AMADOR WATER AGENCY  
Board of Directors  
Regular Meeting  
12800 Ridge Road, Sutter Creek, CA 95685  
March 14, 2019  
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. AGENCY GENERAL
   A. GreenGen Storage
      1. Presentation by Jennifer Rouda of GreenGen Storage regarding a proposed Mokelumne Water Battery Project
   B. Gualco Group
      1. Discussion and possible action to authorize the General Manager to execute a contract with Gualco Group for lobbying services related to Senate Bill 474.
6. LEGAL COUNSEL’S REPORT
   A. Legislative report
   B. Discussion and possible approval of Board letter opposing SB 474
   C. Discussion and possible action regarding Agency positions on other pending bills
   D. Other Legal Matters

7. 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 Agency Negotiators Pursuant to Government Code Section 54956.8 (b)
      with direction regarding the terms for a one-time water transfer with Bay Area Water Supply
      and Conservation Agency (BAWSCA)
   C. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and
      (d)(1) – Existing Litigation – In re PG&E Corporation and Pacific Gas and Electric Company,
      United States Bankruptcy Court for the Northern District of California, Case No. 19-30088-DM
      (Chapter 11)
   D. Conference with real property negotiator involving the purchase, sale, lease or exchange
      of real property designated as Amador County APNs 030-170-026, 023-070-165, & 033-800-021;
      Gene Mancebo, Agency negotiator. Instructions to the negotiator may include price. Terms of
      payment or both. Government Code sections 54954.5 (b) and 54956.8

8. COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
   A. Policy Committee (02-21-19)
   B. Legislative Committee (03-04-19)
   C. Engineering Committee (03-12-19)

9. 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

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

11. ADJOURNMENT
AMADOR WATER AGENCY
CONSENT AGENDA
March 14, 2019

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 14, 2019
   B. Approval of minutes of the Special Board Meeting of February 11, 2019
   C. Approval of minutes of the Special Board Meeting of February 14, 2019

2. MISCELLANEOUS APPROVALS
   A. Approval of Accounts payable for January, 2019
   B. Declaration of Surplus Property- Authorization for the General Manager to dispose of Agency assets in accordance with Administrative Policy Manual Section 3120- Surplus Property
   C. Approval of the Claims Processing Policy to be inserted into the Administrative Policy Manual

3. RESOLUTIONS
   A. Adoption of Resolution 2019-04- Establishing Local Claims Procedure Regulations
   B. Adoption of Resolution 2019-05- Reimbursement of Expenses incurred for the Lake Camanche Wastewater Treatment Plant Improvement Project
   C. Adoption of Resolution 2019-06- Designating Individuals With The Legal Authority To Sign SWRCB Forms And Apply For A State Of California, State Water Resources Control Board Clean Water State Revolving Fund Program Grant
   D. Adoption of Resolution 2019-07- Dedicating Net Wastewater Revenues to payment of SWRCB CWSRF Financing

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 14, 2019

MINUTES

Directors Present: Paul Molinelli Jr., President
Richard Farrington, Vice President
Art Toy
Gary Thomas
Susan Peters (left at 2:14 p.m.)

Directors Absent: None

Staff Present: Gene Mancebo, General Manager
Karen Gish, HR / Office Manager
Darrel Evensen, Engineering Manager
Tracey Hays, Finance Manager
Rick Ferreira, Operations Manager
Joshua Horowitz, Agency Legal Counsel

CALL TO ORDER - President Molinelli Jr. called the meeting to order at 9:07 a.m.

ADDITIONS TO THE AGENDA - None

INTRODUCTION OF NEW EMPLOYEES (1:00 - 6:14:00)
Rick Ferreira, Operations Manager

PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA (6:20)
None

CONSENT AGENDA (08:49 - 09:06)

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

Unapproved
WATER SYSTEM (09:07-44:58)
Bay-Delta Water Quality Plan Update (9:58 - /new due to power outage 00:00-
44:58) –Presentation on Non-Flow Measures by Michelle Workman, Fisheries/Wildlife
Biologist for EBMUD

RECESS was called at 10:16 a.m. SESSION resumed at 10:26 a.m.

AGENCY GENERAL (44:58-3:07:30)
Strategic Planning – Review of accomplishments and proposed Three-Year Plan

Board President directed staff to make revisions and send it to Engineering and Planning for review and recommendations

RECESS was called at 12:50 p.m. SESSION resumed with CLOSED SESSION at 1:00 p.m.

CLOSED SESSION was called at 10:26 a.m.
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 Agency Negotiators Pursuant to Government Code Section 54956.8 (b) with direction regarding the terms for a one time water transfer with Bay Area Water Supply and Conservation Agency (BAWSCA)

C. Conference with legal counsel--anticipated litigation; Government Code sections 54954.5(c) and 54956.9(a) and (d)(4); consideration of initiation of litigation involving one case.

D. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and (d)(1) -- Existing Litigation – Howard Jarvis Taxpayers Association, et al. v. Amador Water Agency, et al. (Amador Superior Court Case No. 16-CVC-09564/Third District Court of Appeal Case No. C082079).

E. Conference with real property negotiator involving the purchase, sale, lease or exchange of real property designated as Amador County APNs 030-170-026, 023-070-165, & 033-800-021; Gene Mancebo, Agency negotiator. Instructions to the negotiator may include price, terms of payment or both. Government Code sections 54954.5(b) and 54956.8.

OPEN SESSION resumed at 3:26 p.m. with direction given to staff as well as direction given to obtain Counsel Phinney. It was also reported that settlement was achieved with Vinciguerra in the amount of $65,115.78.
LEGAL COUNSEL'S REPORT (3:11:02 – 3:16:10)
Legislative report
Discussion and possible action regarding Agency positions on pending bills
Other Legal Matters

COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
(3:16:11 – 3:22:45)
A. Legislative Committee (1/30/19)
B. Board Tour (2/8/19)
C. Board Tour (2/11/19)

DEPARTMENT REPORTS (deferred to future meeting)
A. Administration/Finance
B. Operations
C. Engineering

FUTURE AGENDA TOPICS
SSMP (I&I data) Report

ADJOURNMENT
President Molinelli Jr. adjourned the meeting at 3:40 p.m.

Cris Thompson
Clerk of the Board of Directors
Approved: ____________________________

Regular Board Meeting
February 14, 2019
Page 3
AMADOR WATER AGENCY BOARD OF DIRECTORS
Special Board Meeting
February 11, 2019

MINUTES

Directors Present:  Paul Molinelli Jr., President
                   Rich Farrington, Vice President
                   Gary Thomas
                   Art Toy

Directors Absent:  Susan Peters (arrived at 10:01 a.m.)

Staff Present:    Gene Mancebo, General Manager
                  Karen Gish, HR / Office Manager
                  Rick Ferriera, Operations Manager
                  Don Hutchison, Construction Supervisor

CALL TO ORDER  President Molinelli Jr. called the Special Board meeting to order at 9:47 a.m.

NON-BUDGETED EQUIPMENT PURCHASE
Discussion and possible action to authorize the General Manager to purchase a dump trailer at a cost not to exceed $9,200 and a mini excavator at a cost not to exceed $47,000.

MOTION:
It was moved by Director Farrington, seconded by Director Thomas, to authorize the General Manager to purchase a dump trailer at a cost not to exceed $9,200 and a mini excavator at a cost not to exceed $47,000 by the following vote:

          AYES:  Directors Farrington, Thomas, Toy and Molinelli, Jr.
          NOES:  None
          ABSENT: Director Peters
          ABSTAIN: None

ADJOURNMENT- President Molinelli Jr. adjourned the meeting at 10:01 a.m.

Cris L. Thompson
Clerk of the Board of Directors
Approved: ____________________________
CALL TO ORDER: President Molinelli Jr. called the Special Board meeting to order at 3:41 p.m.

