the Agency, EBMUD and Amador County to include a termination date of December 31, 2022.

MOTION: It was moved by Director Farrington, seconded by Director Molinelli Jr. and carried to approve Amendment No. 2 to the Amador Water System Transmission Project (ATP) Agreement among AWA, EBMUD and the County to add a termination date for the agreement.

Ayes: Directors Molinelli Jr., Farrington, and Toy

Noes: None

Absent: Directors Manassero and Thomas

Abstain: None

RECESS was called at 9:58 a.m. **SESSION** resumed at 10:12 a.m.

Sutter Creek Water Diversion (56:14- 1:09:02)

Discussion and possible direction regarding the diversion relocation and continued use of existing pre-1914 appropriative right.

Direction was given to the General Manager to conduct further investigation into use of the Sutter Creek pre-1914 right and any resulting need to relocate the point of diversion

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of the water to maximize utilization of the right.

Water Bond Support (1:09:04- 1:17:13)

Discussion and possible adoption of Resolution 2018-10 supporting 2018 Water Bonds.

MOTION: It was moved by Director Molinelli Jr. seconded by Director Toy and carried to adopt Resolution No. 2018-10 supporting the 2018 Water Bonds: Proposition 68 and the State Water Supply Infrastructure, Water Conveyance, Ecosystem and Watershed Protection and Restoration, and Drinking Water Protection Act of 2018.

Ayes: Directors Molinelli Jr., Farrington, and Toy

Noes: None

Absent: Directors Manassero and Thomas

Abstain: None

lone Water Treatment Plant (1:17:32- 1:20:09)

Discussion and possible action to approve replacement of the plant inflow water meter.

MOTION: It was moved by Director Farrington, seconded by Director Molinelli Jr. and carried to approve the use of water funds to purchase and install a 10-inch magnetic flow meter for measurement of the raw water flow into the lone WTP and provide adequate capacity to match the hydraulic capacity of the lone WTP Rehabilitation Project,

Ayes: Directors Molinelli Jr., Farrington, and Toy

Noes: None

Absent: Directors Manassero and Thomas

Abstain: None

WASTEWATER SYSTEM

Amador Regional Sanitation Agency (ARSA) (1:20:30- 1:41:46)

Information Only- No action requested.

Wastewater Capital Projects (1:42:00-1:54:44)

Discussion and possible approval to include certain capital projects in this fiscal year.

MOTION: It was moved by Director Farrington , seconded by Director Molinelli Jr. and carried to authorize the expenditure of wastewater funds to purchase two Orenco Pod units for Gayla Manor Wastewater, one Iris 600 foot sewer camera system, and to install three groundwater monitoring wells for the Lake Camanche Village WWTP within the FY 17-18 approved budget of \$290,671.

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

LEGAL COUNSEL'S REPORT (1:54:45- 2:05:41)

Legislative report
Discussion and possible action regarding Agency positions on pending bills
Other Legal Matters

**COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
Engineering Committee (05-03-18) (2:05:53-2:24:35)**

FUTURE AGENDA TOPICS - None

CLOSED SESSION was called at 11:41 a.m.

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.

Conference with Labor Negotiators Pursuant to Government Code Section 54957.6 (Gene Mancebo, and Karen Gish- AWA Employee Association Bargaining Unit.

OPEN SESSION resumed at 12:01 p.m.

ADJOURNMENT

President Toy adjourned the meeting at 12:02 p.m.

Cris Thompson
Clerk of the Board of Directors
Approved: _____

**RESOLUTION NO. 2018-11
OF THE BOARD OF DIRECTORS
OF THE AMADOR WATER AGENCY
HONORING PATRICK PURNELL UPON HIS RETIREMENT FROM
THE AMADOR WATER AGENCY**

WHEREAS, Patrick Purnell is retiring as Electrical/ Instrumentation Supervisor of the Amador Water Agency after serving 20 years of dedicated and outstanding service; and

WHEREAS, Patrick has served with distinction and integrity as the Electrical/ Instrumentation Supervisor of the Amador Water Agency; and

WHEREAS, the Water Agency benefited greatly from Patrick's expertise, experience and leadership in all phases of the Agency's operations; and

WHEREAS, Patrick throughout his tenure as Electrical/ Instrumentation Supervisor of the Water Agency, consistently worked to improve and expand the Water Agency's ability to provide for the water needs of all inhabitants of Amador County; and

