

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

**MINUTES OF JUNE 17, 2020 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.

Directors Present:	ERIC BOTTOMLEY	President
	GREG RASMUSSEN	Vice President
	TOM QUINCY	Secretary
	RALPH CHICK	Treasurer
	DUANE ONETO	Director

Also Present:	ELAINE URRUTY	Office Manager
	BILL ELTRINGHAM	District Manager
	KEN AIROLA	District Attorney
	JOEL METZGER	CCWD/UWPA

1. PLEDGE OF ALLEGIANCE. The Pledge was given.
2. APPROVAL OF AGENDA. – Agenda was approved as presented.

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

MINUTE ENTRY. TO APPROVE THE AGENDA AS PRESENTED.

3. PUBLIC COMMENT. There was no Public Comment.

**CONSENT AGENDA**

4. APPROVAL OF MINUTES:
  - a. May 20, 2020 – Regular Meeting
5. APPROVAL OF EXPENDITURES:
  - a. May 2020 Expenditures.

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

MINUTE ENTRY. TO APPROVE THE CONSENT AGENDA - ITEMS #4.a – MINUTES – MAY 20, 2020, REGULAR MEETING; & #5.a – EXPENDITURES – MAY 2020, AS PRESENTED.

**REGULAR AGENDA**

**RECURRING BUSINESS:**

- 6.a CASH RECEIPTS REPORT. The Cash Receipts report for the month of May 2020 was included in the agenda packets for review. Elaine reviewed the cash receipts report with the Board noting receipt of a Calaveras County tax disbursement in the amount of \$49,369.55 and an additional deposit for the Murphys Oaks Subdivision Phase II project from Jack Kautz in the amount of \$4,000. Elaine also reported to the Board that our over 90-day, 60-day & 30-day balances have increased again slightly due to the COVID-19 pandemic and Governor’s order of no shut-offs or late fees.
- 6.b BALANCE OF FUNDS REPORT. The Balance of Funds report for the month of May 2020 was included in the agenda packet for review. Elaine Urruty reviewed the Fund Balance Report with the Board. Elaine reported that this month she transferred \$168,000 from the LAIF Irrigation account to Union Bank to cover the first payment on the Stephen’s Fill Line to Cole Tiscornia Construction. This transfer will show on the June reports. The current LAIF balance as of May 31, 2020 is \$2,742,557.26.
- 6.c BALANCE SHEET & INCOME STATEMENT. The May 2020 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 May 31, 2020 is \$285,394.03. Elaine reported that the net difference of our cash and reserve accounts to our long term debts as of May 31, 2020 is a positive \$1,930,122.08.

**OLD BUSINESS:**

- 7.a APPROVAL OF RESOLUTION FIXING MONTHLY UWPA FEE EFFECTIVE JULY 1, 2020; DISCUSSION/POSSIBLE ACTION.....Res. #2020-05  
 A copy of Resolution #2020-05 was included in the agenda packet for review. This resolution was for UWPA fee approved at the May meeting.

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

RES. #2020-05. MOTION TO APPROVE FIXING THE MONTHLY UWPA FEE OF \$18 PER MONTH PER CUSTOMER EFFECTIVE JULY 1, 2020.

**NEW BUSINESS:**

8.a REQUEST FOR WAIVE OF TURN ON FEE FOR #6635-000 – WALLACE LUKE – 566 TANNER CT., MURPHYS, - BUILDING HOUSE FOR NON-PROFIT ORGANIZATION, TRINITY RANCH; DISCUSSION/POSSIBLE ACTION A copy of the letter of request from Mr. Luke was included in the agenda packet for review. Elaine Urruty and Bill Eltringham explained Mr. Luke's request of a waive of the \$100 turn on fee on his standby account. He wishes to activate service for construction of a house to benefit the Trinity House non-profit. Discussion ensued regarding a waive of the turn on fee.

