

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

**MINUTES OF DECEMBER 15, 2021 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
	BRUCE TALLAKSON	Treasurer
	RALPH CHICK	Director

Directors Absent: None

Also Present:	BILL ELTRINGHAM	District 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.

Motion:	Director Tallakson
Second:	Director Rasmussen
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. September 22, 2021 - Regular Meeting
  - b. November 17, 2021 – Regular Meeting
5. APPROVAL OF EXPENDITURES:
  - a. November 2021 Expenditures

Motion:	Director Tallakson
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Second: Director Rasmussen  
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 – SEPTEMBER 22, 2021 REGULAR MEETING MINUTES; #4.B – NOVEMBER 17, 2021 MINUES & #5.A & B – EXPENDTURES – NOVEMBER 2021, AS PRESENTED.

## REGULAR AGENDA

### RECURRING BUSINESS:

- 6.a CASH RECEIPTS REPORT. The Cash Receipts report for the month of November 2021 was included in the agenda packets for review. Elaine reviewed the cash receipts report with the Board. Elaine reported to the Board that Jack Kautz had requested that UPUD take his payments for the new connections in Murphys Oaks, but not install the meters until much later, as he does not want to pay the monthly charges. Elaine said she let him know that our process is that once we receive payment, meters are installed and billing starts. Jack then asked for a discounted rate for his connections since he was paying for so many connections, or that we hold his funds in an account and not process until they are ready for meters to be installed. Discussion ensued regarding the Murphys Oaks Subdivision & number of connections expected to be purchased and our processes. It was the Board's consensus that we process Murphys Oaks payments like all others and once payment is received meters are installed & billing begins. If account will not need meter for 6 months or more, the owners can always request to go to Standby status at half the rate. Joel Metzger said that he noted our large AT&T expenses on the Expenditure listing and that UWPA had recently changed over to Comcast Business phones and saved a lot of money and recommended UPUD look into this. Elaine said that she already has begun the process and has contracted our internet and our FAX line first to Comcast Business and then they will work with us to change over our phones. Joel also mentioned that if UPUD needs to get communications to the TP below Cademartori they can utilize the tower at the Murphys Forebay. Discussion ensued regarding the tower and how communications would work.
- 6.b BALANCE OF FUNDS REPORT. The Balance of Funds report for the month of November 2021 was included in the agenda packet for review. Elaine reviewed the report with the Board. Elaine reported that even though the SRLF loan is paid off, she is continuing to deposit domestic connection fees into the LAIF SRLF reserve account line. These funds can accumulate and be used for required reserves needed for future funding. The current LAIF balance as of November 30, 2021 is \$2,020,959.25.
- 6.c BALANCE SHEET & INCOME STATEMENT. The November 2021 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 November 30, 2021 is \$238,522.33. Elaine reported that the net total of our cash and reserve accounts as of November 30, 2021 is a positive \$2,538,701.09.

**OLD BUSINESS:**

- 7.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); DISCUSSION/POSSIBLE ACTION Bill Eltringham reported that District Engineer, Matt Ospital, is working on the easements which Bill said he just got back today to review and he believes they had some issues with wording. Elaine reported that the corrected wording was sent over to the office today to update. Elaine said she will then send drafts to the property owner’s for they review and approval. If everything looks good, Elaine said she will place the easements and resolutions on the January agenda for Board review for approval. Once the resolutions are approved, the easements can then be recorded with the County.
- 7.b REQUEST FOR EMERGENCY OUT OF AREA SERVICE AGREEMENT FROM JONATHAN TAL, LADY BUG VENTURES, LLC – ANGELS CAMP RV & CAMPING RESORT, 3069 HWY 49, ANGELS CAMP – APN #064-007-072; DISCUSSION/POSSIBLE ACTION Director Bottomley reported that he had not heard back from Jonathan regarding this request and tabled to the January meeting.
- 7.c DON & MIKE PEIRANO REQUEST TO REVIEW CURRENT WATER AGREEMENT WITH CARSON HILL MINE AND PROPOSED SALE OF PROPERTY WITH THE UPUD BOARD; DISCUSSION/POSSIBLE ACTION Director Bottomley reported that the office had been informed that the Carson Hill Mining Company had an emergency and staff had COVID, so they will not be attending and Don Peirano said there had been nothing new on any agreement with them. This item will be tabled to the January meeting.
- 7.d UPDATE ON HIRING OF NEW DISTRICT MANAGER; DISCUSSION/POSSIBLE ACTION Director Chick reported that the Personnel Committee had gotten a proposal from Dave Andres (IMS Consulting) for assistance with the General Manager position recruitment. Director Chick provided the Board with a copy of the proposal for their review and recommended the approval of hiring Dave and signing the contract. Director Chick said they have set maximum hours and they do not believe the process will take more than 60 days.

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 HIRING DAVE ANDRES (IM CONSULTING) AND SIGNING OF CONTRACT AS PRESENTED FOR ASSISTANCE WITH THE GENERAL MANAGER POSITION RERUITMENT PROCESS.