AUTHORIZATION FOR GRANT SUBMITTAL (3:23:40):
Discussion and possible action to authorize the General Manager to submit grant applications to the National Fish and Wildlife Foundation and Sierra Nevada Conservancy to remediate four cannabis grow sites in the El Dorado National Forrest (Panther Creek and Bear River watersheds) located in the Power Fire burn area.

MOTION:
It was moved by Director Farrington, seconded by Director Thomas, to authorize the General Manager to submit grant applications to the National Fish and Wildlife Foundation and Sierra Nevada Conservancy to remediate four cannabis grow sites in the El Dorado National Forrest (Panther Creek and Bear River watersheds) located in the Power Fire burn area:

AYES: Directors Farrington, Thomas, Toy and Molinelli, Jr.
NOES: None
ABSENT: Director Peters
ABSTAIN: None

ADJOURNMENT: President Molinelli Jr. adjourned the meeting at 3:39 p.m.
## Accounts Payable

### Checks by Date - Summary by Check Date

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**Printed:** 3/8/2019 8:59 AM

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| ACH     | 3848      | AWA Employee Association                   | 02/08/2019 | 740.00         |
| ACH     | 4163      | Vantagepoint                               | 02/08/2019 | 400.00         |
| ACH     | 4054      | Horizon Communications                     | 02/08/2019 | 562.29         |
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| 1714    | 3793      | PERS Long-Term Care Program                | 02/08/2019 | 61.03          |
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| 83359   | UB*00982  | JOHN AND JUDITH ALBRO                     | 02/08/2019 | 100.00         |
| 83360   | 3218      | Aramark Uniform Services                   | 02/08/2019 | 1,311.15       |
| 83361   | 1047      | AT&T Mobility                              | 02/08/2019 | 221.95         |
| 83362   | UB*00980  | CARMEN BEATTY                              | 02/08/2019 | 100.00         |
| 83363   | UB*00977  | KAREN BLOOM                                | 02/08/2019 | 138.56         |
| 83364   | UB*00985  | CAROLYN BROWN                              | 02/08/2019 | 55.99          |
| 83365   | UB*00979  | RICHARD & JUDITH BROWN                    | 02/08/2019 | 44.03          |
| 83366   | 1237      | Capital Rubber Inc.                        | 02/08/2019 | 76.83          |
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Total for 2/22/2019: 211,310.09

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Total for 2/25/2019: 26,544.46

Report Total (178 checks): 816,970.32
STAFF REPORT

Surplus

Requested Action:
The Board declare the items listed on attachment “A” as surplus property and authorize the General Manager to dispose of Agency assets in accordance with Administrative Policy Manual Section 3120- Surplus Property

Background:
Each year the Agency strives to evaluate Agency assets to determine whether or not they are still useful to the Agency in the course of day to day operations. Attachment “A” describes those assets that Agency staff and management have deemed to be surplus. Estimated values and additional detail for the Surplus Items will be provided at the Board Meeting.

Alternatives:
None for the various surplus items, however the Agency could decide to keep the identified surplus vehicles in the fleet and make necessary cost prohibitive repairs. Staff does not recommend this option.

Fiscal Impact:
Revenue generated by the sale of surplus items

Reviewed by Committee: No

Recommendation:
The Board declare the items listed on attachment “A” as surplus property and authorize the General Manager to dispose of Agency assets in accordance with Administrative Policy Manual Section 3120- Surplus Property

Prepared by:
Cris Thompson, Assistant General Manager
Attachment “A”

Surplus List

Bobcat
Bobcat excavator misc parts
Bobcat tracks
Mini excavator
Lincoln Welder
Pepsi machine
Blue generator
Whacker BS52Y-compactor
(2) Sure Lok All Pro receiver line locator (missing cords)
Heath Consultants Aqua-Scope leak detector 7306 (FA0013)(2004)
Fischer XH2O leak detector (FA0048)
Metrotech HL5000 (out of service) (FA0118)
Metrotech HL2000 Leak detector (FA00282)
Fischer TW6 Locator
Metrotech RSP3 Thumper locator
Stihl TS400
½” Air hose and Reel Craft hose reel
3/8” Air hose and Reel Craft hose reel
Lincoln AC/DC 225-125 ARC welder (FA0008)
Metal Chop Saw
Truck #536- 2006 Ford Ranger- 142,651 miles – Blue Book Value $3,193
Truck #533- 2006 Chevrolet Silverado 2500 HD 110,811 miles-Blue Book Value $7,235
Truck #522- 2004 Ford F350 142,410 miles- Blue Book Value $8,779
Truck #519- 2003 Ford E250 Commercial Cargo Van 127,751 miles- Blue Book Value $2,709
Truck #518- 2003 Ford F150 140,941 miles- Blue Book Value $4,659
Administrative Policy Manual
Claims Processing Policy

Requested action:
Adoption of Resolution No. 2019-04 Establishing Local Claims Procedure Regulations

Approval of the Claims Processing Policy to be added to the Administrative Policy Manual

Background:
Agency Counsel has advised that the Agency have a Claims Processing Policy and adopt a Resolution Establishing Local Claims Procedure Regulations. Both are attached for review and consideration.

Alternatives: Suggest other revisions to each policy

Fiscal Impact: None

Reviewed by Committee: Yes, the committee reviewed and recommends approval of the attached policy

Recommendation:
Adoption of Resolution no. 2019-04 Establishing Local Claims Procedure Regulations

Approval of the Claims Processing Policy to be added to the Administrative Policy Manual

Prepared by: Cris L. Thompson, Assistant General Manager
Amador Water Agency

Claims Processing Policy

DRAFT

100.00 Purpose of the Policy

The purpose of this policy is to establish a claims handling process that complies with the Government Claims Act, Government Code sections 810 and following and Resolution 2019-04 establishing local claims procedures for the Amador Water Agency (Agency). This process will be used by the Agency to address claims seeking reimbursement from the Agency for damages to personal or real property, or for personal injuries alleged to be caused by Agency facilities or equipment, or its directors, officers, employees or agents.

200.00 Policy

Pursuant to authority granted by the Government Claims Act and the Amador Water Agency Act, the Agency must take action on each valid claim made by a person or entity against the Agency for damages to personal or real property, or personal injuries before the person or entity is permitted to file legal action on such claims. Under this Policy, the Board of Directors grants the General Manager, or his or her designee, the authority to review and to approve or reject a claim for property damage in an amount not exceeding $10,000. In accordance with the policies of the Agency’s risk pool, ACWA-JPIA, all claims involving bodily injury must be denied by the Board of Directors and referred to ACWA-JPIA for handling.

The processing of all claims will be conducted in accordance with the Government Claims Act and Resolution No. 2019-04, including the time limits on claims processing and requirements for claims presentation. All claims exceeding $10,000 in value will be presented for action to the Board of Directors at a regularly scheduled Board Meeting. Agency staff will present all documents received from a claimant, an investigation report, and a recommendation to approve or reject the claim. In the event that a claim against the Agency is rejected, Agency staff will send a letter to the claimant describing the Board of Directors’ action on the claim and advising the claimant of his, her or its rights under the Government Claims Act with respect to any adverse action on the claim. Staff also will send a letter to and negotiate any necessary agreement with any claimant whose claim is approved in whole or in part.

300.00 Authority and Responsibility
The General Manager, or designee, has the authority to approve or reject a claim for damages to personal or real property up to a value of $10,000. The Human Resources Manager has the responsibility to receive claim documentation and prepare an investigation report with recommendation for action to the General Manager or Board. The General Manager shall adopt and implement appropriate procedures to carry out this Policy and will report to the Agency Board of Directors at its next regular meeting on each claim in the amount of $10,000 or less that is processed by staff under this policy.

