

# AMADOR WATER AGENCY

## Board of Directors

### Regular Meeting

12800 Ridge Road, Sutter Creek, CA 95685

October 10, 2019

9:00 a.m.

Website Address: [www.amadorwater.org](http://www.amadorwater.org)

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***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.** Discussion and approval to authorize staff to purchase Pension Software through GovInvest not to exceed \$6,500

**B.** Discussion and approval to provide a Letter of Support for the Amador Fire Safe Council's Tiger Creek Fire Break Project. (Draft letter will be provided when available)

#### **6. WATER SYSTEM**

**A.** Discussion on calculation of water participation fees

1. Calculation of the fees for the recent Cal Fire Academy project.

#### **7. LEGAL COUNSEL'S REPORT**

**A.** Legislative report (verbal only)

**B.** Discussion and possible action regarding Agency positions on other pending bills

**C.** Discussion on the use of Liquidated Damages for construction contracts

## D. Other Legal Matters

### 8. 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 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

E. Conference with Legal Counsel Pursuant to Government Code Sections 54956.9(a) and (d)(1) -- Existing Litigation – Howard Jarvis Taxpayers Association, et al. v. Amador Water Agency, et al. Amador Superior Court Case No. 16-CVC-09564/Third District Court of Appeal Case No. C081757).

F. 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

G. Pursuant to Government Code Sections 54957 Public Employee Performance Evaluation- General Manager

H. Pursuant to Government Code sections 54954.5 (e) and GC 54957 (b) Public employee discipline/dismissal/release.

### 9. COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS

A. Engineering and Planning Committee (October 9, 2019)

### 10. FUTURE AGENDA TOPICS

### 11. ADJOURNMENT

**AMADOR WATER AGENCY  
CONSENT AGENDA  
October 10, 2019**

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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 September 26, 2019
- B. Approval of minutes of the Special Board Meeting of September 26, 2019
- C. Approval of minutes of the Special Board Meeting of October 2, 2019

**2. MISCELLANEOUS APPROVALS**

- A. Approval of Accounts Payable for August, 2019

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