

UTICA WATER AND POWER AUTHORITY

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

Minutes of the
March 24, 2020
Regular Board Meeting

The Board of Directors of the Utica Water & Power Authority met in Regular Session via remote access in Angels Camp California.

Directors present:

Amanda Folendorf, COA	Chairman
Greg Rasmussen, UPUD	Vice Chairman
Ralph Chick, UPUD	Secretary
Joe Oliveira, COA	Director
Scott Behiel, Community	Director

Also present:

Lori Karnes	Administrative Manager
Dave Andres	Interim General Manager
Kyle Rasmussen	UWPA
Frank Fields	UWPA
Shawn Graham	UWPA
Public At Large	

Call to Order and Pledge of Allegiance

The meeting was called to order at 5:33 pm by Chairman Folendorf

Item 1: Roll Call

Director Folendorf, Director Rasmussen, Director Chick, Director Oliveira, and Director Behiel.

5-0 none absent all present said Aye

Board of Directors

Amanda Folendorf, City of Angels ~ Chairman **Greg Rasmussen**, U.P.U.D. ~ Vice-Chairman
Ralph Chick, U.P.U.D. ~ Secretary **Scott Behiel**, At-Large Member
Joe Oliveira, Director ~ City of Angels

Item 2: Approval of Agenda

Director Chick moved to approve the agenda; seconded by Director Behiel and adopted 5-0. Ayes: Oliveira, Rasmussen, Chick, Behiel, Folendorf; Noes: none; Absent 0.

Item 3: Opportunity for Public Comments:

None to report

Item 4: Consent Calendar and Staff Reports - Approval of all items

- A. Minutes of the Personnel and Legal Committee dated 2/21/20
- B. Minutes of the Regular Board Meeting dated 2/25/20
- C. Nominate Ralph Chick for At Large Board of Director position for Calaveras Public Power Agency
- D. Approve 4th Budget Amendment dated 3/24/20 - D. Andres
- E. Financials 2/1/20 - 2/29/20 - L. Karnes
- F. General Manager's report - D. Andres
- G. Administrative report - L. Karnes
- H. Generation and O&M Report for February - F. Fields - Nothing to report.
- I. Water Conveyance - K. Rasmussen - Nothing to report.

Items A, B, D, E, G, H, and I were motioned by Director Rasmussen to move the consent calendar and staff reports; seconded by Director Behiel and adopted 5-0. Ayes: Oliveira, Rasmussen, Chick, Behiel, Folendorf; Noes: none; Absent 0.

Items C and F were pulled for further discussion.

C. Director Oliveira wanted to clarify Ralph Chick's nomination for Calaveras Power Agency
F. Andres reported that UWPA has been working diligently on the COVID-19 process, and UWPA received good news when the notice of the SB1365 bill from CPUC was denied in committee. Now UWPA is waiting for CPUC to revise the ReMAT program.

Director Oliveira pulled items C and F from the consent calendar and staff reports; seconded by Director Rasmussen and adopted 5-0. Ayes: Oliveira, Rasmussen, Chick, Behiel, Folendorf; Noes: none; Absent 0.

Item 5: Regular Agenda - Discussion and possible action

- A. Approve Resolution No. 20-15 Ratifying the General Manager's Proclamation of Existence of A Local Emergency - D. Andres

Andres reported that FEMA has declared a federal emergency that took effect on March 13th and asked the Board to adopt the resolution under the COVID-19 Pandemic. This resolution will help with requesting financial funds and help with making decisions when it comes to the safety of the employee's. This resolution authorizes the GM to institute such policies and practices to determine what is necessary and too seek assistance from OES in order to assist and protect UWPA and its employees.

Example: If an employee became infected by the virus the GM would be authorized to revise or limit the work schedule.

Director Behiel motioned to approve Resolution No. 20-15 ratifying the general manager's proclamation of existence of a local emergency; seconded by Director Rasmussen and adopted 5-0. Ayes: Oliveira, Rasmussen, Chick, Behiel, Folendorf; Noes: none; Absent 0.

No public comment for Resolution No. 20-15.

Board of Directors

Amanda Folendorf, City of Angels ~ Chairman **Greg Rasmussen**, U.P.U.D. ~ Vice-Chairman
Ralph Chick, U.P.U.D. ~ Secretary **Scott Behiel**, At-Large Member
Joe Oliveira, Director ~ City of Angels

Item 6: Staff/Directors' Reports, Comments and Future Agenda Items (if any)

None to report.

Item 7: Calendar

The COVID-19 has made it difficult to plan ahead and UWPA, as well as other organizations have had to cancel other meeting/events. UWPA is still planning ahead for the April outage that will happen on the 4th through the 12th. The irrigation meeting and budget meeting will have to be rescheduled.

Item 8:

Adjourn to Closed Session at 5:51 pm - Discussion and possible action

**A. CLOSED SESSION PURSUANT GOVERNMENT CODE SECTION 54957:
PUBLIC EMPLOYEE
Title: General Manager Recruitment**

Reconvene from Closed Session at 6:42 pm. *Report of any reportable action*

Any action from closed session will to be reported at next month's meeting.

Adjournment: 6:42 pm

Next Regular Meeting: Tuesday, April 28, 2020 at 5:30 pm

Approved at the Regular Board Meeting April 28th, 2020

Board Chairman

Board Secretary

Board of Directors

Amanda Folendorf, City of Angels ~ Chairman **Greg Rasmussen**, U.P.U.D. ~ Vice-Chairman
Ralph Chick, U.P.U.D. ~ Secretary **Scott Behiel**, At-Large Member
Joe Oliveira, Director ~ City of Angels

Utica Water and Power Authority

Date: April 28, 2020

To: Board of Directors

From: Lori Karnes, Administrative Manager

Re: Financial Report for 3/1/20 - 3/31/20

POWER REVENUE:

1. Total power revenue from March's "scheduled" power and from November's "imbalance" was lower \$105,830 vs \$98,160 and slightly under budget. We generated a little more in March, but prices for "scheduled" were still low at an average of \$24. November's "imbalance" prices averaged \$37/MWhr compared to budget at \$22/MWhr and averaged \$22/MWhr more than October. We received \$11,650. from our Resource Adequacy agreement with Calpine for May '20. ReMAT's pricing in February was @ \$78 even though the average annual price is \$89, it fluctuates throughout the year. APH revenue was less in March \$51,230 vs February \$55,150.

