



---

## REGULAR BOARD MEETING AGENDA

5:00 p.m. Tuesday July 25, 2023  
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-meeting-minutes-agenda](http://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

**Item 1: CALL TO ORDER / PLEDGE OF ALLEGIANCE**

- **Meeting called to order:** Director Broglio at 5:00 p.m.

**Item 2: ROLL CALL**

**Directors Present:**

- Director Broglio
- Director Chick
- Director Davis-Herndon
- Director Conrado
- Director Rasmussen

**Directors Absent:**

- None

**Utica Staff Present:**

- Joel Metzger, General Manager
- Stacie Walker, Administrative Specialist
- Tracy Kves, Administrative Technician
- Frank Fields, O&M Superintendent

**Others Present:**

- Scott Lewis, Provost Pritchard
- Kim Tarantino, Provost & Prichard
- Ed Caminata, Provost & Prichard
- Rebecca Callen, City of Angels Administrator (virtual)
- Mike Peirano, public at large
- Bertha Underhill, CCWD Board Director

**Item 3: APPROVAL OF AGENDA**

- **Motion to approve the agenda:** Director Rasmussen
- **Second:** Director Davis-Herndon
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0-0
- **Ayes:** Director Davis-Herndon, Director Chick, Director Rasmussen, Director Conrado, and Director Broglio
- **Noes:** None
- **Abstain:** None
- **Absent:** None

**Item 4: PUBLIC COMMENT**

- None

**Item 5: CONSENT CALENDAR**

- Approval of minutes from April 25 Board Meeting
- Financial Reports April 2023
- Generation Report May – June 2023
- Operations Report
- Conveyance Report
- Letters of Appreciation to the Participants of the Wildfire Workshop

- **Motion to approve the consent calendar:** Director Rasmussen
- **Second:** Director Broglio
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0-0

- **Ayes:** Director Davis-Herndon, Director Chick, Director Rasmussen, Director Conrado, and Director Broglio
- **Noes:** None
- **Abstain:** None
- **Absent:** None

**Item 6: CLOSED SESSION**

A. Anticipated litigation pursuant to Government Code § 54956.9(d)(4): One case.

- **Adjourn to closed session:** Director Broglio at 5:02 p.m.
- **Closed Session Adjourned:** Director Broglio at 6:08 p.m.
- **Regular Meeting Called to Order:** Director Broglio at 6:12 p.m.

**Report From Closed Session:**

- Direction was given to staff.

**Item 7: REGULAR AGENDA**

A. Discussion/direction regarding the water supply agreement between Utica and the City of Angels

Mr. Metzger informed the Board of a request from the City of Angels (COA), to update the language of Utica's Water Supply Agreement with COA. The proposal would have Utica Water Power Authority (Utica) pay 10% of acre-feet of water sold in the COA service area to COA. Staff reviewed the language, and found that it matches the language in the Union Public Utility District (UPUD) contract. Utica agreed to the same proposed changes with UPUD in 2022. Mr. Metzger recommended the Board approve these contract language changes.

- **Motion to authorize the General Manager to amend the Agreement for Sale and Delivery of Water Between the Utica Water and Power Authority and the City of Angels Camp:** Director Conrado
- **Second:** Director Broglio
- **Board Discussion:** Director Conrado asked if the COA service area is restricted to the city limits, or if it includes a sphere of influence. Ms. Callen explained the sphere of influence is the area outside of city limits that city utilities still service. Director Conrado

asked about the potential of COA creating its own ditches. Ms. Callen explained that COA's focus is on domestic water, and any additional raw water contractors will need backflow devices to prevent cross-contamination and raw water infrastructure grant funding is not available.

- **Public Comment:** Mr. Fields asked if there is a minimum distance between the ditch and the customer that could eliminate backflow regulations. Ms. Callen said customers could not eliminate backflow regulations, adding that if there is any possibility of the raw water coming back to the domestic water system it will require backflow prevention.
- **Vote:** 5-0-0
- **Ayes:** Director Davis-Herndon, Director Chick, Director Rasmussen, Director Conrado, and Director Broglio
- **Noes:** None
- **Abstain:** None
- **Absent:** None

B. Consideration of Emerson / Hannah request for increased irrigation water contract allocation.

Utica received a letter and a formal request from Mr. Hannah and Mr. Emerson, who are irrigation contractors. The request is asking for an increase in contracted water, from 5 AF to 12 AF. Staff reviewed the request and found there are no concerns with this change. Staff informed the Board this would result in an increase of \$470 to the budgeted irrigation revenue, and recommend the Board approve the request.

- **Motion to increase the water contract allocation for Mr. Hannah and Mr. Emerson from 5 acre-fee to 12 acre-feet for the 2023 irrigation season:** Director Chick
- **Second:** Director Davis-Herndon
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0-0
- **Ayes:** Director Davis-Herndon, Director Chick, Director Rasmussen, Director Conrado, and Director Broglio
- **Noes:** None
- **Abstain:** None
- **Absent:** None

C. Fiscal Year 2022-2023 financial report and consideration of First Budget Adjustment for Fiscal Year 2023-2024: Resolution 2023

In May 2023, staff brought a balanced budget to the Board of Directors for approval. Staff informed the Board that there would be some updates needed in July 2023, because the budget was based on projections. At the end of the fiscal year, staff goes through an accrual process where income from and expenses from June that aren't processed until July are identified and moved back into the appropriate fiscal year.

