



---

## REGULAR BOARD MEETING MINUTES

5:30 p.m. Tuesday September 24, 2024

Utica Headquarters | 1168 Booster Way, Angels Camp, CA 95222

Join by video conference: <https://meet.google.com/ift-ojra-hxf>

Join by phone: 740-303-2745 and enter this PIN: 503 098 659#

View the meeting agenda packet: [www.uticawater.com/board-of-directors/board-meeting-agendas-and-minutes](http://www.uticawater.com/board-of-directors/board-meeting-agendas-and-minutes)

### UTICA BOARD OF DIRECTORS

Ralph Chick – Chair  
Caroline Schirato – Vice Chair  
Jennifer Herndon – Secretary  
Gary Conrado – Director  
Tom Quincy – Director

### ORDER OF BUSINESS

#### 1. Call to Order

- The meeting was called to order at 5:30 p.m.

#### 2. Pledge of Allegiance

#### 3. Roll Call

- **Directors Present**
  - Director Chick
  - Director Broglio as alternate for Director Schirato
  - Director Herndon
  - Director Rasmussen as alternate for Director Quincy

- Director Conrado
- **Utica Staff Present**
  - Joel Metzger, General Manager
  - Kyle Rasmussen, Conveyance Supervisor
  - Stacie Walker, Administrative Specialist
  - Frank Fields, O&M Superintendent
  - Mike Emehiser, Senior Hydroelectric Operator
- **Others Present**
  - John Moore and Sabrina Moore, Public
  - Mike Tanner and Brittany Tanner, Public
  - Steve Williams, City of Angels, Interim Administrator (virtual)

#### 4. Approval of Agenda

**Board Discussion:** None

**Public Comment:** None

**Motion:** Director Rasmussen made a motion to approve the agenda

**Second:** Director Broglio

**Vote:** 5-0-0

**Ayes:** Director Herndon, Director Broglio, Director Chick, Director Rasmussen, Director Conrado

**Noes:** None

**Abstain:** None

**Absent:** None

#### 5. Public Comment

- No public comment

Members of the public may address the Board on items not listed on the agenda. Comments are limited to five minutes. No action will be taken on items not on the agenda. The public is encouraged to work with staff to put items on the agenda for Board consideration.

#### 6. Consent Calendar

These items are expected to be routine and non-controversial. Unless a Board member pulls an item, all items will be approved together at one time without discussion.

- A. Approval of minutes from the August 27, 2024, Regular Board Meeting (Walker)
- B. Financial reports for August 2024 (Walker)
- C. Generation report for August 2024 (Walker)
- D. Operations Report (Fields)
- E. Water Conveyance Report (Rasmussen)
- F. Water supply conditions report (Metzger)

**Board Discussion:** None

**Public Comment:** None

**Motion:** Director Herndon made a motion to approve the consent calendar

**Second:** Director Conrado

**Vote:** 5-0-0

**Ayes:** Director Herndon, Director Broglio, Director Chick, Director Rasmussen, Director Conrado

**Noes:** None

**Abstain:** None

**Absent:** None

## 7. Regular Agenda

A. Discussion / action adopting a Resolution of Appreciation for Mike Emehiser's 10-year anniversary.

(Joel Metzger, General Manager)

**Resolution 2024-11**

- Mr. Metzger acknowledged Mr. Mike Emehiser's 10 years of continued service for Utica Water and Power Authority. Mr. Metzger explained that the Authority has been fortunate to have such an incredible team member. He thanked Mr. Emehiser for being completely reliable and said that Utica could count on Mr. Emehiser. He said he hopes that Mr. Emehiser will continue to work with Utica for many years to come. Mr. Emehiser spoke about his time at Utica and said that the upgrades to the system have helped make this job better for employees, and he emphasized that teamwork and Mr. Frank Fields are why he's enjoyed his time here.

**Board Discussion:** Director Rasmussen and Director Broglio reflected on the improvements made over the years and Director Conrado said that he appreciates seeing the ownership from employees.

**Public Comment:** Mr. Jeremiah Hyde said he appreciated learning from Mr. Emehiser and working with him over the years.

**Minute Entry:** Director Chick read the Resolution of Support into the record.

**Motion:** Director Broglio made a motion to adopt Resolution 2024-12 in appreciation of Mike Emehiser's 10-years of service.