OTHER REVENUE RECEIVED:

Cal.net signing fee per agreement - \$1,500

DESCRIPTION OF EXPENSES:

Clarification of non-routine expenditures:

MarTech Mechanical	\$60,659.58	MAB - replace lower level discharge valve
GEI Consultants	\$ 329.00	Penstock evaluation
ACWA	\$ 475.00	GM advertisement

UWPA OPERATIONS/MAINTENANCE REPORT

MARCH 2020

	March	APH	MPH
Rainfall	March		
PYTD rainfall	7/1/19- 6/30/20	20.0	26.4
	PYTD this time last year	27.8	37.8

* PYTD is "precipitation year-to-date"

GENERATION

ANGELS (sold to PG&E)		
FROGTN_1_UTICAA		
PG&E concurred		655
MURPHYS (sold to Calpine)		
FROGTN_1_UTICAM		
Wtg for ISO/QRE concurrence		1,405 Mar
TOTAL GENERATION:		2,060 MWhr

REVENUES

March's projected scheduled generation:

\$46,515	Mar APH (0.8 MW) @ \$78. (1)	595
\$36,754	Mar MPH (1.9 MW) @ \$26	1414
\$11,893	Nov MPH RECs @ \$9	
\$2,640	Nov MPH lmb @ \$22	
\$97,802		<u>2009</u>

March's actual scheduled generation:

\$51,235	Mar APH (0.8) @ \$78.	655
\$29,520	Mar MPH (1.88) @ \$24 (2)	1131 **
\$1,746	Nov MPH RECs @ \$35/\$9 (3)	
\$4,012	Nov MPH lmb @ \$37.19 (4)	1786
\$11,650	Res Adeq pmt for May '20 showing (5)	

(1) March's budget was based on WY 1. Note that even though the APH ReMAT PPA is at \$89/MWhr the TOD for APH varies during the year

(2) MPH generated at approx 1.8 MW. The Day Ahead pricing was \$2 less than budget projections, \$24 vs \$26.

(3) All RECs are sold at \$9 for the remainder of the CY 2019 to meet our Sept 2012 contract with Calpine that expires in September 2022.

(4) Unshed approx. 108 hours in Nov. Prices \$22/MWhr more than Oct.

(5) This is billed 45 days in adv of showing month

** Plus Imbalance of 273.4 MWhrs for Mar '20(wtg for concurrence) bill in July '20

Power Revenue:	\$98,162
Water Revenue:	\$0 (Budgeted \$60,750 during FY19-20
Water and Power:	\$98,162 1,350 AF @ \$45.)

OUTAGES

P = UWPA planned outage IF = internal forced outage EF = external forced outage

Date	Time Off	Duration	Cause	Plant
3/16/2020	1126	63 mins	EF - Power spiked, lube oil tripped which caused 86 tripped	APH
3/16/2020	1343	52 mins	EF - Snow/Rain - PG&E Outage	APH
3/16/2020	0848	45 mins	EF - Snow/Rain - PG&E Outage	MPH

WATER

Mar '20 Att A 2,639 + 17 carryover from Feb '20
S-66 + S-127

LESS water sale to NCPA @ \$45/AF

Pay back or carry over in March '20

(5) We do have NCPA's concurrence.

2,656	AF	Mill Creek inflow	S-66	877	AF (use S-47 during Hunters spills)
(2,520)	AF	Tunnel Tap draft	S-127	1,643	AF
0	AF			0	adjustments made if McKays spilling
136	(5)		Total:	2,520	AF

Dan Ayala, CPA

Douglas Tribble, CPA

Vaughn Tribble, CPA "Inactive"

Heather Stone, CPA

Tribble & Ayala
Certified Public Accountants, Inc.

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Accountant's Disclaimer

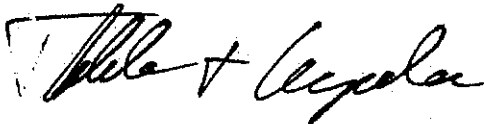
Utica Water & Power Authority

Angels Camp, California

The accompanying Consolidated Report - statement of revenues, expenses and fund balance (cash basis) and the accompanying Revenue Fund Report - statement of revenues, expenses and budget variances (cash basis) for the period ending March 31, 2020 of the fiscal year July 1, 2019 to June 30, 2020, and the accompanying Bank Activity Report (All Funds) for the period March 1 to March 31, 2020 of the Utica Water & Power Authority were not audited by us and, accordingly, we do not express an opinion on them. The financial statements have been prepared on the cash basis of accounting, which is a comprehensive basis of accounting other than generally accepted accounting principles.

Management has elected to omit substantially all of the disclosures ordinarily included in financial statements prepared in accordance with the cash basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Utica Water & Power Authority's revenues, expenses, and fund balance. Accordingly, the financial statements are not designed for those who are not informed about such matters.

Certified Public Accountants, Inc.



April 23, 2020

Utica Water and Power Authority
Bank Activity Report (All Funds)
For the Period March 1 to March 31, 2020

Revenue Fund

Recap	Current Month	Prior Month	Difference
Revenues	\$ 108,882.87	\$ 176,804.46	\$ (67,921.59)
Expenses	\$ (153,510.83)	\$ (114,673.57)	\$ (38,837.26)
Difference	\$ (44,627.96)	\$ 62,130.89	\$ (106,758.85)

Fund Balance - 2/29/2020 \$ 699,666.95

Revenues:	3/18/2020 Calpine payment for Feb 2020 power	30,222.22
	3/30/2020 Calpine payment for Nov 2019 renewable energy	1,746.00
	3/30/2020 Calpine payment for May 2020 showing month	11,650.00
	3/30/2020 Hunter's rent payment for March 2020	845.00
	3/30/2020 Sierra Hope rent payment for March 2020	1,000.00
	3/30/2020 Dogtown Ditch water payment 2nd half 2019/20	1,717.29
	3/30/2020 ACWA/JPIA RPA fund refund	443.38
	3/30/2020 CalCard incentive payment	197.75
	3/30/2020 City of Angels Feb 2020 hydrography	400.00
	3/30/2020 Calpine payment for Nov 2019 imbalance	4,011.61
	3/30/2020 Cal.net signing fee per agreement	1,500.00
	3/31/2020 PG&E payment for Feb 2020 power	55,149.62
	Total Revenues	108,882.87

