

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

MINUTES OF MARCH 16, 2022 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 7:00 PM.

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| Directors Present: | ERIC BOTTOMLEY | President |
| | GREG RASMUSSEN | Vice President |
| | TOM QUINCY | Secretary |
| | BRUCE TALLAKSON | Treasurer |
| | RALPH CHICK | Director |

Directors Absent: None

| | | |
|---------------|-----------------|----------------------|
| Also Present: | SUMMER NICOTERO | General Manager |
| | ELAINE URRUTY | Office Manager |
| | JOEL METZGER | UWPA General Manager |
| | PUBLIC AT LARGE | |

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

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

MINUTE ENTRY. MOTION TO APPROVE THE AGENDA AS PRESENTED.

3. PUBLIC COMMENT. There was no Public Comment.

CONSENT AGENDA

4. APPROVAL OF MINUTES:
 - a. December 15, 2021 - Regular Meeting – Tabled to next meeting
 - b. January 19, 2022 – Regular Meeting – Tabled to next meeting
 - c. February 16, 2022 – Regular Meeting – Tabled to next meeting
5. APPROVAL OF EXPENDITURES:
 - a. February 2022 Expenditures

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

MINUTE ENTRY. MOTION TO APPROVE THE CONSENT AGENDA WITH REMOVAL OF MINUTES; ITEM #5.A – EXPENDTURES – FEBRUARY 2022, AS PRESENTED.

ANNOUNCEMENT OF CLOSED SESSION ITEM AND ADJOURNMENT TO CLOSED SESSION AT 7:05 PM

6. CLOSED SESSION:
CONFERENCE INVOLVING UWP JOINT POWERS AGENCY, GOVERNMENT CODE §54956.96, REGARDING WATER AGREEMENT (Director Chick)

RETURN TO REGULAR SESSION AT 7:12 PM

7. No action was taken.

REGULAR AGENDA

RECURRING BUSINESS:

- 8.a CASH RECEIPTS REPORT. The Cash Receipts report for the month of February 2022 was included in the agenda packets for review. Elaine reviewed the cash receipts report with the Board.
- 8.b BALANCE OF FUNDS REPORT. The Balance of Funds report for the month of February 2022 was included in the agenda packet for review. Elaine reviewed the report with the Board. The current LAIF balance as of February 28, 2022 is \$2,263,044.66.
- 8.c BALANCE SHEET & INCOME STATEMENT. The February 2022 Balance Sheet & Income Statement were included in the agenda packet for review. Elaine Urruty reviewed the reports and reported the year to-date net income as of February 28, 2022 is \$368,901.52. Elaine reported that the net total of our cash and reserve accounts as of February 28, 2022 is a positive \$2,654,405.80.

OLD BUSINESS:

- 9.a UPDATE ON STATUS OF EASEMENTS ON PARCELS AT GOLDEN CREEK DRIVE & HWY 4 - APN#057-016-001 – REEVES & APN #057-012-006 – SWISS RANCH INC./TODESCHINI) – REVIEW OF DRAFT EASEMENT, RESOLUTION & AGREEMENT FOR TODESCHINI; DISCUSSION/POSSIBLE ACTION.....RES. NO. 2022-03

A copy of the easement agreement and resolution for Swiss Ranch Inc./Todeschini was included in the agenda packet for review.

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

RES. #2022-03. TO APPROVE EASEMENT AGREEMENT ON PARCEL AT GOLDEN CREEK DRIVE & HWY 4 - APN #057-012-006 – SWISS RANCH INC./TODESCHINI AS PRESENTED.

9.b UPUD PREPARATION FOR DROUGHT IMPACTS & CONSERVATION PLANNING; DISCUSSION/POSSIBLE ACTION General Manager, Summer Nicotero, reported that the district is still under a voluntary 15% reduction requirement and will need to continue to monitor and plan for worst case scenario due to the drought. Joel Metzger stated that we will know more after the state measurements in May as to what year we will be in and said we may want to work together to do some possible conservation education and outreach to customers.

9.c REVIEW OF IRRIGATION SEASON & NEW IRRIGATION SERVICES
Discussion ensued regarding possible need to allow irrigation customers to water prior to May start date. Joel Metzger noted that we do have the water available even with the 15% reduction if needed.

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

MINUTE ENTRY. TO GIVE THE GENERAL MANAGER AND THE DISTRICT MANAGER PERMISSION TO ALLOW EARLY 2022 IRRIGATION SEASON START, IF THEY DEEM IT IS NECESSARY.

NEW BUSINESS:

10.a ACCEPTANCE OF RESIGNATION LETTER FROM LEGAL COUNSEL, KEN AIROLA; DISCUSSION/POSSIBLE ACTION A copy of a letter of resignation from District Legal Counsel, Ken Airola, was provided in the agenda packet for review. With regret and sincere thanks, the Board accepted Ken Airola's letter of resignation noting that the district has always had an Airola as its District Legal Counsel since its inception.

Motion: Director Tallakson
Second: Director Rasmussen
Ayes: Directors Bottomley, Rasmussen, Quincy, Tallakson and Chick

Nays: None
Absent: None
Abstain: None

MINUTE ENTRY. TO ACCEPT THE LETTER OF RESIGNATION FROM DISTRICT LEGAL COUNSEL, KEN AIROLA.