- 7.e UPUD PREPARATION FOR DROUGHT IMPACTS & CONSERVATION PLANNING; DISCUSSION/POSSIBLE ACTION Bill Eltringham reported that there is not much change at this time and that we are still on a voluntary 25% requested reduction. Director Rasmussen asked Joel Metzger how the reporting to the state is going. Joel reported that the state has continued to lift the curtailments and we are allowed to store water in the upper reservoirs.

Joel said we still have to report twice a month, once on previous month's actual use and second on the predictions for the next three months. Joel said because the keep lifting the curtailments we have not been curtailed since the initial curtailment in October. Joel said more than anything the reporting is a lot of staff work for an unfunded mandate.

## NEW BUSINESS:

- 8.a WMC Corporate Svs., Inc. – DBA: Carson Hill Gold Mining Corp (CHGMC) – Request to Review New Water Services Purchased November 9, 2021; DISCUSSION/POSSIBLE ACTION This item was tabled to the next meeting. Bill Eltringham noted that the request for Irrigation service transfer should be added to the next agenda also. Elaine said she still has not received the application paperwork and will call Garrison to follow-up and request he get the paperwork in to us before the next meeting.
- 8.c APPROVAL OF COVID-19 STATE OF EMERGENCY AUTHORIZING REMOTE TELECONFERENCE MEETINGS; DISCUSSION/POSSIBLE ACTION....RES NO. 2021-08 Elaine reported that this is the same as last month's resolution, just extending another 30 days for December 21<sup>st</sup>, 2021 to January 20<sup>th</sup>, 2022.

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

RES. #2021-08. 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 DECEMBER 20, 2021 TO JANUARY 20, 2022.

- 8.c REVIEW AND APPROVAL OF EMPLOYEE HANDBOOK PROPOSAL; DISCUSSION/POSSIBLE ACTION Director Chick reported that both entities, UPUD & UWPA, got together and agreed on their first choice of CPS Consulting for their proposal of revising the Employee Handbooks for both entities. A copy of the CPS Consulting proposal, with an estimated cost of \$10,400 for both entities, was included in the agenda packet for review. Director Chick recommended awarding and signing of the CPS Consulting contract.

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

MINUTE ENTRY. TO APPROVE AWARDING OF CPS CONSULTING CONTRACT FOR DEVELOPMENT AND REVISIONS TO BOTH UPUD AND UWPA'S EMPLOYEE HANDBOOKS.

Joel Metzger stated that the original bid for UWPA alone had been \$11,200. Joel thanked UPUD and the Board for partnering with UWPA on this venture and helping to save almost ½ the cost, as now the cost for both entities will be approximately \$10,400.

- 8.d APPROVAL OF UPUD FY 2021-2022 BUDGET; DISCUSSION/POSSIBLE ACTION Elaine Urruty reviewed the budget and informed the Board that the Budget Committee had budgeted a 5.9% COLA increase to salaries Elaine noted that once any salary increases are approved, she will make any budget revisions, if necessary, in salary and benefits lines and bring the Budget revisions back to the Board for approval. Elaine said she will also need to be watching utility costs for necessary revisions, as the Treatment Plant is using a lot more power than before and CPPA has increased costs due to PG&E contract issues. Elaine noted she will also need to make a budget revision to salary and benefits once the new General Manager is hired and the salary is decided. All revisions will come out of the contingency funds. Director Chick recommended approving the budget as presented, knowing that we will need to make the necessary revisions going forward.

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

MINUTE ENTRY. TO APPROVE THE UPUD FY 2021-2022 BUDGET AS PRESENTED.

## REPORTS:

- 9.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 Stanislaus River Association (SRA) meetings have been cancelled due to COVID-19 until further notice.

- 9.b UWPA REPORT. Director Bottomley asked Joel to report on UWPA. Joel Metzger reported that he had great news and that the Murphys Powerhouse is officially in the ReMAT program as of December 1<sup>st</sup>. Joel said we are now on a 20 year fixed contract at \$73.50 per MWh which makes our budget more than double. Joel said Director Chick has the revenue numbers to share with the Board, which show projections of the new revenue compared to 2020 revenues and there should be between a \$200,000 to \$500,000 revenue increase, depending on the water year. Joel said these are big numbers, but that this does not completely close the gap from where we want to be with current goals and that we need to bring the JPA entities together to review the goals and direction and make sure we are all on the same page moving forward with goals and funds needed. Joel said he would like to bring the JPA entities together