400.00 Tender of Claims to Risk Pool or Insurer

Upon receipt of any claim, Agency staff will provide notice of the claim and all relevant documents to ACWA-JPIA or to any other risk pool or insurer from which the Agency may obtain any insurance coverage or indemnity for claims from time to time.
RESOLUTION NO. 2019-04

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE AMADOR WATER AGENCY
ESTABLISHING LOCAL CLAIMS PROCEDURE REGULATIONS

BE IT RESOLVED by the Board of Directors of the Amador Water Agency that the following local claims procedure regulations are hereby established:

1. Purpose and Authority. The purpose of this resolution is to establish local claims procedure regulations to govern money claims brought against the Agency that are exempt from state law claims procedures under the Government Claims Act (Government Code §§ 900 and following). This resolution is adopted under Government Code section 935.

2. Local Claims Procedures. The Agency hereby establishes the following claims procedure regulations to apply to those claims against the Agency that, under Government Code section 905, are exempt from the Government Claims Act:

   a. All claims for money or damages against the Agency that are exempt from the Government Claims Act, and that are not governed by any other statute or regulation expressly relating to such claim, shall be presented to the Agency within the time limitations and in the manner set forth in Government Code sections 910 through 915.4.

   b. When a claim required by this resolution to be presented within a period of less than one year after the accrual of the cause of action is not presented within the required time, an application for leave to file a late claim may be made and processed in accordance with Government Code sections 911.4(b), 911.6 to 912.2, and 946.6. A late claim also shall be subject to Government Code section 946.4. (See Government Code § 935(e).)

   c. Claims shall be subject to the provisions of Government Code section 945.4 relating to the prohibition of lawsuits until the timely presentation of and action on a claim. No lawsuit for money or damages may be brought against the Agency on a cause of action for which a claim is required to be presented in accordance with this resolution until a written claim has been timely presented to the Agency and has been acted upon by the Agency Board, or has been deemed to have been rejected by the Agency Board, in accordance with the procedures at Government Code sections 910 through 915.4. (See Government Code § 935(b).)

   d. Any lawsuit brought against the Agency on a claim subject to this resolution shall be subject to the provisions of Government Code sections 945.6 (lawsuit filing limitations) and 946 (lawsuit barred after claim allowed in full or part). Any lawsuit against the Agency on a claim subject to this resolution must be commenced within the time limitations of Government Code section 945.6. (See Government Code § 935(b).)
PASSED AND ADOPTED by the Board of Directors of the Amador Water Agency on the 14th day of March by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

__________________________
Paul Molinelli Jr.
Board President

Attest:

__________________________
Cris L. Thompson
Clerk of the Board
RESOLUTION 2019-05

OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
CONCERNING CWSRF REIMBURSEMENT OF EXPENSES INCURRED FOR
THE LAKE CAMANCHE WASTEWATER TREATMENT PLANT
IMPROVEMENT PROJECT

WHEREAS, the Amador Water Agency (the "Agency") desires to finance the costs of constructing the Lake Camanche Wastewater Treatment Plant Improvement Project (the "Project");

WHEREAS, the Agency intends to finance the construction of the Project with moneys ("Project Funds") provided by the State of California, acting by and through the State Water Resources Control Board ("State Water Board");

WHEREAS, the State Water Board may fund the Project Funds with proceeds from the sale of obligations, the interest upon which is excluded from gross income for federal income tax purposes (the "Obligations");

WHEREAS, prior to either the issuance of the Obligations or the approval by the State Water Board of the Project Funds, the Agency desires to incur certain capital expenditures (the "Expenditures") with respect to the Project from available moneys of the Agency; and

WHEREAS, the Agency has determined that those moneys to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Agency for the Expenditures from the proceeds of the Obligations.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY DOES HEREBY RESOLVE, ORDER AND DETERMINE AS FOLLOWS:

SECTION 1. The Agency hereby states its intention and reasonably expects to reimburse Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds.

SECTION 2. The reasonably expected maximum principal amount of the Project Funds is $5,665,000.

SECTION 3. This resolution is being adopted no later than 60 days after the date on which the Agency will expend moneys for the construction portion of the Project costs to be reimbursed with Project Funds.
SECTION 4. Each Agency expenditure will be of a type properly chargeable to a capital account under general federal income tax principles.

SECTION 5. To the best of our knowledge, this Agency is not aware of the previous adoption of official intents by the Agency that have been made as a matter of course for the purpose of reimbursing expenditures and for which tax-exempt obligations have not been issued.

SECTION 6. This resolution is adopted as official intent of the Agency in order to comply with Treasury Regulation §1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of Project costs.

SECTION 7. All the recitals in this Resolution are true and correct and this Agency so finds, determines and represents.

PASSED AND ADOPTED by the Board of Directors of the Amador Water Agency on March 14, 2019 by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

Signed and approved by me after its passage on this March 14, 2019

By:                                               
Paul Molinelli Jr.  
President, Board of Directors

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Directors of the Amador Water Agency held on March 14, 2019.

By:                                               
Cris L. Thompson  
Clerk, Board of Directors
RESOLUTION NO.2019-06

OF THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY
DESIGNATING INDIVIDUALS WITH THE LEGAL AUTHORITY TO SIGN SWRCB
FORMS AND APPLY FOR A STATE OF CALIFORNIA, STATE WATER
RESOURCES CONTROL BOARD CLEAN WATER STATE REVOLVING FUND
PROGRAM

BE IT RESOLVED, by the Board of Directors of the Amador Water Agency that, pursuant
to all the terms and provisions of the California State Water Resources Control Board
Clean Water State Revolving Fund, the General Manager, Assistant General Manager,
and Manager of Engineering & Planning, the Authorized Representative or designee is
hereby authorized and directed to sign and file for, on behalf of the Amador Water Agency
(“Agency”), a Financial Assistance Application for a financing agreement from the State
Water Resources Control Board for the Lake Camanche Wastewater Treatment Plant
Improvement Project

The Authorized Representative, or his/her designee, is designated to provide the
assurances, certifications, and commitments required for the financial assistance
application, including executing a financial assistance agreement from the State Water
Resources Control Board and any amendments or changes thereto.

The Authorized Representative, or his/her designee, is designated to represent the
Agency in carrying out the Agency’s responsibilities under the financing agreement,
including certifying disbursement requests on behalf of the Agency and compliance with
applicable state and federal laws.

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 14th day of March, 2019 by
the following vote:

Signed and approved by me after its passage this 14th day of March, 2019

Ayes:
Noes:
Absent:
Abstain:

Paul Molinelli Jr.
President, Board of Directors
CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Directors of the Amador Water Agency held on March 14, 2019.

By: ____________________________________________
   Cris L. Thompson, Clerk of the Board

[Agency seal]
RESOLUTION NO. 2019-07

RESOLUTION OF AMADOR WATER AGENCY PLEDGING AND DEDICATING NET WASTEWATER REVENUES TO PAYMENT OF SWRCB CWSRF FINANCING

WHEREAS, the Amador Water Agency seeks financing from the State Water Resources Control Board for a project known as the Wastewater Treatment Plant Upgrade for Lake Camanche Village Unit 6 - 8037

WHEREAS, the Project would construct necessary effluent storage and irrigation improvements at Gansberg Ranch to serve existing users of Lake Camanche Village Unit 6 wastewater system.

WHEREAS, the total Project costs are estimated at $14,779,000, due to the limited availability of grant funds and the economic status of Unit 6 service area, the Agency has focused on project elements in critical need of improvements to allow the lifting of the moratorium on development within Unit 6. The Agency is seeking $5,665,000 in assistance with the funds from the State Water Resources Control Board's Clean Water State Revolving Fund ("CWSRF");

WHEREAS, the Agency's Board of Directors finds that the Project is necessary to allow the lifting of the building moratorium in place within the Unit 6 service area, but also be compatible with desired consolidation/regionalization of wastewater facilities in the future.