Expenses:	3/3/2020 BanCorp Services	(0.67)
	3/10/2020 ACWA	(475.00)
	3/10/2020 Calaveras County Water District	(130.01)
	3/10/2020 Calaveras Power Agency	(395.60)
	3/10/2020 California Waste Recovery Systems	(185.96)
	3/10/2020 CDK Supply	(8.09)
	3/10/2020 City of Angels	(337.84)
	3/10/2020 City of Angels	(145.71)
	3/10/2020 Columbia Communications, Inc.	(75.00)
	3/10/2020 Calaveras Lumber Co, Inc.	(518.59)
	3/10/2020 Driven	(1,038.28)
	3/10/2020 E.D.I.S	(268.00)
	3/10/2020 Federal Energy Regulatory Commission	(2,736.74)
	3/10/2020 IMS Consulting	(7,030.00)
	3/10/2020 MarTech Mechanical Analysis/Repair, Inc.	(540.78)
	3/10/2020 MarTech Mechanical Analysis/Repair, Inc.	(60,659.58)
	3/10/2020 Mother Lode Answering Service, Inc.	(157.00)
	3/10/2020 Mountain Oasis Purified Water	(54.25)
	3/10/2020 O'Reilly Automotive, Inc.	(101.14)
	3/10/2020 Pacific Gas & Electric Co.	(857.56)
	3/10/2020 Pacific Gas & Electric Co.	(175.64)
	3/10/2020 Pacific Gas & Electric Co.	(120.20)
	3/10/2020 The Red Store	(1.45)
	3/10/2020 Staples Business Advantage	(227.52)
	3/10/2020 State Compensation Insurance Fund	(1,987.58)
	3/10/2020 Timothy and Deanna Plunkett	(75.00)
	3/10/2020 Tribble & Ayala CPA's, Inc.	(634.60)
	3/10/2020 Union Public Utility District	(56.00)
	3/10/2020 U.S. Bank Corporate	(2,278.80)
	3/10/2020 U.S. Bank Equipment Finance	(206.55)
	3/10/2020 Verizon Wireless	(175.84)
	3/10/2020 Zoom Imaging Solutions, Inc.	(32.67)

Unaudited - See Accountant's Disclaimer

Utica Water and Power Authority
Bank Activity Report (All Funds)
For the Period March 1 to March 31, 2020

3/10/2020 CalPERS 457 Plan	(2,809.88)	
3/10/2020 Payroll transfer for 3/11/20 wages & taxes	(21,654.72)	
3/10/2020 BanCorp Services	(1.66)	
3/13/2020 Bank Charge	(15.95)	
3/17/2020 BanCorp Services	(257.93)	
3/24/2020 AT&T 555 8	(2,323.02)	
3/24/2020 Blue Shield of California	(8,023.58)	
3/24/2020 Comcast Business	(153.06)	
3/24/2020 Comcast Business	(490.56)	
3/24/2020 Choice Builder	(824.02)	
3/24/2020 GEI Consultants, inc.	(329.00)	
3/24/2020 Pacific Gas & Electric Co.	(25.30)	
3/24/2020 CalPERS 457 Plan	(2,819.43)	
3/24/2020 Payroll transfer for 3/25/20 wages & taxes	(21,678.41)	
3/31/2020 Transfer out to FERC Relicensing Fund	(8,333.33)	
3/31/2020 Transfer out to FERC Part 12 Fund	(2,083.33)	
Total Expenses	(153,510.83)	
Net Revenues	(44,627.96)	
Transfers:	-	
Total Transfers	-	
Fund Balance - 3/31/2020		\$ 655,038.99
<u>Water Balancing Fund</u>		
Fund Balance - 2/29/2020	\$ 94,317.00	
Fund Balance - 3/31/2020	\$ 94,317.00	\$ 94,317.00
<u>FERC Relicensing Fund</u>		
Fund Balance - 2/29/2020	\$ 257,716.87	
3/31/2020 Transfer in from Revenue Fund	8,333.33	
Fund Balance - 3/31/2020	\$ 266,050.20	\$ 266,050.20
<u>FERC Part 12 Fund</u>		
Fund Balance - 2/29/2020	\$ 41,666.60	
3/31/2020 Transfer in from Revenue Fund	2,083.33	
Fund Balance - 3/31/2020	\$ 43,749.93	\$ 43,749.93
<u>Operating & Capital Reserve Fund</u>		
Fund Balance - 2/29/2020	\$ 85,034.37	
3/31/2020 Interest earned Mar 2020	0.36	
Fund Balance - 3/31/2020	\$ 85,034.73	\$ 85,034.73
Total All Funds - 3/31/2020		\$ 1,144,190.85
Total All Funds - 2/29/2020		\$ 1,178,401.79
Difference		\$ (34,210.94)

Utica Water & Power Authority
Consolidated Report
Statement of Revenues, Expenses and Fund Balance (Cash Basis)
For the Period Ending March 31, 2020 (75.14%)
Of the Fiscal Year July 1, 2019 to June 30, 2020

