

## REGULAR BOARD MEETING AGENDA

5:30 PM Wednesday June 26, 2024  
UPUD Headquarters | 339 Main Street, Murphys, CA 95247

### OUR MISSION

*Union Public Utility District is dedicated to protecting, enhancing, and developing our water resources to the highest beneficial use for our customers, while maintaining cost-conscious, reliable service and providing gainful employment through responsible management.*

**Board Chambers are open to the public and the following alternative is available to members of the public who wish to participate in the meeting virtually:**

### Microsoft Teams meeting

Join on your computer, mobile app or room device

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Meeting ID: 231 098 604 416

Passcode: fgRMdM

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[+1 209-729-7215,484999377#](tel:+12097297215484999377)

Phone Conference ID: 484 999 377#

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Administration Office at 209-728-3651. Notification in advance of the meeting will enable UPUD to make reasonable arrangements to ensure accessibility to this meeting. Any documents that are made available to the Board before or at the meeting, not privileged or otherwise protected from disclosure, and related to agenda items, will be made available at UPUD for review by the public.

## ORDER OF BUSINESS

### CALL TO ORDER/THE PLEDGE OF ALLEGIANCE

**1. ROLL CALL**

**2. APPROVAL OF AGENDA**

**3. PUBLIC COMMENT:**

(LIMIT 5 MINUTES PER PERSON) Members of the public may address the Board on items not agendized. The public is encouraged to contact the General Manager or Board of Directors for consideration of items to be placed on the agenda. No action will be taken by the Board unless an item is agendized.

**4. CONSENT AGENDA:**

Consent agenda items are expected to be routine and non-controversial. They will be acted upon by the Board at a time, without discussion. Any board member, staff member or interested party may request removal of an item from the consent agenda for later discussion.

- a. Approval of Minutes: May 24, 2024 – Regular Meeting
- b. Expenditures - May 2024
- c. Fund Balance Report – May 2024
- d. Balance Sheet & Income Statement – May 2024
- e. YTD Budget to Actuals – May 2024
- f. Legal Fees Year-to-Date Review

**5. OLD BUSINESS:** None

**6. NEW BUSINESS**

- a. Discussion/Action Regarding Updated CIP  
(Jessica Self, General Manager & Matt Ospital, Weber Ghio)
- b. Discussion/Action Regarding Adoption of Legal Services Agreement for UPUD General Counsel:  
Frank A. Splendorio: Best, Best & Krieger LLP  
(Jessica Self, General Manager)
- c. Discussion/Action Regarding Citizen’s Initiative Removal **RES 2024-\_\_\_**  
(Jessica Self, General Manager)
- d. Discussion/Action Regarding Transitioning Banking Services - Removal of US Bank & El Dorado Savings, Addition of Bank of Stockton **RES 2024-\_\_\_**  
(Jenna Mayo, Board Clerk)
- e. Discussion/Action Regarding District Policy Updates **RES 2024-\_\_\_**  
(Jenna Mayo, Board Clerk)

f. Discussion/Action Regarding Adopting JPIA Employee Medical Benefits Program  
(Jenna Mayo, Board Clerk) **RES 2024-\_\_\_**

g. Discussion/Action Adopting an updated Organization Chart with Associated Staffing Changes  
(Jessica Self, General Manager)

h. Discussion/Action Regarding FY25 Budget Adoption  
(Jessica Self, General Manager) **RES 2024-\_\_\_**

**7. UPDATES**

a. Discussion/Potential Direction Regarding UWPA

**8. REPORTS**

a. General Manager

**9. DIRECTORS COMMENTS**

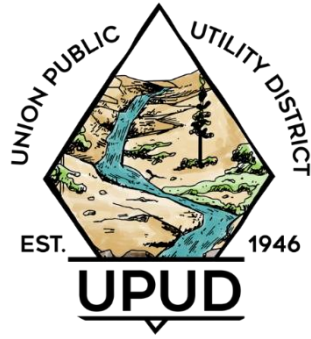
**10. CLOSED SESSION:**

a. Pursuant to Government Code § Section 54957(b)(1): Public Employee Evaluations -  
Title: General Manager

**11. NEXT BOARD MEETINGS & EVENTS**

- Wednesday, July 24, 2024 at 5:30 PM - Regular Meeting
- Wednesday, August 28, 2024 at 5:30 PM - Regular Meeting
- Wednesday, September 25, 2024 at 5:30 PM - Regular Meeting

**12. ADJOURNMENT**



## MINUTES

### UNION PUBLIC UTILITY DISTRICT REGULAR BOARD MEETING

May 22, 2024

Directors Present: Greg Rasmussen, Vice-President  
Tom Quincy, Secretary  
Bruce Tallakson, Treasurer  
Ralph Chick, Director

Directors Absent: Eric Bottomley, President

Staff Present: Jessica Self, General Manager  
Jenna Mayo, Administrative Analyst/Board Clerk

Others Present: Andrew Ramos, Legal Counsel  
Joel Metzger, UWPA General Manager  
Public at Large

## ORDER OF BUSINESS

### CALL TO ORDER & THE PLEDGE OF ALLEGIANCE

#### 1. ROLL CALL

Vice President Rasmussen called the Regular Board Meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

#### 2. APPROVAL OF AGENDA

Motion: Director Chick  
Second: Director Quincy  
Ayes: Directors Rasmussen, Quincy, Tallakson, and Chick  
Nays: None  
Absent: Director Bottomley  
Abstained: None

MINUTE ENTRY. MOTION TO APPROVE THE AGENDA AS PRESENTED.

**3. PUBLIC COMMENT:**

Mike Peirano presented a statement representing UPUD Irrigation customers, which stated: It would be highly beneficial for both UPUD management and its customers to allow public input and discussion leading up to the new 218 CIP approval. By allowing customers to give constructive input and being included in the discussions during this transition, there will be more transparency potentially avoiding litigation in the future. If UPUD is open to allowing its customers to be constructively involved in the new 218/CIP outcome, the current Water Rate Initiative can be dropped from the ballot. Our hope is that this will be a positive outcome from all of this for the future of UPUD.

**4. CONSENT AGENDA:**

- a. Approval of Minutes: April 24, 2024 – Regular Meeting
- b. Expenditures - April 2024
- c. Fund Balance Report – April 2024
- d. Balance Sheet & Income Statement – April 2024
- e. YTD Budget to Actuals – April 2024
- f. Legal Fees Year-to-Date Review

Motion: Director Chick  
Second: Director Quincy  
Ayes: Directors Rasmussen, Quincy, Tallakson, and Chick  
Nays: None  
Absent: Director Bottomley  
Abstained: None

MINUTE ENTRY. MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED WITH ITEM 4 E AND 4 F TO BE PULLED FOR DISCUSSION AND REVIEW.

Director Rasmussen wanted to review the Year-to-Date Actuals report. He questioned why the Education and Training account was over budget. General Manager Jessica Self explained that a line-item adjustment was needed, as some expenses should have been allocated to Travel due to conference travel. Director Rasmussen said that we have one more month and we should be balancing everything out pretty close. General Manager Jessica Self highlighted the last line, the grand total, which shows a negative \$201,574.20 because it does not include the Reserves Contribution. She explained that the Monge Bridge project, budgeted at around \$260,000.00, is being paid for using Reserves, which is not reflected in the report. She emphasized that the deficit is not as large as it appears compared to the approved budget.

Director Quincy inquired about account 01-06-6207 (Permits and Fees). Jessica said she was unsure why it was over budget but said she would investigate and report back. Director Rasmussen also asked about the Workers Compensation account for the Treatment Department. Jessica clarified that workers compensation was incorrectly allocated and needed to be attributed

to the field, not admin, due to her fieldwork. Elaine has made the correction, and this will be fixed in the new budget.

Director Tallakson pointed out that three legal issues have brought the year-to-date total legal fees to \$131,248.00. Director Chick asked about the original budget, and Director Tallakson replied it was \$30,000.00. He mentioned that fortunately, the General Manager and the Finance Committee adjusted the budget mid-year to \$140,000.00, which will likely be fully used by the end of June. General Manager Jessica Self noted that no funds had to be pulled from Reserves.

Motion: Director Chick  
Second: Director Quincy  
Ayes: Directors Rasmussen, Quincy, Tallakson, and Chick  
Nays: Director  
Absent: Director Bottomley  
Abstained: None

MINUTE ENTRY. MOTION TO APPROVE ITEM 4 E AND 4 F AS PRESENTED.

5. **OLD BUSINESS: NONE**

6. **NEW BUSINESS**

a. Discussion/Action Regarding District Policy Updates  
(Jenna Mayo, Board Clerk)

**RESO NO. 2024-010**

Motion: Director Rasmussen  
Second: Director Chick  
Ayes: Directors Rasmussen, Quincy, Tallakson, and Chick  
Nays: None  
Absent: Director Bottomley  
Abstained: None

RESO NO. 2024-010. TO ADOPT RESOLUTION NO. 2024-010 – UPDATING DISTRICT POLICY UPDATES, AS PRESENTED.

b. Discussion/Action Regarding Legislative Updates  
(Jessica Self, General Manager)

Motion: Director Chick  
Second: Director Tallakson  
Ayes: Directors Rasmussen, Quincy, Tallakson, and Chick  
Nays: None  
Absent: Director Bottomley  
Abstained: None

MINUTE ENTRY. MOTION TO AUTHORIZE THE GENERAL MANAGER TO FORMALLY SUPPORT PROPOSED LEGISLATIVE BILLS SB 1088, SB 470, AB 1255, AB2257, SB 1072, AND ADVOCACY FOR THE CLIMATE RESILIENCE BOND ON BEHALF OF UNION PUBLIC UTILITY DISTRICT.

c. Discussion/Action Regarding USDA Authorized Roles and Funding  
(Jessica Self, General Manager)

**RESO NO. 2024-011**

Motion: Director  
Second: Director  
Ayes: Directors Rasmussen, Quincy, Tallakson, and Chick  
Nays: None  
Absent: Director Bottomley  
Abstained: None

RESO NO. 2024-011. TO ADOPT RESOLUTION NO. 2024-011 – SUPPORT FOR OBTAINING USDA LEVEL 2 E-AUTHORIZATION AND SECURITY ROLES TO SEEK FUNDING THROUGH USDA’S GRANT FUNDING OPPORTUNITIES, AS PRESENTED.

d. Discussion/Action Regarding Utica Budget and 5-year Financial Plan  
(Joel Metzger, Utica Water and Power Authority)

UWPA General Manager Joel Metzger presented a five-year Financial Plan that included a financial analysis by HDR, hired by Utica, to project revenues and expenses over the next five years. These projections will inform UPUD and COA’s rate studies to ensure sufficient revenue. Following consultations with JPA managers, the Utica Budget Committee, and the Utica Board, HDR developed scenarios with reduced contribution amounts from JPA members. The latest scenario proposes starting contributions at \$370,000 each from UPUD and COA, increasing by 10% annually. Even with a successful FERC Exemption, JPA contributions are needed to balance the budget.