While going through the process, Ms. Walker discovered errors made by Utica's former outside accounting service. Most errors were found early during the accounting transition in January 2023. However, two were not identified regarding accruals from a year ago. During the accruals process for FY 2022-2023, the former accountant moved revenue into June but did not remove this income from July, causing the funds to be double-counted. This resulted in what looked like extra revenue, where there wasn't any. The second error was from a mid-year budget adjustment. Utica made several budget adjustments throughout the year, and one adjustment was made due to additional water sale revenue. The surplus revenue was allocated to reserves, but not recorded properly by the outside accountant. This was another half-finished adjustment. The budget was not updated to reflect the reduction of funds for FY 2022-2023, and this resulted in an additional reduction in available funds for FY 2023-2024.

Staff worked to close the budget gap created by the accountant. One helping factor was the conservative projections made during the budget process. Higher-than-expected power revenues, and some expenses, like legal counsel and property insurance, coming in lower than expected, helped the situation. All the small carryovers added up to \$106,000 which brought the \$260,000 deficit down to \$154,000. Staff was able to generate \$75,269 of additional power generation revenue in July 2023 beyond projections. Crown Castle, which is a tower tenant added a sublessee, which added \$4,050.

After adding up the list of savings, a shortfall still remained. To balance the budget, staff proposed a cut to consulting services. The original budgeted amount included penstock analysis and a rate study consultation. Utica won't need to analyze the Angels Penstock again for some time because a recent analysis found the penstock in better shape

than anticipated. And, the rate consultant is to look at Utica's books to help inform COA and UPUD's rate studies. After Mr. Metzger spoke with the Joint Power Authority (JPA) managers, they agreed that the budgeted amount was high, and staff recommended reducing funding by \$10,000. Staff also recommended phasing the automated wastegate WaterSMART grant-funded project. Phasing this project would reduce the spending by \$63,000. This change also caused a reduction in the grant reimbursement projections. Additionally, staff identified the need to have an budget line item for irrigation maintenance that is separate from meter replacement and would be used for plumbing and turnouts for irrigation contractors. Staff recommended budgeting \$2,000 for this purpose.

The revenue surplus and additional savings added up to \$154,265. This eliminates the remaining shortfall and resulted in a balanced FY 2023-2024 budget. The budget would have had a \$106,000 surplus if the accounting errors weren't a factor. Staff was confident that the new administrative bookkeeping software and strategies will keep the books updated and avoid errors.

- **Motion to adopt Resolution 2024-16 Budget Adjustment No. 1:** Director Rasmussen
- **Second:** Director Chick
- **Board Discussion:** Director Davis-Herndon asked if the wastegate grant can go into next year. Mr. Metzger said Utica has three years to complete the project.
- **Public Comment:** Mr. Fields asked if Utica has money in the budget for projected guaranteed energy production (GEP) penalties. Mr. Metzger said there is \$22,000 allocated for such penalties.
- **Director Broglio: Aye**
- **Director Chick: Aye**
- **Director Davis-Herndon: Aye**
- **Director Conrado: Aye**
- **Director Rasmussen: Aye**
- **Vote:5-0-0**

#### D. General Manager Report

- **New Hire**  
Mr. Metzger introduced Tracy Kves, Utica's new administrative technician. Ms. Kves' first day was July 24. Tracy worked for the Northern California Power Agency for about 18 years in Murphys, Lodi,

and Roseville. Ms. Kves understands administrative functions and has experience with Federal Energy Regulatory Commission (FERC) e-filing, emergency action plan (EAP) management, dam safety, hydropower, and hydrology. Ms. Kves said she joined Utica's team because of her passion for water and hydro.

- **Wildfire workshop**

The first annual Wildfire Workshop was held July 11. About 50 first responders came to the event. Utica has received very positive feedback from Joint Power Authority (JPA) members and other attendees. The workshop focused on putting faces with names and building relationships between entities. The event featured speakers from the town of Paradise, CAL FIRE, and Calaveras County Sheriff's Office. Sponsors supported the event as well: Stantec donated lunch, Big Trees Market donated breakfast, Gold Country Roasters donated coffee, and the Native Sons of the Golden West donated the venue. There were almost no out-of-pocket expenses to the JPA. At the end of the day, agencies had a better understanding of how better prepare for wildfires. Director Chick opened up discussions about how JPA member agencies can work together to protect critical infrastructure in emergency situations. JPA managers want to coordinate a meeting about how we can support each other, not run each other's facilities, but how to assist in emergency situations. Staff also learned that policies, procedures, and training must be updated to receive emergency funds.

- **Storm Damage**

During the January 2023 winter storm, a culvert was washed out Utica's gaging station on Angels Creek above the Murphys Forebay. Mr. Martz and Mr. Heryford worked during the Federal Emergency Management Agency (FEMA) repair window to make repairs to the site. Then, staff installed the replacement culvert and restored the site to the same pre-disaster state, per FEMA guidelines. Staff worked with the landowner during this process to come up with solutions.