<u>Revenues:</u>	<u>Revenue Fund</u>	<u>Water Balancing Fund</u>	<u>FERC Relicensing Fund</u>	<u>FERC Part 12 Fund</u>	<u>Operating & Capital Reserve Fund</u>
1100 Interest Income	\$ 12,572	\$ -	\$ -	\$ -	\$ 5
1200 Power Sales	\$ 935,929				
1301 Water Sales to NCPA	\$ 125,075				
1302 Water Agreements	\$ 60,000				
1303 Water Sales UWPA	\$ 15,675				
1400 Property Leases	\$ 30,554				
1500 Other Revenues	\$ 3,313				
1630 Truck Grant	\$ -				
1700 Member Contributions	\$ 210,000	\$ -	\$ -	\$ -	\$ -
Total Revenues	<u>\$ 1,393,118</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 5</u>
<u>Expenses:</u>					
2400 FERC Compliance	\$ 44,001				
2420 FERC Reserve Funds	\$ 93,750				
2440 FERC Fees/Oversight	\$ 2,737				
2450 Dam Safety	\$ -				
3000 Operations & Maint	\$ 513,111				
4000 Administration	\$ 188,444				
4050 Travel/Training	\$ 1,197				
4100 Materials/Misc	\$ 20,537				
4200 Insurance	\$ 26,740				
4300 Legal	\$ 17,213				
4400 Accounting	\$ 16,628				
4500 Fees	\$ 33,217				
4600 Communications	\$ 33,359				
4610 Devices	\$ -				
4700 Utilities	\$ 19,987				
5010 Water Balancing Fund	\$ 60,000				
6010 PH - Maint/Repair	\$ 11,334				
6050 PH - Capital Projects	\$ 109,970				
6060 PH - ReMAT Expenses	\$ 1,000				
6070 PH - MAB Hydro Project	\$ -				
6110 WC - Maint/Repair	\$ 18,695				
6150 WC - Capital Projects	\$ 85,474				
6230 Truck Grant	\$ -				
7000 Hydrography	\$ 25,928				
7100 SCADA/IT	\$ 6,281				
7110 SCADA Capital Projects	\$ 4,315				
8000 Consultants	\$ 48,426				
9000 Vehicles	\$ 30,059				
9500 Contingencies	\$ 4,954	\$ -	\$ -	\$ -	\$ -
Total Expenses	<u>\$ 1,417,357</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Excess Revenues (Expenses)	<u>\$ (24,239)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 5</u>
Fund Balance 7/1/18	\$ 599,278	\$ 114,317	\$ 191,050	\$ 25,000	\$ 85,030
Excess Revenues (Expenses)	\$ (24,239)	\$ -	\$ -	\$ -	\$ 5
xxxx Transfer In	\$ 80,000	\$ 60,000	\$ 75,000	\$ 18,750	\$ -
xxxx Transfer Out	\$ -	\$ (80,000)	\$ -	\$ -	\$ -
Ending Fund Balance	<u>\$ 655,039</u>	<u>\$ 94,317</u>	<u>\$ 266,050</u>	<u>\$ 43,750</u>	<u>\$ 85,035</u>

Utica Water & Power Authority
Revenue Fund Report
Statement of Revenues, Expenses and Budget Variances (Cash Basis)
For the Period Ending March 31, 2020 (75.14%)
Of the Fiscal Year July 1, 2019 to June 30, 2020

<u>Revenues:</u>	<u>Budget - 9/24/19</u>	<u>Revenues to Date</u>	<u>Balance</u>	<u>% of Budget</u>
1100 Interest Income	\$ 5,000	\$ 12,572	\$ (7,572)	251.43%
1200 Power Sales	\$ 1,208,412	\$ 935,929	\$ 272,483	77.45%
1301 Water Sales to NCPA	\$ 60,750	\$ 125,075	\$ (64,325)	205.88%
1302 Water Agreements	\$ 80,000	\$ 60,000	\$ 20,000	75.00%
1303 Water Sales UWPA	\$ 35,000	\$ 15,675	\$ 19,325	44.79%
1400 Property Leases	\$ 40,104	\$ 30,554	\$ 9,550	76.19%
1500 Other Revenues	\$ 4,800	\$ 3,313	\$ 1,487	69.03%
1630 Truck Grant	\$ 75,000	\$ -	\$ 75,000	0.00%
1700 Member Contributions	\$ 280,000	\$ 210,000	\$ 70,000	75.00%
Total Revenues	\$ 1,789,066	\$ 1,393,118	\$ 395,948	77.87%

<u>Expenses:</u>	<u>Budget - 9/24/19</u>	<u>Expenses to Date</u>	<u>Balance</u>	<u>% of Budget</u>
2400 FERC Compliance	\$ 98,000	\$ 44,001	\$ 53,999	44.90%
2420 FERC Reserve Funds	\$ 125,000	\$ 93,750	\$ 31,250	75.00%
2440 FERC Fees/Oversight	\$ 10,000	\$ 2,737	\$ 7,263	27.37%
2450 Dam Safety	\$ 71,000	\$ -	\$ 71,000	0.00%
3000 Operations & Maint	\$ 666,560	\$ 513,111	\$ 153,449	76.98%
4000 Administration	\$ 323,512	\$ 188,444	\$ 135,068	58.25%
4050 Travel/Training	\$ 10,000	\$ 1,197	\$ 8,803	11.97%
4100 Materials/Misc	\$ 31,500	\$ 20,537	\$ 10,963	65.20%
4200 Insurance	\$ 39,000	\$ 26,740	\$ 12,260	68.56%
4300 Legal	\$ 30,000	\$ 17,213	\$ 12,787	57.38%
4400 Accounting	\$ 23,500	\$ 16,628	\$ 6,872	70.76%
4500 Fees	\$ 38,950	\$ 33,217	\$ 5,733	85.28%
4600 Communications	\$ 32,200	\$ 33,359	\$ (1,159)	103.60%
4610 Devices	\$ 2,200	\$ -	\$ 2,200	0.00%
4700 Utilities	\$ 32,820	\$ 19,987	\$ 12,833	60.90%
5010 Water Balancing Fund	\$ 80,000	\$ 60,000	\$ 20,000	75.00%
6010 PH - Maint/Repair	\$ 38,000	\$ 11,334	\$ 26,666	29.83%
6050 PH - Capital Projects	\$ 139,000	\$ 109,970	\$ 29,030	79.11%
6060 PH - ReMAT Expenses	\$ 82,000	\$ 1,000	\$ 81,000	1.22%
6070 PH - MAB Hydro Project	\$ -	\$ -	\$ -	0.00%
6110 WC - Maint/Repair	\$ 55,580	\$ 18,695	\$ 36,885	33.64%
6150 WC - Capital Projects	\$ 134,800	\$ 85,474	\$ 49,326	63.41%
6230 Truck Grant	\$ 75,000	\$ -	\$ 75,000	0.00%
7000 Hydrography	\$ 34,050	\$ 25,928	\$ 8,122	76.15%
7100 SCADA/IT	\$ 9,200	\$ 6,281	\$ 2,919	68.27%
7110 SCADA Capital Projects	\$ 25,000	\$ 4,315	\$ 20,685	17.26%
8000 Consultants	\$ 134,000	\$ 48,426	\$ 85,574	36.14%
9000 Vehicles	\$ 40,194	\$ 30,059	\$ 10,135	74.79%
9500 Contingencies	\$ 87,278	\$ 4,954	\$ 82,324	5.68%
Total Expenses	\$ 2,468,344	\$ 1,417,357	\$ 1,050,987	57.42%
Excess Revenues (Expenses)	\$ (679,278)	\$ (24,239)	\$ (655,039)	
xxxx Transfer In	\$ 80,000	\$ 80,000	\$ -	100.00%
xxxx Transfer Out	\$ -	\$ -	\$ -	0.00%