Currently, UPUD can collect about \$370,000 in Utica fees, down from \$430,000, while the City of Angels collects approximately \$440,000 under its current rate structure. As of January 2024, Utica reserve balances are \$193,000 for UPUD and \$390,000 for COA.

To increase funding for Utica, UPUD and COA could approve a rate increase for FY 2024-2025 or use restricted Utica reserve funds to reduce the impact on customers. Next, Utica will present an update to the Angels Camp City Council on June 4th. A JPA meeting is scheduled for June 13th at 5:30 pm to discuss and vote on the five-year funding agreement.

**7. UPDATES**

a. Discussion/Potential Direction Regarding UWPA

Director Quincy reported that the board convened for a budget committee meeting on the 20th, where they successfully created a balanced budget ready for presentation to the full board. Achieving this balance required UPUD and COA to contribute \$370,000, aligning with the standard yearly collection of \$18 per month.

Additionally, a presentation on five-year funding was delivered. Director Quincy stated that it is crucial that he and Director Chick receive voting guidance from the UPUD board regarding this matter, especially if it's slated for discussion on the UWPA agenda.

8. **REPORTS**

a. General Manager

A copy of the General Manager's report was provided to the Board, and General Manager, Jessica Self reviewed the report with the Board.

9. **DIRECTORS REPORTS, INFORMATION, FUTURE AGENDA ITEMS**

10. **CLOSED SESSION:** The meeting was adjourned into Closed Session at 6:50 PM

- a. Pursuant to Government Code § Section 54957(b)(1): Public Employee Performance Evaluation – Title: General Manager

11. **RETURN TO OPEN SESSION:** The meeting returned to open session at 8:05 PM

12. **REPORTABLE ACTION FROM CLOSED SESSION:** There was no reportable action.

13. **NEXT BOARD MEETINGS & EVENTS**

1. Tuesday, June 4, 2024 at 11:00 AM – Financial Committee Meeting
2. Thursday, June 13, 2024 at 5:30 PM – JPA Meeting
3. Wednesday, June 26, 2024 at 5:30 PM - Regular Meeting

14. **ADJOURNMENT**

The meeting adjourned at 8:06 PM

Respectfully Submitted:

ATTEST:

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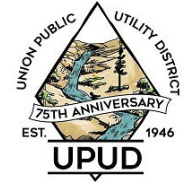
Tom E. Quincy, Board Secretary

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Jenna Mayo, Clerk to the Board



General Ledger  
Fund Balance Report LAIF  
May 2024

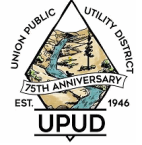


Account Number	Description	Beg Bal	Debits	Credits	End Bal
<b>Water Fund</b>					
01-00-1400	LAIF-Capital Replc	0.00	0.00	0.00	0.00
01-00-1401	LAIF-Emergency Reserve	5,130.29	0.00	0.00	5,130.29
01-00-1402	LAIF-Irrigation Reserve	0.00	0.00	0.00	0.00
01-00-1404	LAIF-UWPA Reserve	0.00	0.00	0.00	0.00
01-00-1405	LAIF-District Reserve	0.00	0.00	0.00	0.00
01-00-1406	LAIF-Operations Reserve	0.00	0.00	0.00	0.00
01-00-1407	LAIF-Capital Reserve	0.00	0.00	0.00	0.00
<b>Total LAIF</b>		<b>5,130.29</b>	<b>0.00</b>	<b>0.00</b>	<b>5,130.29</b>
<b>Water Fund</b>					
01-00-1501	CA CLASS - Emergency Reserve	1,160,920.62	5,304.22	0.00	1,166,224.84
01-00-1502	CA CLASS - Irrigation Reserve	203,681.14	930.61	0.00	204,611.75
01-00-1504	CA CLASS - UWPA Reserve	117,970.90	539.01	0.00	118,509.91
01-00-1506	CA CLASS - Operations Reserve	634,119.35	2,897.28	0.00	637,016.63
01-00-1507	CA CLASS - Capital Reserve	660,569.34	3,018.13	0.00	663,587.47
<b>Total CA CLASS</b>		<b>2,777,261.35</b>	<b>12,689.25</b>	<b>0.00</b>	<b>2,789,950.60</b>
<b>Total LAIF &amp; CA CLASS RESERVES</b>		<b>2,782,391.64</b>	<b>12,689.25</b>	<b>0.00</b>	<b>2,795,080.89</b>

# General Ledger

## Balance Sheet

May 2024



Period: 11  
Fiscal Year: 2024

### Fund ALFRE

Account Type	Amount
01 - Water Fund	
Assets	
Cash & Investments	3,114,290.79
Accounts Receivable	188,641.44
Inventory	0.00
Fixed Assets	4,672,618.36
Other Long Term Assets	0.00
CalPERS Pension Outflows	318,606.00
Grant Receivable	0.00
Total Assets:	<u>8,294,156.59</u>
Liabilities	
Accounts Payable	0.00
Payroll Liabilities	0.00
Deferred Revenue	2,962.32
Compensated Absences	74,871.35
Bonds/Notes Payable-Current	0.00
CalPERS Pension -Liability Exp	525,941.00
CalPERS Pension - Inflows	43,711.00
Total Liabilities:	<u>647,485.67</u>
Fund Balance	
Fund Balance	<u>7,738,078.15</u>
Total Fund Balance:	<u>7,738,078.15</u>
Total Liabilities and Fund Balance:	<u>8,385,563.82</u>
Total Retained Earnings:	<u>(91,407.23)</u>
Total Fund Balance and Retained Earnings:	<u>7,646,670.92</u>
Total Liabilities, Fund Balance, and Retained Earnings:	<u>8,294,156.59</u>
Totals for Fund 01 - Water Fund:	<u>0.00</u>

# General Ledger

## Revenues by Category

### May 2024



Period 01 - 11  
Fiscal Year 2024

Account Number	Description	One Year Prior Actual	Budget	Period Amt	End Bal
<b>01</b>	<b>Water Fund</b>				
01-01-4100	Domestic Water Revenue	-1,657,243.13	-1,583,114.00	-126,359.55	-1,339,216.15
01-01-4105	Irrigation Water Revenue	-120,613.50	-180,000.00	-11,417.89	-155,966.44
01-01-4106	Utica Conveyance Fees	0.00	-370,000.00	-30,900.60	-339,561.91
01-01-4107	Utica Irrigation Water Sales	0.00	-163.00	0.00	-157.22
01-01-4120	Hydrant Meter Revenue	-1,506.40	-2,000.00	-250.00	-1,189.00
01-01-4160	Penalties	-22,630.00	-10,000.00	-1,250.00	-13,930.00
01-01-4180	Other - Water Related	-5,227.73	-5,000.00	-6,140.62	-9,769.55
01-01-4189	Meter Reset Fees	-2,000.00	-1,000.00	-1,000.00	-2,000.00
01-01-4190	Meter Connection Fees	-98,000.00	-56,000.00	0.00	-56,000.00
01-01-4195	Non-Operating Income	0.00	-1,500.00	0.00	-878.06
01-01-4200	Interest Earned	-42,021.35	-110,000.00	0.00	-113,367.40
01-01-4300	County Taxes	-144,861.83	-165,000.00	-64,634.78	-162,056.16
01-01-4420	Insurance Refund	-11,142.05	0.00	0.00	-337.06
01-01-4440	Garage Rental Revenue	-1,245.00	-1,200.00	-315.00	-1,320.00
01-01-4441	NCPA Facilities Use Agreement	-2,500.00	-2,500.00	0.00	-2,500.00
01-01-4460	Grant Income	-38,500.00	-150,000.00	0.00	0.00
<b>01</b>	<b>Water Fund</b>	<b>-2,147,490.99</b>	<b>-2,637,477.00</b>	<b>-242,268.44</b>	<b>-2,198,248.95</b>
<b>Revenue Total</b>		<b><u>-2,147,490.99</u></b>	<b><u>-2,637,477.00</u></b>	<b><u>-242,268.44</u></b>	<b><u>-2,198,248.95</u></b>

