

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

October 10, 2019

MINUTES

Directors Present: Paul Molinelli Jr. President
Richard Farrington, Vice President
Susan Peters
District 5- Vacant

Directors Absent: Gary Thomas

Staff Present: Gene Mancebo, General Manager
Cris Thompson, Assistant GM/ Clerk of the Board
Karen Gish, HR/ Office Manager
Tracey Hays, Finance Manager
Darrel Evensen, Engineering Manager
Rick Ferriera, Operations Manager
Brandt Cook, Resident Engineer
Joshua Horowitz, Agency Legal Counsel

CALL TO ORDER- President Molinelli Jr. called the meeting to order at 9:03 a.m.

ADDITIONS TO THE AGENDA- None

PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA

Operations Manager Ferriera provided an update to the Board regarding the PG&E Power shutdown and Agency facilities

CONSENT AGENDA

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

Ayes: Directors Peters, Farrington, and Molinelli Jr.

Noes: None

Absent: Director Thomas

Abstain: None

Regular Board Meeting
October 10, 2019

AGENCY GENERAL

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

MOTION: It was moved by Director Peters, seconded by Director Farrington and carried to authorize staff to purchase Pension Software through GovInvest not to exceed \$6,500.

Ayes: Directors Peters, Farrington, and Molinelli Jr.

Noes: None

Absent: Director Thomas

Abstain: None

Discussion and approval to provide a Letter of Support for the Amador Fire Safe Council's Fire Break Projects.

MOTION: It was moved by Director Farrington, seconded by Director Peters and carried to provide a Letter of Support for the Amador Fire Safe Council's Fire Break Projects.

Ayes: Directors Peters, Farrington, and Molinelli Jr.

Noes: None

Absent: Director Thomas

Abstain: None

WATER SYSTEM

Discussion on calculation of water participation fees
Calculation of the fees for the recent Cal Fire Academy project.

LEGAL COUNSEL'S REPORT

A. Legislative report

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

C. Discussion on the use of Liquidated Damages for construction contracts- **(item not discussed)**

D. Other Legal Matters

RECESS was called at 10:27 a.m. **SESSION** resumed at 10:40 a.m.

CLOSED SESSION was called at 10:41 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 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.

OPEN SESSION resumed at 1:21 p.m, President Molinelli Jr. announced that there has been a settlement reached (item 8.F) involving Vinciguerra Construction of the Lone Water Treatment Plant Expansion Project. It has been settled with a final change order in the amount of \$12,104.70. Nothing further to report

COMMITTEE REPORTS, SPECIAL ASSIGNMENTS AND DIRECTOR COMMENTS
Engineering and Planning Committee report deferred to October 24, 2019

FUTURE AGENDA TOPICS

Cal Fire Hydrant Use update 11-14-19
Livestream of Board Meetings

ADJOURNMENT

President Molinelli Jr. adjourned the meeting at 1:27 p.m



Cris Thompson

Clerk of the Board of Directors

Approved: 10-24-19

Regular Board Meeting
October 10, 2019