

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

**MINUTES OF APRIL 20, 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.

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.

Motion:	Director Quincy
Second:	Director Chick
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
  - b. January 19, 2022 – Regular Meeting – Tabled to next meeting
  - c. February 16, 2022 – Regular Meeting – Tabled to next meeting
  - d. March 16, 2022 – Regular Meeting – Tabled to next meeting
5. APPROVAL OF EXPENDITURES:
  - a. March 2022 Expenditures

Motion: Director Chick  
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 WITH REMOVAL OF ITEMS 4.B-D; ITEM #4.A – MINUTES - DECEMBER 15, 2021 AND ITEM #5.A – EXPENDTURES – MARCH 2022, AS PRESENTED.

At this time President Bottomley moved to New Business, Item #8.a.

### NEW BUSINESS:

- 8.a JAMIE & SHAWN CONNELLY, NEW BUSINESS NEIGHBORS, REQUEST TO INTRODUCE THEMSELVES TO BOARD AND DISCUSS POSSIBLE USE OF PARKING LOT DURING SPECIAL EVENTS & LEASE AGREEMENT FOR GARAGE SPACE #1;  
DISCUSSION/POSSIBLE ACTION John Connelly introduced his wife, Jamie and his partner & brother in-law, Dan McCubbins John said they wanted to introduce themselves to the Board and said they are going to be doing quite a lot of remodeling next door and that they have a 5 year business plan to open a Craft Store named “Serendipity” with a co-op downstairs for local craft vendors to teach their crafts and sell their wares. John said they are planning a crafting event on Saturday, May 29<sup>th</sup>, and plan to have these events on a monthly basis. They would like permission to utilize a portion of the UPUD parking lot for this event to park a Kona Ice truck. Discussion ensued regarding they types of events planned, parking issues and liability insurance requirements. Summer recommended the district allow her to authorize agreements on an event by event basis. John said they also would like to continue the garage lease agreement that the Stais had with the district for the Garage Space and possibly expand on the agreement. It was the Board’s consensus to give the General Manager authority to approve and sign the agreements for events and the garage lease agreement.

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

MINUTE ENTRY. TO DELEGATE AUTHORITY TO THE GENERAL MANAGER TO ENTER INTO AND SIGN AGREEMENTS FOR EVENT PARKING LOT USE AND THE GARAGE LEASE AGREEMENT WITH NEIGHBORS.

The Board thanked the Connellys and Dan McCubbins for coming to the Board and welcomed them to the area.

## REGULAR the AGENDA

### RECURRING BUSINESS:

- 6.a CASH RECEIPTS REPORT. The Cash Receipts report for the month of March 2022 was included in the agenda packets for review. Elaine reviewed the cash receipts report with the Board.
- 6.b BALANCE OF FUNDS REPORT. The Balance of Funds report for the month of March 2022 was included in the agenda packet for review. Elaine reviewed the report with the Board. The current LAIF balance as of March 31, 2022 is \$2,263,044.66.
- 6.c BALANCE SHEET & INCOME STATEMENT. The March 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 March 31, 2022 is \$587,331.53. Elaine reported that the net total of our cash and reserve accounts as of March 31, 2022 is a positive \$2891,655.41.

### OLD BUSINESS:

- 7.a DON & MIKE PEIRANO REQUEST TO REVIEW PRIOR WATER AGREEMENT WITH CARSON HILL MINE AND SALE OF PROPERTY TO NEW OWNER WITH UPUD BOARD; DISCUSSION/POSSIBLE ACTION Don and Mike Peirano reviewed the prior water agreement with Carson Hill Rock and the District. Lengthy discussion ensued regarding the old agreement and if this agreement could transition with the sale of the property to the new owners. Summer Nicotero said that she would like to review this issue with the new legal counsel for review. The Board thanked the Peiranos for updating the Board on this issue.
- 7.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. Joel Metzger reviewed water year possibilities and that there are currently no curtailments, but that we should be prepared for the possibility of curtailments.

