

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

MINUTES OF AUGUST 24, 2022 SPECIAL MEETING

The Board of Directors of the Union Public Utility District met in Special Session at the UPUD Office in Murphys, California, at approximately 5:42 PM.

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
	BILL ELTRINGHAM	District Manager
	ELAINE URRUTY	Office Manager
	BARBARA BRENNER	District Legal Counsel
	MARK HILDEBRAND	Consultant – 218 Rate Study
	JOEL METZGER	UWPA General Manager
	PUBLIC AT LARGE	

1. PLEDGE OF ALLEGIANCE. The Pledge was given.

2. APPROVAL OF AGENDA.

Motion:	Director Bruce Tallakson
Second:	Director Tom Quincy
Ayes:	Directors Bottomley, Rasmussen, Tom 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. *July 20, 2022 – Regular Meeting
- b. *August 7, 2022 – Special Meeting

5. APPROVAL OF EXPENDITURES:
a. JULY 2022 EXPENDITURES

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

MINUTE ENTRY. MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED; ITEMS #4.A-B – JULY 20, 2022 & AUGUST 7, 2022, AND #5.A – EXPENDITURES – JULY 2022.

REGULAR AGENDA

At this time President Bottomley moved to New Business to accommodate those in attendance.

NEW BUSINESS:

8.a REQUEST FOR TRANSFER OF IRRIGATION SERVICE RETROACTIVE TO SALE DATE OF PROPERTY FROM #5587-000 – A SANCHEZ, 7588 RED HILL ROAD, ANGELS CAMP, TO RUSSELL & STACY SIMPSON; DISCUSSION/POSSIBLE ACTION A copy of the General Manager's recommendation and request for transfer were included in the agenda packet. General Manager, Summer Nicotero, noted that the only condition on this transfer is that there is no backflow device on the connected domestic meter, and installation of a backflow device would be required at the owner's expense per District ordinance. Discussion ensued regarding the backflow requirement and clarification. The district will forward the backflow information to the new owners.

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

MINUTE ENTRY. TO APPROVE TRANSFER OF IRRIGATION SERVICE RETROACTIVE TO JULY 1, 2022, FROM #5587-000 – A SANCHEZ, 7588 RED HILL ROAD, ANGELS CAMP, TO RUSSELL & STACY SIMPSON WITH THE SIMPSON'S RESPONSIBLE TO ADD A BACKFLOW DEVICE ON THEIR DOMESTIC SERVICE AT THEIR COST PER GENERAL MANAGER'S RECOMMENDATION.

8.b MURPHYS OAKS SUBDIVISION A Copy of Jack Kautz's request and the General Manager's recommendations for the following items were included in the agenda packet for review.

i) REQUEST FOR WAIVER OF UTILITY BILLINGS FOR MURPHYS OAKS SUBDIVISION, JACK KAUTZ; DISCUSSION/POSSIBLE Summer Nicotero reviewed

the request and backup documentation of the Board's prior decision to charge customers as soon as domestic connection fees are paid and meter is installed per district policy. Summer noted that apparently some customers were upset with fees charged prior to home construction being completed. Summer said that the recommendation is to continue to charge per our district policy. Lengthy discussion ensued regarding the Murphys Oaks Subdivision meter connections and monthly charges. Jack Kautz requested offering Standby fees to these customers. It was noted that Standby fees have been offered to customers, however, a requirement of Standby fees is that the service must be off for 6 months or more. Standby fees will continue to be offered to customers who meet the requirement.

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

MOTION. TO DENY REQUEST AND CONTINUE TO CHARGE FOR METERS ONCE CONNECTION FEES ARE PAID AND METERS ARE INSTALLED.

ii) **REQUEST FOR RELEASE OF CERTIFICATE OF DEPOSIT – MURPHYS OAKS SUBDIVISION, JACK KAUTZ; DISCUSSION/POSSIBLE ACTION** Summer Nicotero reviewed the request and recommendation with the Board. Summer noted that based on the terms of the agreement we have a CD on hold at Jack Kautz bank under the name of UPUD. Elaine has requested instructions from Jack Kautz's bank on what they require in order to release this CD and they stated we can release in writing and are sending us their instructions.

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

MOTION. TO RELEASE THE CERTIFICATE OF DEPOSIT HELD BY UPUD AS BOND ON THE MURPHYS OAKS SUBDIVISION AS REQUESTED.

