

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

MINUTES OF SEPTEMBER 16, 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
	KEN AIROLA	District Attorney
	JOEL METZGER	UWPA GM
	LORI KARNES	UWPA
	PUBLIC AT LARGE	

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

Motion:	Director Chick
Second:	Director Quincy
Ayes:	Directors Bottomley, Rasmussen, Quincy, Chick and Oneto
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. August 19, 2020 – Regular Meeting
5. APPROVAL OF EXPENDITURES:
 - a. August 2020 Expenditures.

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

MINUTE ENTRY. TO APPROVE THE CONSENT AGENDA - ITEMS #4.a – MINUTES – AUGUST 19, 2020, REGULAR MEETING; & #5.a – EXPENDITURES – AUGUST 2020, AS PRESENTED.

REGULAR AGENDA

RECURRING BUSINESS:

- 6.a CASH RECEIPTS REPORT. The Cash Receipts report for the month of August 2020 was included in the agenda packets for review. Elaine reviewed the cash receipts report with the Board. Elaine reported that our over 30, 60 & 90 day accounts are still increasing due to COVID and no late fees or shut offs; however, we did have a couple very delinquent problem accounts pay off this month.
- 6.b BALANCE OF FUNDS REPORT. The Balance of Funds report for the month of August 2020 was included in the agenda packet for review. Elaine Urruty reviewed the Fund Balance Report with the Board noting transfers into Irrigation Fund for Henningsen connection fee paid in the amount of \$5,000; SRLF Reserve for Heryford domestic connection fee in the amount of \$14,000; and transfer out of UWPA Reserve in the amount of \$102,000 to cover the 1st quarter contribution payment. The current LAIF balance as of August 31, 2020 is \$2,557,173.99.
- 6.c BALANCE SHEET & INCOME STATEMENT. The August 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 August 31, 2020 is \$51,447.11. Elaine noted that the net income is lower because we paid the 1st quarter UWPA fee early and before funds were collected from our customers per the Board's approval. If we were to add back in the UWPA contribution amount of \$101,250, our net profit would have been \$152,697.11. Elaine reported that the net difference of our cash and reserve accounts to our long term debts as of August 31, 2020 is a positive \$1,944,016.99.

At this time, President Bottomley moved to New Business, Item 8.a for District Engineer's presentation.

NEW BUSINESS:

- 8.a STEPHEN'S FILL LINE REPLACEMENT PROJECT – NOTICE OF COMPLETION; DISCUSSION/POSSIBLE ACTION.....Res. 2020-07
 A copy of the District Engineer's Memorandum and Resolution #2020-07 were included in the agenda packet for review. District Engineer, Matt Ospital, stated that this memo and resolution are to finalize the project completed by Cole Tiscornia Construction and recommended

approval of the resolution to accept the work as complete and to authorize filing of the Notice of Completion.

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

RES. NO. 2020-07. ACCEPTING THE COMPLETION OF PUBLIC IMPROVEMENTS FOR THE STEPHENS FILL LINE REPLACEMENT PROJECT AND AUTHORIZING RECORDATION AND FILING OF THE NOTICE OF COMPLETION.

8.b ACCEPTANCE OF IRREVOCABLE OFFER OF DEDICATION FOR MURPHYS OAKS SUBDIVISION WATER SYSTEM IMPROVEMENTS; DISCUSSION/POSSIBLE ACTION.....Res. #2020-08

A copy of the Irrevocable Offer of Dedication for Murphys Oaks Subdivision and Resolution #2020-08 Accepting the Irrevocable Offer of Dedication were included in the agenda packet for review. Matt Ospital reported that this portion of the Subdivision is now complete and what needs to be decided is how to handle the required Bond or acceptance of check or CD in place of the required Bond. Elaine Urruty reported that Jack Kautz’s bank contacted her regarding providing a CD as security in place of a Bond and that they do them quite often for construction projects. Elaine said she also spoke with our Auditor regarding how to handle either a check or a CD and they said either can be done but recommended a CD over a check, as a deposited check would show as income and then expense next year when we pay it back out. Elaine deferred to Ken Airola, Legal Counsel, as to best way to handle. Elaine noted that she had received a check from Jack Kautz in the amount of \$16,004, but check has been held until decision is made. Discussion ensued and Ken Airola said we can accept a CD, but an agreement needs to be written up and approved. Ken said we can approve the resolution tonight conditional upon receipt of the CD and that UPUD must sign off before the CD is released and agreement must be signed. Ken said that he wants to see the terms & conditions before approved. It was the Board’s consensus to accept the CD in place of the one year bond. Jack Kautz requested that Elaine void the check & return to him. Elaine will work with Ken Airola and Jack’s bank to complete the agreement and CD. Once agreed to and signed, Elaine will record the Acceptance of Irrevocable Offer of Dedication.

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

RES. NO. 2020-07. TO APPROVE RESOLUTION #2020-07 ACCEPTING AN IRREVOCABLE OFFER OF DEDICATION FOR THE MURPHYS OAKS SUBDIVISION WATER SYSTEM IMPROVEMENTS, CONDITIONAL UPON APPROVAL OF WRITTEN AGREEMENT TO ACCEPT AND RECEIPT OF CERTIFICATE OF DEPOSIT IN PLACE OF A ONE YEAR MAINTENANCE BOND BY DISTRICT LEGAL COUNSEL AND DISTRICT MANAGER.