### NEW BUSINESS:

- 8.b PROPOSED AMENDMENT OF EMPLOYEE POLICY HANDBOOK SECTION 2130.1 – PAY PERIODS AND TIMESHEETS & PROPOSED APPROVAL OF COVID SUPPLEMENTAL PAY; DISCUSSION/POSSIBLE ACTION The General Manager's recommendation for a proposed change to the district pay periods and request for a one-time COVID supplemental payment of \$1,500 for each employee was included in the agenda packet for review. General Manager, Summer Nicotero, reviewed the new time periods and COVID supplemental pay with the Board.

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

MINUTE ENTRY. TO APPROVE THE PROPOSED AMENDMENT TO EMPLOYEE POLICY HANDBOOK SECTION 2130.1 – PAY PERIODS AND TIME SHEETS AND THE PROPOSED APPROVAL OF COVID SUPPLEMENTAL PAY TO EACH EMPLOYEE THAT WORKED SINCE THE BEGINNING OF COVID.

- 8.c APPROVAL OF CONTRACT TO OUTSOURCE UTILITY BILL PRINTING AND MAILING SERVICES; DISCUSSION/POSSIBLE ACTION The General Manager's recommendation to approve a contract to outsource utility billing in an effort to reduce cost and time to mail monthly billing and notices. Summer Nicotero reviewed the proposed services and contract costs with the Board.

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

MINUTE ENTRY. TO APPROVE THE OUTSOURCING THE DISTRICT'S UTILITY BILLING AND AUTHORISE THE GENERAL MANAGER TO ENTER INTO A CONTRACT WITH DATAPROSE.

- 8.d DELEGATE AUTHORITY TO GENERAL MANAGER TO SELECT GENERAL LEGAL COUNSEL; DISCUSSION/POSSIBLE ACTION The General Manager's request to delegate authority to select General Legal Counsel for the District was included in the agenda packet for review. Summer Nicotero reviewed the request and anticipated costs with the Board.

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

MINUTE ENTRY. TO DELEGATE AUTHORITY TO THE GENERAL MANAGER TO HIRE A NEW GENERAL LEGAL COUNSEL.

- 8.e APPROVAL OF COVID-19 STATE OF EMERGENCY AUTHORIZING REMOTE TELECONFERENCE MEETINGS (APRIL 21, 2022 TO May 20, 2022);

DISCUSSION/POSSIBLE ACTION A copy of Resolution 2022-06 was included in the agenda packet for review.

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

RES NO. 2022-06. 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 APRIL 21, 2022 TO MAY 20, 2022.

- 8.f CONSOLIDATION OF UPUD SPECIAL DISTRICT BOARD ELECTIONS WITH THE GENERAL ELECTION ON NOVEMBER 8, 2022; DISCUSSION/POSSIBLE ACTION A copy of Resolution 2022-07 was included in the agenda packet for review.

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

RES. #2022-07. TO APPROVE CONSOLIDATION OF DISTRICT ELECTIONS WITH THE NOVEMBER 8, 2022 GENERAL ELECTION.

- 8.g APPROVAL OF UWPA PAYMENT OF \$10,000 FOR WATER CONTRACT, 4<sup>TH</sup> QUARTER FY 2021-2022; DISCUSSION/POSSIBLE ACTION A copy of UWPA invoice #22-23 was included in the agenda packet for review.

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

MINUTE ENTRY. TO APPROVE PAYMENT TO UWPA OF \$10,000 WATER CONTRACT FOR 4<sup>TH</sup> QUARTER OF FY 2021-2022.

- 8.h APPROVAL OF UWPA PAYMENT OF \$104,250 CONTRIBUTION FOR 4<sup>TH</sup> QUARTER FY 2021-2022; DISCUSSION/POSSIBLE ACTION A copy of UWPA invoice #22-25 was included in the agenda packet for review.

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

MINUTE ENTRY. TO APPROVE PAYMENT TO UWPA OF \$104,250 CONTRIBUTION FOR 4<sup>TH</sup> QUARTER OF FY 2021-2022.

