

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

**March 12, 2009**

**MINUTES**

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

**Directors Absent:** None

**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  
Arnold J. Wolf, Agency Counsel via telephone (Closed Session)  
Cris Thompson, Clerk of the Board

**CALL TO ORDER** – President Moore called the meeting to order at 9:00 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.

Mr. Mike Kirkley asked Manager Mancebo about the Sutter Creek fire flow improvement and whether or not the wharf hydrants will be changed out. Manager Mancebo stated that those hydrants will be addressed over time and that the replacement of those hydrants is not in the budget of this project.

## **PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA**

There was no public comment.

### **AGENCY GENERAL**

#### **State Drought Declaration-Discussion and direction regarding implementing voluntary conservation measures**

Manager Abercrombie briefed the Board regarding the Governor's declaration of drought in California. He stated that even though our water rights are very senior, the Agency should ask our customers to voluntarily conserve water. The conservation request to the customers will be through the quarterly newsletter, specific mailers to the well systems, and press releases. Director Cooper suggested slight changes to the previous letters sent to the well system customers. Director Dunn suggested further public relations to ensure that all customers are included in the conservation efforts. Director Thomas agreed that the customers need to be conserving water also to assist in the wastewater issues. Director Condrashoff suggested the letters to the customers be shorter and more direct regarding conservation. Director Cooper suggested that letters be sent to the large wholesale customers as well as individual customers. Director Cooper also suggested a conservation committee be formed for addressing long term conservation measures and incentives. Director Dunn asked that conservation be added to the Joint Water Committee agenda for discussion and getting the County involved in the conservation efforts. Counsel Kronick gave clarification of the CAWP water rights and the AWS water rights. After discussion the following motion was made:

**MOTION:** It was moved by Director Dunn, seconded by Director Condrashoff to direct the General Manager to implement voluntary conservation measures with suggestions from Directors as stated above.

### **IMPROVEMENT DISTRICTS**

#### **Wastewater Improvement District No. 12 (Martell)**

#### **Discussion and possible direction to authorize General Manager to execute Sutter Creek Wastewater Treatment Capacity Purchase Agreement**

Manager Abercrombie briefed the Board on the agreement and the discussion with the City of Sutter Creek regarding item Number 13, Conversion of Agency Existing Capacity in the City's Wastewater Treatment Plant that Director Moore expressed concerns about. Manager Abercrombie stated that after communication with City Manager Rob Duke, renegotiating the developer agreement would be going back on a previous commitment and indicated that new development should pay for the incremental cost of going from .480 mgd tertiary plant to a .6 mgd tertiary plant. Director Moore stated that in this case, the Agency will just revisit charging the developers the increase participation fees to convert the plant to tertiary treatment. The Board received comments from Mr. Mike Kirkley of Sutter Creek.

After discussion the following motion was made:

**MOTION:** It was moved by Director Thomas, seconded by Director Cooper and unanimously carried to direct the General Manager to execute the Sutter Creek Wastewater Treatment Capacity Purchase Agreement.

RECESS was called at 10:54 a.m. **SESSION RESUMED** at 11:13 a.m.

**Discussion and possible direction to send out rate notices to Martell Wastewater Customers**

Director Moore started the discussion by saying that before we start, the Board will not be taking any action today on this item, this item is strictly for informational and discussion purposes. Financial Services Manager Lee gave the Board a brief overview of the current rates for the Martell District which includes recent rate increases the Agency has received from the City of Sutter Creek. He also stated that the City of Sutter Creek is billing based on actual flow. Manager Lee introduced Bob Reed of the Reed Group to present the rate study. Mr. Reed explained the details of the rate study and answered questions of the Board for clarification. After discussion the following direction was given:

The Board directed to have Mr. Reed bring back suggested changes to terminology and also bring back a third year projection for rate increases.

**RECESS** was called at 12.31 p.m. **SESSION RESUMED** at 12:54 p.m.

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

**AGENCY COUNSEL REPORT**

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

**COMMITTEE MEETING REPORTS**

**City of Jackson (March 09, 2009)** - Director Condrashoff attended this meeting. He addressed two topics of particular interest, one being the sphere of influence discussion and the EBMUD WSMP 2040 plan. He stated that the City adopted a resolution opposing the raising of the Pardee.

**FUTURE AGENDA TOPICS**

EBMUD WSMP 2040 Plan  
Prioritization of Future Agenda Topics

**CLOSED SESSION** was called at 1:35 p.m.

- A. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Existing Litigation- Amador Water Agency vs. Kenneth Perano, as Trustee of the Ernest W. Perano Exemption Trust, et al. (Amador County Superior Court Case No. 06-CV4189)

**Director Condrashoff excused himself from the meeting due to a conflict of interest on Closed Session items B. and C.**

- B. 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)
  
- C. Pursuant to Government Code Section 54956.8- Conference with Real Property Negotiators- Agency Negotiators, Jim Abercrombie and Gene Mancebo- concerning APN's
  - 042-130-013- Harvey
  - 042-130-001- Randall
  - 040-030-012- Weyrauch
  - 040-030-011- Weyrauch
  - 042-010-020- Weyrauch
  - 042-010-006- Aparicio
  - 042-010-057- Still
  - 042-010-001- Still
  - 042-010-073- Gates
  - 042-010-054- Leon
  - 042-010-066- Brown
  - 040-030-031- Crotty
  - 040-030-078- Oneto, Rux and Brian
  - 040-030-077- Oneto, Mary Lou

**OPEN SESSION RESUMED** at 2:57 p.m. No action was reported out of closed session.

**ADJOURNMENT** –President Moore adjourned the meeting at 2:59 p.m.



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Cris L. Thompson  
Clerk of the Board of Directors

Approved: 4/23/09\_\_\_\_\_