Unaudited - See Accountant's Disclaimer

Utica Water and Power Authority

Date: April 23, 2020
To: Board of Directors
From: Dave Andres, Interim General Manager
Re: Item 4-C General Manager's Report

I have been working with staff on a number of items that include:

- Communication Tower - Initial work has begun on the Murphys Communication Tower Project with Cal.net. They have initiate contact with PG&E are in the process of getting power to the site. We have received their initial payment of \$1500.00 and they have also started paying rent in the amount of \$250.00 per month.
- Medical Insurance Program – Staff participated in a video conference on the proposed new medical insurance program under the California Special Districts Association. This item is scheduled for discussion under the Regular Agenda.
- Potential Project Funding – I have asked Matt Ospital of Weber, Ghio & Associates (WGA) in coordination with agency staff to prepare some estimates for potential JPA Capital Improvement Projects (CIP) that could be conducted expeditiously in the event that Federal funds become available. Based on what took place in 2008-09 when “stimulus funding” was approved, the JPA needs to be in a position to apply for funding of “shovel ready” projects if, and when, these monies become available to address the economic start-up after the Covid-19 crises subsides. These projects may include, but not limited to: Trash Rakes for Murphys Forebay (MFB) and Angels Forebay (AFB); Ross Butterfly Valve Automation & Replacement; Pavement Replacement; Additional Gaging Stations; S-78 Backup Generator and Sediment Removal at MFB and Murphys After-Bay (MAB). Once WGA has evaluated each project I will get a cost to conduct preliminary engineering and environmental work on each of the projects in order to get them “shovel ready.” I will then evaluate our budget and bring back a recommendation on what projects we should proceed on.

Utica Water and Power Authority

Date: April 28, 2020

To: Board of Directors

From: Lori Karnes, Administrative Manager

Re: Administrative Report to the Board for 3/1/20 - 3/31/20

Since the orders were given from state and local officials to “shelter in place” earlier in the month our office has been closed to the public and we have been diligently working to reduce exposure to our employees and the public. We have instituted policies to protect our staff which include, modified work schedules, social distancing, remote meetings, daily sanitizing of offices and vehicles, assigning operators to one truck and requiring they ride separately, and requiring our employees to work from home when possible. If an employee is sick or appears to be ill they are sent home until fully recovered before returning to work. We are on daily conference calls with CalOES to keep up to date with the progression of the disease locally and nationwide and learn more about how to protect ourselves and our community.

The IRWMA joint application for the Prop 1 grant funds was submitted December 6 for the Stephens Tower project and is still under review.

We continue to work on the Local Hazard Mitigation Plan. We are in the process of completing a subapplication for reimbursement of management costs through the grant.

CalPERS is on hold until further notice. At their last meeting UPUD’s Board did approve contributions to UWPA to be on parity with the City’s contributions over the next two years. At that time both agencies will be due to begin the 218 process.

Frank, Kyle, Lori, and Dave continue to work on UWPA’s FY ‘20-’21 Budget; defining projects, gathering bids, and prioritizing projects.

We are still in negotiations with the dealer for a new truck that will be purchased with grant funds from CalFire.

We are continuing to work with John Kessler, our Dam Safety Engineer, and GEI Consultants to complete reports that are required by FERC.


GM interviews. The Board gave the Personnel and Legal Committee the authority to select the candidates for interviewing who they felt most closely meet their requirements for the position. We received 13 resumes and 6 were selected to interview.

Utica Water and Power Authority

Date: April 21, 2020
To: Board of Directors
From: Kyle Rasmussen, Water Conveyance Supervisor
Re: Water Conveyance Report April 2020

Spring Maintenance Outage was April 6-10, we did a complete rebuild of Utica Flume 5. It's a short flume, 48 ft, off of Utica Drive in Hathaway Pines. The Outage started with a storm and we had six inches of snow on the ground the first day, which made it very difficult to tear apart the flume. We dealt with mud all week but we were able to complete the repairs in five days. We have also been organizing and cleaning up the Hunters lumberyard. We'll now be switching gears towards vegetation control on all dams and all of our facilities.

Utica Water and Power Authority

Date: April 21, 2020
To: Board of Directors
From: Dave Andres, Interim General Manager 
Re: Item 5-A Health Insurance Plan – New Provider

Recommendation:

Approve and authorize the General Manager to enter into Agreement and sign such other documents as are necessary with the California Special District Association (CSDA) Special District Risk Management Authority (SDRMA) Employee Health Insurance Program for the Silver PPO Plan effective July 1, 2020.

and

Approve a modification to the Employee Personnel Handbook to add the following:

Medical Insurance Cost Sharing Program. Employees with dual medical insurance coverage may voluntarily elect to receive a cash payment in-lieu of participating in the UWPA group medical insurance plan providing they meet the following requirements: 1.) the employee submits a written request to be considered under this program and the program is allowed under the medical insurance plan offered by UWPA; 2.) the employee has continual coverage under another family member's medical insurance plan and provides proof of such insurance coverage to UWPA annually on, or before June 15 of each year; 3.) a request to be reinstated to the UWPA group medical insurance plan once approved for this program, other than on the annual renewal date of the group medical plan, shall be effective the first of the month following sixty (60) days after UWPA's receipt of a written request from the employee for reinstatement. The benefit to the employee shall be 50 percent (50%) of the monthly premium for the "Employee Only" medical plan coverage payable in equal installments with the bi-weekly payroll. By participation in this program the employee waives participation in the UWPA medical insurance plan as well as the Health Reimbursement Account (HRA). Participation in this program shall not affect other employee benefits such as dental, vision and life insurance. Payments to employees under this program are subject to customary payroll tax deductions. The UWPA reserves the right to cancel this program at any time.

Background:

The UWPA is currently in a Silver Preferred Provider Organization (PPO) Medical Plan that is "Individually Rated" based on age. These types of plans increase annually depending on the general cost for services plus the anticipated costs of services as employees age. Each of our

employees has a different rate based on family size and age. Generally, the older the employee is, the more medical care services are utilized. As a result, our older employees are charged a higher rate than our younger employees. In addition, the UWPA has established a Health Reimbursement Account (HRA), also known as a health reimbursement arrangement. The HRA is an IRS-approved, tax-advantaged, health benefit plan that reimburses employees for out-of-pocket medical expenses. In accordance with the law the HRA is 100 percent (100%) funded by the employer and the terms of these arrangements can provide first dollar medical coverage until the funds are exhausted or insurance coverage kicks in. The annual contribution to the HRA is proposed to remain the same at \$2400.00 for each employee and \$4800.00 for each employee with family.