- 8.c **REVIEW AND APPROVAL OF UPUD FY 2020-2021 AUDIT, RYAN JOLLEY; DISCUSSION/POSSIBLE ACTION** A copy of the UPUD FY 2020-2021 audit was provided in the agenda packet for review. Ryan Jolley, CPA, reviewed the audit with the Board and answered any questions regarding the audit. The Board thanked Ryan for his presentation.
- 8.d **UPUD DOMESTIC WATER SYSTEM INSPECTION BY SWRCB; INFORMATION ACTION** A copy of the SWRCB Water Inspection report was included in the agenda packet for review. Summer Nicotero noted that our water system inspection had been completed and noted the summary of findings and new calendar of lab testing and requirements received. Summer said the report was exception and there were not material weaknesses and findings were minor

items which will be addresses. Summer said that she and Jason will be preparing a response to the findings. Jason Eltringham, Treatment Plant Operator, also reviewed the report and findings with the Board. Discussion ensued regarding the inspection and any items or training needed to assist with this process. The Board thanked Jason for attending and his work on the inspection.

- 8.e UPUD 2021 ANNUAL WATER QUALITY REPORT; INFORMATION A copy of the UPUD 2021 Annual Water Quality Report was included in the agenda packet for review and copies were also provided at the meeting. Summer Nicotero noted that Elaine Urruty has historically entered everything and setup the report in our software program for this report based on information from Bill and Jason. This year, Elaine trained Jason to input data into the software for our annual water quality report and this report is a result of the hard work. In the future, Jason will be working on this report. Summer noted that this year we put a link on our website and sent notices out on our statements, on bulletin boards in town, and at public locations for our customers. The Board said it was a good-looking report and thanked staff for their hard work.
- 8.f UPUD ANNUAL DAM SAFETY REPORT; INFORMATION A copy of the UPUD Annual Dam Safety Report was included in the agenda packet for review. Summer and Jason reviewed the report with the Board. Discussion ensued regarding the report. The Board said they were pleased with the report.
- 8.g PERSONNEL AD-HOC COMMITTEE; DISCUSSION/POSSIBLE ACTION A copy of the General Manager's recommendation to form a Personnel Ad-Hoc Committee was included in the agenda packet for review. Summer Nicotero reviewed her request and noted that the public committees had previously been done away with and that this committee would be formed with two Board members and the General Manager and would not be public meetings and would be a forum to discuss staffing plans, position control, salaries, benefits and other personnel related matters. Director Quincy and Director Tallakson said they would serve on this committee.

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

MINUTE ENTRY. TO APPOINT DIRECTOR QUINCY AND DIRECTOR TALLAKSON TO SERVE ON THE PERSONNEL AD-HOC COMMITTEE.

- 8.h CA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING RESOLUTION; DISCUSSION/POSSIBLE ACTION.....RES. NO 2022-12 A copy of Resolution No. 2022-12 and the General Manager's recommendation were included in the agenda packet for review. Summer reviewed this recommendation with the Board. Discussion ensued regarding participation in the CUPCCAA and participation was also recommended by District Counsel.

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

RES. #2022-12. TO APPROVE THE CA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING RESOLUTION NO. 2022-12 AS PRESENTED.

- 8.i WITCH WALK PARKING LOT; DISCUSSION/POSSIBLE ACTION A copy the General Manager's report and recommendation was included in the agenda packet for review. Summer Nicotero reviewed the proposed agreement with the Board. Discussion ensued regarding the request, insurance and rate to rent the parking lot for.

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

MINUTE ENTRY. TO APPROVE AND ALLOW SUMMER TO NEGOTIATE RATE, INSURANCE AND TO RENT THE UPUD PARKING LOT FOR THE WITCH WALK EVENT ON OCTOBER 15, 2022.

- 8.j APPROVAL OF COVID-19 STATE OF EMERGENCY AUTHORIING REMOTE TELECONFERENCE MEETINGS; DISCUSSION/POSSIBLE ACTION A copy Resolution No. 2022-14 and the General Manager's recommendation were included in the agenda packet for review.

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

MINUTE ENTRY. TO APPROVE RES 2022-14. 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 AUGUST 21, 2022 TO SEPTEMBER 20, 2022.

At this time President Bottomley returned to Recurring Business.

RECURRING BUSINESS:

- 6.a CASH RECEIPTS REPORT. The Cash Receipts report for the month of July 2022 was included in the agenda packets for review. Elaine reviewed the cash receipts report with the Board. Director Rasmussen asked if the UPUD hydrant fees would be included in the 218 rate review. Summer reported that they would not be included, however, we need to review our other miscellaneous fees for update. Discussion ensued regarding hydrant fees and amount of water be pulled from some current hydrant customers.
- 6.b BALANCE OF FUNDS REPORT. The Balance of Funds report for the month of July 2022 was included in the agenda packet for review. Summer reviewed the report and quarterly transfers with the Board. The current LAIF balance as of July 31, 2022 is \$2,719,002.89.
- 6.c BALANCE SHEET & INCOME STATEMENT. The July 2022 Balance Sheet & Income Statement were included in the agenda packet for review. Summer reviewed the reports with the Board noting that these reports are prior to end of year postings. The year to-date net loss as of July 31, 2022 is <\$19,131.05>. The net total of our cash and reserve accounts as of July 31, 2022, is a positive \$3,092,123.72.