WHEREAS, the Agency's Board of Directors desires to take all actions necessary to secure the grant and loan funds for the Project, to authorize all necessary Agency expenditures for the Projects, and to authorize the General Manager to take all actions necessary to secure funding for and to carry out the Project on the Agency's behalf.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE AMADOR WATER AGENCY the following:

1. The Amador Water Agency hereby dedicates and pledges its net revenues of the Agency fund and the Agency fund to payment of the CWSRF financing for the Project. The Amador Water Agency commits to collecting such revenues and maintaining such fund(s) throughout the term of such financing and until the Amador Water Agency has satisfied its repayment obligations thereunder unless modification or change is approved in writing by the State Water Resources Control Board. So long as the financing agreement is outstanding, the Amador Water Agency pledge hereunder shall constitute a lien in favor of the State Water Resources Control Board on the foregoing fund and revenue without any further action necessary. So long as the financing agreement are outstanding, the Amador Water Agency commits to maintaining the fund and revenue at levels sufficient to meet its obligations under the financing agreement. If for any reason, the said source of revenues proves insufficient to satisfy the debt service of the CWSRF obligation,
sufficient funds shall be raised through increased wastewater rates, user charges, or assessments or any other legal means available to meet the CWSRF obligation and to operate and maintain the Project.

Passed and adopted by the Board of Directors of the Amador Water Agency at a regular meeting on March 14, 2019 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Signed and approved by me after its passage on this March 14, 2019.

By: ________________________________  
Paul Molinelli Jr.  
President, Board of Directors

CERTIFICATION
I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a regular meeting of the Amador Water Agency Board of Directors held on March 14, 2019.

_______________________________  
Cris Thompson  
Clerk of the Board of Directors
STAFF REPORT

Mokelumne Water Battery Project
GreenGen Storage Presentation

Requested Action:
No Action is requested. This is a presentation for informational purposes.

Background: Jennifer Rouda of GreenGen Storage and possibly other representatives will provide a presentation to the Agency Board on their proposed Mokelumne Water Battery Project and answer questions the Board and public may have.

In general, the project would pump water from the existing Salt Springs Reservoir up to the Lower Bear River and/or Upper Bear River Reservoirs when excess power is available on the grid or in low demand. When there is a shortfall or high demand for power, water would flow back down to the Salt Springs River while generating hydroelectric power. The project will include a water conveyance tunnel connecting the reservoirs, powerhouse, transmission line and other associated infrastructure.

Alternatives:
Not applicable- No action requested.

Fiscal Impact:
None, limited to informational presentation

Reviewed by Committee: No.

Reviewed by Legal Counsel: No

Staff Recommendation
None.

Prepared by: Gene Mancebo, General Manager
MEMORANDUM

TO: BOARD OF DIRECTORS, AMADOR WATER AGENCY
CC: GENE MANCEBO, GENERAL MANAGER
FROM: JOSH HOROWITZ & PAT FITZGERALD
DATE: MARCH 7, 2019
RE: LEGISLATIVE REPORT FOR THE MARCH 14, 2019 AMADOR WATER AGENCY BOARD MEETING

The following are bills of potential interest to the Amador Water Agency pending in the California Legislature. [** - notes bills added since last month’s report.]

STATE ASSEMBLY

AB 9 (Reyes) - Employment discrimination: limitation of actions.
Introduced: 12/03/18
Status: 01/17/19 - Referred to Asm. Committee on Labor & Employment.
Existing law requires a person to file a complaint under the California Fair Employment and Housing Act (FEHA) regarding certain unlawful employment and housing practices, including discrimination and harassment, within one year. This bill would extend the period within which someone may file these claims to three years.
ACWA: None.

AB 51 (Gonzalez) - Employment discrimination: enforcement.
Introduced: 12/03/18
Status: 01/17/19 - Referred to Asm. Committee on Labor & Employment and Asm. Committee on Judiciary.
This bill would prohibit an employer from placing certain conditions on employment, continued employment, any employment-related benefit, or entering any contractual agreement. These conditions include prohibiting an applicant for employment, employee, or independent contractor from disclosing to any person an instance of sexual harassment that the employee or independent contractor suffers, witnesses, or discovers in the workplace or in the performance of the contract, or otherwise opposing any lawful practice, or from exercising any right or obligation or participating in any investigation or proceeding with respect to unlawful harassment or discrimination.
ACWA: Watch.
AB 68 (Ting) - Land use: accessory dwelling units.
Introduced: 12/03/18
Status: 01/17/19 - Referred to Asm. Committee on Housing & Community Development and Asm. Committee on Local Government.
Existing law limits the ability of a local agency, special district, or water corporation to require the installation of a new or separate utility connection and the payment of a related connection fee or capacity charge for certain accessory dwelling units (ADUs). Among other things, this bill would clarify and expand the standard for exempting ADUs from these connection and payment obligations; this bill would allow an ADU that is “substantially” within the existing space of a single-family dwelling or accessory structure to be exempt. The bill also clarifies that certain “junior ADUs,” which are no more than 500 square feet in size and contained entirely within an existing single-family structure, may also be exempt from these connection and payment obligations.
ACWA: Watch.

AB 134 (Bloom) – Safe, clean, affordable, and accessible drinking water.
Introduced: 12/05/18
Status: 01/07/19 - Read first time.
Indicating that the Legislature intends to resume its push to fund clean drinking water projects after efforts to impose a tax on water bills failed in the summer of 2018, this bill would state findings and declarations of the Legislature's intent to adopt policies to ensure that every Californian has the right to safe, clean, affordable, and accessible drinking water. Gov Newsom's proposed budget summary, released on Jan. 11, stated that he would be advancing a safe drinking water funding framework “consistent with the policy framework of SB 623” (the “Safe and Affordable Drinking Water Act” that failed in summer 2018). This bill or AB 217 may be a potential vehicle for advancing this proposal in the legislature.
As an alternative approach to a new tax, ACWA is proposing a Safe Drinking Water Trust to fund costs for community water systems in disadvantaged communities. (See discussion of SB 669, below.)
ACWA: Watch.

AB 171 (Gonzalez) - Employment: sexual harassment.
Introduced: 1/24/19
Status: 01/24/19 - Referred to Asm. Committee on Labor & Employment and Asm. Committee on Judiciary.
This bill would prohibit an employer from discharging or in any manner discriminating or retaliating against an employee because of the employee's status as a victim of sexual harassment, as defined by FEHA. The bill would establish a rebuttable presumption of unlawful retaliation based on the employee's status as a victim of domestic violence, sexual assault, sexual harassment, or stalking if an employer takes specific actions within 90 days following the date that the victim provides notice to the employer or the employer has
actual knowledge of the status. This bill contains similar provisions as AB 3081, which passed the legislature last term by was vetoed by Governor Brown.

ACWA: Watch.

AB 217 (Garcia, Eduardo) - Safe and Affordable Drinking Water Fund.
Introduced: 1/16/19
Status: 02/04/19 - Referred to Asm. Committee on Environmental Safety & Toxic Materials.
As currently drafted, this bill simply would create a “Safe and Affordable Drinking Water Fund,” from which moneys would be available to the State Water Resources Control Board (State Water Board), upon appropriation from the legislature, to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. For more on efforts to advance Safe and Affordable Drinking Water proposals, see AB 134, above.

ACWA: Watch.

AB 231 (Mathis) – California Environmental Quality Act: exemption: recycled water.
Introduced: 1/17/19
Status: 02/07/19 - Referred to Asm. Committee on Natural Resources.
This bill would exempt from the requirements of the California Environmental Quality Act (CEQA) any project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions during a state of emergency proclaimed by the Governor, if the project meets specified criteria. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.

ACWA: Favor.

AB 235 (Mayes) - Electrical corporations: local publicly owned electric utilities: California Wildfire Catastrophe Fund Act.
Introduced: 1/18/19
Status: 02/07/19 - Referred to Asm. Committee on Utilities & Energy.
This bill would create the California Wildfire Catastrophe Fund Authority, which would be governed by a board of directors. The bill would authorize electrical corporations and local publicly owned electric utilities to participate in the authority. The bill would require each participating entity to make an initial contribution and annual contributions to the authority, and would require the board to deposit those contributions into an account dedicated to receiving contributions from that participating entity.