- 8.c. NOMINATION FOR LAFCO INDEPENDENT SPECIAL DISTRICT MEMBERS & ALTERNATE; DISCUSSION/POSSIBLE ACTION A copy of the memo from LAFCO requesting nominations for the LAFCO Independent Special District Members & Alternate seats was included in the agenda packet for review. Discussion ensued and the Board decided to hold this item over to the next meeting.

At this time President Bottomley returned to Old Business.

OLD BUSINESS:

- 7.a APPROVAL OF UPUD BY FY 2020-2021 BUDGET; DISCUSSION/POSSIBLE ACTION Copies of the Proposed Budget for FY 2020-2021 were included in the agenda packet for review.

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

MINUTE ENTRY. MOTION TO ACCEPT THE FY 2020-2021 AUDIT BY BRANT JOLLEY, CPA, AS PRESENTED.

ANNOUNCEMENT OF CLOSED SESSION ITEM AND AJOURNMENT TO CLOSED SESSION.

9. & 10. Closed Session was cancelled per Board.

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 3rd month in each quarter. The Stanislaus River Association (SRA) meetings have been cancelled due to COVID-19 until further notice.

- 11.b UWPA REPORT. Director Chick reported that the power pole has been replaced and damages fixed & took just over 14 days. Joel Metzger reported that he submitted a 15 page request for information response to CalPERS this week and will be scheduling a call to review with the information with CalPERS. This should be the last thing they need from UWPA other than looking at UWPA's audit for FY 2019-2020, which will be done the first week of October.

Joel said at that point he is going to ask them to make a decision & stop asking for more information and he is hoping this will happen by the end of October. Joel reported that the comments that were submitted on the staff's proposal were generally all shot down by the CPUC, which was very disappointing. Joel said that they have submitted one additional round of comments which is the last chance to submit during this proceeding. Now the CPUC is going to have to decide if they are going to move forward with the current proposal of \$57 per MWh or, because of the controversy surrounding this issue, start a number of workshops and public comment sessions to hear everyone's position, which could drag out for a long time. CPUC has said that they this to be finished up by the end of the year. Joel reported that we had \$1,000 per MWh during the forced power outage, but generally it has been averaging \$23 per MWh and continuing to decrease. Joel said prices are not looking good and currently average \$3 below budget, mainly due to solar and over saturation of mid-day solar supply, so we need ReMAT.

Next UWPA meeting is scheduled for Tuesday, August 25, 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, September 21, 2020 at 6:00 PM at the Calaveras County Board of Supervisors Chambers in San Andreas.

11.d DISTRICT MANAGER'S REPORT. Bill Eltringham was not in attendance.

11.e OFFICE MANAGER'S REPORT. Elaine Urruty reported that she has mainly been working on finalizing the annual budget and meeting with Budget Committee. LAIF transfers were completed to cover UWPA contribution payment and two additional irrigation and domestic connection fees. Elaine reported that the district's lead and copper testing was completed on August 25th and we have just received the lab results, which were all good. Letters have been completed and send to participants and the results calculated and paperwork has been submitted to SWRCB. Elaine noted that she has been attending all of the UWPA Joint Hazard Mitigation Plan (HMP) steering committee and planning meetings via zoom and completing whatever paperwork has been required so far. Elaine said that yesterday's meeting was very informative in regards to possible funding available and the requirement for completion of an HMP and proof of attending the planning meetings in order to qualify. Elaine reported that she has also been working with Nancy at Weber Ghio to get the paperwork completed for the Stephens Fill Line and Murphys Oaks Subdivision along with working with Jack Kautz and his banker. Elaine reported that she meet with the Personnel Committee and will be working on a job description for position to replace Mary and get moving again on office equipment and migration. Elaine said she will be working on updating her data on the LAFCO MSR and SOI paperwork and will then need to forward to Bill and Weber Ghio for their input on data she cannot complete. Also, Elaine will be working on EOY posting and audit prep for FY 2019-2020 audit and quarterly taxes and LAIF transfers in October.

11.f IRRIGATION COMMITTEE. There was nothing to report.

11.g PERSONNEL COMMITTEE. There was nothing to report.

- 11.h BUDGET/FINANCE COMMITTEE. The budget was completed and there is nothing more to report.
12. DIRECTORS COMMENTS. Director Oneto noted again that the Personnel Committee met with Elaine and we have a plan moving forward. Director Oneto informed the Board that he has some medical procedures in the next week. Director Chick asked if we had an ADU listing for the district yet and said we need to move forward on getting this completed. Director Bottomley thanked the Board, Joel Metzger and Elaine for the help with the meeting.
13. NEXT MEETING: Next regular meeting is scheduled for Wednesday, October 21, 2020, at 7:00 PM.
14. ADJOURNMENT. The meeting was adjourned with no further business at 7:30 PM.

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

Date: 10/21/20

ATTEST:

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