

**AMADOR WATER AGENCY  
Board of Directors  
Regular Meeting  
October 23, 2008**

**MINUTES**

**Directors Present:** John P. Swift, President  
David S. Thomas, Vice President  
Terence W. Moore  
Paul Scott  
Madonna Wiebold

**Directors Absent:** None

**Staff Present:** Jim Abercrombie, General Manager  
Gene Mancebo, Engineering and Planning Manager  
Michael Lee, Financial Services Manager  
Cris Thompson, Clerk of the Board

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

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

**PUBLIC COMMENT** – There was no public comment

**CONSENT AGENDA**

**MOTION:** It was moved by Director Moore seconded by Director Wiebold and unanimously carried to approve the Consent Agenda with minor changes given by Counsel Kronick.

**AMADOR WATER SYSTEM**

**Raw Water Service Agreements-Discussion and direction regarding modifying contract to remove one year termination provision**

Manager Abercrombie briefed the Board on the current raw water agreement in place; he stated that this subject has come up several times while working with the landowners on the small diameter pipeline with respect to the termination clause. Several customers have asked about revising the termination clause in the Agency's raw water

agreements. Manager Abercrombie stated that this was the agreement PG&E used, and Amador Water Agency just continued to use the same agreement. He stated that due to the amount of customers along the pipeline expressing concerns for the one year limit, especially the agricultural customers, this needed to be addressed.

He asked for direction from the Board to work with Agency Counsel to modify the agreement. Director Moore suggested that the possibility of two agreements, one for agricultural customers and one for customers that use the raw water in their homes.

Director Wiebold stated that she has had many constituents in the district approach her on the one year termination clause.

After discussion of the Board, the following direction was given:

Direction was given to staff to work on drafts for the agreements and bring back to the Board. Manager Abercrombie stated that he will work with Agency Counsel and bring back possibly the first of the year.

### **Engineering Committee Meeting -Discussion of meeting of October 22, 2008 with City of Jackson Water and Sewer Committee**

Director Wiebold briefed the other Board members and members of the public regarding the meeting with the City of Jackson to discuss the rate increases. She stated that this meeting achieved a level of understanding with the City and that she hoped it would start to build a level of trust between the Agency and the City and stated that she felt the City understood the rate increase and background better now that this meeting was held.

Director Moore shared his view of the meeting and stated that it was suggested at this meeting that a subcommittee of two Board members and members of the Jackson City Council, as the Agency and the City of Sutter Creek have done to continue to meet to improve the communications.

Manager Abercrombie briefed the Board on the discussion points that were covered at the meeting with Mr. Bill Condrashoff on Tuesday the 21<sup>st</sup> and with the City of Jackson Water and Sewer Committee on Wednesday the 22<sup>nd</sup>. He stated that the meeting was very constructive, as they worked through some of the assumptions and misinformation that came about over the last several months. He also stated that there were misperceptions regarding how the rate increase was adopted and the process that the Agency followed. Manager Abercrombie shared the history of the process, and explained how the Agency arrived at the current rates for the City of Jackson.

Manager Abercrombie stated that the agreement was made to meet again with Mr. Condrashoff to clarify some additional concerns that were brought up in the meeting regarding the water supply assessments.

Mr. Bill Condrashoff addressed the Board and stated that he would like to explain how some of these misunderstandings came about. He then gave a brief overview of his findings and how he came to some of the conclusions he did. He discussed his issues with the Plymouth Project, Lone Water Treatment Plant project, and the CFD. He stated that he still has issues about the fees and capacity.

Manager Abercrombie stated that he would ask Mr. Condrashoff again not to speculate and that he and Manager Mancebo agreed to meet with Mr. Condrashoff on these issues. He stated that there is an obligation to the public not to misinform; we have an obligation to be accurate, not to speculate but to deal with the facts. With regards to working with the City of Jackson, President Swift suggested a standing committee. The Engineering committee will bring the committee suggestions back to the next meeting.

## **AGENCY GENERAL**

### **Water Rate Surcharge Discussion and possible adoption of Resolution No. 2008-27, removing a water user rate surcharge on all retail and wholesale customers.**

Manager Abercrombie briefed the Board on the status of the surcharge account and stated that by March 2009, the balance would be zero and suggested that the surcharge be removed at that time. There were no questions from the Board. It was moved by Director Scott seconded by Director Wiebold and unanimously carried to approve the removal of the water rate surcharge effective March 1, 2009.

## **RECESS WAS CALLED AT 10:05 A.M. SESSION RESUMED AT 10:22 A.M**

**GENERAL MANAGERS MONTHLY REPORT-** Manager Abercrombie reported on various issues on which he has been working. He focused on areas concerning safety, fiscal responsibility, community leadership efforts and infrastructure matters. The Board asked questions for information and clarification.


**BOARD OF DIRECTORS DISTRICT REPORT -** The Board members reported on various activities they have been involved in within their respective areas of responsibility.

**FUTURE AGENDA TOPICS-** President Swift asked to place the PGE Land Stewardship on a future agenda and discuss the current status

**CLOSED SESSION** was called at 10:45 a.m. for the following matters

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

**ADJOURNMENT** –President Swift adjourned the meeting at

  
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Cris L. Thompson  
Clerk of the Board of Directors

Approved: 11-13-08