# General Ledger

## YTD Budget to Actuals



May 2024

Period 01 - 11  
Fiscal Year 2024

Account Number	Description	Prior Yr Actual	YTD Budget	Period Amt	End Bal	YTD Bgt Var	YTD Bgt % Var
01-01-4100	Domestic Water Revenue	1,657,243.13	1,451,187.83	126,359.55	1,339,216.15	111,971.68	-7.72
01-01-4105	Irrigation Water Revenue	120,613.50	165,000.00	11,417.89	155,966.44	9,033.56	-5.47
01-01-4106	Utica Conveyance Fees	0.00	339,166.67	30,900.60	339,561.91	-395.24	0.12
01-01-4107	Utica Irrigation Water Sales	0.00	149.42	0.00	157.22	-7.80	5.22
01-01-4120	Hydrant Meter Revenue	1,506.40	1,833.33	250.00	1,189.00	644.33	-35.15
01-01-4160	Penalties	22,630.00	9,166.67	1,250.00	13,930.00	-4,763.33	51.96
01-01-4180	Other - Water Related	5,227.73	4,583.33	6,140.62	9,769.55	-5,186.22	113.15
01-01-4189	Meter Reset Fees	2,000.00	916.67	1,000.00	2,000.00	-1,083.33	118.18
01-01-4190	Meter Connection Fees	98,000.00	51,333.33	0.00	56,000.00	-4,666.67	9.09
01-01-4195	Non-Operating Income	0.00	1,375.00	0.00	878.06	496.94	-36.14
01-01-4200	Interest Earned	42,021.35	100,833.33	12,689.25	126,056.65	-25,223.32	25.01
01-01-4300	County Taxes	144,861.83	151,250.00	64,634.78	162,056.16	-10,806.16	7.14
01-01-4420	Insurance Refund	11,142.05	0.00	0.00	337.06	-337.06	0.00
01-01-4440	Garage Rental Revenue	1,245.00	1,100.00	315.00	1,320.00	-220.00	20.00
01-01-4441	NCPA Facilities Use Agreement	2,500.00	2,291.67	0.00	2,500.00	-208.33	9.09
01-01-4460	Grant Income	38,500.00	137,500.00	0.00	0.00	137,500.00	-100.00
01-02-6003	Water Purchased	490,000.00	339,166.67	0.00	217,500.00	121,666.67	35.87
01-03-6100	Labor	70,225.78	79,108.33	5,950.19	77,445.87	1,662.46	2.10
01-03-6102	Vacation Pay	7,223.74	0.00	732.45	6,732.40	-6,732.40	0.00
01-03-6103	Overtime	2,488.99	18,333.33	1,039.98	14,578.44	3,754.89	20.48
01-03-6104	On Call Pay	16,500.00	9,619.50	800.00	9,697.47	-77.97	-0.81
01-03-6105	WT Cert Bonus	1,000.00	458.33	0.00	500.00	-41.67	-9.09
01-03-6110	FICA 7.65%	7,494.51	8,433.33	652.06	8,335.17	98.16	1.16
01-03-6200	Repairs & Maintenance	0.00	4,583.33	0.00	0.00	4,583.33	100.00
01-03-6201	Equipment Repairs	5,983.87	6,875.00	0.00	5,383.96	1,491.04	21.69
01-03-6202	Supplies	86,137.70	68,750.00	5,043.32	60,125.14	8,624.86	12.55
01-03-6204	Utilities	35,904.69	39,416.67	3,760.71	33,682.57	5,734.10	14.55
01-03-6205	Capital Exp Equip Pur )\$1K	42,054.31	55,000.00	3,193.71	47,693.66	7,306.34	13.28
01-03-6207	Permits & Fees	27,833.49	27,500.00	0.00	29,269.88	-1,769.88	-6.44
01-03-6208	Equipment Rental	2,160.00	2,291.67	0.00	0.00	2,291.67	100.00
01-03-6209	Uniforms	246.83	458.33	0.00	550.15	-91.82	-20.03
01-03-6212	Water Analysis	16,773.00	20,166.67	1,871.00	18,463.00	1,703.67	8.45
01-03-6215	Equipment Purchase to \$999	3,329.35	7,333.33	0.00	4,826.26	2,507.07	34.19
01-03-6216	Education & Training	290.53	1,375.00	0.00	1,023.28	351.72	25.58
01-03-6220	CV Autogate Expense	783.99	1,375.00	29.00	435.43	939.57	68.33

Account Number	Description	Prior Yr Actual	YTD Budget	Period Amt	End Bal	YTD Bgt Var	YTD Bgt % Var
01-03-6300	Health Insurance	58,710.29	40,333.33	3,765.04	43,813.88	-3,480.55	-8.63
01-03-6301	Worker's Compensation	1,528.78	3,804.17	0.00	4,387.32	-583.15	-15.33
01-03-6400	CalPERS PR Expense	17,231.81	18,333.33	1,132.85	19,395.44	-1,062.11	-5.79
01-03-6450	Travel & Mileage	0.00	458.33	0.00	93.01	365.32	79.71
01-03-6500	Telephone	2,268.75	3,208.33	85.63	1,507.69	1,700.64	53.01
01-03-6801	Professional Svc-Engineer	0.00	9,166.67	4,174.02	4,641.25	4,525.42	49.37
01-03-6804	Professional Svc-Other	8,438.02	8,708.33	0.00	10,265.73	-1,557.40	-17.88
01-04-6100	Labor	197,256.84	246,583.33	18,935.33	224,881.34	21,701.99	8.80
01-04-6101	Sick Pay	9,402.59	0.00	367.19	9,094.16	-9,094.16	0.00
01-04-6102	Vacation Pay	12,961.67	0.00	1,371.29	16,165.74	-16,165.74	0.00
01-04-6103	Overtime	7,536.79	3,666.67	247.20	2,227.17	1,439.50	39.26
01-04-6104	On Call Pay	10,350.00	9,619.50	800.00	9,700.00	-80.50	-0.84
01-04-6105	TD Cert Bonus	0.00	1,375.00	0.00	500.00	875.00	63.64
01-04-6110	FICA	18,169.41	20,166.67	1,661.59	20,086.43	80.24	0.40
01-04-6200	Repairs & Maintenance	0.00	4,583.33	0.00	287.71	4,295.62	93.72
01-04-6201	Equipment Repairs	5,556.79	6,875.00	1,101.63	3,264.78	3,610.22	52.51
01-04-6202	Supplies	15,378.28	27,500.00	179.05	17,821.27	9,678.73	35.20
01-04-6204	Utilities	4,845.52	5,316.67	289.80	4,863.28	453.39	8.53
01-04-6205	Capital ExpEquip Pur ) \$1K	51,435.57	458,333.33	7,614.89	320,980.88	137,352.45	29.97
01-04-6206	Memberships	4,284.73	4,125.00	0.00	4,551.56	-426.56	-10.34
01-04-6207	Permits & Fees	188.26	458.33	0.00	0.00	458.33	100.00
01-04-6208	Equipment Rental	3,721.88	2,291.67	0.00	0.00	2,291.67	100.00
01-04-6209	Uniforms	433.59	1,833.33	0.00	1,814.40	18.93	1.03
01-04-6211	Gas, Oil & Fuel	20,470.60	22,000.00	0.00	15,562.79	6,437.21	29.26
01-04-6215	Equipment Purchase to \$999	1,215.02	2,750.00	471.87	1,624.05	1,125.95	40.94
01-04-6216	Education & Training	457.06	2,291.67	0.00	2,522.29	-230.62	-10.06
01-04-6300	Health Insurance	154,484.80	110,000.00	10,303.02	119,598.68	-9,598.68	-8.73
01-04-6301	Worker's Compensation	6,115.19	11,366.67	0.00	13,162.09	-1,795.42	-15.80
01-04-6400	CalPERS PR Expense	41,544.71	52,708.33	3,013.59	47,563.06	5,145.27	9.76
01-04-6450	Travel & Mileage	0.00	275.00	0.00	117.11	157.89	57.41
01-04-6500	Telephone	4,227.59	5,041.67	165.42	3,541.82	1,499.85	29.75
01-04-6801	Professional Svc-Engineer	36,164.71	59,583.33	7,137.92	55,861.92	3,721.41	6.25
01-04-6804	Professional Svc-Other	16,819.93	11,000.00	5,552.97	8,886.97	2,113.03	19.21
01-06-6100	Labor	236,023.86	310,823.33	25,810.69	293,330.51	17,492.82	5.63
01-06-6101	Sick Pay	4,427.79	0.00	504.53	8,209.85	-8,209.85	0.00
01-06-6102	Vacation Pay	20,917.64	0.00	0.00	6,711.61	-6,711.61	0.00
01-06-6103	Overtime	3,067.71	916.67	0.00	555.88	360.79	39.36
01-06-6110	FICA	20,882.35	24,750.00	2,115.26	24,651.55	98.45	0.40
01-06-6200	Repairs & Maintenance	4,235.97	4,583.33	0.00	1,159.66	3,423.67	74.70
01-06-6201	Equipment Repairs	0.00	458.33	0.00	0.00	458.33	100.00
01-06-6202	Supplies	2,501.58	4,583.33	516.28	4,516.56	66.77	1.46
01-06-6203	Copier Expense	3,241.71	3,391.67	32.14	3,721.40	-329.73	-9.72
01-06-6204	Utilities	4,144.19	4,125.00	344.88	4,209.17	-84.17	-2.04
01-06-6205	Capital ExpEquip Pur ) \$1K	48,906.60	0.00	0.00	0.00	0.00	0.00
01-06-6206	Memberships	16,185.45	20,166.67	1,136.98	22,480.64	-2,313.97	-11.47
01-06-6207	Permits & Fees	79.30	733.33	0.00	4,074.00	-3,340.67	-455.55
01-06-6209	Uniforms	144.43	458.33	0.00	674.20	-215.87	-47.10
01-06-6210	Postage	4,828.81	7,791.67	1,525.75	8,328.93	-537.26	-6.90

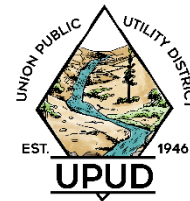
<b>Account Number</b>	<b>Description</b>	<b>Prior Yr Actual</b>	<b>YTD Budget</b>	<b>Period Amt</b>	<b>End Bal</b>	<b>YTD Bgt Var</b>	<b>YTD Bgt % Var</b>
01-06-6213	Bank Fees	16,201.07	27,500.00	597.00	23,172.96	4,327.04	15.73
01-06-6215	Equipment Purchases to \$999	2,256.89	4,583.33	63.05	1,615.55	2,967.78	64.75
01-06-6216	Education & Training	5,829.24	1,375.00	0.00	3,735.23	-2,360.23	-171.65
01-06-6300	Health Insurance	89,728.00	66,458.33	6,987.90	79,011.95	-12,553.62	-18.89
01-06-6301	Worker's Compensation	5,095.93	870.83	0.00	962.64	-91.81	-10.54
01-06-6302	General Insurance	43,281.00	22,916.67	0.00	20,200.80	2,715.87	11.85
01-06-6400	CalPERS PR Expense	52,005.46	68,750.00	3,104.65	53,074.28	15,675.72	22.80
01-06-6450	Travel & Mileage	1,057.34	9,166.67	1,823.54	8,394.21	772.46	8.43
01-06-6500	Telephone	2,916.22	3,208.33	194.15	4,022.02	-813.69	-25.36
01-06-6802	Professional Svc-Legal	26,797.00	128,333.33	3,155.72	129,196.40	-863.07	-0.67
01-06-6803	Professional Svc-Accounting	9,700.00	9,533.33	0.00	10,700.00	-1,166.67	-12.24
01-06-6804	Professional Svc-Other	72,681.77	28,416.67	2,819.47	18,975.98	9,440.69	33.22
01-06-6805	Professional Svs - IT	16,455.00	19,074.92	1,455.00	20,523.00	-1,448.08	-7.59
01-06-6806	Professional Svs - Software	0.00	32,083.33	269.00	18,101.90	13,981.43	43.58
01-06-6810	Communications	0.00	4,583.33	892.01	3,008.05	1,575.28	34.37
01-06-6901	Contingencies	<u>0.00</u>	<u>39,050.00</u>	<u>0.00</u>	<u>0.00</u>	<u>39,050.00</u>	<u>100.00</u>
<b>Revenue Total</b>		<b>2,147,490.99</b>	<b>2,417,687.25</b>	<b>254,957.69</b>	<b>2,210,938.20</b>	<b>206,749.05</b>	<b>0.0855</b>
<b>Expense Total</b>		<b>2,241,222.27</b>	<b>2,692,687.21</b>	<b>144,790.72</b>	<b>2,302,345.43</b>	<b>390,341.78</b>	<b>0.145</b>
<b>Grand Total</b>		<b><u>-93,731.28</u></b>	<b><u>-274,999.96</u></b>	<b><u>110,166.97</u></b>	<b><u>-91,407.23</u></b>	<b><u>-183,592.73</u></b>	<b><u>-0.6676</u></b>
01	Water Fund	-93,731.28	-275,000.00	110,166.97	-91,407.23	-183,592.77	-66.76
<b>Revenue Total</b>		<b>2,147,490.99</b>	<b>2,417,687.25</b>	<b>254,957.69</b>	<b>2,210,938.20</b>	<b>206,749.05</b>	<b>0.0855</b>
<b>Expense Total</b>		<b>2,241,222.27</b>	<b>2,692,687.21</b>	<b>144,790.72</b>	<b>2,302,345.43</b>	<b>390,341.78</b>	<b>0.145</b>
<b>Grand Total</b>		<b><u>-93,731.28</u></b>	<b><u>-274,999.96</u></b>	<b><u>110,166.97</u></b>	<b><u>-91,407.23</u></b>	<b><u>-183,592.73</u></b>	<b><u>-0.6676</u></b>