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

MINUTE ENTRY. APPROVAL OF A WAIVE OF THE \$100 TURN ON FEE FOR WALLACE LUKE TO ACTIVIAATE HIS ACCOUNT FOR CONSTRUCTION OF A HOME FOR A NON-PROFIT ORGANIZATION.

8.b 2020 CONFLICT OF INTEREST CODE LOCAL AGENCY BIENNIAL NOTICE TO CALAVERAS COUNTY CLERK; DISCUSSION/POSSIBLE ACTION. Copy of the Conflict of Interest Notice from the Calaveras County Clerk was included in the agenda packet for review. Discussion ensued and it was the Board's consensus that there is no amendment required to our conflict of interest code.

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

MINUTE ENTRY. TO APPROVE THE RESPONSE TO THE UPUD CONFLICT OF INTEREST BIENNIEAL REVIEW AS 'NO AMENDMENT REQUIRED'.

8.c PERSONNEL COMMITTEE REVIEW OF COVID-19 RELATED PERSONNEL POLICIES; DISCUSSION/POSSIBLE ACTION. Elaine Urruty reported that this item has been left on the agenda for updates to the Board as we go through the COVID-19. Elaine reported that Mary Miloslavich is still off to shelter in place and we are no longer paying her COVID sick leave and she has used up her accrued sick leave and vacation as of 05/18/2020. Mary has not reported back on her intentions for return to work and Elaine plans on sending her a request to return to work in writing. Elaine also reported that Troy Mumm had also been off for COVID-19 per doctor's orders from 6/8/2020. Troy was tested & released with negative results as of

6/16/2020. Discussion ensued regarding Mary's situation. Elaine will report back to the Board next month.

At this time the President moved to reports and moved Closed session to the end of the agenda.

## REPORTS:

11.a HWY 4 CORRIDOR ADHOC COMMITTEE REPORT. There was nothing to report at this time.

Hwy 4 Corridor, (AKA; Stanislaus River Association (SRA), plan to meet quarterly on the first Friday of the 3<sup>rd</sup> month in each quarter. The next meeting is tentatively scheduled for Friday, September 4, 2020 with time & location to be determined and depending on COVID-19 status.

11.b UWPA REPORT. Director Chick reported that UWPA has hired Joel Metzger as their new General Manager and he will start on July 13<sup>th</sup>. Director Rasmussen reported that both agencies have committed to the two year contributions at UWPA. Director Rasmussen then referred to Joel Metzger for a report on the ReMAT program. Joel reported that the PUC has received a court ruling that allows them to write a letter to the utilities informing them that they can open ReMAT back up. Currently the PUC staff has not done this and no reason has been given for them not contacting the utilities. A possibility is that they fear that they would get sued again. Therefore, the strategy that the ReMAT coalition has taken is to put as much pressure on the PUC as possible to make this their top priority and make a decision on reopening ReMAT or at least give those impacted a reason why they are not reopening. The timeline is really important right now because some of the big solar developers that want to put projects in have to commit their money in the next couple months or they are just going to pick up and leave the state and go elsewhere. So for these big developers investing a lot of money there is a real short window that doing this would make any since financially. Joel said they are asking Assembly member Bigelow & Senator Borgeas to send letters along with asking other stakeholders elected representatives to send letters also. Joel said he called THE late Governor Brown to ask him for advice to assist pushing this through, as well as doing a media strategy to have the newspapers write about this and help get the ReMAT pushed through. Joel reported that, if the ReMAT goes through, it could mean an estimated \$500,000 to \$1.5 M in revenue for Murphys, which would be a huge difference. Joel said when he is working full time, the ReMAT program will be a priority.

Next UWPA meeting is scheduled for Tuesday, June 23, 2020 at 5:30 PM at the UWPA office in Angels Camp.

11.c LAFCO REPORT. There was nothing to report.

The next LAFCO meeting is scheduled for Monday, July 20, 2020 at 6:00 PM at the Calaveras County Board of Supervisors Chambers in San Andreas.