ACWA: None.
AB 249 (Choi) - Public employers: employee organizations.
Introduced: 1/22/19
Status: 02/07/19 – Referred to Asm. Committee on Public Employment & Retirement.
This bill would prohibit a public employer from deterring or discouraging a public employee or an applicant to be a public employee from opting out of becoming or remaining a member of an employee organization. The bill would prohibit a public employer from taking adverse action, including reducing pay or benefits, against a public employee or applicant to be a public employee who opts out of becoming or remaining a member of an employee organization.
ACWA: None.

AB 287 (Voepel) - Public employees' retirement: annual audits.
Introduced: 1/28/19
Status: 02/07/19 - Referred to Asm. Committee on Public Employment & Retirement.
Current law requires each state and local public pension or retirement system, on and after the 90th day following the completion of the annual audit of the system, to provide a concise annual report on the investments and earnings of the system, as specified, to any member who makes a request and pays a fee, if required, for the costs incurred in preparation and dissemination of that report. This bill would also require each state and local pension or retirement system to post a concise annual audit of the information described above on that system's website no later than the 90th day following the audit's completion.
ACWA: None.

AB 289 (Fong) - Public records appeals: ombudsman.
Introduced: 1/28/19
Status: From printer. May be heard in committee February 28.
This bill would declare the intent of the Legislature to enact legislation that would establish an ombudsman within the California State Auditor's Office who would serve as the appeals body for all requests related to the California Public Records Act.
ACWA: None.

AB 292 (Quirk) - Recycled water: raw water and groundwater augmentation.
Introduced: 1/28/19
Status: 03/04/19 – Amended and re-referred to Asm. Committee on Environmental Safety & Toxic Materials.
Current law requires the State Water Board, on or before December 31, 2023, to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation, as specified. This bill would eliminate the definition of “direct potable reuse” and instead would substitute the term “groundwater augmentation” for “indirect potable reuse for groundwater recharge” in these definitions. The bill would require, on or before December 31, 2023, the State Board to adopt uniform water recycling criteria for raw water augmentation. On March 4, 2019, the bill was amended to also revise the definition of
"treated drinking water augmentation," to mean the planned placement of recycled water "directly into a finished" water distribution system.

ACWA has adopted a support position on this bill because it clarifies definitions that are confusing to the public, following up on 2017's AB 528 which similarly streamlined various water reuse definitions in the Water Code.

ACWA: Support.

AB 322 (Gallagher) - Political Reform Act of 1974: online filing and disclosure system.

Introduced: 1/30/19
Status: 02/11/19 – Referred to Asm. Committee on Elections & Redistricting.

The Political Reform Act of 1974 requires the filing of certain statements, reports and other documents. Under the act, a local government agency may require these filings to be made online or electronically and then make all data so filed available on the Internet. This bill would require a local government agency to post on its website a copy of any certain statement, report, or other document filed with that agency in paper format. This bill would require that the statement, report, or other document be made available for four years from the date of the election associated with the filing.

ACWA: None.

AB 333 (Eggman) - Whistleblower protection: state and local independent contractors.

Introduced: 1/31/19
Status: 02/11/19 – Referred to Asm. Committee on Labor & Employment.

Existing law prohibits an employer or any person acting on behalf of the employer from preventing an employee from, or retaliating against an employee for, providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry, if the employee has reasonable cause to believe that the information discloses a violation of a law, regardless of whether disclosing the information is part of the employee’s job duties. This bill would extend such whistleblower protection to independent contractors and contracted entities working for state and local government who are tasked with receiving and investigating complaints from facilities, services, and programs operated by state and local governments.

ACWA: None.

**AB 441 (Eggman) – Water: underground storage.

Introduced: 2/11/19
Status: 02/21/19 – Referred to Asm. Committee on Water, Parks & Wildlife.

Under existing law, the right to use water is limited to that amount of water reasonably required to serve beneficial uses. Failure to beneficially use a water right for a period of five years may result in forfeiture of that right. Existing law provides that diversions for storing water underground constitute a beneficial use if the stored water is thereafter...
applied to beneficial uses; the underground storage itself is not a beneficial use. This bill would provide that certain uses of water while underground constitute beneficial use. This bill would provide that water thus being beneficially used, or held in storage for a later beneficial use, is not subject to forfeiture.

ACWA: Watch.

**AB 456 (Chu, Bonta, Low) – Public contracts: claim resolution.**

**Introduced:** 2/11/19  
**Status:** 02/21/19 – Referred to Asm. Committee on Accountability & Administrative Review.

The Public Contract Code currently provides for contracts entered into after January 1, 2017, a claim resolution process for claims by a contractor in connection with a public works project against a public entity. That claim resolution process provision is set to sunset on January 1, 2020. This bill would remove the sunset and make the claim resolution process operative indefinitely.

ACWA: None.

**AB 654 (Rubio, Blanca) – Public records: utility customers: disclosure of personal information.**

**Introduced:** 2/15/19  
**Status:** 02/28/19 – Referred to Asm. Committee on Judiciary.

The California Public Records Act (CPRA) currently authorizes local agencies to disclose certain utility customer information under certain circumstances, including to another governmental agency when the information is necessary for the performance of that agency's official duties. This bill would amend the act to authorize a local agency to disclose the name, utility usage data, and home address of utility customers to another governmental agency when the disclosure is not necessary for the performance of the other governmental agency’s official duties but is to be used for scientific, educational, or research purposes, and the requesting agency receiving the disclosed material agrees to maintain it as confidential in accordance with specified criteria. Disclosure would be at the sole discretion of the disclosing agency.

ACWA: Not yet considered.

**AB 658 (Arambula) – Water rights: water management.**

**Introduced:** 2/15/19  
**Status:** 02/25/19 – Referred to Asm. Committee on Water, Parks, & Wildlife.

This bill would authorize the State Water Board to issue conditional temporary permits and conditional temporary change orders to groundwater sustainability agencies or local agencies to authorize the diversion of surface water to underground storage for beneficial use that advanced the sustainability goal of a groundwater basin. This bill additionally would expand beneficial uses of water to include diversions of water to underground storage
in certain circumstances, including for groundwater recharge and protection of water quality.
ACWA: Not yet considered.

**AB 881 (Bloom) – Accessory Dwelling Units.**
**Introduced:** 2/20/19
**Status:** 03/4/19 – Referred to Asm. Committees on Housing & Community Development and Local Government.
This bill would make several changes to the Planning and Zoning Law provisions concerning ADUs. Among other things, this bill would clarify the requirements for when a local agency must approve an ADU building permit, and for when an ADU may not be required to install a new water or sewer connection or pay a related connection fee or capacity charge. Under this bill, an ADU would be exempt from these requirements if it was within an “existing structure,” including the primary residence, or a studio, garage, pool house, or similar structure. The bill also would clarify that “existing structure” means a structure that was constructed before conversion to an ADU and is not a new structure.
ACWA: Not yet considered

**AB 945 (McCarty) – Local government: financial affairs: surplus funds.**
**Introduced:** 2/20/19
**Status:** 03/4/19 – Referred to Asm. Committees on Local Government and Banking & Finance.
Existing law prescribes the instruments and criteria by which a local agency, as defined, may invest and deposit its funds, including its surplus funds. This bill would, commencing January 1, 2020, authorize a local agency to invest and deposit the agency’s surplus funds in deposits at specified types of financial institutions whether those investments are certificates of deposit or another form, and would increase the percentage of the local agency’s funds that can be invested to 50%.
ACWA: Not yet considered

**AB 992 (Mullin) – Open meetings: local agencies: social media.**
**Introduced:** 2/21/2019
**Status:** 2/22/2019-From printer. May be heard in committee March 24.
The Ralph M. Brown Act generally requires local agencies to conduct open meetings. The Brown Act prohibits, among other things, direct or indirect communications among a majority of a local agency’s legislative body to hear, discuss, deliberate, or take action on any item within that legislative body’s subject matter jurisdiction. This bill would clarify that the Brown Act does not apply to posting, commenting, liking, interaction with, or participation in, internet-based social media platforms by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the local agency’s subject matter jurisdiction.
ACWA: Not yet considered.
**AB 1204 (Rubio, Blanca) – Public water systems: primary drinking water standards: implementation date.**

**Introduced:** 2/21/2019

**Status:** 2/22/2019 - From printer. May be heard in committee March 24.

The California Safe Drinking Water act currently requires the State Water Board to regulate drinking water, and requires the board to adopt primary drinking water standards for contaminants in drinking water. This bill would require the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard, or that is more stringent than a federal primary drinking water standard, to take effect three years after the date on which the State Water Board adopts or amends the primary drinking water standard. The bill would authorize the State Water Board to delay the effective date of the primary drinking water standard adoption or amendment by no more than two additional years as necessary for capital improvements to comply with a maximum contaminant level or treatment technique.

