

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

February 12, 2009

MINUTES

Directors Present: Terence W. Moore, President
Bill Condrashoff, Vice President
Debbie Dunn
Gary Thomas

Directors Absent: Don Cooper

Staff Present: Jim Abercrombie, General Manager
Gene Mancebo, Manager of Engineering & Planning
Michael Lee, Financial Services Manager
Barry Birge, Construction Superintendent
Chris McKeage, Operations Manager
Stephen A. Kronick, Agency Counsel
Cris Thompson, Clerk of the Board

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

ADDITIONS TO THE AGENDA – There were no additions to the agenda.

STAFF REPORTS - E&P Manager Mancebo, Financial Services Manager Lee, Construction Superintendent Birge and Operations Manager McKeage updated the Board on the various activities they have been involved in within their respective areas of responsibility and answered any questions from the Board and public for clarification.

Manager Mancebo introduced Mr. Tony Bautista, from Mountain Cascade, contractor for the Plymouth Pipeline Project.

Mr. Bautista thanked the Board for the opportunity to work on the Pipeline Project.

PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA

Mr. Wendell Peart addressed the Board and read his resume and background into the minutes (attached) to clarify the reasons for his continued interest in water and the Amador Water Agency. Mr. Peart stated that he would like to speak about AB885 at a future Board Meeting.

Mr. Ken Berry approached the podium to address the Board, prior to his speaking, Counsel Kronick suggested that Director Condrashoff excuse himself from the meeting due to a potential conflict of interest. Director Condrashoff left the Board room and Mr. Berry continued. Mr. Berry referenced two letters given to the Board, one dated the 10th of February, and one dated today February 12th, 2009. (attached) He stated that if the Board would decide to at least look into the mitigation of Jackson Creek, he would be willing to drop the lawsuit. Mr. Berry suggested a committee to work on an additional EIR that could be done in house and that he also would be happy to volunteer to assist Agency staff in that EIR.

President Moore thanked Mr. Berry for his comments.

RECESS was called at 9:55 a.m. **SESSION RESUMED** at 10:05 a.m.

Director Condrashoff rejoined the meeting.

Mr. Terry Strange addressed the Board regarding professional work provided to the Agency and asked that the Board consider hiring those professionals locally versus out of the area professionals. He asked that the Board consider adopting a resolution or policy that promotes keeping the professional services in the County to support local jobs and economy. Mr. Strange left his resume for staff to review.

CONSENT AGENDA MOTION: It was moved by Director Thomas, seconded by Director Dunn, and unanimously carried to approve the Consent Agenda with suggested changes.

RECESS was called at 9:46 a.m. **SESSION RESUMED** at 10:02 a.m.

AGENCY GENERAL

Quarterly Investment Report -Presentation by Financial Services Manager Lee of the Agency's Investment Portfolio Status- Manager Lee gave an overview of the Agency's financial statements and answered questions from the Board.

Item No. 6.D has been moved ahead of items 6.B and 6.C

SCADA Presentation

Presentation of the Supervisory Control and Data Acquisition by Patrick Purnell, Electrical Supervisor- Patrick Purnell gave a brief presentation of the SCADA system (Supervisory Control and Data Acquisition) that is used throughout the Agency facilities. Pat answered questions of the Board for clarification; the Board thanked him for his presentation.

Declaration of Surplus Property

Authorize General Manager to dispose of Agency surplus property

After answering questions from the Board, the following motion was made:

MOTION: It was moved by Director Thomas, seconded by Director Dunn and unanimously carried to declare the surplus property and authorize General Manager to dispose of Agency Surplus Property.

AGENCY COUNSEL REPORT

State Legislative Report – Counsel Kronick briefed the Board regarding the Legislative Bills that may be of interest to the Agency.

RECESS was called at 11:45 a.m. SESSION RESUMED at 11:55 a.m.

COMMITTEE MEETING REPORTS

UMWRA- Director Moore briefed the rest of the Board on the recent meeting, he suggested that the other Board members go to the CCWD.org on the homepage link to MAC update, see the 2007 assessment and slide presentation that gives a lot of information on what UMWRA is doing. Directors Moore, Condrashoff and Dunn shared other items of interest they brought back from the meeting

MOKELUMNE RIVER ASSN- Director Dunn reported on the recent meeting. Fish returns and hatchery capacity were topics of discussions. She also shared that there was a great presentation on pump storage by Alan Soneda.

JOINT WATER COMMITTEE

Director Moore shared the key topics of discussion, one of which was the water element that CCWD has drafted for the general plan and asked that copies be given to the Board. The committee also discussed AB 885 regulations that are being proposed and suggested we place this item on a future agenda for discussion and direction. Director Condrashoff added that he asked the Board of Supervisors if the water element will be added to the Amador County general plan and the answer was vague. He also said that there was discussion of an Agency Board member sitting on the ARSA Board.