The SDRMA Plan is also a Silver PPO Plan, but is "Group Rated." This means that the health care utilization of all of the employers in the "Group" are considered in establishing rates. There is no distinction in setting the rates based on age. The overall age of the "Group" and plan utilization is used in setting rates. Under this "Group" plan each of our employees will pay the same rate based on family size. The current SDRMA rates are as follows:

PLAN TYPE	Employee	Employee Plus 1	Employee Plus 2 or more
SDRMA PLAN	\$622.20 per month	\$1244.40 per month	\$1616.70 per month
HRA	\$2400.00 per year	\$4800.00 per year	\$4800.00 per year

Discussion:

The proposed new medical plan under SDRMA is far superior to our current medical plan. The major areas of differences are as follows:

MAJOR PLAN DIFFERENCES	SDRMA PLAN	CURRENT PLAN
ANNUAL DEDUCTIBLE	\$2000 EMPLOYEE \$4000 FAMILY	\$1800 EMPLOYEE \$3600 FAMILY
MAXIMUM OUT OF POCKET	\$5000 EMPLOYEE \$10,000 FAMILY	\$7550 EMPLOYEE \$15,100 FAMILY
SERVICES/COVERAGES	20% CO-PAY	35% CO-PAY
DOCTOR VISIT	\$30 CO-PAY	\$55 CO-PAY

While the annual deductible is slightly higher than our current plan the maximum out of pocket costs and co-pays are substantially lower. This will provide our employees with better coverage at an additional cost of less than \$300 per employee annually. Staff had a video conference call with representatives of SDRMA and have had an opportunity to determine if their doctors participate in the new coverage. I believe a consensus of the employees support moving to the new plan.


In respect to the proposed changes to the *Employee Handbook* this modification will allow employees with "double medical coverage" to receive a cash payment in-lieu of receiving medical benefits from UWPA. Both the employee and employer would benefit from the employee's voluntary participation in the program. The employer would save the cost of paying for the

monthly premiums and the employee would receive approximately \$311 per month in additional compensation. The program equally splits the costs between the employee and employer for the "Employee Only" premium.

Financial Impact: Proposed Current Annual Blue Shield Silver Plan Costs effective May 1, 2020: \$132,050. Proposed SDRMA Annual Plan Costs: \$134,334; Net impact: Less than \$2300 per year. Total Proposed Annual Employee Medical Care Costs: \$173,226.

In the event that one employee participates in the voluntary *Medical Insurance Cost Sharing Program*, UWPA would save at least \$3700 annually.

Utica Water and Power Authority

Date: April 21, 2020
To: Board of Directors
From: Dave Andres, Interim General Manager 
Re: Item 5-B Calaveras Public Power Agency At-Large Director Position

Recommendation:

Nominate _____ for the at-large position on the Calaveras Public Power Agency (CPPA) Board of Directors and authorize Ralph Chick to sign the ballot as our *Member Agency Representative*.

Background:

Three rural California counties (Calaveras, Tuolumne, and Trinity) receive a First Preference (FP) Federal Power rate as a result of the federal government taking taxable land away from these counties in order to build major hydroelectric projects within their jurisdictions. These are the only counties in the state to have this designation. This FP power was granted to the counties by the U.S. Congress to mitigate, in part, the negative impacts the projects had upon the local area. In the case of Calaveras and Tuolumne Counties this designation is the result of the *New Melones Project*. The New Melones project occupies 30,000 acres in Calaveras and Tuolumne counties. These impacts included the loss of private taxable lands, loss of farming and livestock grazing lands, loss of local water resources, and greater demand placed upon local services (such as police and fire protection) to serve the projects' recreational facilities.

Discussion:

The CPPA was formed to provide low cost power to qualifying public agencies. This agency acts through a Board of Directors consisting of *Member Agency Representatives* and an *At-Large Representative*. You are being asked to vote for one of the following nominees for the *At-Large* position:

- Michael Chimente – Bret Harte High School District
- Travis Owens – Murphys Sanitary District
- Gretchen McReynolds – Vallecito Union School District
- Laurie Giannini – 39th Agricultural Association.

Financial Impact:

No direct cost to the JPA, only staff time in processing the request.

CPPA

Calaveras Public Power Agency

Mailing Address:
Government Center
891 Mountain Ranch Road
San Andreas, CA 95249-9709

Phone: (209) 293-7211
Cell Phone (209) 768-4200
Email: dda@volcano.net

April 2, 2020

TO: Voting CPPA Member Agency Representatives

FROM: Dennis Dickman

SUBJECT: Voting Instructions

Four Member Agencies were nominated for the At-Large position on the CPPA Board of Directors. Each Agency accepted the nomination.

Enclosed is a ballot with the names of the Member Agencies and their current Representative. Please read the following instructions for marking the ballot and returning it to CPPA.

1. Vote for only one candidate by placing an X by the Member Agency's name on the ballot.
2. Place the ballot in the CPPA self-addressed and stamped envelope and seal the envelope.
3. **SIGN** the outside of the envelope below your name and address (Note: for the ballot to be accepted the signature must be that of the Member Agency Representative).
4. Ballots shall be returned to CPPA no later the May 4, 2020.

Failure to: (1) mark the ballot properly; (2) return the ballot in the CPPA self-addressed envelope; and/or (3) have an unauthorized signature on the envelope, will make the ballot invalid.

Ballot for At-Large CPPA Board of Director Position


Vote for only one of the following:

- Bret Harte Union High School District (Michael Chimento)
- Murphys Sanitary District (Travis Owens)
- Vallecito Union School District (Gretchen McReynolds)
- 39th District Agricultural Association ((Laurie Giannini)

Return Ballot within self-addressed stamped envelope so CPPA receives it by May 4, 2020

Calaveras Public Power Agency – 2020

Utica Water and Power Authority

Date: April 21, 2020
To: Board of Directors
From: Dave Andres, Interim General Manager 
Re: Item 5-C Designation of Agents for Declared Disasters

Recommendation: Adopt the attached Resolution No. 20-01 Designating UWPA Agents for purposes of obtaining financial assistance under Public Law 93-288.