11.d DISTRICT MANAGER'S REPORT. Bill Eltringham reported that they just finished paving at the Stephen's Fill Line project so it is now complete. Cole Tiscornia Construction did a great job and everyone was pleased and we received thank you from customers. Bill said they got a good test and it will carry as much water as the old system did. Bill reported that they had an

outage in Carson Hill and low pressure alarm on Sunday morning. Bill said Kyle was on call for the first time and Bill had him go to the Vallecito tank and the low probe had failed. Bill said they bypassed the probe and got water restored right away. Bill said it was a good experience for Kyle & he learned a lot. Bill said this is the first time the probe has failed and he is looking into a low alarm at Vallecito. Bill said they took advantage of the water being low and cleaned the tank since it is so small and did any necessary maintenance. Bill reported that we will need to sand blast and recoat the Vallecito tank in the next year or two and will put this cost in the budget. Bill also reported that we are moving a lot of irrigation water and domestic is doing better also. Bill reported that they hope to start on Monge Ranch Road Relocation Project this fall and will need to go out to bid for more accurate costs.

- 11.e OFFICE MANAGER'S REPORT. Elaine Urruty reported that the office is still closed to the public and doors locked, with the exception of cash customers while keeping safe distancing and sanitizing regularly. Elaine said she is still working with the auditor long distance, due to COVID, through a drop box to transfer data as requested for them to complete the audit, which is a lot more work for staff, but they are almost complete. Elaine said that, as requested last meeting, she has contacted Gemini Company who assists in producing CCR Water Quality reports for water agencies. Gemini does reports for CCWD, TUD and many other water districts in the US. Elaine said she is currently working on setting up our report and updating current data in the templates. The first time doing this doesn't save time, as you are starting from scratch, but in the future it should save us time and the product is much more professional looking and they guarantee compliance. The total contract cost is \$2,850, without ADA compliance or Spanish version. Elaine said in the future we will need to pay for the ADA compliance as it is a requirement. Elaine said she also will continue working on the annual report due August 1<sup>st</sup>, COVID HR issues, Draft Budget, quarterly PR taxes and LAIF transfers.
- 11.f IRRIGATION COMMITTEE. There was nothing to report.
- 11.g PERSONNEL COMMITTEE. There was nothing to report.
- 11.h BUDGET/FINANCE COMMITTEE. Director Oneto asked if the Budget Committee could meet with Elaine on the budget before the next meeting. Elaine said she would complete the CCR report and then get in contact with the committee when she has Draft Budget ready to meet.

At this time the President returned to:

**Announcement of Closed Session and Adjournment to Closed Session at 7:30 pm**

- 9. CLOSED SESSION:
  - a. Conference with Legal Counsel – Anticipated Litigation § 54956.9 (d) (2); 1 Potential Case

**Return to Regular Meeting at 7:35 pm**

- 10. REPORT OF CLOSED SESSION ITEM – It was the Board's consensus to deny any waive or lesser fee for charges on the standby account per UPUD fee structure and ordinance. Elaine will write a letter in response to Mr. Maddox's request.

MINUTE ENTRY. MOTION TO DENY ANY WAIVE OR LESSER FEE FOR CHARGES ON THE MICHAEL MADDOX STANDBY ACCOUNT PER UPUD FEE STRUCTURE AND ORDINANCE.

10. DIRECTORS COMMENTS. At this time Joel Metzger asked if UPUD Board would be willing to write a letter of support for the ReMAT program. The Board agreed and Elaine asked Joel for a template to work from and Joel will forward one to her.
11. NEXT MEETING: Next regular meeting is scheduled for Wednesday, July 15, 2020, at 7:00 PM.
12. ADJOURNMENT. The meeting was adjourned with no further business at 7:40 PM.

Submitted by: Thomas E. Quincy  
Thomas E. Quincy, Secretary

Date: 7-15-20

ATTEST:

Elaine M. Urruty  
Elaine M. Urruty  
Clerk to the UPUD Board of Directors