in February or March for a meeting to review these issues. Joel said he would then be working on a budget by May to address funds needed from each entity. Elaine Urruty noted that we also need to let our 218 rate study consultant, Mark Hildebrand, know about the ReMAT approval and new proposed UWPA budget, as these will change his numbers for the UWPA fee portion also. Joel also noted that this ReMAT contract is a little different than the Angels Powerhouse, as there is a guaranteed amount of power that the Murphys Powerhouse must produce to avoid penalties and they set that target amount at 13,000 MWh in a year. If we are under that amount there are penalties and any amount generated over 13,000 MWh will be paid about \$56 per MWh for overage. Joel said this makes scheduling and budgeting a bit more difficult and is a reason we may not want to sell to NCPA unless the profit more than covers any loss. Discussion ensued regarding UWPA irrigation customers and whether we should be pushing to add more users due to the need for the water to go through our power houses. Joel stated that the irrigation contracts are more lucrative than the power houses with all the fees included and the ones we would be concerned with would be large users above the Murphys powerhouse, as there are no mandated amounts for the Angels powerhouse. Joel said getting this ReMAT contract is huge and was a large task with a huge effort from current and past staff at UWPA and JTM Energy (Todd Thorn) who assisted UWPA.

Next UWPA meeting is scheduled for Tuesday, January 25, 2021, at 5:30 PM at the UWPA office in Angels Camp.

- 9.c LAFCO REPORT. Director Quincy stated there is no meeting this month. Elaine reported that she spoke with John Benoit, who requested a copy of our budget and she let him know she would send to them as soon as approved at our meeting. John has a new assistant that is working on getting some of the MSR information together for him and Elaine said will be in contact regarding the MSR and what is needed.

The next LAFCO meeting is scheduled for Monday, January 24, 2022, at 6:00 PM at the Calaveras County Board of Supervisors Chambers in San Andreas.

- 9.d DISTRICT MANAGER'S REPORT. Bill Eltringham reported that we have paid PG&E the quoted \$19,100 for the required upgrade to the power at the Treatment Plant. Bill said he is not sure when they will be able to get the work done, but it should help the issue with running the pumps. Bill reported that the TTHMs were down again this month with the changes made, but we are now having an issue with the HAA5s creeping up. Bill said it is a fine balance to solve this and keep them both in line. Bill said the crew will plan to start the annual flushing soon.

- 9.e OFFICE MANAGER'S REPORT. Elaine Urruty reported that there has been a lot going on in the office. The new Comcast Business internet is hooked up and the new computers are being setup and installed with software. The new office copier was installed and a new copier for the office next door was installed. We still need to run lines to hardwire the new computers, as they are all on WiFi currently. Elaine said she had to delay her scheduled meeting with Springbrook this week because the computers were not yet hooked up, so Springbrook has to redo their schedule for the coming weeks and will get back to us to start the migration setups and training. Because of the hours Springbrook is requiring of staff, the go live is being pushed back to fit the setups and training hours in. Elaine said she has concerns as the IT worker that has been assisting her from Computer Fireman has taken a new job this week and

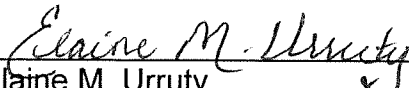
she is worried about having someone available to continue with assistance with the migration, as Kris Jack has no other backup workers at the present time and this could slow us down. Elaine said she completed the budget this month and has also completed the Arrearage Application to SWRCB and if approved we should receive \$11,592 to go towards accounts in arrears. Elaine said that we will not be reimbursed the approx. \$50,000 in late fees at this time, but funds could become available at a later date through separate funding. Elaine met with UWPA on the handbook project and will continue meeting with them and CPS. Elaine said we found that our State encroachment permits are now renewed yearly, so she completed the application with the new rep along with the County encroachment application and they were both submitted. Elaine said she will complete the easement paperwork per Weber Ghio's instructions and get them out to the property owners.

- 9.f IRRIGATION COMMITTEE. There was nothing to report.
- 9.g PERSONNEL COMMITTEE. There was nothing to report.
- 9.h BUDGET/FINANCE COMMITTEE. There was nothing more to report.
- 9.i LONG RANGE PLANNING COMMITTEE. Director Bottomley reported that the District has still not heard back from the State in regards to their letter on ADUs and recommends we move forward at the next meeting on our original plan for ADUs. Elaine reported that the Calaveras County Utilities Commission has been discussing ADUs at their meeting & talking with the County and have reported that they are working on a plan to develop a handbook and have all the utilities handle ADUs the same in the County. Elaine stated that the Board may want to wait and see how this plan works out as it could save money with all agencies utilizing their legal services looking into ADUs and handle them all the same.
- 10. DIRECTORS COMMENTS. There were no Director comments.
- 11. NEXT MEETING: The Board thanked the Personnel Committee for their work on the General Manager recruitment. Director Rasmussen thanked Tom for attending the UWPA meeting last night. Director Tallakson thanked Elaine & Bill for assistance on the budget completion. Director Bottomley thanked everyone for their hard work. Christmas Greetings were exchanged to everyone.
- 12. ADJOURNMENT. The meeting was adjourned with no further business at 7:35 PM.

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

Date: 4/20/22

ATTEST:

  
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Elaine M. Urruty  
Clerk to the UPUD Board of Directors