WHEREAS, over the entirety of his career, Patrick was regularly called upon during times of great emergency and distress, and consistently responded to ensure the continued provision for and operation of the Electrical/ Instrumentation facilities serving all of AWA's customers; and

WHEREAS, Patrick at all times made significant contributions towards the goals of the Water Agency. Patrick has always ensured the safe, efficient, cost-effective operation of the Agency's Electrical/ Instrumentation equipment thereby providing wholesome drinking water to the communities of Amador County; and

WHEREAS, Patrick made significant contributions to the completion of the Tanner Electrical/ Instrumentation Plant Expansion Project, Buckhorn Water Treatment Plant Plant Project, Amador Transmission Line Project, Gravity Supply Line Project, Plymouth Pipeline Project, Lone Backwash Recycle Project, Tanner Hydroelectric Project, Buckhorn Backwash Recycling Project, Wildflower Tank Project, Camanche Tank 9 Project, Maintenance Connection Software Implementation, Shoretel Phone System Implementation, Lake Camanche Water System SCADA Development, Automatic Stand-By Generators and Transfer at various wastewater sites, and Radio Telemetry for all Treated water Tank Sites and raw water conveyance systems; and

WHEREAS, Patrick made significant contributions to; the implementation, operation, and maintenance of the Information Technology Systems of the Amador Water Agency. Pat often worked well into the night to ensure servers were updated and all AWA IT infrastructure and work stations properly backed up; and

WHEREAS, Patrick made significant improvements to the operation and maintenance of electrical / Process Control Systems associated with Outside Services such as; PG&E's Tiger Creek Water System, The City of Plymouth's Water Treatment Plant and Storage Tank, River Pines PUD's Water and Wastewater System Operations including treatment, distribution, and collections, Pine Grove CSD's Water Distribution and Storage System, First Mace Meadow Water Association's Potable Storage System, Rabb Park CSD's Potable Storage System, Sunset Heights CSD's Storage

System, and Volcano CSD's Water Treatment System; and

WHEREAS, Patrick greatly improved the design and operation of Agency Electrical/Instrumentation facilities through comprehensive plan study and review; and

WHEREAS, Patrick always kept the best interests, health, and safety of his staff in mind throughout his years of service; and

WHEREAS, Patrick exhibited the fact that Cup O' Noodles is a super food designed to fuel the efforts of a work day; and

WHEREAS, even though Patrick lived approximately 1.5 hrs away from work, he was able to magically appear within minutes to troubleshoot and repair failed electrical and SCADA equipment; and

WHEREAS, Patrick remained a true steward of all Agency Infrastructure throughout his career and kept the best interests of the residents of Amador County at the forefront of his work effort.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Amador Water Agency that said Board does hereby adopt this resolution honoring **Patrick Purnell** upon the occasion of his retirement from service to the Amador Water Agency, and expresses its sincere thanks and appreciation for his many years of faithful and compassionate service

The foregoing Resolution was duly passed and adopted by the Board of Directors at a Regular Board Meeting held this 24th day of May, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Arthur J. Toy, President
Board of Directors

Attest: _____
Cris L. Thompson
Clerk of the Board of Directors

Thank you, Patrick, for your dedication and 20 years of service to the Amador Water Agency.

STAFF REPORT

Amendment to Gualco Group Services Agreement and Assembly Bill 142 Study Cost Sharing Agreement

Requested Action:

Discussion and possible action to authorize the General Manager to execute an amendment to the Gualco Group Services Agreement to increase compensation by \$35,000 to cover additional efforts through the conclusion of a bill this calendar year regarding the AB 142 Study recommendations and authorize the General Manager to enter into cost sharing agreements with other local water agencies for Gualco Groups efforts on this matter. The expenses will be paid by Agency General funds.

Background

The Amador Water Agency passed a resolution supporting the California Natural Resources Agency's AB 142 Study recommendations. On February 8, 2018, the Water Agency Board authorized the General Manager to enter into an agreement with the Gualco Group for support services for a cost not to exceed \$20,000. At that time, the Water Agency's position on the study recommendations was unknown nor was it known if there would be proposed legislation this year. Currently, several entities are seeking a legislative vehicle for a proposed bill that would carry out the recommendations of the AB 142 study. The Gualco Group has indicated that the cost for their continued support is \$5,000 per month plus expenses. I am estimated an additional \$35,000 for Gualco Group's effort to complete the legislation this year.