- **Educational Signs**

Utica is placing educational signs around the community. One sign has already been placed at the Angels Camp Museum, next to the Gold Rush display. Others will be located at Murphys Park and Tryon Park. Once the Utica Park is complete, staff will try to place one there, too.

- **Young Farmers and Ranchers (YFR) Tour**

Utica hosted a Saturday tour for Young Farmers and Ranchers. Director Rasmussen attended the tour. The group said they loved it, and many of them are using Utica's water for irrigation. YFR sent Utica a thank you letter.

- **Afterbay Paving**

Ron Cooper Engineering paved the Murphys Afterbay Dam after winning the bid for the project. This section needed paving because the water from heavy rain was pooling on the roadway and running down the face of the dam, which causes erosion. The grade created is intended to drain water into the spillway and avoid the possibility of dam erosion. This project was budgeted as FERC / Division of Safety of Dams repairs.

- **Emergency Three-Quarter Mile Flume Repair**

In June, staff found broken and rotten boards (sills) on the metal section of Three-Quarter-Mile Flume. The metal girders are set wider than the wooden stringers typically used. The wider spacing increased the load on the sills and caused them to fail. Staff spent nearly 10 hours hanging from safety harnesses, replacing more than 90 sills along most of the flume. This repair highlighted where the most pressing maintenance outage needs are.

- **Maintenance Outage**

Mr. Rasmussen estimates he can replace about 600 feet of flumes and repair 600 feet of shotcrete overlay. The Conveyance Crew will also have to address damages to Flume 10 during the outage.

Mr. Fields is managing the Murphys Powerhouse Governor Retrofit Project with the help of consultants and contractors and will be completing standard powerhouse maintenance at both Murphys and Angels Powerhouses.

Staff is starting to order supplies in preparation for the outage. Lumber and line breakers orders are placed.

- **Break-ins**

There was a break-in at the joint gaging station shared with NCPA, at Mill Creek (S66) in Avery. Intruders stole batteries which will cost \$1,200 to replace.

On July 24, at 10:08 pm the Ring cameras pinged the operator on duty at Utica's headquarters. Mr. Metzger came to check on the situation and the intruder was gone by the time he arrived. The intruder stole something out of the Ford Ranger. Staff has been working with Angels Camp Police Department closely regarding break-ins. Mr. Metzger and the police have discussed strategies to catch the thieves in action.

- **Long-term FERC Planning**

The Administration Department is making progress on long-term FERC planning and expects to have a plan ready for staff review by September 2023. Staff plans to bring draft documents to the Board in October 2023 for review and approval.

- **JPA**

The JPA entities are planning a Utica system tour and social gathering at Murphys Park. Managers are encouraging all the staff from JPA agencies to come, shake hands, and build relationships. A business meeting is expected to follow a week or two later.

- **Questions**

Director Conrado asked if Utica will send formal thank you letters to the participants at the Wildfire Workshop. Mr. Metzger said thank you letters were complete and Administration staff will send them to participants and sponsors.

**Item 8: BOARD / GENERAL MANAGER REPORTS, FUTURE AGENDA ITEMS**

A. Correspondence

- YFR thank you letter for the Utica tour

B. Board Reports

- None

**Item 10: ADJOURNMENT**

- **Meeting adjourned:** 7:10 p.m.
  - **Motion to adjourn:** Director Rasmussen
  - **Second:** Director Davis-Herndon
  - **Board Discussion:** None
  - **Public Comment:** None
  - **Vote:** 5-0-0

- **Ayes:** Director Davis-Herndon, Director Chick, Director Rasmussen, Director Conrado, and Director Broglio
- **Noes:** None
- **Abstain:** None
- **Absent:** None

### **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.

Approved at the August 22, 2023 meeting:



ALVIN BROGLIO (Oct 4, 2023 11:27 PDT)

Alvin Broglio, Chair

Attest:



Clerk to the Board

# July 2023 Regular Board Meeting (Approved August 22)

Final Audit Report

2023-10-04

Created:	2023-10-04
By:	Utica Water and Power Authority (admin@uticawater.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA3IXbrLscinashuhBcSjvdvy4tRvLpezV

## "July 2023 Regular Board Meeting (Approved August 22)" History

-  Document created by Utica Water and Power Authority (admin@uticawater.com)  
2023-10-04 - 5:54:04 PM GMT
-  Document emailed to alvinbroglio@angelscamp.gov for signature  
2023-10-04 - 5:54:32 PM GMT
-  Email viewed by alvinbroglio@angelscamp.gov  
2023-10-04 - 6:25:58 PM GMT
-  Signer alvinbroglio@angelscamp.gov entered name at signing as ALVIN BROGLIO  
2023-10-04 - 6:27:09 PM GMT
-  Document e-signed by ALVIN BROGLIO (alvinbroglio@angelscamp.gov)  
Signature Date: 2023-10-04 - 6:27:11 PM GMT - Time Source: server
-  Agreement completed.  
2023-10-04 - 6:27:11 PM GMT