**ACWA:** Not yet considered.

**AB 1347 (Boerner Horvath) – Electricity: renewable energy and zero-carbon resources: state and local government buildings.**

**Introduced:** 2/22/2019

**Status:** 2/23/2019 - From printer. May be heard in committee March 25.

Existing law establishes the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. This bill would establish the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to state and local government buildings by December 31, 2030.

**ACWA:** Not yet considered.

**ACA 1 (Aguilar-Curry) Local government financing: affordable housing and public infrastructure: voter approval.**

**Introduced:** 12/03/18

**Status:** Pending referral.

This bill would propose an amendment to the State Constitution to make three changes to the voting requirements to pass certain taxes. First, the amendment would create an additional exception to the 1 percent maximum ad valorem tax rate on real property, for the service of bonds incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the tax is approved by 55 percent of the voters. Second, the amendment would authorize a local government to impose, extend, or increase a sales and use tax or transactions and use tax or a parcel tax for the purposes of funding the construction, rehabilitation, or replacement of public infrastructure or affordable housing, if the tax is approved by 55 percent of voters. Third, this amendment would lower the two-thirds voting threshold to 55 percent for the
authorization of bonds to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing projects.

ACWA: None.

STATE SENATE

Introduced: 12/03/18
Status: 1/16/19 - Referred to Senate Committees on Environmental Quality, Natural Resources & the Environment, and Judiciary.
In an effort to combat revisions to federal air, water, and endangered species protection regulations, this bill would require respective state agencies to monitor federal rulemaking and consider taking certain actions to maintain a 2017 baseline under state law if federal standards are relaxed. The bill also would create a private right of action authorizing citizen suits to enforce the new state regulations.
ACWA: Oppose unless amended.

SB 13 (Wieckowski) - Accessory dwelling units.
Introduced: 12/03/18
Status: 1/16/19 - Referred to Senate Committee on Rules.
This bill would express the intent of the Legislature to enact legislation that would reduce impact fees and other existing barriers for homeowners seeking to create accessory dwelling units for the purpose of creating additional residential housing within their neighborhoods. This appears to be a “spot bill,” potentially for the reintroduction of 2018’s SB 831, which would have eliminated all impact, connection, and capacity fees for ADUs under 1,200 square feet. While SB 13 currently lacks substantive language, it is likely that the bill will seek to lower or eliminate impact fees on these types of ADUs.
ACWA: Watch.

SB 19 (Dodd) – Water resources: stream gages.
Introduced: 12/03/18
Status: 2/28/19- From committee with author's amendments. Read second time and amended. Re-referred to Senate Committee on Natural Resources & Water.
This bill would require DWR and the State Water Board to, upon appropriation of funds, develop a plan to deploy a network of stream gages, including a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying new gages in priority locations across hydrologic regions in the state. The bill would require the DWR and the State Board, in consultation with CDFW, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species.
The sponsor introduced an identical bill last session (SB 919) that died in the Assembly Committee on Appropriations.

ACWA: Support.


Introduced: 12/3/18

Status: 3/5/19 - From committee with author's amendments. Read second time and amended. Re-referred to Senate Committee on Natural Resources & Water.

This bill would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of $4 billion in bonds to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

ACWA: Favor if amended.

SB 62 (Dodd) - Endangered species: accidental take associated with routine and ongoing agricultural activities.

Introduced: 01/03/19

Status: 2/25/19 - From committee with author's amendments. Read second time and amended. Re-referred to Senate Committee on Natural Resources & Water.

The California Endangered Species Act prohibits the “taking” of an endangered or threatened species, except in certain situations. Currently, the act provides an exception from this prohibition for the accidental take of protected species resulting from acts that occur on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities. That exception expires January 1, 2020, but this bill would make the exception permanent.

ACWA: Watch.

SB 134 (Hertzberg) - Water conservation: water loss performance standards: enforcement.

Introduced: 01/15/19

Status: 1/24/19 - Referred to Senate Committee on Natural Resources & Water.

Existing law authorizes the State Water Board to issue information orders, written notices, and conservation orders to an urban retail water supplier that does not meet its urban water use objective, and to impose civil liability for a violation of an order or regulation issued pursuant to those provisions. Current law requires the State Board to adopt rules requiring urban retail water suppliers to meet water loss performance standards. This bill would prohibit the board from imposing liability for a violation of water loss performance standards except as part of the enforcement of an urban water use objective.
ACWA: Support.

SB 200 (Monning) - Safe and Affordable Drinking Water Fund.
Introduced: 01/31/19
Status: 2/13/19 – Referred to Sen. Committees on Environmental Quality and Natural Resources & Wildlife.
Like AB 2017, this bill would create a “Safe and Affordable Drinking Water Fund,” from which moneys would be available to the State Water Resources Control Board, upon appropriation from the legislature, to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. Senator Monning sponsored SB 623, which was the principal vehicle for the water tax proposed in the 2018 legislative session. For more on efforts to advance Safe and Affordable Drinking Water proposals, see AB 134, above.
ACWA: Watch.

**SB 474 (Stern) - Department of Water Resources: appropriations of water.
Introduced: 02/21/19
Status: 2/22/19 - From printer. May be acted upon on or after March 24.
Existing law authorizes the Department of Water Resources to make and file applications with the State Water Board to appropriate water for future projects. The State Water Board is authorized to release from priority or assign these filings to other agencies or entities (and has done so with the Agency). Existing law exempts these filings from certain diligence requirements under the Water Code. This bill would remove that diligence exemption as of January 1, 2021.
ACWA: Not yet considered.

**SB 518 (Wieckowski) - Public records: disclosure: court costs and attorney’s fees.
Introduced: 02/21/19
Status: 2/22/19 - From printer. May be acted upon on or after March 24.
The CPRA requires a court to award costs and reasonable attorney’s fees to a prevailing party if the court orders the disclosure of public records and finds that a public official’s decision to refuse disclosure of public records is not justified. In addition, the act requires the court to award costs and reasonable attorney’s fees to the public agency if the court finds that the requesting party’s case is clearly frivolous. This bill, for the purposes of the award of costs and attorney’s fees, would specifically except a provision of existing law that prescribes the withholding or augmentation of costs if an offer is made before judgment or award in a trial or arbitration.
ACWA: Not yet considered.
**SB 615 (Hueso) - Public records: disclosure.**

*Introduced: 02/21/19*

*Status: 2/25/19* - From printer. May be acted upon on or after March 27.

Also concerning litigation under the CPRA, this bill would require a party seeking to inspect or copy a public record to meet and confer in good faith with the public agency in an attempt to informally resolve the issues before instituting a judicial proceeding to compel disclosure. This bill also would require a court to make certain findings concerning the agency's actions before awarding costs to a prevailing party.

ACWA: Not yet considered.

**SB 669 (Caballero) - Water quality: Safe Drinking Water Fund.**

*Introduced: 02/22/19*

*Status: 2/25/19* - From printer. May be acted upon on or after March 27.