I have discussed cost sharing Gualco Group's expense with other local water agencies and plan to continue those efforts and desire the Board's authorization to execute cost sharing agreements to reduce the Agency's costs associated with the Gualco Group agreement.

Alternatives: Determine that the Agency should not pay for continued lobbying efforts or engage in cost sharing agreements with other local water agencies.

Fiscal Impact: A maximum of \$35,000 for lobbyist activities.

Reviewed by Committee: No.

Reviewed by Legal Counsel: No

Staff Recommendation:

Authorize the General Manager to execute an amendment to the Gualco Group Services Agreement to increase compensation by \$35,000 to cover additional efforts through the conclusion of a bill this calendar year regarding the AB 142 Study recommendations and authorize the General Manager to enter into cost sharing agreements with other local water agencies for Gualco Groups efforts on this matter.

Prepared by: Gene Mancebo, General Manager

STAFF REPORT

Compensation Study

Requested Action:

Discussion and possible action to authorize the General Manager to enter into a contract with Bryce Consulting to conduct a compensation study for a cost not to exceed \$8,700.

Background

At a recent Board meeting, staff was authorized to request proposals for a salary survey and return to the Board for consideration. Staff requested proposals from three firms to conduct a salary survey. Two of the consultants provided proposals with a range of \$8,700-\$14,430. Staff. These two firms are Bryce Consulting and Koff and Associates.

Alternatives: Decline to execute an agreement with either of the firms, request additional proposals, or enter into an agreement with Koff and Associates.

Fiscal Impact: Not to exceed \$8,700 plus staff time.

Reviewed by Committee: no

Staff Recommendation: Authorize the General Manager to enter into a contract with Bryce Consulting to conduct a compensation study

Prepared by: Karen Gish, HR/Office Manager

STAFF REPORT

Lake Camanche WWTF Groundwater Monitoring Wells

Requested Action:

Approve and authorize Staff's use of the Graydon exception to contract for completion of three groundwater monitoring wells at the Lake Camanche Wastewater Treatment Facility (WWTF).

Background

The Regional Water Quality Control Board (RWQCB) has required that Amador Water Agency (Agency) install groundwater monitoring wells around the Lake Camanche WWTP. The Agency submitted a monitoring well plan to the RWQCB in September 2017. The RWQCB responded in April 2018 requiring that the Agency install three groundwater monitoring wells and provide an installation report before June 1, 2018. The estimated cost for the complete project is \$91,652.65 utilizing the NV5 consultant firm as the project manager and field hydrogeologist. We solicited quotes from two local drilling companies and one regional drilling company. All of the companies were completely booked for the month of May. The Agency needs to meet the deadline imposed by the RWQCB as soon as practical and Staff would like to contract with one of the three drilling companies to get on their schedule and notify the RWQCB of an anticipated date of completion.

Agency Counsel has advised that the installation of the groundwater monitoring wells is typically subject to state-law competitive bidding requirements, particularly Section 95-3.6 of the Agency Act (Chapter 95 of West's Annotated Water Code Appendix), and Sections 21450 and 21451 of the California Public Contract Code. The competitive bidding process, however, is cumbersome to implement because of the many months necessary to complete that process, including: (1) preparing project plans, specifications, contract and bid documents; (2) advertising a notice inviting bidders to submit bids; (3) prequalifying bidders; (4) reviewing bidders' qualifications and credentials, and selecting the lowest responsive and responsible bidder; (5) obtaining approval of a proposed contract award at a public meeting of the Agency's Board of Directors; (6) notifying the selected contractor, and confirming its bonding and insurance; (7) executing contract documents; and (8) issuing a Notice to Proceed with work and commencement of construction. Even on an expedited schedule, the time from the start of the process to commencement of construction could be a minimum of several months.

The Graydon Exception and Justification for its Use to Complete the Lake Camanche Wastewater Groundwater Monitoring Wells:

Per Agency Counsel, there is in limited circumstances a recognized exception to the competitive bidding requirement for a public works project. The "Graydon exception" is named for the case of *Graydon v. Pasadena Redevelopment District* and applies when the nature of the contracted work is such that competitive proposals would be unavailing or would not produce an advantage, and the advertisement for competitive bids would therefore be undesirable, impractical or impossible. Competitive bidding is not applicable in situations where soliciting competitive proposals would work a hardship and defeat the purposes for which the public bidding laws were enacted, where competitive proposals do not produce any advantage, or where it is practically impossible to obtain the result that is required.