Background:

Public Law (P.L.) 93-288, *The Disaster Relief Act of 1974*, was enacted on May 22nd, 1974, and has since been amended several times. The principle amendment was the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (Public Law 100-707), signed into law on November 23rd, 1988. The *Stafford Act* constitutes the statutory authority for most Federal disaster response activities especially as they pertain to the Federal Emergency Management Agency (FEMA) and FEMA programs. The purpose of these laws is to provide an orderly and continuing means of assistance by the federal government to state and local governments in carrying out their responsibilities during and after state and federal declared disasters. These laws provide for a number of special programs designed to: expand direct financial and relief programs; encourage comprehensive disaster preparedness plans; achieve greater coordination of disaster preparedness programs; advance hazard mitigation measures to reduce losses from disasters; providing Federal assistance programs for both public and private losses sustained in disasters; and make available long-range economic recovery programs for major disaster areas.

Discussion:

The attached resolution is required in order for the JPA to apply and receive reimbursement for costs associated with the current disaster designation for the Covid-19 pandemic. The resolution designates three staff positions eligible to apply and sign documents associated with FEMA programs. This includes the General Manager, Administrative Manager and the Operations and Maintenance Superintendent. This resolution is effective for a three (3) year period so that an additional resolution will not be required for subsequent disaster designations occurring between now and April 2023. The other condition of funding is a requirement for a Hazard Mitigation Plan (HMP). The JPA has submitted a grant request to the California Office of Emergency Services (CalOES) to have a consultant prepare an HMP. This request is currently awaiting state and federal approval. If you have any questions, I will be happy to respond.

Financial Impact:

This resolution is required in order for the JPA to file and get reimbursed for qualified disaster expenses. Actual cost would depend on the nature of the disaster and the expenses incurred by the JPA.

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE Board of Directors OF THE Utica Water & Power Auth.
(Governing Body) (Name of Applicant)

THAT General Manager, OR
(Title of Authorized Agent)

Administrative Manager, OR
(Title of Authorized Agent)

O & M Superintendent
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Utica Water & Power Auth., a public entity
(Name of Applicant)

established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the Utica Water & Power Auth., a public entity established under the laws of the State of California,
(Name of Applicant)

hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this _____ day of _____, 20____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, Ralph Chick, duly appointed and Secretary of
(Name) (Title)

Utica Water & Power Auth., do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the Board of Directors of the Utica Water & Power Auth.
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20____

(Signature)

(Title)

Cal OES Form 130 Instructions

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted Resolution is older than three (3) years from the last date of approval, is invalid or has not been submitted.

When completing the Cal OES Form 130, Applicants should fill in the blanks on page 1. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

Name of Applicant: The public entity established under the laws of the State of California. Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the Governor's Office of Emergency Services regarding grants applied for by the Applicant. There are two ways of completing this section:

1. **Titles Only:** If the Governing Body so chooses, the titles of the Authorized Agents would be entered here, not their names. This allows the document to remain valid (for 3 years) if an Authorized Agent leaves the position and is replaced by another individual in the same title. If "Titles Only" is the chosen method, this document must be accompanied by a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency and does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document or their title changes.

Governing Body Representative: These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents, and a minimum of two or more approving board members need to be listed.

Certification Section:

Name and Title: This is the individual that was in attendance and recorded the Resolution creation and approval.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member (if a person holds two positions such as City Manager and Secretary to the Board and the City Manager is to be listed as an Authorized Agent, then the same person holding the Secretary position would sign the document as Secretary to the Board (not City Manager) to eliminate "Self Certification."

PROJECT ASSURANCES FOR FEDERAL ASSISTANCE

SUBRECIPIENT'S NAME: Utica Water and Power Authority

(Name of Organization)

ADDRESS: P. O. Box 358

CITY: Angels Camp STATE: CA ZIP CODE: 95222

TELEPHONE: 209-736-9419 FAX NUMBER: 209-736-0114

AUTHORIZED AGENT: Dave Andres TITLE: Interim General Manager

EMAIL ADDRESS: admin@uticapower.net

ASSURANCES – CONSTRUCTION PROGRAMS

Note: Certain of these assurances may not be applicable to all of your projects. If you have questions, please contact the California Governor's Office of Emergency Services. Further, certain federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the subrecipient named above:

1. Has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, Federal Office of Inspector General 2 CFR 200.336, and if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance-awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gains.
8. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.), which prohibits the use of lead based paint in construction or rehabilitation of residence structures.

9. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C §§ 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibit discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3) as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental, or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) which may apply to the application.
10. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
11. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$5,000 or more.
12. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.O. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.O. 93-205).
13. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
14. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
15. Will comply with Standardized Emergency Management (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447, and 2448.
16. Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 and the Single Audit Act Amendments of 1996.
17. Will disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with §200.112.
18. Will comply with all applicable requirements of all other federal laws, Executive Orders, regulations and policies governing this program.
19. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the subrecipient application for federal assistance. Will, after the receipt of federal financial assistance, through the State of California, agree to the following:
 - a. The state warrant covering federal financial assistance will be deposited in a special and separate account, and will be used to pay only eligible costs for projects described above;
 - b. To return to the State of California such part of the funds so reimbursed pursuant to the above numbered application, which are excess to the approved actual expenditures as accepted by final audit of the federal or state government.
 - c. In the event the approved amount of the above numbered project application is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.

20. The non-Federal entity for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award §200.113. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment.
21. Will not make any award or permit any award (subaward or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension."

"I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized by the above named subrecipient to enter into this agreement for and on behalf of the said subrecipient, and by my signature do bind the subrecipient to the terms thereof."

Dave Andres

PRINTED NAME



SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Interim General Manager

March 31, 2020

TITLE

DATE

Utica Water and Power Authority

Date: April 23, 2020
To: Board of Directors
From: Dave Andres, Interim General Manager
Re: Item 5-D Agricultural Customer Rate Increase

Recommendation:

Adopt Attached Resolution 2020-02 Approving a 5% Rate Increase in the *Water Use Fee* for Agricultural Customers.

Background: Annually the JPA reviews the rates charged to our agricultural customers and meets with the Resource Management Committee to discuss what should be implemented. Due to the Covid-19 crisis and the absence of a fulltime General Manager this was not possible this year. However, I am recommending adoption of the attached resolution that provides a more formal process of approving rates by resolution.