UPUD legal fees invoiced to date for January 2023 - Present.

Primary Column	Description	Hours	Total Charge
<b>▣ TOTAL FEES</b>			<b>\$131,335.82</b>
<b>▣ Hatfield v. UPUD</b>		<b>220.57</b>	<b>\$81,226.80</b>
+	February 2023	4.3	\$1,397.50
+	April 2023	8.1	\$2,632.50
+	July 2023	5.32	\$1,787.50
+	August 2023	53.35	\$19,908.30
+	September 2023	18.4	\$7,811.28
+	October 2023	25.8	\$10,115.32
+	November 2023	44.7	\$15,784.06
+	December 2023	39.6	\$14,108.05
+	January 2024	7.85	\$3,506.92
+	February 2024	9.95	\$3,090.25
+	March 2024	2	\$612.50
+	April 2024	1.1	\$468.22
+	May 2024	0.1	\$4.40
<b>▣ Glanville v. UPUD</b>		<b>64.475</b>	<b>\$20,451.68</b>
+	February 2023	1.6	\$520.00
+	March 2023	7.8	\$2,535.00
+	April 2023	3.6	\$1,170.00
+	May 2023	14.2	\$4,615.00
+	July 2023	5.4	\$1,755.00
+	August 2023	2.25	\$731.25
+	September 2023	3.5	\$1,137.50
+	October 2023	7	\$2,315.63
+	November 2023	10.25	\$2,876.67
+	December 2023	1.5	\$325.00
+	January 2024	3.375	\$1,130.63
+	March 2024	4	\$1,340.00
<b>▣ Hatfield v. UPUD - Water Rate Initiative</b>		<b>80.7</b>	<b>\$29,657.34</b>
+	June 2023	7.7	\$2,502.50
+	July 2023	1.3	\$422.50
+	October 2023	18.4	\$6,684.50
+	November 2023	48.3	\$18,981.45
+	December 2023	4.75	\$982.64
+	May 2024	0.25	\$83.75

# Agenda Item



**DATE:** June 26, 2024

**TO:** UPUD Board of Directors

**FROM:** Jessica Self, General Manager

**SUBJECT:** Approval of Updated Capital Improvement Program

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## **RECOMMENDED ACTION:**

Motion: \_\_\_\_\_ / \_\_\_\_\_ by Minute Entry to approve the updated Capital Improvement Program.

## **BACKGROUND:**

Union Public Utility District (UPUD) approved the current Capital Improvement Program (CIP) in 2021, prior to the District's Proposition 218 Rate Study. Updates to project costs are needed due to the sustained rise in inflation. Inflation can significantly impact the cost of materials, labor, and overall project expenses. Therefore, it is imperative that we proactively reassess and revise our CIP to ensure the long-term viability of our projects and their cost-effectiveness.

## **CIP Review Process:**

**Changes in Project Costs:** Weber, Ghio & Associates staff used the Engineering News-Record (ENR) index to update project costs. ENR is a widely recognized and respected publication in the construction industry. It provides comprehensive coverage of various construction projects, including their costs, timelines, and other relevant details. As a result, many professionals, including engineers, contractors, and project managers, refer to ENR for benchmarking and assessing construction costs.

**Prioritization of Projects:** Once project costs are updated, it is important to assess the reprioritization of projects across fiscal years. Specifically, the District must look at staff workload, costs per fiscal year, and severity of need for each project. Here is a summary of the main changes in project prioritization:

**Treatment Plant Upgrades:** Projects slated for FY25 are focused on treatment plant upgrades:

1. Replacement of existing power service and panel (\$725,312): The current service/panel is undersized for the current water treatment plant operations. The operators have to run



the plant cautiously and pick and choose when to use certain equipment. Recently with everything running the panel caught fire. This could be considered an emergency project.

2. New Filter Media and Service Wash (\$463,000): The filter media and service wash have reached the end of useful life. It is imperative to replace them within the next year.
3. Coat & Recoat Filters (\$283,000): To do this efficiently, it is best to do this at the same time as filter media replacement.

***Irrigation Projects:*** Staff recommend deferring all Irrigation CIP for five years. Currently there are not sufficient funds within the irrigation reserve or irrigation revenue to fund these projects. Staff would like to spend this time to instead work with State, Federal and other entities to secure grant funds or loans.

### **FINANCIAL CONSIDERATIONS:**

In order to fund priority projects for FY25 and the next five years, it is vital for the District to secure outside funding such as low interest, long term loans, grants as well as incorporating these projects into our five-year rate study.

*Attachments:*                      *Updated Capital Improvement Program*

# Capital Improvement Plan\_2024+

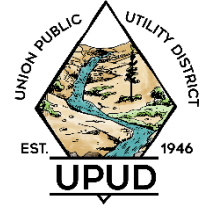


ID	Project	Total Cost	Project Category	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34	FY35	FY36	FY37	FY38
1	<b>UPUD Capital Improvement Plan</b>	<b>\$29,996,102</b>		<b>\$380,630</b>	<b>\$1,603,552</b>	<b>\$2,518,612</b>	<b>\$1,902,93</b>	<b>\$2,897,90</b>	<b>\$1,278,733</b>	<b>\$3,676,605</b>	<b>\$2,810,98</b>	<b>\$1,463,350</b>	<b>\$1,855,09</b>	<b>\$7,577,622</b>	<b>\$1,437,417</b>	<b>\$1,097,170</b>	<b>\$741,866</b>	<b>\$1,278,244</b>
2	<b>Water Treatment Plant</b>	<b>\$5,577,152</b>		<b>\$25,000</b>	<b>\$1,513,552</b>	<b>\$720,691</b>	<b>\$775,856</b>	<b>\$0</b>	<b>\$47,309</b>	<b>\$0</b>	<b>\$49,843</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>			
3	1A Tules problem Cadematori removal vegetation late fall	\$42,240	Climate Resilience Fire Protection Water Quality Water Use Efficiency		\$42,240		\$44,774		\$47,309		\$49,843							
4	1B Electrical Service Upgrade at WTP	\$750,312	Climate Resilience Water Quality	\$25,000	\$725,312													
5	1C Coat & re-coat filters (3 ea)	\$283,000	Climate Resilience Fire Protection Other Water Quality Water Use Efficiency		\$283,000													
6	1D Replace filter media and service wash	\$464,000	Climate Resilience Fire Protection Other Water Quality Water Use Efficiency		\$463,000													
7	1E <b>Paint / Coat Storage Tanks</b>	\$746,000	Climate Resilience Fire Protection Other Water Quality Water Use Efficiency			\$710,391	\$731,082											
8	250K Tank (exterior)	\$345,400	Climate Resilience Fire Protection Water Quality Water Use Efficiency			\$355,196												
9	250K Tank (interior)	\$345,400	Climate Resilience Fire Protection Other Water Quality Water Use Efficiency			\$355,196												
10	2M Tank (exterior)	\$345,400	Climate Resilience Fire Protection Other Water Quality Water Use Efficiency				\$365,541											
11	2M Tank (interior)	\$345,400	Climate Resilience Fire Protection Other Water Quality Water Use Efficiency				\$365,541											
12	1F Backwash Project (delay until grant funding)	\$1,900,000	Climate Resilience Water Quality															
13	1G Surveillance System at WTP and Corp Yard	\$10,000	Other			\$10,300												
14	<b>Domestic Distribution</b>	<b>\$17,511,370</b>		<b>\$254,630</b>	<b>\$60,000</b>	<b>\$1,694,041</b>	<b>\$1,066,03</b>	<b>\$2,690,00</b>	<b>\$914,474</b>	<b>\$2,634,308</b>	<b>\$2,039,03</b>	<b>\$724,179</b>	<b>\$742,134</b>	<b>\$7,184,646</b>	<b>\$778,044</b>			
15	2 <b>Paint / Coat Storage Tanks</b>		Climate Resilience Fire Protection Water Quality Water Use Efficiency			\$355,196		\$751,773		\$386,232								
16	Vallecito 100K tank (interior)	\$345,400	Climate Resilience Fire Protection Water Quality Water Use Efficiency			\$355,196												
17	Vallecito 100K tank (exterior)	\$345,400	Climate Resilience Fire Protection Water Quality Water Use Efficiency							\$386,232				6,424,557.50				
18	Eltringham 1M Tank (interior)	\$345,400	Climate Resilience Fire Protection Other Water Quality Water Use Efficiency					\$375,887										
19	Eltringham 1M Tank (exterior)	\$345,400	Climate Resilience Fire Protection Water Quality Water Use Efficiency					\$375,887										
20	2A Rebuild 13 ea Pressure Reducing Valve Stations, piping, valves, lids	\$1,417,000	Climate Resilience Water Quality Water Use Efficiency			\$224,540	\$231,080	\$237,620	\$244,160	\$250,700	\$385,860							
21	2B.1 6" Pipe, Vallecito Bypass to Hwy 4 Existing Main	\$79,200	Climate Resilience Water Quality Water Use Efficiency				\$83,952											
22	2B.2 6" Pipe, Algiers Street - Church St. to Gold Street, Murphys	\$110,000	Climate Resilience Water Quality Water Use Efficiency				\$116,600											
23	2B.3 2.5" Pipe, Tanner Street, Murphys	\$22,000	Climate Resilience Water Quality Water Use Efficiency			\$22,660												
24	2C.1 8" Pipe, Coyote Dr, Sheet 5	\$73,920	Climate Resilience Water Quality Water Use Efficiency															
25	2C.2 12" Pipe, N Hwy 4, Sheet 1	\$107,800	Climate Resilience Water Quality Water Use Efficiency															