Summer Nicotero stated that she will get quotes for replacement of our legal counsel. She stated that Michael Minkler from CCWD was going to send her a recommendation and she will make further inquiries for more recommendations.

- 10.b REQUEST TO PARTICIPATE IN ATCAA WATER BILL PAYMENT ASSISTANCE PROGRAM; DISCUSSION/POSSIBLE ACTION Summer Nicotero reviewed the ATCAA program with the Board. With the Arrearage Program, we are required to have an assistance program and the ATCAA program would meet this requirement.

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

MINUTE ENTRY. TO ACCEPT THE ATCAA AGREEMENT AND GIVE SUMMER NICOTERO AUTHORITY SIGNING AUTHORITY ON THIS AGREEMENT.

- 10.c APPROVAL OF SIGNING AUTHORITIES UPDATE FOR UNION BANK AND EL DORADO BANK; DISCUSSION/POSSIBLE ACTION Elaine Urruty reported that this update is to add our new General Manager, Summer Nicotero, as a signing authority on our bank accounts.

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

MINUTE ENTRY. TO APPROVE UPDATE OF SIGNING AUTHORITIES ON UNION BANK AND EL DORADO BANK TO ADD SUMMER NICOTERO, GENERAL MANAGER.

- 10.d APPROVAL OF SIGNING AUTHORITIES UPDATE FOR LAIF ACCOUNT; DISCUSSION/POSSIBLE ACTION Elaine Urruty reported that this update is to add our new General Manager, Summer Nicotero, as a signing authority on our LAIF account.

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

MINUTE ENTRY. TO GIVE THE GENERAL MANAGER AND THE DISTRICT MANAGER PERMISSION TO ALLOW EARLY 2022 IRRIGATION SEASON START, IF THEY DEEM IT IS NECESSARY.

10.e APPROVAL OF COVID-19 STATE OF EMERGENCY AUTHORIZING REMOTE TELECONFERENCE MEETINGS (MARCH 21, 2022 – APRIL 20, 2022); DISCUSSION/POSSIBLE ACTION

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

RES. #2022-05. TO APPROVE PROCLAMATION OF A STATE OF EMERGENCY AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF UNION PUBLIC UTILITY DISTRICT BOARD FOR THE PERIOD OF MARCH 21, 2022 TO APRIL 20, 2022.

REPORTS:

11.a UWPA REPORT. Joel Metzger reported that he had a great meeting with Summer Nicotero reviewing the JPA agreement and budget issues. Joel said that he will be bringing new proposed budget numbers to the UWPA board at the next meeting and that contribution estimates are still high even with the REMAT program. Summer state that she needs to get up-to-date on the UPUD budget and then she will look into the UWPA budget and contribution requests. Joel noted that he will be bring water contracts to the UWPA board recommending irrigation rate increases and adding 7 more irrigation customers along the ditch. Joel updated the Board on some additional CIP projects and updates that will be needed.

Next UWPA meeting is scheduled for Tuesday, March 22, 2022, at 5:30 PM at the UWPA office in Angels Camp.

11.b LAFCO REPORT. There was nothing to report


The next LAFCO meeting is scheduled for Monday, March 21, 2022, at 6:00 PM at the Calaveras County Board of Supervisors Chambers in San Andreas.

11.c GENERAL MANAGER'S REPORT. Summer Nicotero reported that she has been meeting with many people to educate herself on our district issues. She met with District Engineer, Matt Ospital, to review the district's CIP plan and plans to work on prioritizing needs and to add

the CIP into our budget so we can then look at the UWPA budget needs and contribution request. Summer reviewed items being worked on currently including, website and email changes, Springbrook software migration progress, audit, worker's comp audit and bids for legal counsel. Summer said she had received a request from Michael Minkler, CCWD General Manager, to review a FEMA Grant request and said there was not time to get the application together and meet the time line for the grant and that we do not have the matching funds available for this grant at the present time. Summer said she will continue meeting with City of Angels and Joel Metzger regarding the JPA and with staff to continue the learning process.


Director Quincy asked about ADU updates. Discussion ensued regarding ADU regulations continuing changes and more information needed before we proceed.

- 11.d IRRIGATION COMMITTEE. There was nothing to report.
- 9.g PERSONNEL COMMITTEE. There was nothing to report.
- 9.h BUDGET/FINANCE COMMITTEE. There was nothing to report.
- 9.i LONG RANGE PLANNING COMMITTEE. Director Bottomley reported that Laurie Giannini at the Calaveras Fair had received a grant for work on replacing pipeline at the fairgrounds. He also noted that the trailer park still wants to look into annexation. Director Bottomley recommended adding prices for RV parks in our 218 plan so we can quote prices to the RV park and so they can decide if they want to move forward on a request for annexation.
- 10. DIRECTORS COMMENTS. There were no Director comments.
- 11. NEXT MEETING: The next regular meeting is scheduled for Wednesday, April 20, 2022 at 7:00 PM.
- 12. ADJOURNMENT. The meeting was adjourned with no further business at 8:26 PM.

Submitted by: 
Thomas E. Quincy, Secretary

Date: 7-20-22

ATTEST:


Elaine M. Urruty
Clerk to the UPUD Board of Directors