Sponsored by ACWA and the California Municipal Utilities Association as an alternative to the statewide water tax proposals, this bill would create the Safe Drinking Water Trust in the State Treasury, funded with general fund dollars during a state budget surplus year. Net income earned from the trust would be transferred to a Safe Drinking Water Fund, which the State Water Board would administer, for costs associated with operation and maintenance of water treatment facilities, as well as efforts to consolidate smaller water systems that are out of compliance with drinking water standards.

ACWA: Not yet considered.

**SB 778 (Committee on Labor, Public Employment and Retirement) - Employers: sexual harassment training: requirements.**

*Introduced: 02/26/19*

*Status: 2/27/19* - From printer. May be acted upon on or after March 29.

Current law requires an employer with five or more employees to provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to all employees within six months of their assumption of a position. This training must be provided before January 1, 2020. This bill would clarify that employees must receive refresher training every two years, and an employer who has provided this training and education to an employee after January 1, 2018, is not required to provide refresher training until after December 31, 2020.

ACWA: Not yet considered.

**SB 779 (Committee on Natural Resources and Water) - Appropriation of water: change of point of diversion, place of use, or purpose of use.**

*Introduced: 02/27/19*

*Status: 2/28/19* - From printer. May be acted upon on or after March 30.

Under existing law, an applicant, permittee, or licensee may change the point of diversion, place of use, or purpose of use from that specified in the application, permit, or license, upon receiving permission of the State Water Board. This bill would authorize an
applicant, permittee, or licensee to change any other provision or condition in the application, permit, or license, upon permission of the State Water Board. This bill also would authorize the State Water Board to make a minor change to an application, permit, or license without requiring the filing of a change petition for change if the State Water Board makes specified findings, including that the change does not have the potential to adversely affect the water supply of other legal users of water or instream beneficial uses. The bill would require the State Water Board to provide notice and to allow at least 15 days for public comment before making a minor change to an application, permit, or license.

ACWA: Not yet considered.
Customer Service/Human Resources:

- The 2018/2019 (7/1/18-6/30/19) Safety Statistics for Agency staff are:
  - Lost time worker's comp incident: 1 (FYI: date of last incident: 9/13/18)
  - Other Worker Comp incident: 0 (FYI: date of last incident: 5/10/17)
  - First Aid incident: 0
  - Avoidable vehicle accident: 2 (9/13/18)
  - Unavoidable vehicle accident: 0

- Training: ACWA DC Conference-Mancebo; Distribution-Lollar; Hazard Mitigation Grant Workshop-C Thompson & Cook; Supervisor’s Role as Trainer & Coach-Hays

- Certifications/Renewals: CWEA Membership-Goshorn, Brewster;

- Staffing:
  - Vacancies: Distribution I, Instrumentation/Electrical Technician, Construction I

- Liens filed: 0
- Liens Released: 0
- Currently Outstanding Lien Balance: $42,578.95

- Completed monthly Door Tags/Shut Offs for River Pines PUD, including monthly customer deposit
- Assisted General Manager with Survey Project
- Complete Customer Service portion of Willdan Bondholder Disclosure Report
- Became a member of the Safety Center on Bradshaw; provides multiple in-depth safety training opportunities, such as Confined Space, Driver, Fall Protection, etc.
- President’s Special Recognition Awards received from ACWA/JPIA for: Achieving a Low Ratio of “Paid Claims and Case Reserves” to “Deposit Premiums” for the 10/1/2014-9/30/2017 Liability Program years; 4/1/2014-3/31/2017 Property Program years; and 7/1/2014-6/30/2017 Workers’ Compensation Program years.
Finance/Accounting:

- Water Sales Revenues through the month of February are $5,783,656
- Wastewater Sales Revenues through the month of February are $1,130,776
- Reimbursements received: $1,396,831
- Outstanding Reimbursements are approximately $1,255,879
- Restricted and Unrestricted Cash: Attached
- February Sales Comparison: Attached

- Completed State Controllers Reports for AWA and Amador County Groundwater Management Authority for fiscal year 2017-18
- Completed Financial component of Willdan Report for COP Series 2016A Refunding compliance
- Assessed and created plan, including reasonable timeline, for addressing outstanding items on the Audit Management letter. Presented to the Budget and Finance Committee.

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

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<tr>
<th></th>
<th>Mar-17</th>
<th>Mar-18</th>
<th>Apr-17</th>
<th>Apr-18</th>
<th>May-17</th>
<th>May-18</th>
<th>Jun-17</th>
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<td>3,059,127</td>
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<th>Dec-17</th>
<th>Dec-18</th>
<th>Jan-18</th>
<th>Jan-19</th>
<th>Feb-18</th>
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<td>963</td>
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<td>Pumping Surcharge</td>
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<td>556,144</td>
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<td>102-04- 419020</td>
<td>Water Shortage Surcharge</td>
<td>57,918</td>
<td>63,333</td>
<td>69,747</td>
<td>57,918</td>
<td>63,333</td>
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<td>57,918</td>
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YTD TOTAL 5,783,656

% of Budget 73.54%
Operations Report

Covering February 1 – February 28, 2019

Operations Manager:

1. Developing relationships with co-workers, staff and outside agencies
2. Working on understanding current workload, projects, operations and maintenance issues,
3. Working on overall SCADA Communications, Alarming and Notification Process
4. Working with Division of Drinking Water on the Boil Water Notification Process

Regulatory Compliance Specialist:

1. Completed monthly reporting for Water, Drought, and Wastewater
2. CAWP Diversion reports to EBMUD and PGE.
3. Continued training of Admin Assistant II
4. Attended annual inspections for lone WTP with State regulator and Water Treatment Operator.
5. Scheduled posts for Social Media and Website
6. Updated and completed all Hazardous Materials Business Plans for our sites. All plans approved by Amador County Environmental Health Dept.

Water Treatment Plants

1. Tanner Plant:
   a. Fluctuating raw water conditions caused by extreme weather conditions, frozen valves, and hydro-electric problems due to power outages kept operators busy.
   b. A-Teem onsite to troubleshoot programming for PLC/SCADA controls for backwash recycling project.
   c. Tested polymers or possible application of the recycle sludge.

2. lone Plant:
   a. 2 rehabilitated filters (1 & 3) placed online while filters 2 and 4 were taken offline to begin their rehabilitation.
   b. Filter level controller failed after filters 1&3 were placed online. Electrical and Water treatment staff is searching for a replacement. Company no longer manufactures product.

3. Buckhorn Plant:
   a. Ran plant off generator for 7 days do to lose of PG&E power, recycle basin 3 instrumentation damaged do to snow and ice, repaired.
   b. Monitored GSL syphon based on PG&E storm operations, Tank A communications landline down switched to radio communications.
   c. Ordering parts for inoperable Atlas Copco compressor
   d. Access to the Gravity Supply Line headworks and regulator remain limited due to road failures.
4. PGE @ Tiger Creek:
   a. Facility was in alarm and shutdown for eight (8) days due to road closures and limited access. Access is still limited to emergencies only.

Wastewater:
1. Pine Grove Camp
   a. Found major inflow in infiltration issues
      i. A separated service line
      ii. Manhole ring not seated to barrel and
      iii. Pipes entering lift station were not sealed
   b. Need to replace aerator in Pond #1. New aerator is on order
2. AWA Systems
   a. Continue to keep all storage ponds as low as possible
   b. In process of rehabilitating three (3) manholes in Camanche
   c. De-sludged all lift stations in Camanche and Martell
   d. Repaired both check valves at lift station 2 in Martell
   e. Cleared all downed trees in leachfields
   f. Eagles Nest leachfield is perking very slow. Site tube water level in violation
3. Mace Meadows Golf Course (Buckhorn Rec)
   a. Pump station under water due to storms. All pumps and controls inoperable. Golf course crew installed a trash pump to lower pond level. Will continue to monitor

Electrical:
1. Failures:
   a. Ione WTP- PLC is not communicating to SCADA. Serial to Ethernet converter failed. Replaced converter.
   b. Ione WTP- Lost internet to site on multiple occasions. Plant had power, however, Cal.net lost power at their repeater sites. Internet restored when repeater sites regained power.
   c. LaMel Heights- Low pressure fault not calling out. Adjusted pressure switch to call out at 35 psi.
   d. Tiger Creek Wastewater Lift Station- Lift station was at high level and did not call out. Floats were intermittently working. Replaced floats.
   e. Tank A/B- Lost the wired level transducer signal to Buckhorn plant. Switched over to radio level transducer signal until repairs can be made.

