



SPECIAL BOARD MEETING AGENDA

5:00 p.m. Monday, September 18, 2023
Utica Headquarters | 1168 Booster Way, Angels Camp, CA 95222

Join by video conference: meet.google.com/zxm-umdu-wgz
Join by phone: 740-303-2745 and enter this PIN: 503 098 659#

View the meeting agenda packet: www.uticawater.com/board-meeting-minutes-agenda

UTICA BOARD OF DIRECTORS

Alvin Broglio, City of Angels– Board Chair
Ralph “Rocky” Chick Union Public Utility District – Board Vice Chair
Jen Davis-Herndon, City of Angels – Board Secretary
Greg Rasmussen Director – Union Public Utility District
Gary Conrado, Community At-Large Member

ORDER OF BUSINESS

Agenda Items

1. **Call to Order**
 - Meeting called to order at 5:00p.m.
2. **Pledge of Allegiance**
3. **Roll Call**
 - **Directors Present:**
 - Director Broglio
 - Director Rasmussen
 - Director Conrado
 - Director Chick
 - **Directors Absent:**
 - Director Davis-Herndon
 - **Utica Staff Present:**
 - Joel Metzger, General Manager
 - Frank Fields, O & M Superintendent

- Stacie Walker, Administrative Specialist
- **Others Present**
 - Brad Arnold, EKI Consultants
 - Michael Manwaring, Stantec

4. Agenda Approval

- **Board Discussion:** None
- **Public Comment:** None
- **Motion to approve the agenda:** Director Chick
- **Second:** Director Conrado
- **Vote:** 4-0-1
- **Ayes:** Director Chick, Director Broglio, Director Bottomly, Director Conrado
- **Noes:** None
- **Abstain:** None
- **Absent:** Director Davis-Herndon

5. Public Comment

- **None**

6. Special Meeting Agenda

A. Consideration of approval of Stantec change order

Utica is working with Stantec to write small conduit exemption applications to FERC. In FY 2023-2024, the Board approved a \$75,000 budget for this effort. Stantec informed the General Manager there was a need for a change order to cover unanticipated costs. Mr. Metzger reviewed the initial request for additional funding and worked with Mr. Michael Manwaring, project manager, of Stantec and the Utica Board Chair to refine the change order and identify ways to lower the cost. Some of the additional expenses came from previous inaccuracies with the GIS mapping, cultural resources, and project complexity. Having Stantec clean-up GIS maps provides Utica with a great resource for future grants and general system operation. A Cultural Resource Records Search was not an initial service in the scope, but after learning more about the FERC application Stantec found ethnographic research and Tribal engagement is a very important piece of Utica's efforts, and the General Manager authorized this work. Stantec has absorbed significant cost overages on this project not captured in the change order. Mr. Metzger informed the Board he is confident the change order presented is fair and he recommended the Board approve it. Mr. Metzger said the funds for this change order will come from the FERC Long-Range Planning Fund, which has adequate funds for the expense.

- **Board Discussion:** Director Conrado, asked if communication was good with Stantec, because it looks like they missed the mark at the last minute. Mr. Metzger said the budget hasn't been met or exceeded yet. This change order is based on a projection, and Stantec delivered the news much earlier than they have in the past, which provided time for review, discussion, and modifications. Mr. Manwaring said Stantec's team has been gaining the knowledge to fine-tune this kind of work, and they have more accurate scoping for the future. Director Broglio said he understands the need, and he is comfortable with the \$15,300 change order. Mr. Manwaring stated that moving forward, Stantec expects to have a good handle on what these projects entail. Stantec does not anticipate coming back with another change order on this phase of the project.
- **Public Comment:** None
- **Motion to authorize General Manager to sign a change order with Stantec for \$15,300, increasing the total authorized amount for Fiscal Year 2023-2024 from \$75,000 to \$90,300:** Director Chick
- **Second:** Director Broglio
- **Vote:** 4-0-0-1
- **Ayes:** Director Chick, Director Broglio, Director Bottomly, Director Conrado
- **Noes:** None
- **Abstain:** None
- **Absent:** Director Davis-Herndon

B. Informational overview of long-term planning and water rights considerations

Mr. Brad Arnold gave a presentation to the Board of Directors regarding services he could offer as a consultant with EKI. During his time as Water Resources Manager at Calaveras County Water District, he developed a detailed and comprehensive knowledge of the Stanislaus River Basin. Mr. Arnold said he has spent a lot of time on water rights management with a special focus on the North Fork Stanislaus Watershed. Mr. Arnold believes more can be done at Utica to point to previously stored water and lay the groundwork to protect pre-1914 rights. Mr. Arnold said he could review annual filings and develop strategies for working with other agencies. Additionally, Mr. Arnold could provide technical review of documents for Utica.

The Board had a detailed with discussion with Mr. Arnold about the services he could provide and were supportive of Utica working with EKI in the future.

C. Consideration of authorization of General Manager to respond to McCormick liability claim

A class action lawsuit was sent to Utica from a plaintiff suing CalPERS agencies. The general response from all agencies has been to return the claim as insufficient and/or reject the claim outright. Utica's liability insurance company recommended the same action, and this was the recommendation staff gave the Board.

- **Board Discussion:** None
- **Public Comment:** None
- **Motion to authorize the General Manager to return the Cari McCormick claim as insufficient and/or reject the McCormick claim:** Director Chick
- **Second:** Director Rasmussen
- **Vote:** 4-0-0-1
- **Ayes:** Director Davis-Herndon, Director Chick, Director Bottomly, Director Conrado
- **Noes:** None
- **Abstain:** None
- **Absent:** Director Davis-Herndon

D. Board / General Manager Reports, Future Agenda Items

- A. Correspondence
- B. Board Reports

E. Upcoming Board Meetings and Calendar Events

- Tuesday October 24, 2023, at 5:30 p.m.
- (Cancelled) Tuesday, November 28, 2023, at 5:30 p.m.
- Tuesday December 12, 2023, at 5:30 p.m.

F. Adjournment

- **Meeting was adjourned:** Director Broglio at 5:53 p.m.

Utica Mission Statement

We are committed to preserving and protecting local control of our water resources through effective fiscal and operational management and assuring a safe and reliable water supply for municipal and agricultural stakeholders, while ensuring the quality and quantity of this precious resource for generations to come.

Americans With Disabilities Act

In compliance with Title II of the Americans with Disabilities Act, 28 CFR Part 36, if you need special assistance to participate in this meeting, please contact the Utica office at (209) 736-9419 or email your request to admin@uticawater.com. Notification in advance of the meeting will enable Utica to make reasonable accommodations to ensure accessibility to this meeting. Any materials distributed to the Board that relate to an item on the agenda are available at the Utica office 72 hours prior to the scheduled meeting.

Questions?

Contact Utica at admin@uticawater.com or (209) 736-9419.

Approved at the October 24, 2023 meeting:



ALVIN BROGLIO (Nov 15, 2023 11:29 PST)

Alvin Broglio, Chair

Attest:



Stacie Walker, Clerk to the Board

09.18.23 Special Board Meeting Minutes (Approved)

Final Audit Report

2023-11-15

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