**Second:** Director Conrado

**Poll:**

Director Chick - Aye

Director Broglio - Aye

Director Herndon - Aye

Director Rasmussen - Aye

Director Conrado - Aye

**Vote:** 5-0-0

B. Discussion / action regarding approval of Moore's water contractor application.  
(Joel Metzger, General Manager)

- Mr. Metzger explained that the Moores, who live on Murphys Grade Road, have requested to become an irrigation contractor for agricultural purposes. If

approved service would likely be installed in November during the maintenance outage.

- Mr. John Moore spoke to the Board, stating that he and his wife have been full-time residents since 2021. While landscaping their property this summer, they found limitations with their well water output. The Moores believed that Utica didn't sell water but recently learned about Utica's irrigation program. Since the Utica Ditch runs through their property they are asking for water.

**Board Discussion:** The Board expressed that 5 acre-feet (AF) may not be enough. Mr. Moore said 5 AF is more water than they have had thus far and confirmed he would request an increase if usage exceeded his expectations.

**Public Comment:** None

**Motion:** Director Broglio made a motion to approve Mr. John Moore's request to become an irrigation contractor below Murphys Powerhouse with an allocation of 5 acre-feet per irrigation season.

**Second:** Director Conrado

**Vote:** 5-0-0

**Ayes:** Director Herndon, Director Broglio, Director Chick, Director Rasmussen, Director Conrado

**Noes:** None

**Abstain:** None

**Absent:** None

C. Discussion / action regarding approval of Tanner's water contractor application. (Joel Metzger, General Manager)

- Mr. Metzger explained where the Tanners live in Hathaway Pines, and he pointed out that Utica accesses a wastegate in that area during storms. If approved the service would be installed during the November maintenance outage.
  - Mr. Tanner spoke to the Board, stating his family lives on the upper parcel, and they are looking to grow grass in the meadow below the flume to have a few head of cattle. Additionally, the Tanners plan on installing sprinklers and pipes for fire suppression.

**Board Discussion:** Director Rasmussen asked if the Tanner's property was in UPUD's sphere. Mr. Metzger said it was not, but he would be happy to confirm with UPUD's general manager. Director Broglio said he is excited to see new irrigators added to the ditch, and he encouraged the Tanners and the Moores to tell their friends and neighbors about the program.

**Public Comment:** None

**Motion:** Director Broglio made a motion to approve Brittany and Mike Tanner's request to become an irrigation contractor with an allocation of 5 acre-feet per irrigation season.

**Second:** Director Herndon

**Vote:** 5-0-0

**Ayes:** Director Herndon, Director Broglio, Director Chick, Director Rasmussen, Director Conrado

**Noes:** None

**Abstain:** None

**Absent:** None

D. Discussion / action regarding selection of a CPA firm to perform the FY 2023-2024 Annual Audit.

(Joel Metzger, General Manager)

- Mr. Metzger stated that Ryan Jolley and his father have been performing Utica's Financial Audits for the past 10 years or longer, and they have been great to work with. It is a legal requirement to have a different auditor periodically, and Mr. Jolley's office would assign a different CPA within its firm to conduct audits. However, it is also good to get fresh eyes on Utica's finances. While reviewing proposals with the Board, Mr. Metzger noted that Hawks and Associates didn't have much water agency experience but did have other public agency experience. Mr. Metzger said that while checking references, other general managers agreed that Richardson & Company has an excellent reputation. Mr. Metzger explained that Board action is not required to make this decision based on the Utica Purchasing Policy, but because the audit highlights transparency he prefers Board weigh in. Lastly, Mr. Metzger showed the cost difference between the high bid and low bid – about \$4,000 difference – with Hawks providing the low bid. The Board reviewed the proposals and expressed the desire to have a local firm perform the audit.

**Board Discussion:** Director Herndon asked about the references for Hawks, and Ms. Walker stated that the three responses she received were all positive.

**Public Comment:** None

**Motion:** Director Herndon made a motion to authorize the general manager to enter into a contract with Hawks and Associates to perform Utica's annual financial audit for the year ending on June 30, 2024, with the ability to extend contract terms at the general manager's discretion.

