



UTICA WATER AND POWER AUTHORITY

UWPA Office Building
1168 Booster Way
Angels Camp, CA 95222
(209) 736-9419

Minutes of the September 28, 2021 Regular Board Meeting

The Board of Directors of the Utica Water and Power Authority met in Regular Session via remote access at the UWPA office in Angels Camp, California.

Directors present:

- Rocky Chick (UPUD), Chair
- Alvin Broglio (COA), Vice Chair
- Jennifer Davis-Herndon (COA), Secretary
- Greg Rasmussen (UPUD), Director
- Larry Thompson, (UWPA) Community Member

Directors absent: None

Also present:

- Joel Metzger, General Manager
- Lori Karnes, Administrative Manager
- Frank Fields, O & M Superintendent
- Kyle Rasmussen, Water Conveyance Supervisor

Others Present:

- Public at large

Item 1: CALL TO ORDER / PLEDGE OF ALLIEGIANCE

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

Item 2: ROLL CALL

- Director Chick, Director Broglio, Director Davis-Herndon, Director Rasmussen, Director Thompson 5-1.

Item 3: APPROVAL OF AGENDA

- **Motion:** Director Chick
- **Second:** Director Broglio
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0
- **Ayes:** Directors Chick, Broglio, Davis-Herndon, Rasmussen, Thompson
- **Noes:** None

Item 4: PUBLIC COMMENT

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

Brian Mason, a member of the public, asked about obtaining an application for agricultural irrigation water.

Item 5: 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 the minutes of the regular meeting dated 8/24/21
- B. General Manager's report (Metzger)
- C. Financial reports 8/1/21 - 8/31/21 (Karnes)
- D. Generation report (Fields/Karnes)
- E. Operations report (Fields)
- F. Conveyance report (Rasmussen)
- G. Water Supply Conditions Report (Metzger)
- H. Resolution No. 21-10, COVID-19 State of Emergency Dec. (Metzger)

Director Broglio made a motion to approve the consent calendar.

- **Motion:** Director Broglio
- **Second:** Director Davis-Herndon
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0
- **Ayes:** Directors Chick, Broglio, Davis-Herndon, Rasmussen, Thompson
- **Noes:** None
- **Abstain:** None
- **Absent:** None

Item 6: REGULAR AGENDA

Discussion and possible action on all items

A. Probable Maximum Flood Study Presentation (Metzger & GEI)

Metzger gave a brief overview and PowerPoint presentation describing the Probable Maximum Flood Study. This study is required by Federal Energy Regulatory Commission (FERC). Utica has not updated this study in many years due to lack of funding the study has been deferred several times. Funds were allocated in this fiscal year budget to complete the study. GEI Consultants (GEI) was selected to prepare the study. Katherine Maher, Project Manager from GEI, prepared a PowerPoint presentation to explain the process. She explained that in 2017 it was recommended that UWPA should go through and update the hydrology for both Hunter's and Murphys Afterbay. The prior study used outdated methodology in its calculations for the PMF and needs to be updated to current standards. The updated analysis will provide more accurate data regarding the expected performance of Utica's dams during extreme weather events.

B. New Irrigation Contract Application – Langlois/Rucker (Metzger)

Karnes presented a background of UWPA's irrigation program. There were two new irrigation connection requests before the board for approval.

Langlois/Rucker – This is a new connection for property adjacent to Utica's canal at 3005 Oak Road in Murphys (above the Murphys Powerhouse). They are requesting 5 AF of water per year to irrigate a planned grape vineyard and olive orchard. Their property is within Union Public Utility District's service area, but the district's agricultural water distribution system is not near the Rucker's property.

Jelonek – The Jeloneks recently purchased property at 3999 Pennsylvania Gulch Road, Murphys (above the Murphys Powerhouse) from the Yost family. The Jeloneks submitted an application to transfer an existing 5 AF service from the Yost's into their name. The plan is to irrigate a fruit orchard and fill a pond for fire suppression.