Discussion: Currently agricultural customers pay a combination of *Flat Annual Fees* and a variable *Water Use Fee*. The flat fees include an *Administrative Fee*, *Meter Replacement / Repair Fee*, and an *Operation & Maintenance Flat Fee*. The *Water Use Fee* is a variable fee based on the number of acre feet used annually, with some provisions for minimum quantity. The purpose of these fees are explained in the attached resolution.

I am recommending that only the *Water Use Fee* be increased by 5%. This is based on the fact that the JPA is woefully short in funding its overall operations. Our member agencies have been asked to contribute more so it is only appropriate to ask our agricultural customers to do the same.

Financial Impact: A 5% increase to the *Water Use Fee* only. All other charges are proposed to remain the same as last year. Based on an estimated annual usage of 832 ac-ft, revenue would increase by less than \$1100 per year.

A RESOLUTION OF
THE UTICA WATER AND POWER AUTHORITY BOARD OF DIRECTORS
APPROVING WATER SERVICE REGULATIONS AND A CHANGE IN WATER
RATES FOR AGRICULTURAL CUSTOMERS

WHEREAS, the Utica Water and Power Authority (UWPA) provides non-potable water to approximately fifteen (15) connections within its service area; and

WHEREAS, the Board of Directors wishes to establish certain terms and conditions for the provision of water service and modify the rates charged for such services; and

WHEREAS, the proposed changes are provided in the attached Exhibit A.

NOW THEREFORE BE IT RESOLVED that the Board of Directors hereby approves the following actions:

1. That the current Policy for agricultural water use shall be modified in accordance with the *Exhibit A*, attached hereto and incorporated herein.
2. The changes under number 1 above shall take effect on May 1, 2020.
3. Due to existing contractual obligations, no new or additional customer water allocations shall be allowed, and all current allocations shall remain unchanged, unless formally modified by separate action by the Board of Directors.

THIS RESOLUTION IS APPROVED AND ADOPTED at a regular meeting of the Board of Directors of the Utica Water and Power Authority, Angels Camp, California, on April 28th, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SIGNED:

ATTEST:

Amanda Folendorf, Board Chairman

Lori Karnes, Administrative Manager

EXHIBIT A
to
Resolution 20-02
Agricultural Water Use Fees and Policies

DRAFT

1.0 Definitions:

1.1 Acre Foot or Acre Feet (ac-ft) – One-acre foot equals 325,850 U.S. gallons of water, or 43,560 cubic feet (cu-ft) of water.

1.2 Administrative Fee – The annual charge to water system customers for purposes of reimbursing UWPA for staff time and overhead associated with: collection & reporting of water use data, meter reading; conveyance system operation, maintenance and repair; water use billing, notifications, contract administration, collections, and other associated activities; and regulatory compliance.

1.3 Irrigation Season – The irrigation season shall be from May 1 thru October 31 each year.

1.4 Irrigation Off-Season – The irrigation off-season shall be from November 1 thru April 30 each year.

1.5 Meter Replacement / Repair Fee – The annual charge to a water system customer to pay for the potential testing, repair and/or replacement of water meters used to regulate water deliveries to individual customers. This fee shall be accounted for in a separate fund to be used only for the purposes it was collected for.

1.6 Meter Tampering – Meter Tampering is the unauthorized use of a UWPA measuring device involving modifying, bypassing, or disabling an existing meter or otherwise making an unauthorized connection to UWPA's water conveyance system. "Tampering" for purposes of this section, shall include, but not be limited to: 1.) the introduction or discharge of a contaminant into the water system; 2.) interference with the operation of the UWPA water system; 3.) the alteration, tampering with, knowingly allowing the alteration, tampering with or injuring of any pipeline, wire, conduit, ditch, meter, meter seal, or other equipment used by UWPA to deliver or register service; 4.) the prevention of any installed metering device from registering correctly the quantity of water passing through such metering device, or otherwise bypassing the metering device; 5.) making or causing any connection between any pipeline, ditch, lines, wires, conduits, meters, or other equipment in such a manner as to prevent the correct registration of service by any metering device, or to otherwise use water without the consent of UWPA.

1.7 Operation & Maintenance Flat Fee – The set annual charge used to fund the maintenance, repair and operation of the flume and ditch delivery system by UWPA agricultural customers.

1.8 Water Use Fee – The per acre foot charge for water delivered to each individual property identified as a UWPA agricultural customer. This fee shall be calculated in one-acre foot increments rounded up to the next acre foot increment.

2.0 Agricultural Rates:

2.1 Irrigation Season Water Use Fee –

- Above Murphys Powerhouse: \$60.28 per ac-ft
- Below Murphys Powerhouse: \$25.32 per ac-ft

DRAFT

2.2 Irrigation Off-Season Water Use Fee –

- Above Murphys Powerhouse: \$82.73 per ac-ft
- Below Murphys Powerhouse: \$34.73 per ac-ft

2.3 Administrative Fee –

- \$340 annually per connection

2.4 Meter Replacement / Repair Fee –

- \$50 annually per connection

2.5 Operation & Maintenance Flat Fee –

- \$72 annually per connection

2.6 Meter Tampering Fee –

- First Offense – cost of repair/staff time plus a \$100 tampering fee
- Second Offense – cost of repair/staff time plus a \$250 tampering fee
- Third Offense – cost of repair/staff time plus a \$500 tampering fee
- Additional Offense(s) – discontinue service to customer

3.0 Administrative Regulations:

3.1 Authority – The UWPA Board of Directors authorizes the General Manager to implement such regulations as are necessary to implement, clarify and interpret this resolution.

3.2 Annual Contracts – The UWPA Board of Directors authorizes the General Manager to issue contracts on an annual basis to those customers authorized to receive water in accordance with this resolution.

3.3 Reservation of Right to Curtail Water Deliveries – The Board of Directors through its General Manager reserves the right at any time to curtail, reduce or cease water deliveries to agricultural customers as a result of system maintenance, repair or failure; by order of a higher authority for water conservation or other purposes; for non-payment by a customer; or for such other reason(s), as solely determined by the General Manager or Board of Directors, that may impact the overall reliability of the water supply and/or its impact on the reliability of the water supply to other customers on the system and/or the ability of the UWPA to physically or financially operate the water supply system.