FUTURE AGENDA TOPICS

Report back on Surplus Property

Washington DC Legislative Trip

ARSA Overview

AB 885

Water Element in the General Plan

SCADA cost review

Cost efficiencies

Working with local contractors

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RECESS was called at 12:40 p.m. SESSION resumed at 1:05 p.m.

Economic Stimulus Grant Application Status Update

Discussion and update regarding projects eligible for Stimulus funding

Manager Mancebo and Manager Abercrombie briefed the Board on 4 of the top projects the Agency is focusing on for stimulus grant applications and answered questions of the Board for clarification. Director Condrashoff excused himself from the meeting due to conflict of interest at 1:25 p.m. for the discussion of the Amador Canal Pipeline.

CLOSED SESSION was called at 1:43 p.m. for the following matters:

- A. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Existing litigation- Ken Berry vs. Amador Water Agency (Amador County Superior Court Case No. 08-CV-5592)

OPEN SESSION RESUMED at 3:10 p.m. President Moore announced that the Closed Session part of the meeting would be adjourned and reconvened on February 13, 2009 at 3:30 p.m.

ADJOURNMENT –President Moore adjourned the meeting at 3:13 p.m.



Cris L. Thompson
Clerk of the Board of Directors

Approved: 4.9.09

My background is one of agriculture having graduated from Rio Linda Grammar School which was located in a strictly poultry producing area of Northern Sacramento County. My high school years were spent at another country area namely San Juan Hi School in North East Sacramento County.

During the War I served in the US Navy and upon discharge I enrolled at the U. of California at Davis. My academic background consists of 10 years of college having attended 5 institutions of higher learning from New York City to Berkeley, California. I hold a doctorate degree in veterinary medicine, as well as a life long certificate to instruct in California Junior Colleges.

While in the Navy, other than a Junior Turret Officer aboard the heavy cruiser USS Tuscaloosa, I was an education officer.

I graduated from UC Davis, Veterinary School in 1952. I would point out that Dr. Ralph Milanovich, was a class mate of mine. As you all probably know, up until his death a few years ago, Dr. Milanovich was a property owner across from this building.

I would like at this moment to pause and relate to you what I experienced in my junior year in veterinary medicine. At that time our class was introduced to clinical seminars. These seminars were held by the faculty wherein they would discuss cases. An instructor would relate the case and then the other professors took turns criticizing his or her presentations. Our class was taken back, these professors held nothing back in their critique comments. When these sessions were concluded and the instructors were out of ear shot we would remark to one another did you see how Dr. Hage shot Dr. Cello out of the saddle. We were being introduced to the world of analytical thinking. Their criticism of one or another was in no way a personal attack but rather a dialogue to help throw light on difficult cases.

This educational process has served me well over the years and has allowed me to admit to my shortcomings to the point that I am more able to lessen my burdens in life to admitting to my shortcomings. This mind set allows me to apologize to the likes of you when I am wrong. On the other hand, it in no way will it lessen my questioning of the operation of AWA. This mind set stems from my veterinary education to document the history, ask questions, and seek out the facts. My mother taught me one should not behave in a manner that when questioned you should become embarrassed and certainly not hostile.

When I apply the principles that were taught me in veterinary school you will be amazed how people respond.

Tell the story of Rich Escamilla.

After 38 years of private practice I left the veterinary profession in 1990. About that time my wife had become very active in the immigration reform movement and was becoming frustrated over lack of progress. As I became more aware of what she was up against; it was obvious to me that immigration was one of the big components of population growth and growth required water. Hence my involvement in water affairs.

This activity was to involve me with Placer County Supervisor Phil Ozenick. This effort took the both of us to the State Capitol working with Assemblyman Dominic Cortesse, then Chairman of a Water Committee, and his water bill AB 455 which ultimately become SB 901 under Senator Jim Costa. My dealings with Assemblyman Cortesse was to the point that his Secretary, Linda Adams, created a special file to keep track of the information and mail that I was sending to his offivr. Linda Adams, I beleive, became the Secretary of the California Evironmental Protection Agency.

I have been invited to speak at a number of conferences such as the Regional Council of Rural Counties conference held at Lake Tahoe, Sacramento Metropolitan Water Authority, California State Association of Counties, The Drought Conference held in Sacramento January 29-30, 1991 by the State Water Resource Control Board and Governor Wilson's Growth Management Council in July 1991.

In addition I have been interviewed on TV Station Channel Six on Water and was contacted by the British Broadcasting Televison to appear on a 45 minutes film, "Aliens Go Home" that had as a segmentt the draw down of water due to the population numbers exacerabeted by immigration that California is now experiencing then in 1991 and still is.

This briefly are some of the activites that I have been involved. Hopefully this will give you a better idea of what I am about.