ID	Project	Total Cost	Project Category	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34	FY35	FY36	FY37	FY38
26	2C.3 8" Pipe, Apple Blossom Dr, Sheet 1/2	\$243,100	Climate Resilience Water Quality Water Use Efficiency															
27	2C.4 6" Pipe, S Algiers St, Sheet 3	\$46,640	Climate Resilience Water Quality Water Use Efficiency															
28	2C.5 6" Pipe, Main St, Sheet 4	\$66,440	Climate Resilience Water Quality Water Use Efficiency															
29	2C.6 6" Pipe, Woodland Dr, Sheet 4	\$79,200	Climate Resilience Water Quality Water Use Efficiency															
30	2C.7 6" Pipe, Woodland Dr, Sheet 4	\$86,680	Climate Resilience Water Quality Water Use Efficiency															
31	2C.8 6" Pipe, Watkins St, Sheet 4	\$58,080	Climate Resilience Water Quality Water Use Efficiency															
32	2C.9 8" Pipe, Fair Oaks Ln / Allen Ln, Sheets 4/7	\$763,620	Climate Resilience Water Quality Water Use Efficiency															
33	2C.10 8" Pipe, Green Meadow Ct, Sheet 6	\$497,640	Climate Resilience Water Quality Water Use Efficiency															
34	2D.1 10" Pipe, S Hwy 4, Sheet 7	\$242,880	Climate Resilience Water Quality Water Use Efficiency															
35	2D.2 10" Pipe, S Hwy 4 / Main St, Sheet 8	\$1,082,620	Climate Resilience Water Quality Water Use Efficiency															
36	2D.3 10" Pipe, S Hwy 4, Sheet 9	\$1,413,940	Climate Resilience Water Quality Water Use Efficiency															
37	2D.4 10" Pipe, Hwy 4 / Vallecito Bypass Rd, Sheet 10	\$906,400	Climate Resilience Water Quality Water Use Efficiency															
38	2D.5 8" Pipe, Red Hill Rd / Poag Rd, Sheet 10	\$1,037,300	Climate Resilience Water Quality Water Use Efficiency															
39	2D.6 8" Pipe, Church St / Angels Rd, Sheet 10	\$339,020	Climate Resilience Water Quality Water Use Efficiency															
40	2D.7 10" Pipe, Hwy 4 / Main St / Church St, Sheet 10	\$775,940	Climate Resilience Water Quality Water Use Efficiency															
41	2E Replace Fire Hydrants	\$5,172,750	Climate Resilience Water Use Efficiency			\$532,793	\$548,312	\$563,830	\$579,348	\$594,866	\$610,385	\$625,903	\$641,421	\$656,939	\$672,458			
42	2H AMR/AMI meters & meter box (1605 ea)	\$1,605,000	Climate Resilience Water Use Efficiency							\$922,875	\$946,950							
43	2J Replacement of all galvanized water service lines (131 ea)	\$812,200	Climate Resilience Fire Protection Water Quality Water Use Efficiency			\$83,657	\$86,093	\$88,530	\$90,966	\$93,403	\$95,840	\$98,276	\$100,713	\$103,149	\$105,586			
44	2K SCADA upgrades (tank level monitoring)	\$272,000	Climate Resilience Fire Protection Water Quality Water Use Efficiency					\$296,480										
45	2L Monge Ranch Bridge Utility Relocation		Other	\$254,630														
46	2M Water Master Plan	\$200,000			\$60,000	\$120,000												
47	<b>Irrigation</b>	<b>\$6,021,580</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$939,636</b>	<b>\$695,492</b>	<b>\$739,171</b>	<b>\$1,112,96</b>	<b>\$392,976</b>	<b>\$659,373</b>	<b>\$1,097,170</b>	<b>\$741,866</b>	<b>\$1,278,244</b>
48	3A.1 6" pipe, Church Street to Coyote Creek Road	\$281,010	Climate Resilience Fire Protection Water Use Efficiency									\$340,022						
49	3A.2 6" pipe, Coyote Creek Rd. to end of Main, Vallecito	\$329,875	Climate Resilience Fire Protection Water Use Efficiency									\$399,149						
50	3A.3 12" pipe, Carson Hill - Association Res. To Exist. 8" ACP Main	\$151,525	Climate Resilience Fire Protection Water Use Efficiency								\$178,800							
51	3A.4 12" pipe, Mosbaugh Irr. Service to PRV Station	\$114,840	Climate Resilience Fire Protection Water Use Efficiency										\$145,847					
52	3B.1 12" pipe, Main St. DF & Hwy 4 East End to Main St. DF and Hwy 4 West End	\$897,550	Climate Resilience Fire Protection Water Use Efficiency										\$1,112,962					

ID	Project	Total Cost	Project Category	FY24	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	FY33	FY34	FY35	FY36	FY37	FY38
53	3B.2 12" pipe, Hatcher Winery to Batten Rd	\$817,075	Climate Resilience Fire Protection Water Use Efficiency							\$939,636								
54	3C.1 12" pipe, Chlorine Building to Stephens Reservoir	\$194,590	Climate Resilience Fire Protection Water Use Efficiency											\$247,129				
55	3C.2 12" pipe, Seibel Reservoir to Penn Gulch Rd	\$507,210	Climate Resilience Fire Protection Water Use Efficiency												\$659,373			
56	3C.3 12" pipe, Penn Gulch Rd to end of Green Meadow Ct.	\$720,940	Climate Resilience Fire Protection Water Use Efficiency													\$958,850		
57	3C.4 12" pipe, End of Green Meadow Court to Hwy 4	\$545,490	Climate Resilience Fire Protection Water Use Efficiency														\$741,866	
58	3C.5 6" pipe, Angels Road, Vallecito	\$68,875	Climate Resilience Fire Protection Water Use Efficiency								\$81,273							
59	3D Replace Fire Hydrants	\$919,600	Climate Resilience Fire Protection Water Use Efficiency															\$1,278,244
60	3E AMR/AMI meters (104 ea)	\$104,000	Climate Resilience Water Use Efficiency													\$138,320		
61	3F Siebel Reservoir: repair drain and outlet slide gates	\$109,000	Water Quality Water Use Efficiency								\$128,620							
62	3G Stephens Reservoir: replace slide gate	\$75,000	Climate Resilience Water Use Efficiency								\$88,500							
63	3H Association Reservoir: sediment removal & replace head gate valves	\$185,000	Climate Resilience Water Use Efficiency								\$218,300							
64	<b>Equipment</b>	<b>\$627,000</b>		<b>\$101,000</b>	<b>\$30,000</b>	<b>\$103,880</b>	<b>\$61,040</b>	<b>\$78,400</b>	<b>\$187,450</b>	<b>\$102,660</b>	<b>\$26,620</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>			
65	4A F550 4x4 dump bed (upgrade 1970's truck)	\$98,000	Fire Protection Water Quality Water Use Efficiency			\$103,880												
66	4B F150 Pickup	\$70,000	Fire Protection Water Quality Water Use Efficiency					\$78,400										
67	4C F250 / F350 full box (Utility Truck)	\$89,000	Fire Protection Water Quality Water Use Efficiency	\$89,000														
68	4D Air compressor, gas/diesel (180 cfm)	\$28,000	Fire Protection Water Quality Water Use Efficiency				\$30,520											
69	4E Vac Trailer	\$42,000	Fire Protection Water Quality Water Use Efficiency	\$12,000	\$30,000													
70	4F Bumper Pull Dump Trailer	\$28,000	Fire Protection Water Quality Water Use Efficiency				\$30,520											
71	4G Mini Excavator	\$163,000	Fire Protection Water Quality Water Use Efficiency						\$187,450									
72	4H Skid Steer	\$87,000	Fire Protection Water Quality Water Use Efficiency							\$102,660								
73	4I Side by Side 4x4	\$22,000	Fire Protection Water Quality Water Use Efficiency								\$26,620							
74	<b>District Headquarters</b>	<b>\$259,000</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$129,500</b>	<b>\$129,500</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>			
75	Roof replacement & Electrical Upgrades	\$259,000.00	Climate Resilience					\$129,500	\$129,500									
76																		
77																		
78																		
79																		
80																		
81																		
82																		
83																		

# Agenda Item



**DATE:** June 26, 2024

**TO:** UPUD Board of Directors

**FROM:** Jessica Self, General Manager

**SUBJECT:** Adoption of Legal Services Agreement for UPUD General Counsel: Frank Splendorio | Best, Best and Krieger Law Firm

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## RECOMMENDED ACTION:

Motion: \_\_\_\_\_ / \_\_\_\_\_ to approve the legal services agreement for UPUD's General Counsel, Frank Splendorio, with Best, Best and Krieger LLP.

## SUMMARY:

Our current General Counsel, Andrew Ramos, has been a pleasure to work with. He has effectively navigated our District through multiple challenges with a level head. His excellent communication and reasoned approach have been appreciated by staff, the UPUD Board, partnering agencies, and the community. Mr. Ramos is leaving his role as General Counsel for UPUD, effective June 30, 2024, to embark on a new professional path. We wish him all the best; he will be dearly missed.

UPUD General Manager recommends hiring Frank Splendorio with Best, Best and Krieger as general counsel for Union Public Utility District. Mr. Splendorio's core practices include:

- California Public Records Act
- Brown Act
- Open Government & Ethics
- Municipal Law
- Land Use, Planning & Zoning
- Public Agency Litigation
- Public Infrastructure

Mr. Splendorio is a seasoned special district and public law attorney who provides general counsel and city attorney services to public agencies. Frank serves as general counsel to Modesto Irrigation District (MID), which provides irrigation services to over 57,000 acres and electrical services to more than 130,000 customer accounts. He also acts as general counsel for Georgetown Divide Public Utility District (GDPUD), the Root Creek Water District (RCWD), and the Amador Regional Sanitation Authority, as well as city attorney to several cities in the region. In these positions, he provides advice on governance issues, such as Brown Act and California Public Records Act compliance, and on some of the most challenging issues California public agencies are facing today. In addition to his water-focused work for MID, RCWD, and GDPUD,

each of the cities Frank represents has water utility issues that directly translate to UPUD's operations.

