

**UNION PUBLIC UTILITY DISTRICT
339 MAIN STREET
MURPHYS, CA 95247**

MINUTES OF MARCH 15, 2023 REGULAR MEETING

The Board of Directors of the Union Public Utility District met in Regular Session at the UPUD Office in Murphys, California, at approximately 5:30 PM.

Directors Present:	ERIC BOTTOMLEY	President
	GREG RASMUSSEN	Vice President
	RALPH CHICK	Director
	BRUCE TALLAKSON	Treasurer
Directors Absent:	TOM QUINCY	Secretary
Also Present:	JESSICA SELF	General Manager
	ELAINE URRUTY	Admin Asst/Clerk to Board
	BARBARA BRENNER	District Legal Counsel
	JOEL METZGER	UWPA General Manager
	PUBLIC AT LARGE	

1. PLEDGE OF ALLEGIANCE: The Pledge was given.
2. APPROVAL OF AGENDA:

Motion:	Director Tallakson
Second:	Director Chick
Ayes:	Directors Bottomley, Rasmussen, Tallakson, and Chick
Nays:	None
Absent:	Director Quincy
Abstain:	None

MINUTE ENTRY. MOTION TO APPROVE THE AGENDA AS PRESENTED.

3. PUBLIC COMMENT: Mike Peirano asked if smart meters are in the CIP and can be put on irrigation services and if they would be purchased by a reputable agency. General Manager, Jessica Self, said that smart meters are in the CIP for irrigation services and can be put on irrigation services; however, being in the CIP is not a binding contract and can change based on priorities. The General Manager did state that our goal would be to move all services to smart meters and that the district would go out to bid and purchase from a reputable manufacturer of smart meters. Mr. Peirano also asked who the District Engineer is, Director Chick reported that the district's engineer is Matt Ospital of Weber, Ghio and Associates. Mr. Peirano asked if the district has a primary contractor's list for emergencies. The General Manager said she would check our Emergency Action Plan and get back to him on this.

Joel Metzger, General Manager of UWPA, reported that UWPA has always invested with LAIF at a fairly low rate, and he believes UPUD does the same. Mr. Metzger said it has come to his attention that City of Angels has recently moved funds over to the Bank of Stockton and they are obtaining a rate of approximately 4%. Joel says that he plans to bring this item to his Board and request moving funds to the Bank of Stockton and hopes to get a 4.25% interest rate. This could be a significant gain in interest earnings. Joel wanted to bring this item to the UPUD Board's attention and said he will get more information to UPUD's General Manager.

Jim Saunders recommended that the district go back to minimums because if the district doesn't use up its water, the state is going to take it away from them. Mr. Saunders also recommended that the district not sell the garage property, as property in Murphys is hard to obtain and you don't know who might move in. Mr. Saunders asked if the district went to smart meters, what will the crew that read meters be doing with their time? Director Chick noted that there are a lot of other jobs that can be worked on by the time freed up when we get smart meters, and they still need to be maintained & serviced. Discussion ensued regarding the pros and cons of smart meters and the General Manager said that when the district gets ready to investigate smart meters, she would be happy to put this item on the agenda for an informational presentation.

CONSENT AGENDA

4. **CONSENT AGENDA:**
- a. Minutes - February 15, 2023 – Regular Meeting
 - b. Expenditures – February 2023
 - c. Fund Balance Report – February 2023
 - d. Balance Sheet & Income Statement – February 2023
 - e. YTD Budget to Actuals – February 2023

Motion: Director Chick
Second: Director Rasmussen
Ayes: Directors Bottomley, Rasmussen, Tallakson, and Chick
Nays: None
Absent: Director Quincy
Abstain: None

MINUTE ENTRY. MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED.

REGULAR AGENDA

OLD BUSINESS:

5. There was no Old Business.

NEW BUSINESS:

- 6.a DISTRICT POSITION ON BALLOT INITIATIVE 21-0042A1 TAXPAYER PROTECTION & GOVERNMENT ACCOUNTABILITY ACT; DISCUSSION/POSSIBLE ACTION

..... RES. #2023-01
A copy of Resolution #2023-01 and the General Manager's report on this item with staff recommendation were included in the agenda packet for review. General Manager, Jessica Self, gave a power point presentation on the ballot initiative.

Motion: Director Chick
Second: Director Tallakson
Ayes: Directors Bottomley, Rasmussen, Tallakson, and Chick
Nays: None
Absent: Director Quincy
Abstain: None

RES. #2023-01. TO APPROVE RESOLUTION #2023-01 OPPOSING BALLOT INITIATIVE 21-0042A1: TAXPAYER PROTETION & GOVERNMENT ACCOUNTABILITY ACT.

6.b DISTRICT POSITION ON ASSEMBLY BILL AB 338, PREVAILING WAGE FOR FUELS MANAGEMENT; DISCUSSION/POSSIBLE ACTION A copy of the General Manager's report on this item including staff recommendation was included in the agenda packet for review. The General Manager reviewed Assembly Bill AB 338 and potential impacts.