Mr. Metzger recommended the Board approve these applications, given the available water and substantial protections in Utica's Irrigation Water Contractor agreement.

Director Chick made a motion to accept both applications.

- **Motion:** Director Chick
- **Second:** Director Broglio
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0
- **Ayes:** Directors Chick, Broglio, Rasmussen, Davis-Herndon, Thompson
- **Noes:** None
- **Abstain:** None
- **Absent:** None

C. Transfer of Yost irrigation service to new property owner (Metzger)

- **Motion:** Director Chick
- **Second:** Director Broglio
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0
- **Ayes:** Directors Chick, Broglio, Davis-Herndon, Rasmussen, Thompson
- **Noes:** None
- **Abstain:** None
- **Absent:** None

D. Q1 fiscal year budget adjustment recommendations (Metzger/Karnes)

Metzger gave an overview of the adjustments proposed. Water sales have outperformed budget projections by approximately \$145,000 and staff has

provided recommendations on where to allocate the additional revenue. Should the Board agree, these funds will be allocated to the following items:

- \$4,440: General Manager Salary Increase and Stipends: In July 2021, the board approved an increase to the General Manger's salary and cell phone stipend. The full amount of those increases was not included in the adopted budget.
- \$6,000: Grid Management Fees to Calpine: Additional grid management fees have been levied upon Utica in 2020 and 2021 by CAISO. These fees have been higher than expected in 2021, and staff expects they will continue to charge to Utica until the ReMAT contract begins in December 2021.
- \$1,800: CalPERS Valuation Study: In winter 2020, Utica requested that CalPERS perform two valuations for pension plan options. The first was 0% prior service and the second 20% prior service. Each valuation cost \$900, and CalPERS did not bill for these services until recently.
- \$4,000: CPPA Grant (Doors, Windows, HVAC, Lights): While Utica was successful in receiving a \$30,000 grant from CPPA, as bids for the work have come back from contractors, the local match amount is not enough to complete the projects and fully utilize grant funding.
- \$3,600: Increase for CalPERS Employers Portion from 6.842% to 7.59%: The Utica Budget Committee instructed staff not to budget for the CalPERS employer contribution percentage until CalPERS was approved by the Board (this approval was in late June 2021). Based on that direction, the budget was based on employer contributions that are slightly lower than what CalPERS is currently requiring.
- \$32,200: JTN Energy Consulting ReMAT: The Utica Budget Committee instructed staff not to budget for any fees related to ReMAT, since it was not guaranteed. Thus, the JTN Energy ReMAT consulting fees were not included. Now that PG&E has signed a power purchase agreement with Utica, it is highly likely the Murphys Powerhouse ReMAT contract will be successful, and these fees will be owed to JTN.
- \$54,000: PG&E Deposit for ReMAT Contract: The Utica Budget Committee instructed staff not to budget for any fees related to ReMAT, since it was not guaranteed. Thus, the \$54,000 deposit owed to PG&E as part of the ReMAT program execution was not included. Now that PG&E has signed a power purchase agreement with Utica, it is highly likely the Murphys Powerhouse ReMAT contract will be successful, and thus this deposit will be owed to PG&E.

- \$10,000: Employee Handbook Update: Utica’s employee handbook has not been updated in nearly 10 years and needs to be updated as soon as possible to ensure Utica is in compliance with state and federal laws. While staff had hoped to include funding in the budget for this project, it was cut in order to balance the budget.
- About \$30,000 remained after funding the items above. The remaining money was split evenly between the following three accounts:
 - \$9,933.34: FERC Reserve
 - \$9,933.33: CalPERS Unfunded Liability
 - \$9,933.33: Water Balance Fund

These are staff recommendations, but the board may choose how to utilize the money. Adjustments can be made again at a later date.

Director Broglio made a motion to approve the fiscal year 2021 - 2022 budget adjustments.