**Second:** Director Rasmussen

**Vote:** 5-0-0

**Ayes:** Director Herndon, Director Broglio, Director Chick, Director Rasmussen, Director Conrado

**Noes:** None

**Abstain:** None

**Absent:** None

- E. Discussion / direction regarding the FERC Conduit Exemption Applications process, timing, and studies.  
(Joel Metzger, General Manager)
- Mr. Metzger presented a FERC Exemption timeline graphic showing Utica is about halfway through the anticipated Exemption project timeline. He reviewed the requested studies, noting that the Board has authorized \$559,000 and has spent less than that amount so far. Mr. Metzger talked about the Exemption efforts as a whole, touching on the Foothill Yellow-Legged Frog (FYLF) study, Water Quality Monitoring Program (WQMP), fish study, United States Forest Service (USFS) special use permit process, Cultural and Historical Studies, Instream Flow, 401 Water Quality Permit, Memorandum of Agreements (MOA), project challenges, and budget.
    - The Board discussed the pros and cons of awarding the Fish Study contract. While some directors supported awarding it to Stantec to ensure the set timeline was met, others highlighted cost considerations. The General Manager was directed to take action as needed on the contract award.
    - The Board discussed the FERC Exemption budget. Mr. Metzger stated that staff has realized substantial savings for Utica by taking a substantial amount of work on in-house.

## **8. Correspondence, Board / General Manager Reports, Future Agenda Items**

### A. Correspondence

- Mr. Metzger talked about Wylderidge Drive and its Road Committee.
  - The Board discussed road access, access agreements, prescriptive easement, and potential costs.

### B. General Manager Report

- COA's Booster Way Sewer Project is complete and the parking lot at Utica Headquarters has been repaired
- DSOD gate inspections were complete and the inspector advised on how to address the spalling on Hunter Reservoir Dam.
- The Mountain Counties Water Resources Association (MCWRA) Legislative tour is coming up on October 2, from 10-1:30 and Mr. Metzger encouraged Board involvement.

### C. Board reports

- City of Angels
  - Working on Capital Improvement Projects
  - Rate study underway

- Staff assessing options to address complaints about old City Hall building
  - Union Public Utility District
    - 218 being discussed
    - Ongoing legal battles
  - Public At-Large
    - Director Conrado attended Hwy 4 Corridor meeting – Calaveras County Water District worked to ensure Brown Act Compliance
- D. Future agenda items

## 9. Upcoming Board Meetings and Calendar Events

- Tuesday, October 22, 2024, at 5:30 p.m.
  - **Cancelled:** Tuesday, November 26, 2024, at 5:30 p.m. due to the annual maintenance outage
- Tuesday, December 10, 2024, at 5:30 p.m.

## 10. Adjournment

**Motion:** Director Rasmussen made a motion to adjourn the meeting at 6:51 p.m.

**Second:** Director Broglio

**Vote:** 5-0-0

**Ayes:** Director Herndon, Director Broglio, Director Chick, Director Rasmussen, Director Conrado

**Noes:** None

**Abstain:** None

**Absent:** None

- The meeting was adjourned at 6:51 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](mailto: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](mailto:admin@uticawater.com) or (209) 736-9419.

*\*Indicates no paperwork is included in the agenda packet.*

Approved at the December 10, 2024, Special Board Meeting

*Ralph Chick*

Ralph Chick (Dec 13, 2024 09:27 PST)

Ralph Chick, Board Chair

Attest:

*Stacie Walker*

Stacie Walker, Clerk of the Board

# 09.24.24 Regular Board Meeting Minutes (approved)

Final Audit Report

2024-12-13

Created:	2024-12-11
By:	Utica Water and Power Authority (admin@uticawater.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAQk1Eb_0FpOJDZpc0cgEVSAB4Yjgtdq_s

## "09.24.24 Regular Board Meeting Minutes (approved)" History

 Document created by Utica Water and Power Authority (admin@uticawater.com)

2024-12-11 - 10:10:15 PM GMT

 Document emailed to Ralph Chick (rchick@upudwater.org) for signature

2024-12-11 - 10:10:20 PM GMT

 Email viewed by Ralph Chick (rchick@upudwater.org)

2024-12-13 - 5:26:14 PM GMT

 Document e-signed by Ralph Chick (rchick@upudwater.org)

Signature Date: 2024-12-13 - 5:27:54 PM GMT - Time Source: server

 Agreement completed.

2024-12-13 - 5:27:54 PM GMT