Union Public Utility District is already working with Best, Best and Krieger. Lutfi Kharuf is UPUD's special counsel and Dean Atyia has worked closely with UPUD over the past year as BBK's expert litigator. Both Mr. Kharuf and Mr. Atyia highly recommend Mr. Splendorio as UPUD's next general counsel.

**FINANCIAL CONSIDERATIONS:**

Charges will accrue as defined in the attached Legal Services Agreement.

*Attachments: General Counsel Legal Services Agreement: Frank Splendorio | Best, Best and Krieger LLP*

**AGREEMENT FOR LEGAL SERVICES  
BETWEEN  
UNION PUBLIC UTILITY DISTRICT  
AND  
BEST BEST & KRIEGER LLP**

**1. PARTIES AND DATE**

This Agreement is made and entered into as of the 26th day of June, 2024, by and between the Union Public Utility District, a special district of the State of California (“Client”) and Best Best & Krieger LLP, a limited liability partnership engaged in the practice of law (“BB&K”).

**2. RECITALS**

2.1 Client wishes to engage the services of BB&K as its General Counsel to perform all necessary legal services for the Client on the terms set forth below.

**3. TERMS.**

3.1 Term. The term of this Agreement shall commence on July 1, 2024 and shall continue in full force and effect until terminated in accordance with Section 3.12.

3.2 Scope of Services. BB&K shall serve as General Counsel and shall perform legal services (“Services”) as may be required from time to time by the Client as set forth by this Agreement, unless otherwise agreed to by the Client and BB&K. As part of the Services to be performed hereunder, BB&K shall be responsible for the following:

3.2.1 Preparation for, and attendance at, regular meetings of the Client as requested;

3.2.2 Provision of legal counsel at such other meetings as directed by the Client;

3.2.3 Preparation or review of Client ordinances and resolutions, together with such staff reports, orders, agreements, forms, notices, declarations, certificates, deeds, leases and other documents as requested by the Client;

3.2.4 Rendering to the officers and employees of the Client legal advice and opinions on all legal matters affecting the Client, including new legislation and court decisions, as directed by the Client;

3.2.5 Researching and interpreting laws, court decisions and other legal authorities in order to prepare legal opinions and to advise the Client on legal matters pertaining to Client operations, as directed by the Client;

3.2.6 Performing legal work pertaining to property acquisition, property disposal, public improvements, public rights-of-way and easements, as directed by the Client;

3.2.7 Responding to inquiries and review for legal sufficiency ordinances, resolutions, contracts, and administrative and personnel matters, as directed by the Client;

3.2.8 Representing and assisting on litigation matters, as directed by the Client. Such services shall include, but shall not be limited to, the preparation for and making of appearances, including preparing pleadings and petitions, making oral presentations, and preparing answers, briefs or other documents on behalf of the Client, and any officer or employee of the Client, in all federal and state courts of this State, and alternative dispute resolution officer, and before any governmental board or commission, including reviewing, defending or assisting any insurer of the Client or its agents or attorneys with respect to any lawsuit filed against the Client or any officer or employee thereof, for money or damages.

3.3 Designated General Counsel. Frank Splendorio shall be designated as General Counsel, and shall be responsible for the performance of all Services under this Agreement, including the supervision of Services performed by other members of BB&K. No change in this assignment shall be made without the consent of the Client.

3.4 Time of Performance. The Services of BB&K shall be performed expeditiously in the time frames and as directed by the Client.

3.5 Assistance. The Client agrees to provide all information and documents necessary for the attorneys at BB&K to perform their obligations under this Agreement.

3.6 Independent Contractor. BB&K shall perform all legal services required under this Agreement as an independent contractor of the Client and shall remain, at all times as to the Client, a wholly independent contractor with only such obligations as are required under this Agreement. Neither the Client, nor any of its employees, shall have any control over the manner, mode or means by which BB&K, its agents or employees, render the legal services required under this Agreement, except as otherwise set forth. The Client shall have no voice in the selection, discharge, supervision or control of BB&K's employees, representatives or agents, or in fixing their number, compensation, or hours of service.

3.7 Fees and Costs. BB&K shall render and bill for legal services in the following categories and at rates set forth in Exhibit "A" and in accordance with the BB&K Billing Policies set forth in Exhibit "B", both of which are attached hereto and incorporated herein by reference. In addition, the Client shall reimburse BB&K for reasonable and necessary expenses incurred by it in the performance of the Services under this Agreement. Authorized reimbursable expenses shall include, but are not limited to, printing and copying expenses, mileage expenses at the rate allowed by the Internal Revenue Service, toll road expenses, long distance telephone and facsimile tolls, computerized research time (e.g. Lexis or Westlaw), research services performed by BB&K's library staff, extraordinary mail or delivery costs (e.g. courier, overnight and express delivery), court fees and similar costs relating to the Services that are generally chargeable to a client. However, no separate charge shall be made by BB&K for secretarial or word processing services.

3.8 Billing. BB&K shall submit monthly to the Client a detailed statement of account for Services. The Client shall review BB&K's monthly statements and pay BB&K for Services rendered and costs incurred, as provided for in this Agreement, on a monthly basis.



3.9 Annual Reviews. The Client and BB&K agree that a review of performance and the compensation amounts referenced in this Agreement should occur at least annually.

3.10 Insurance. BB&K carries errors and omissions insurance with Lloyd's of London. After a standard deductible, this insurance provides coverage beyond what is required by the State of California. A declaration page containing information about BB&K's errors and omissions insurance policy is available upon Client's request.

3.11 Attorney-Client Privilege. Confidential communication between the Client and BB&K shall be covered by the attorney-client privilege. As used in this article, "confidential communication" means information transmitted between the Client and BB&K in the course of the relationship covered by this Agreement and in confidence by a means that, so far as the Client is aware, discloses the information to no third persons other than those who are present to further the interests of the Client in the consultation or those to whom disclosure is reasonably necessary for the transmission of the information or the accomplishment of the purpose for which BB&K is consulted, and includes any legal opinion formed and advice given by BB&K in the course of this relationship.

3.12 Termination of Agreement and Legal Services. This Agreement and the Services rendered under it may be terminated at any time upon thirty (30) days' prior written notice from either party, with or without cause. In the event of such termination, BB&K shall be paid for all Services authorized by the Client and performed up through and including the effective date of termination. BB&K shall also be reimbursed for all costs associated with transitioning any files or other data or documents to a new law firm or returning them to the Client.

3.13 Entire Agreement. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements.

3.14 Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in Plumas County.

3.15 Amendment; Modification. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both parties.

3.16 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a party shall give the other party any contractual rights by custom, estoppel, or otherwise.

3.17 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.18 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

3.19 Delivery of Notices. All notices permitted or required under this Agreement notices shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Client: Eric Bottomley  
Board President  
Union Public Utility District  
339 Main Street  
Murphys, CA 95247

BB&K: Frank Splendorio  
Partner  
Best Best & Krieger LLP  
500 Capitol Mall, Suite 2500  
Sacramento, CA 95814

3.20 Indemnification.

(A) BB&K agrees to indemnify Client its officers, employees and agents against, and will hold and save each of them harmless from, any and all actions, suits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities (herein “claims or liabilities”) that may be asserted or claimed by any person, firm or entity arising from the negligent acts or omissions of BB&K hereunder, or arising from BB&K’s negligent performance of any term, provision, covenant or condition of this Agreement, except to the extent such claims or liabilities arise from the negligence or willful misconduct of Client, its officers, agents or employees.

IN WITNESS WHEREOF, the Client and BB&K have executed this Agreement for City Attorney Legal Services as of the date first written above.

(signatures contained on following page)

**SIGNATURE PAGE TO  
AGREEMENT FOR LEGAL SERVICES  
BETWEEN  
UNION PUBLIC UTILITY DISTRICT  
AND  
BEST BEST & KRIEGER LLP**

**UNION PUBLIC UTILITY DISTRICT :**

By: \_\_\_\_\_  
Name: Eric Bottomley  
Title: Board President

**BEST BEST & KRIEGER LLP:**

By: \_\_\_\_\_  
Name: Frank Splendorio  
Title: Partner



- G. Non-routine election law matters, including election law litigation.
- H. Other matters mutually agreed upon between BBK and the General Manager.

6. Special Legal Services – Rates. The Client shall pay for Special Legal Services at the following rates:

Partners & Of Counsel	\$375
Associates	\$300
Paralegals, Law Clerks, Analysts	\$180

7. Complex Legal Services - Description. Complex Legal Services shall include the following types of services:

- A. Environmental matters (e.g., CEQA, NEPA, endangered species).
- B. Water law matters (e.g., water rights & quality).
- C. Toxic substances matters (e.g., CERCLA, RCRA).
- D. Complex public utility matters (e.g. electric, natural gas, telecommunications, water, rail, or transit that involve state or federal regulatory issues).
- E. Renewable energy and energy efficiency project contracts and power purchase agreements.
- F. Taxes, fees and charges matters (e.g., Prop. 218 & Mitigation Fee Act).
- G. Tax and ERISA related matters, Employee and Retirement Benefits.
- H. Intergovernmental Relations and Advocacy efforts (e.g., legislative and regulatory representation) at the federal and state level.
- I. Other matters mutually agreed upon between BBK and the General Manager.

8. Complex Legal Services – Rates. The Client shall pay for Complex Legal Services at the following rates:

Partners & Of Counsel	\$425
Associates	\$340
Pension Consultants	\$280
Paralegals, Law Clerks, Analysts	\$180

9. Travel. BB&K agrees to charge 50% for travel time and mileage to attend meetings of the Union Public Utility District Board of Directors.

10. Agreement Regarding Rate Categories. If BB&K believes that a matter falls within the Special Legal Services or Complex Legal Services rate category, BB&K shall seek approval from the General Manager or his/her designee. This approval of such a request from BB&K shall not be unreasonably withheld.

11. Other Billing Personnel. If, as, and when BB&K employs additional or different billing personnel, this Agreement may be supplemented by written administrative memoranda, providing for the categories and billing rates for such personnel, which memoranda may be approved by the General Manager.