OLD BUSINESS:

- 7.a PRELIMINARY 218 WATER RATE STUDY REVIEW OF WORKSHOP DATES AND PROCESSES; DISCUSSION/POSSIBLE Summer Nicotero noted that this item was originally included in the agenda packet to review workshop dates and processes but said that she had been approached by a couple of Directors with a request to review possible other approaches to the 218 rates. Director Quincy provided a handout to the Board of his proposal to charge the proposed UWPA fee as a flat fee to all customers. Lengthy discussion ensued regarding the UWPA flat fee. It was the Board’s consensus to schedule a special meeting as a workshop to review the Preliminary 218 Water Rate Study on Wednesday, September 7, 2022, at 3 pm.
- 7.b UPUD FY 2022-2023 FINAL BUDGET; DISCUSSION/POSSIBLE ACTION.....RES No.2022-13
A copy of the UPUD BY 2022-2023 Final Budget and General Manager’s recommendation were included in the agenda packet for review. Summer Nicotero reviewed the Final Budget and reviewed the CIP projects on the budget with the Board. Lengthy discussion ensued regarding the budget.

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

RES. NO 2022-13. TO APPROVE UPUD FY 2022-2023 FINAL BUDGET AS PRESENTED.

7.c UPUD 75TH ANNIVERSARY LOGO; DISCUSSION/POSSIBLE ACTION A copy the proposed UPUD 75th Anniversary logo and General Manager's recommendation were included in the agenda packet for review.

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

MINUTE ENTRY. TO APPROVE THE NEW UPUD THE 75TH ANNIVERSARY LOGO IN COMMENEMORATION OF THIS MILESTONE AS WELL AS CONVERTING TO THE UPDATED LOGO IN ALL FUTURE CORRESPONDENCE & REPRESENTATION RELATED TO THE DISTRICT.

REPORTS:

9.a UWPA REPORT. Director Rasmussen and Director Chick reported that UWPA budget had a carryover of over \$400,000. They are putting \$333,000 into a reserve fluctuation for bad years to assist with future needs and to help keep member agencies costs lower. There was a \$85,000 carryover from funds earmarked for grant expense and will put these funds in a contingency fund for grants in the future. And there was a carryover of \$65,000 for purchase of a truck that was not purchased, and they are putting these funds towards other equipment needed such as a mini-excavator and/or a side-by-side.

Next UWPA meeting is scheduled for Tuesday, September 27, 2022, at 5:30 PM at the UWPA office in Angels Camp.

9.b LAFCO REPORT. There was nothing to report.

The next LAFCO meeting is scheduled for Monday, September 19, 2022, at 6:00 PM at the Calaveras County Board of Supervisors Chambers in San Andreas.

9.c GENERAL MANAGER'S REPORT. Summer Nicotero reported on projects that are being worked on or completed, including:


- Springbrook migration to v.7 was completed on September 8th and we are no on the cloud & learning all the new processes and ½ was through our first month. We still need to read meters and process statements through the new system. Going very well and a huge learning curve for staff.
- This month we will be processing our monthly statements through Dataprose for the first time.
- On September 14th the Summer, Elaine and Lisa will be going to Las Vegas for a Springbrook Conference. The agenda is packed with Springbrook training which is

great timing for our migration and should help staff with training and questions. Staff will be out of office from September 14th through September 16th to attend the conference and our new Administrative Analyst will cover the office & phones for a ½ day schedule. Staff will also cover remotely through our cell phones.


- Hired new Administrative Analyst, Jenna Mayo, who will begin work on September 1st.
- Online bill pay is technically already active and will be announced to customers soon and placed on our website for customers to access.
- Have been having issues with our current website designer and looking into Streamline to take over our website contract and assist & train staff. This is a very user-friendly website design and process for staff and staff should be able to manage.
- We have been approached by our neighbors requesting the possibility of renting the garage and remodeling the garage space to run a retail business, by appointment only. This request will be on a future agenda once the finalize their request.

10. DIRECTORS COMMENTS. Director Rasmussen said he would like to thank Jason Eltringham for attending the meeting and said it was nice to see him here and stepping up. Director Quincy said he is amazed at how much staff is getting accomplished and he knows change is hard and it's going to be good in the end. Director Chick thanked Barbara for attending. Director Tallakson thanked Elaine for her work in the background. Director Bottomley said he really appreciates the direction we are moving in and thanked the members that attend the UWPA meetings on our behalf. Discussion ensued regarding UWPA water down near Cosgrave's and Dogtown Road. Director Bottomley said this was a long meeting and thanked everyone for their time and hard work.
11. NEXT MEETING: The next regular meeting is scheduled for Wednesday, September 21, 2022, at 5:30 PM.
12. ADJOURNMENT. The meeting was adjourned with no further business at 7:45 PM.

Submitted by:


Thomas E. Quincy, Secretary

Date:


9-21-22

ATTEST:


Elaine M. Urruty
Clerk to the UPUD Board of Directors