- **Motion:** Director Broglio
- **Second:** Director Chick
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0
- **Ayes:** Directors Chick, Broglio, Davis-Herndon, Rasmussen, Thompson
- **Noes:** None
- **Abstain:** None
- **Absent:** None

E. Association of California Water Agencies Region 3 Board Election Ballot (Metzger)

Metzger explained that as a member Utica is asked to cast its vote for Region 3 Officers and board members for the Association of California Water Agencies (ACWA). The Board discussed each of the candidate’s qualifications and gave their input. Metzger recommended Larry McKenney, General Manager of Amador Water Agency be nominated for Region 3 because of his affiliation with a local water agency and better representation for Utica. The Board followed Mr. Metzger’s recommendation and voted to all candidates, excluding Sean Barclay, General Manager of Tahoe City Public Utility District.

Director Thompson made a motion to support Utica's general manager's recommendation for ACWA board member nominees.

- **Motion:** Director Thompson
- **Second:** Director Davis-Herndon
- **Board Discussion:** None
- **Public Comment:** None
- **Vote:** 5-0
- **Ayes:** Directors Chick, Broglio, Rasmussen, Davis-Herndon, Thompson
- **Noes:** None
- **Abstain:** None
- **Absent:** None

F. Update on the State Water Resources Control Board emergency regulation and 15% voluntary water conservation targets (Metzger)

Metzger provided a background of the State Water Resources Control Board (State Board) emergency regulation to curtail both post and pre-1914 water rights. Within the past 45 days, the Union Public Utility District, City of Angels Camp and Utica governing bodies all adopted a 15% voluntary conservation target and sent messaging to customers and stakeholders about that goal. So far, Utica is seeing some of its larger irrigation contractors start to cut back in August. It is expected that users will conserve even more in the month of September, since it is the first full month following the UWPA Board adopting the voluntary

In August 2021, Utica's irrigation contractors used 1% less water than they did in August 2020.

Since Utica is receiving previously stored water from NCPA, the water is not subject to curtailment by the State Board's emergency regulation. However, the Utica Board voted unanimously to adopt voluntary water conservation measures for the following reasons:

- The state is in a serious water shortage emergency, and Utica should do its part to encourage community members to use less water, because all water agencies should be saving water this year in case this winter is dry.
- It is appropriate for Utica's irrigation contractors to reduce water use and help keep more water in the state's critically dry system.
- State mandates may change this year or next, and Utica may be subject to curtailment orders without exceptions or exemptions. Implementing water

conservation measures insulate Utica from undesirable outcomes and shows the Authority is being a good steward of its resources.

Recess: 6:30 p.m.

Item 7: ADJOURN TO CLOSED SESSION

The Board adjourned to closed session at 6:35 p.m.

A. Public Employee Performance Evaluation Pursuant to Government Code Section 4957(b)(1). Title: General Manager

Closed session ended at 7:57 p.m.

Item 8: REPORT ACTION FROM CLOSED SESSION

The Board reconvened at 7:57 p.m.

A. Public Employee Performance Evaluation Pursuant to Government Code Section 4957(b)(1). Title: General Manager

There was nothing to report.

Item 9: BOARD / GENERAL MANAGER REPORTS, FUTURE AGENDA ITEMS

Item 10: UPCOMING BOARD MEETINGS AND CALENDAR EVENTS

- **Thursday October 7, 2021, at 5:30 p.m. – At Large Community Board Member Interviews**
- **Wednesday October 13, 2021 at 9 a.m. – Utica System Tour**
- **Tuesday October 26, 2021 at 5:30 p.m. – Regular Board Meeting**
- **November meeting cancelled due to maintenance outage**

Item 11: ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Approved at the October 26, 2021 meeting:

Ralph Chick

Chair

Attest:

Jori Karnes



Clerk to the Board

Signature Certificate

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Document signed by:

	Lori Karnes Verified E-mail: admin@uticapower.net	
IP: 96.92.110.142		Date: 27 Oct 2021 15:56:56 UTC
		

	Rocky Chick Verified E-mail: rockyc@uticawater.com	
IP: 98.224.22.18		Date: 27 Oct 2021 15:58:19 UTC
		

Document completed by all parties on:

27 Oct 2021 15:58:19 UTC

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