Construction:
1. FEMA lone Improvements
   a. Tie in at lone Main St. and Buena Vista St.

Distribution:
1. Main Breaks:
   a. Badger St. (Sutter Creek, 400+ gpm)
2. Service line leak repairs:
   a. Valley View Ct. (Buckhorn, 50 gpm)
3. Call outs:
   a. 13 due to customer side frozen pipes
4. Replaced fire hydrant due to freeze damage on Evelyn Ct. (Buckhorn, 30 gpm)
5. Power outage management throughout all systems
6. Repaired 2 out of service fire hydrants on Sutter Circle (Sutter Creek)

Canal:
1. Berm leak repairs:
   a. Mile Marker 12.75 Molino Rd (15 gpm)
   b. Mile Marker 7.50 Upper Previtali (10 gpm)
c. Mile Marker 3.00 Clinton Rd (10 gpm)
d. Mile Marker 1.25 Tabeaud Rd (5 gpm)
e. Mile Marker 1.25 to Mile Marker 2.75 (lone Canal-Badger St.) 4 repairs

2. Waste Gate 13 leak repair at Mile Marker 15.00 Pioneer Dr. (10 gpm)
3. Several downed trees removed in both upper and lower canals
4. Heavy storm water management

Prepared by: Andrea Hinton, Regulatory Specialist
Reviewed and edited by: Rick Ferriera, Operations Manager
City of Plymouth Dept Report

Covering February 1- February 28, 2019

Regulatory Compliance Specialist-
- Completed water reporting

Distribution-
- Routine flushing
- Routine Distribution Sampling

Wastewater-
- Continue to monitor collection system
- Worked on floats at lift stations to ensure they worked properly
- Inspect grease traps monthly
- Issuing grease trap pump orders as needed

Water-
- Continue to sample Well A to investigate whether or not it is under the influence of surface water. This special sampling will be conducted for one year.

Water hrs: 47.25  WW Hrs: 11

Prepared by: Andrea Hinton, Regulatory Compliance Specialist
Reviewed and edited by: Rick Ferreira, Operations Manager
River Pines Dept. Report
February 1 – February 28, 2019

Water Production/Sold

<table>
<thead>
<tr>
<th>Well</th>
<th>Production</th>
<th>Sold</th>
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</thead>
<tbody>
<tr>
<td>Well 2</td>
<td>523,200 gallons</td>
<td>Total Produced: 1,010,326 gallons</td>
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<tr>
<td>Well 3R</td>
<td>472,600 gallons</td>
<td>Total Sold: 598,530 gallons</td>
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<tr>
<td>Well 6R</td>
<td>14,526 gallons</td>
<td>Unaccounted Loss: 41%</td>
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</tbody>
</table>

Regulatory Compliance Specialist-

- Completed monthly reporting for water and wastewater. Including No Spill Report to CIWQS
- Completed Annual inspection response letter. Included pictures of work completed.

Wastewater-

- Influent flow 446,400 gallons. Effluent Discharged 333,400 gallons.
- Installed new aerator motor in Pond #1 and in Storage pond
- Responded to a "high level" alarm at Eat Side Lift Station. Found broken wire on transformer. Repaired by Electrical Dept. staff
- Continued to monitor and run the complete wastewater system from plant to collections.
- Continue to keep storage pond as empty as possible
- Continue to maintain all lift stations

Water-

- Completed all regulatory sampling.
- Staff continues to operate Wells 2 / 3R and 6R facilities
- An additional problem was found with the chlorine pumping system. It has been corrected. New pump and apparatuses have been received and installation has been scheduled for week of March 4th.
- Staff worked on items identified in the State’s annual inspection letter
- Staff investigating concern over reduced flows from Well 3R. Initial analysis points to a meter or pressure differential issue and not an internal well issue.

Distribution-

- Routine flushing
- Replaced one (1) out of service fire hydrant

Electrical-

- Slate Creek lift station at high level. Pumps not running. Had voltage on high side but not low side of control transformer. Found broken wire and repaired it.

Prepared by: Andrea Hinton, Regulatory Specialist
Reviewed by: Rick Ferriera, Operations Manager

Water Hrs: 100.75  WW Hrs: 49
Engineering Department Report

February 1 – February 28, 2019

PROJECTS UNDER CONSTRUCTION

Capital Projects

- **Ione Hydro** – Construction of the turbine is nearly complete with a factory test scheduled for the end of this month or first of next month. Site grading close to complete. Reviewing electrical submittals.

- **Ione WTP Rehabilitation** – Contractor refurbishing the filters. Complete with one half of the filters. Welding and coating the other half.

- **Tanner WTP Backwash** – Going over punch list items. Received Engineering Report for State submittal for permitting.

Developer Projects

- **Sutter Creek Bridge** – G5 boxes and air vacuum/release valve stations still to be completed.

- **Cal-Fire Ione** – Under construction. Lots of rain days where construction could not be completed.

PROJECTS IN DESIGN

Capital Projects

- **FEMA HMGP Tank Replacements** – Out to bid for the replacement of four redwood tanks for three new welded steel water tanks (Pine Acres, Tank C, and Ridgeway Tank) and to replace two hypalon covers with new aluminum geodesic dome covers (Ranch House and Jackson Pines).

- **Pioneer Pipeline Phase II (CDBG)** – Working with Amador County for the authorization from CDBG to proceed with the design of a 12-inch pipeline along Buckhorn Ridge Road to connect to the Phase I and Phase III pipeline and Tanks A & B.

- **Pioneer Pipeline Phase III (USDA)** – Kennedy Jenks was selected to design of the 12-inch pipeline and two, 1 – MG water storage tanks to replace Tanks A & B. The design will be completed by the end of the year.
- **Hwy 49 Sewerline and Ridge Road Manhole** – Design will be reviewed by Caltrans and then advertised for construction bidding. Project will only have the design and construction to replace the Ridge Road manhole at Hwy 49. A future project will increase the sewerline size from 6-inch to 8-inch ductile iron pipe.

- **FEMA Amador Canal Slide** – Waiting for go ahead to proceed with the design from CalOES.

**Developer Projects**

- **Wildflower 5** – Waiting on booster pumping station design from the developer.

**PLANNING/FUNDING**

**Capital Projects**

- **Mt. Crossman Pumping Station and Mt. Crossman Tank** – Not awarded for funding through the Pre Disaster Mitigation Grants for the replacement project for both the existing Mt. Crossman Pumping Station and the CAWP Tank. Hazard Mitigation Grant Applications in progress

- **SGMA** – Public workshop planned for March 27, 2019 to discuss SGMA with interested parties and groundwater well owners.

- **ARSA** – City of Sutter Creek is proceeding with a tertiary treatment plant preliminary design.

**Project Expenses through 2-28-19 are attached**

Prepared by:  Darrel Evensen, Engineering Manager
### Project Expenses through 02-28-19

<table>
<thead>
<tr>
<th>Project</th>
<th>Funded By</th>
<th>Status</th>
<th>Contract Dates</th>
<th>Grant Funds</th>
<th>FY 18-19 Budget</th>
<th>Expended to date</th>
<th>% of FY 18-19 Budget</th>
<th>Expended Life of Project</th>
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<tbody>
<tr>
<td>Six Tank Replacement - Hazard Mitigation Grant</td>
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<td>Completed</td>
<td>3/31/2020</td>
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<td>$577,550</td>
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**Developer/Contract Services Projects through 02-28-19: $240,719.80**