12. Annual Adjustments. The above rates and retainer amounts will be adjusted annually using the cost of living index. At the start of the Client's fiscal year, July 1, 2025 and every July 1 thereafter during the term of this Agreement, rates and amounts shall be increased for the change in the cost of living for the most recently published twelve (12) month period, as shown by the U.S. Department of Labor in its All Urban Consumers Index set forth San Francisco-Oakland-Hayward, CA area (bi-monthly) provided, however, that such adjustment shall never be lower than zero percent (0%) nor higher than five percent (5%). In addition to the automatic rate increases, either BB&K or the Client may initiate consideration of a rate increase at any time.

**EXHIBIT B**  
**TO**  
**AGREEMENT FOR LEGAL SERVICES**  
**BETWEEN**  
**UNION PUBLIC UTILITY DISTRICT**  
**AND**  
**BEST BEST & KRIEGER LLP**

**BB&K BILLING POLICIES**

Our century of experience has shown that the attorney-client relationship works best when there is mutual understanding about fees, expenses, billing and payment terms. Therefore, this statement is intended to explain our billing policies and procedures. Clients are encouraged to discuss with us any questions they have about these policies and procedures. Clients may direct specific questions about a bill to the attorney with whom the client works or to our Accounts Receivable Department (accounts.receivable@bbklaw.com). Any specific billing arrangements different from those set forth below will be confirmed in a separate written agreement between the client and the firm.

**Invoice and Payment Options**

Best Best & Krieger strives to meet our clients' needs in terms of providing a wide variety of invoice types, delivery and payment options. Please indicate those needs including the preferred method of invoice delivery (Invoice via Email; or USPS). In addition, accounts.receivable@bbklaw.com can provide a W-9 upon request and discuss various accepted payment methods.

**Fees For Electronically Stored Information ("ESI") Support and Storage**

BBK provides Electronically Stored Information ("ESI") services for matters requiring ESI support, which are matters with a document population over 1 GB – typically litigation or threatened litigation matters. BBK provides services for basic ESI processing and storage at the following rates per month based on the number of gigabytes of data ("GB") processed and stored:

1GB -250GB: \$10 per GB  
251GB - 550GB: \$8 per GB  
551GB - 750GB: \$6 per GB  
751GB - 1TB: \$4 per GB

The amount BBK charges for basic processing and storage of ESI allows BBK to recover the costs of providing such services, plus a net profit for BBK. BBK believes that the rates it charges for processing and storage are lower than comparable services available from third party vendors in the market. If you wish to contract separately with a third party vendor for processing and storage costs, please notify PracticeSupportServices@bbklaw.com in writing. BBK also provides advanced ESI processing services at hourly rates for personnel in its Litigation Support Group. A copy of BBK's current rates for such services will be provided upon request.

### Fees for Professional Services

Unless a flat fee is set forth in our engagement letter with a client, our fees for the legal work we will undertake will be based in substantial part on time spent by personnel in our office on that client's behalf. In special circumstances which will be discussed with the client and agreed upon in writing, fees will be based upon the novelty or difficulty of the matter, or the time or other special limitations imposed by the client.

Hourly rates are set to reflect the skill and experience of the attorney or other legal personnel rendering services on the client's behalf. All legal services are billed in one-tenth of an hour (0.10/hour) or six-minute increments. Our attorneys are currently billed at rates from \$235 to \$895 per hour, and our administrative assistants, research assistants, municipal analysts, litigation analysts, paralegals, paraprofessionals and law clerks are billed at rates from \$175 to \$300 per hour for new work. These rates reflect the ranges in both our public and our private rates. These hourly rates are reviewed annually to accommodate rising firm costs and to reflect changes in attorney status as lawyers attain new levels of legal experience. Any increases resulting from such reviews will be instituted automatically and will apply to each affected client, after advance notice.

Non-Attorney Personnel: BBK may employ the services of non-attorney personnel under the supervision of a BBK attorney in order to perform services called for in the legal services agreement. The most common non-attorney personnel utilized are paralegals. Other types of non-attorney personnel include, but are not limited to, case clerks, litigation analysts, and specialty consultants. The client agrees that BBK may use such non-attorney personnel to perform its services when it is reasonably necessary in the judgment of the responsible BBK attorney. Hourly fees for non-attorney personnel will be charged at the rate then in effect for such personnel. A copy of BBK's current rates and titles for non-attorney personnel will be provided upon request.

### Fees For Other Services, Costs and Expenses

We attempt to serve all our clients with the most effective support systems available. Therefore, in addition to fees for professional legal services, we also charge separately for some other services and expenses to the extent of their use by individual clients. These charges include but are not limited to, mileage at the current IRS approved rate per mile, extraordinary telephone and document delivery charges, copying charges, computerized research, court filing fees and other court-related expenditures including court reporter and transcription fees. No separate charge is made for secretarial or word processing services; those costs are included within the above hourly rates.

We may need to advance costs and incur expenses on your behalf on an ongoing basis. These items are separate and apart from attorneys' fees and, as they are out-of-pocket charges, we need to have sufficient funds on hand from you to pay them when due. We will advise the client from time to time when we expect items of significant cost to be incurred, and it is required that the client send us advances to cover those costs before they are due.

### Advance Deposit Toward Fees And Costs

Because new client matters involve both a substantial undertaking by our firm and the establishment of client credit with our accounting office, we require an advance payment from



clients. The amount of this advance deposit is determined on a case-by-case basis discussed first with the client, and is specified in our engagement letter.

Upon receipt, the advance deposit will be deposited into the firm's client trust account. Our monthly billings will reflect such applications of the advance deposit to costs and not to attorney's fees (unless otherwise noted in our accompanying engagement letter). At the end of engagement, we will apply any remaining balance first to costs and then to fees. We also reserve the right to require increases or renewals of these advanced deposits.

By signing the initial engagement letter, each client is agreeing that trust account balances may be withdrawn and applied to costs as they are incurred and to our billings, when we issue our invoice to the client. If we succeed in resolving your matter before the amounts deposited are used, any balance will be promptly refunded.

### Monthly Invoices and Payment

Best Best & Krieger LLP provides our clients with monthly invoices for legal services performed and expenses incurred. Invoices are due and payable upon receipt.

Each monthly invoice reflects both professional and other fees for services rendered through the end of the prior month, as well as expenses incurred on the client's behalf that have been processed by the end of the prior month. Processing of some expenses is delayed until the next month and billed thereafter.

Our fees are not contingent upon any aspect of the matter and are due upon receipt. All billings are due and payable within ten days of presentation unless the full amount is covered by the balance of an advance held in our trust account.

It is our policy to treat every question about a bill promptly and fairly. It is also our policy that if a client does not pay an invoice within 60 days of mailing, we assume the client is, for whatever reason, refusing to pay. We reserve the right to terminate our engagement and withdraw as attorney of record whenever our invoices are not paid. If an invoice is 60 days late, however, we may advise the client by letter that the client must pay the invoice within 14 days or the firm will take appropriate steps to withdraw as attorney of record. If the delay is caused by a problem in the invoice, we must rely upon the client to raise that with us during the 14-day period. This same policy applies to fee arrangements which require the client to replenish fee deposits or make deposits for anticipated costs.

From time to time clients have questions about the format of the bill or description of work performed. If you have any such questions, please ask them when you receive the bill so we may address them on a current basis.

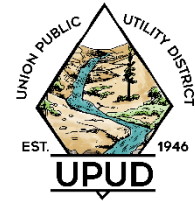
### Changes in Fee Arrangements and Budgets

It may be necessary under certain circumstances for a client to increase the size of required advances for fees after the commencement of our engagement and depending upon the scope of the work. For example, prior to a protracted trial or hearing, the firm may require a further advance payment to the firm's trust account sufficient to cover expected fees. Any such changes in fee arrangements will be discussed with the client and mutually agreed in writing.

Because of the uncertainties involved, any estimates of anticipated fees that we provide at the request of a client for budgeting purposes, or otherwise, can only be an approximation of potential fees.

**BEST BEST & KRIEGER LLP**

# Agenda Item



**DATE:** June 26, 2024

**TO:** UPUD Board of Directors

**FROM:** Jessica Self, General Manager

**SUBJECT:** Withdrawal of Initiative to Reduce Rates for Water Service from the District's November 5, 2024 General Election

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## **RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2024- \_\_\_\_ Withdrawing an Initiative Measure Reducing the Rates for Water Service From the District's General Election to be Held on Tuesday, November 5, 2024.

## **BACKGROUND INFORMATION:**

The Union Public Utility District ("District") provides water service within its boundaries. On December 22, 2022, the District adopted Resolution No. 2022-17, setting the rates for water service that are currently in place. Later, on June 23, 2023, a notice of intention to circulate initiative petition was published. The subject initiative ("Initiative") sought to repeal the rates adopted pursuant to Resolution No. 2022-17, and limit the ability to increase water rates in the future.

The proponent of the Initiative received the requisite number of signatories to qualify the Initiative for the ballot on November 5, 2024. As such, on November 21, 2023, the District's Board of Directors adopted Resolution No. 2023-014, calling an election on the Initiative. On May 31, 2024, the proponent of the Initiative filed a notice of withdrawal of initiative, formally withdrawing the Initiative.

## **SUMMARY:**

Because the District has already called an election pursuant to Resolution No. 2023-014, the District must now take action to withdraw the Initiative and remove the measure from the November 5, 2024 ballot. Adopting the attached resolution will accomplish this goal formally withdraws the Initiative by the District and directs staff to take all actions with the Registrar of Voters/County Clerk to make sure this measure does not appear on the November ballot.