- 8.i YEARLY RENEWAL OF PROPERTY & LIABILITY INSURANCE WITH CUTLER SEGERSTROM INSURANCE – GLATFELTER; DISCUSSION/POSSIBLE ACTION A copy of the Office Manager’s request and recommendation to renew the proposed property & liability insurance with Cutler Segerstrom Insurance – Glatfelter.

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

MINUTE ENTRY. TO APPROVE RENEWAL OF PROPERTY & LIABILITY INSURANCE WITH CUTLER SEGERSTROM INSURANCE – GLATFELTER AS PRESENTED.

**REPORTS:**

- 9.a UWPA REPORT. Joel Metzger reported that UWPA has received a draft of their new proposed handbook and will copy Summer for her review. They will be taking the handbook to their Board for approval soon. Joel reviewed updates to the UWPA CIP and how it may affect the UWPA Budget.

Next UWPA meeting is scheduled for Tuesday, April 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, April 18 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 the Long Range Planning Committee had met and reviewed the CIP and the 218 processes and upcoming proposal. Summer briefly reviewed the CIP costs spanning 30 years and the 218 process with the Board and said the CIP is still being reviewed for possible updates or revisions. Summer said she has asked our consultant, Mark Hildebrandt to develop a calculator for customers to use and see proposed increases clearly. Summer said she hopes to present the 218 Rate Study at the May meeting, if all Board members can attend, and anticipates the rate increase would go into effect by January 2023. Discussion ensued regarding the possibility of rescheduling the May meeting since it is fair week. Summer will look into possible dates to reschedule the meeting

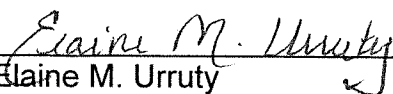
to. Summer reported that she attended the Utility Coordination Meeting and they heavily discussed ADU's and Dour Oliver from the County was there to answer many questions. The group decided to form an ADU committee that will meet regularly and they will be looking into these rules and how they will affect utilities. Summer said she contacted the Board of Supervisors office and asked to be placed the County's Study Session for the 2<sup>nd</sup> half of the year to review how ADUs are handled & the impact on utilities. Discussion ensued regarding ADUs issues, transient rentals and that ADUs have become much more complex. Summer reported that she for the remainder of April and May she will be working on a draft budget and add the CIP items into the budget. Springbrook migration is moving forward and in the final phases and we are hoping to implement by end of May. Summer noted she took a tour of Hunter's Reservoir with Michael Minkler of CCWD, which was great. Summer said she also attended a SB552 Water Shortage Contingency Plan webinar for small agencies, which is going to be a requirement in the future. Summer reported that the Corp Yard had a break-in and gas & diesel were stolen. Summer said they are looking into options for security and possibly changing over to WEX cards for the crew to purchase fuel at local stations. Discussion ensued regarding the break in. Director Rasmussen asking if Summer had looking into the GIS program presented at the UWPA meeting or talked to the gentleman that presented. Summer said that she is concerned with the cost, as UPUD would be much more than UWPA and that she is looking into other options to compare, because we do need GIS mapping of our system. Discussion ensued regarding GIS systems and uses. Summer also reported that Elaine had let her know that last year during COVID was the District's 75<sup>th</sup> anniversary and we have been looking into recognizing some of our long-term Directors, Legal Counsel and recognizing staff and would like to incorporate the 75<sup>th</sup> Anniversary with possibly having a BBQ or event to commemorate this. The Board was in agreement to look into this.

- 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. There was nothing more to report.
- 10. DIRECTORS COMMENTS. Director Rasmussen noted that he may not be able to attend next Tuesday and Tom will cover, if needed.
- 11. NEXT MEETING: The next regular meeting is scheduled for Wednesday, May 19, 2022 at 7:00 PM.
- 12. ADJOURNMENT. The meeting was adjourned with no further business at 8:10 PM.

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

Date: 7-28-22

ATTEST:

  
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Elaine M. Urruty  
Clerk to the UPUD Board of Directors