The application of the Graydon exception applies to this situation based on the following:

The RWQCB has mandated a very aggressive schedule for completion of the groundwater monitoring wells in which the normal competitive process would significantly extend beyond the required completion date. Local well driller contractors have committed work about a month out. If a normal competitive bid process was utilized, it is likely that the bidders would not be able to begin work for about a month following award and if required to immediately initiate work upon award and notice to proceed, the Water Agency would have to pay a premium rate for the required work. The Water Agency may also face fines for failing to meet the required timelines.

Staff and Agency counsel recommend that the Agency should not comply with the competitive bidding process for work necessary for the installation of the monitoring wells. Taking the time to bid the work would make it impossible for the Agency to comply with the RWCQB timeline and the ratepayers will be faced with added costs for possible fines and added cost for an accelerated work schedule which would could reduce the overall schedule, but still fall short of the RWCQB completion deadline due to the time required for bidding. The Water Agency's consultant NV5 has already contacted and received three quotes from drilling contractors which provides a competitive pricing process and insures the ratepayers are getting the lowest costs and highest quality results possible under these circumstances.

Alternatives: The Board could direct Staff to research, develop, design, and implement a competitive bidding process contracting method for completion of the groundwater monitoring wells.

Fiscal Impact: \$91,652.65 and limited to staff time. Failing to expedite this work utilizing the Graydon exception will increase the costs to the ratepayers and expose the Agency to potential fines.

Reviewed by Committee: The project was reviewed by Agency Counsel and Agency Counsel is recommending approval.

Staff Recommendation:

That the Board approves and authorizes Staff's use of the Graydon exception to contract for the installation of three groundwater monitoring wells at the Lake Camanche WWTF from the three quotes received by drilling companies.

Prepared by: Darrel Evensen, Engineering Manager

General Manager Report

1. FY 18-19 Draft Budget Review
2. Mace Meadows Golf Course raw water service-Budget & Finance Committee review. Developing terms for the agreement.
3. ERC membership- Decision delayed.
4. Bay-Delta Water Quality Control Plan and Voluntary Agreement discussions/meetings on-going. Possible agreement by June 1, 2018
5. CDBG Application- waiting for award announcement.
6. Met with USDA (along with Assistant General Manager) to discuss funding for AWA projects. Plan to apply for Buckhorn Ridge project (CDBG) as backup and for CARWSP project.
7. CAWP Water Right: Current permit planned for license State Water Board staff working on final license package for approval. Requesting update
8. CAWP Water Right application for additional 1,050 AFA is being reviewed by State Water Board staff and waiting to go to hearing staff.
9. Strategic Plan Update complete; Staff working on incorporating in proposed budget. Banner ordered with new Mission Statement.
10. Lone Cemetery Raw Water Connection: Construction completed
11. Cal Fire Academy new service connection: AWA ownership and operation of new fire loop water. Participation fee discussions.
12. Airport Land Use designation for AWA Tanner facilities- requesting meeting
13. SGMA-Cosumnes Working Group- Notice of \$1M grant, meetings on governance & groundwater sustainability plan and related budget.
14. Legislation: AB 142 study, Significant time expenditure following the final report in efforts to support legislation with presentation to various governmental agencies and meetings with key leaders.
15. Lone Hydroelectric generator project: Meetings on tariffs and possible JPA to include other governmental agencies in the RESBCT tariff.
16. Attended the ACWA Conference in Sacramento.
17. Misc. items omitted

Assistant General Manager Report

1. Attended ACWA Conference in Sacramento
2. FY 18-19 Budget is in progress
3. UMRWA Grant Administration- Pumpkin Hollow Project (time paid by UMRWA)
4. Grant Reimbursements submitted–Camanche WW
5. CMMS Integration with Springbrook- scope and fees received from consultant work to be completed in the new fiscal year
6. Working with Springbrook/Accela to implement inbound IVR (interactive voice response)
7. Mission statement posting in Board Room- complete
8. Administrative Policies updates- ongoing
9. Water Code – 90% complete- awaiting additional changes on approval by Board
10. Wastewater Code update- process underway
11. Grants research- met with USDA regarding potential funding for Pioneer Rehabilitation Phase II and CARWSP-
12. Camanche MHI- working with DWR and Cal Rural water to continue the survey
13. CPRA responses
14. Monthly update of project planning expenses
15. Website updates
16. Miscellaneous items as requested/ required