Motion: Director Rasmussen
Second: Director Chick
Ayes: Directors Bottomley, Rasmussen, Tallakson, and Chick
Nays: None
Absent: Director Quincy
Abstain: None

MINUTE ENTRY. TO APPROVE TAKING A 'OPPOSE' POSITION ON AB 338 (AGUILAR-CURRY) PREVAILING WAGE FOR FUELS MANAGEMENT.

6.c PROPOSED MUTAL ASSISTANCE AGREEMENT BETWEEN UNION PUBLIC UTILITY DISTRICT (UPUD) AND UTICA WATER AND POWER AUTHORITY (UWPA); DISUCSSION/POSSIBLE ACTION A copy of the General Manager's report on this item including staff recommendation was included in the agenda packet for review. The General Manager reviewed the Mutual Assistance Agreement with the Board.

Motion: Director Tallakson
Second: Director Rasmussen
Ayes: Directors Bottomley, Rasmussen, Tallakson, and Chick
Nays: None
Absent: Director Quincy
Abstain: None

MINUTE ENTRY. TO THE MUTUAL ASSISTANCE AGREEMENT (MAA) BETWEEN UNION PUBLIC UTILITY DISTRICT (UPUD) AND UTICA WATER AND POWER AUTHORITY (UWPA).

- 6.d **DRAFT IRRIGATION ACCOUNT REVIEW POLICY; DISCUSSION** A copy of the General Manager's report on this item including staff recommendation was included in the agenda packet for review. The General Manager reviewed the proposed new policy with the Board and asked for any input or recommendations from the Board or public. Discussion ensued regarding the proposed policy. The policy notice will be posted in the newspaper and the final draft will be brought back to the Board at the April meeting for Public Hearing and review for approval.

At this time President Bottomley moved to Reports.

REPORTS:

- 9.a **UWPA REPORT.** Joel Metzger reported that UWPA had submitted paperwork today for a \$1.3M grant to CalFire that will fund a project that will protect their wooden flumes from Darby Russel Road to Sunrise Point in Hathaway Pines. If successful, this will be a 100% grant funded project. Joel noted he did not have to write this grant as he now has a team in place to write the grant and he only had to review and approve the application. Joel also reported that the CEQA is being prepared on the \$1.2M CalFire grant project and should be done by June. This is also a 100% grant funded project and UWPA is getting 12% administration costs through this grant. This grant will clear 220 acres around Hunter's Reservoir.

Joel also reported that he went to Washington DC and met with Federal Energy and Regulatory Commission staff and had some very positive conversations regarding long term planning and discussed costs and available options for Utica. Joel said he also made some very good connections with funding agencies at the Federal level. There is funding available through Congressionally directed spending requests, which is a funding opportunity that we have been missing out on as small agencies. These funds are submitted by our senators to the agencies and recommend them.

Joel said that budget development has kicked off today for UWPA and will be meeting with Jessica later this week. It looks like we will be in a water year one with the snow records and therefore should have a very good power generation year which results in more revenue.

Director Rasmussen said that Joel did some really good work back in Washington DC and this was a huge accomplishment for UWPA.

Next UWPA meeting is scheduled for Tuesday, March 21, 2023, at 5:30 PM at the UWPA office in Angels Camp.

- 9.b **LAFCO REPORT.** There was nothing new to report.

The next LAFCO meeting is scheduled for Monday, March 20, 2023, at 6:00 PM at the Calaveras County Board of Supervisors Chambers in San Andreas.

- 9.c **GENERAL MANAGER'S REPORT.** A copy of the General Manager's Report was provided to the Board and the General Manager reviewed the report with the Board. General Manager, Jessica Self, said she is excited about the information Joel was able to gather in Washington

DC and looks forward to working together to get grant funding for our agencies. The General Manager informed the Board that she plans to start working on planning a premiere showing of our water system in the Murphy's area. She would like to have the event in the first week of May.

The General Manager reported that the district received a Class Action Claim yesterday from Michael Hatfield's attorney and tonight from Mr. Hatfield. The General Manager provided copies to the Board, noting that this item cannot be discussed until agendized.

10. DIRECTORS COMMENTS. Director Chick noted that during the storms he received inquiries as to why we had hydrants open and running water. Director Chick said we may want to put something on our web page in the future to inform customers why we are doing this.

ADJOURN TO CLOSED SESSION: The meeting was adjourned to Closed Session at 6:36 PM.

- 7.a CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) (ONE CASES – SIGNIFICANT EXPOSURE TO LITIGATION)

RECONVENE TO OPEN SESSION: The meeting reconvened to open session at 7:08 PM.

8. REPORT ON CLOSED SESSION ITEMS: There was nothing to report.
11. NEXT MEETINGS:
- Wednesday, April 19, 2023, at 5:30 PM – Regular Meeting
 - Wednesday, May 17, 2023, at 5:30 PM – Regular Meeting
13. ADJOURNMENT: The meeting was adjourned with no further business at 7:10 PM.

Submitted by: TE Quincy
Thomas E. Quincy, Secretary

Date: 4-19-23

ATTEST:

Elaine M. Urruty
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Clerk to the UPUD Board of Directors