**FINANCIAL CONSIDERATIONS:**

None

*Attachments:*

- *Resolution No. 2024-\_\_\_ Withdrawing an Initiative Measure Reducing the Rates for Water Service From the District's General Election to be Held on Tuesday, November 5, 2024.*

**RESOLUTION NO. 2024-\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE UNION PUBLIC UTILITY DISTRICT, CALIFORNIA, WITHDRAWING AN INITIATIVE MEASURE REDUCING THE RATES FOR WATER SERVICE, FROM THE DISTRICT'S GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024.**

**WHEREAS**, on December 22, 2022, the District Board of Directors adopted Resolution No. 2022-17, setting current rates for water service to residents and customers of the District; and

**WHEREAS**, pursuant to authority provided by statute, a petition was filed with the Board of Directors of the Union Public Utility District, seeking to enact an initiative measure/ordinance which would repeal the water rates adopted in Resolution No. 2022-17 and reduce water rates to those in effect on November 1, 2022 (the "Measure" or "Ordinance"); and

**WHEREAS**, the Board of Directors was therefore authorized and directed by California Elections Code Sections 1405 and 9310(a)(2), to submit the proposed Measure to the voters at the "next statewide election occurring not less than 88 days after the date of the order of election"; and

**WHEREAS**, on November 21, 2023, the Board of Directors placed the Measure on the next "statewide election," which is the nationwide general election to be held on Tuesday, November 5, 2024; and

**WHEREAS**, California Elections Code Section 9311 provides: "The proponent of an initiative may withdraw the initiative at any time before the 88th day before the election, whether or not the petition has already been found sufficient by the elections official"; and

**WHEREAS**, California Elections Code Section 9604(a)(3) further provides: "Withdrawal of a local initiative or referendum measure pursuant to paragraph (1) shall be effective upon receipt by the appropriate local elections official of a written notice of withdrawal, signed by all proponents of the measure"; and

**WHEREAS**, on May 31, 2024, the Calaveras County Clerk's Office received a duly filed letter, signed by the proponent of the Measure, indicating that he now wished to withdraw the Measure from the ballot; and

**WHEREAS**, pursuant the initiative proponents exercising their rights under California Elections Code Sections 9311 and 9604(a)(3), the Board of Directors takes this action to formally withdraw the Measure from the November 5, 2024, District General Election ballot and to cancel all further election proceedings for the Measure.

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE UNION PUBLIC UTILITY DISTRICT, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:**

**SECTION 1. Recitals.** The Board of Directors of the District hereby finds and determines that the foregoing recitals are true and correct, are incorporated herein and by this reference made an operative part hereof.

**SECTION 2. Withdrawal of Ballot Measure from November 5, 2024, General District Election.** The Board of Directors of the District, pursuant to its legal duty under California Elections Code Section 9311, hereby rescinds its action of November 21, 2023, and orders the Measure attached hereto as Exhibit “A” to be withdrawn from the ballot for the District General Election to be held on Tuesday, November 5, 2024. The Measure shall not be printed in the ballot and no further election proceedings shall be undertaken with respect to the Measure, except as necessary to remove it from the ballot as set forth herein.

**SECTION 3. November 5, 2024, General District Election To Be Held for All Other Election Matters.** This Resolution only removes the attached Measure from the ballot. Pursuant to applicable provisions of the California Elections Code, the November 5, 2024, District General Election will be held and conducted to elect qualified candidates to District elective offices as well as for voters to consider any other District initiative, referendum, or measure that qualifies and is placed on the ballot for that Election.

**SECTION 4. Election Cancellation Procedures.** The District Clerk, through the County Registrar of Voters/County Clerk, is authorized, instructed, and directed to take all appropriate action to remove the Measure from the November 5, 2024, District General Election as set forth herein.

**SECTION 5. CEQA.** The Board of Directors hereby finds and determines that withdrawal of the ballot measure relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines, section 15378(b)(5).

**SECTION 6. Severability.** The provisions of this Resolution are severable and if any provision of this Resolution is held invalid, that provision shall be severed from the Resolution and the remainder of this Resolution shall continue in full force and effect, and not be affected by such invalidity.

**SECTION 7. Effective Date of Resolution.** This Resolution shall become effective upon its adoption.

**SECTION 8. Certification of Resolution.** The District Clerk shall certify to the adoption of this Resolution.

**APPROVED** and **ADOPTED** by the Board of Directors and signed by the President and attested by the District Clerk this 26<sup>th</sup> day of June, 2024.

---

Eric Bottomley, Board President  
Union Public Utility District

Attest:

---

Jenna Mayo, Clerk to the Board

Approved as to form:

---

Andrew Ramos, District Legal Counsel

**Exhibit "A"**  
**Notice of Withdrawal of Initiative**



NOTICE OF WITHDRAWAL OF INITIATIVE

I, Michael Hatfield, do hereby certify that:

- 1) I am the proponent of an initiative, filed with the Elections Official on October 11, 2023, which has qualified for the November 5, 2024 ballot; and
- 2) I am withdrawing said ~~initiative~~. UPUD water rate initiative.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 31, 2024 at Vallecito, California.

Michael Hatfield  
Name of Proponent

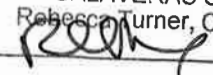
  
Signature of Proponent

2955 Bowling Green Dr  
Business or Residence Address

Vallecito, CA 95251  
City/State/Zip Code

**FILED**

MAY 31 2024

CALAVERAS COUNTY  
Rebecca Turner, County Clerk  
, Deputy

# Agenda Item

**DATE:** June 26, 2024

**TO:** Jessica Self, General Manager

**FROM:** Jenna Mayo, Administrative Analyst/Board Clerk

**SUBJECT:** Discussion/Action Adding Bank of Stockton and Removing El Dorado Savings Bank and US Bank

---

## **RECOMMENDED ACTION:**

Motion: \_\_\_\_\_ / \_\_\_\_\_ adopting Resolution No. 2024-\_\_\_\_ Addition of Bank of Stockton and Removal of El Dorado Savings Bank and US Bank

## **SUMMARY:**

In response to our commitment to enhancing operational efficiency and reducing costs, the UPUD staff has undertaken a review of our current banking arrangements. Following careful consideration, we propose the following actions:

- We propose to close the checking account currently held with El Dorado Savings Bank.
- We propose to close the checking account currently held with US Bank.
- We propose to establish a new primary checking account with Bank of Stockton, selected for its competitive fee structure and favorable terms.

If approved by the UPUD Board of Directors, a copy of this resolution will be formally communicated to Bank of Stockton, El Dorado Savings Bank, and US Bank to provide notice of the actions taken.

## **FINANCIAL CONSIDERATIONS:**

UPUD Staff anticipate a drastic decrease in banking fees, potentially up to \$20,000 annually. All proposed updates have been budgeted for the upcoming fiscal year (FY24-25).

### *Attachments:*

- *Resolution No. 2024-\_\_\_\_ Addition of Bank of Stockton and Removal of El Dorado Savings Bank and US Bank*

**UNION PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS**

**RESOLUTION NO. 2024-**

**ADDITION OF BANK OF STOCKTON AND  
REMOVAL OF EL DORADO SAVINGS BANK AND  
US BANK**

**WHEREAS**, it has been determined by the Board of Directors of Union Public Utility District that there is a need to optimize banking services to reduce costs and improve efficiency; and

**WHEREAS**, Bank of Stockton has been identified as a suitable banking institution offering lower bank fees and favorable terms compared to El Dorado Savings Bank and US Bank to meet the financial needs of the District; and

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Board of Directors of the Union Public Utility District shall remove the checking account with El Dorado Savings Bank.
2. The Board of Directors of the Union Public Utility District shall remove the checking account with US Bank.
3. The Board of Directors of the Union Public Utility District shall establish a new checking account with the Bank of Stockton, which shall serve as the primary banking institution for the District.
4. The General Manager is authorized and directed to take all necessary actions to close accounts with El Dorado Savings Bank and US Bank, and to establish the new checking account with Bank of Stockton.
5. Authorized signatories for Bank of Stockton Include:
  - a. Jessica Self, General Manager
  - b. Jenna Mayo, Board Clerk
  - c. Lisa Biedinger, Customer Service Representative
  - d. Eric Bottomley, Board President
  - e. Bruce Tallakson, Board Treasurer

**BE IT FURTHER RESOLVED THAT** a copy of this resolution shall be provided to the Bank of Stockton, El Dorado Savings Bank, and US Bank as notice of the actions taken herein.

**PASSED, APPROVED, AND ADOPTED** this 26<sup>th</sup> day of June, 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Eric Bottomley, President  
Union Public Utility District

I hereby certify that the within and foregoing is a full, true, and correct copy of the Resolution which was duly passed and adopted at a regular meeting of the Board of Directors of the Union Public Utility District on the 26<sup>th</sup> day of June 2024.

---

Jenna Mayo  
Clerk to the Board

# Agenda Item

**DATE:** June 26, 2024  
**TO:** Jessica Self, General Manager  
**FROM:** Jenna Mayo, Administrative Analyst/Board Clerk  
**SUBJECT:** Discussion/Action Revising District Policies

---

## RECOMMENDED ACTION:

Motion: \_\_\_\_\_ / \_\_\_\_\_ adopting Resolution No. 2024-\_\_\_\_ Revising District Policy 2004 – Bonuses and Certificate Pay.

## SUMMARY:

UPUD staff are in the process of drafting updates to the District's employee policies. A fully updated and revised Employee Policy Handbook will be brought before the Board for consideration. Accordingly, staff prioritized specific sections and recommend Board approval now.

In addition, this policy aims to encourage and assist employees in acquiring pertinent certifications that enrich their competencies and proficiencies for their existing positions within the Union Public Utility District.

Following is the policies that is currently before the Board for updates:

<u>Policy Name</u>	<u>Number</u>
Bonuses and Certificate Pay	2004

## FINANCIAL CONSIDERATIONS:

None at this time. All proposed updates have been budgeted for the upcoming fiscal year (FY24-25).

### Attachments:

- *Resolution No. 2024-\_\_\_\_ Adopting Updates to UPUD District Policies*
- *Current Policy*
- *Proposed Policy*

**UNION PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS**

**RESOLUTION NO. 2024-**

**UPDATING DISTRICT EMPLOYEE POLICIES**

**WHEREAS**, The Board of Directors of the Union Public Utility District has the authority to change existing policies and implement new policies; and

**WHEREAS**, the Board of Directors and District staff aim to provide competitive benefits in order to retain and support employees; and

**WHEREAS**, the Board of Directors and District staff wish to modify the following policies; and

<u>Policy Name</u>	<u>Number</u>
Bonuses and Certificate Pay	2004

**NOW, THEREFORE, BE IT RESOLVED** the Board of Directors of the Union Public Utility District hereby adopts updated UPUD Employee Policy number 2004 for incorporation into the Employee Policy Handbook effective immediately.

**PASSED, APPROVED, AND ADOPTED** this 26<sup>th</sup> day of June, 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Eric Bottomley, President  
Union Public Utility District

I hereby certify that the within and foregoing is a full, true, and correct copy of the Resolution which was duly passed and adopted at a regular meeting of the Board of Directors of the Union Public Utility District on the 26<sup>th</sup> day of June 2024.

---

Jenna Mayo  
Clerk to the Board

---

# Union Public Utility District

## **POLICY HANDBOOK**

**POLICY TITLE:** Bonuses  
**POLICY NUMBER:** 2004  
**DATE ADOPTED:** January 16, 2008

**2004.1** Upon receiving certification, the following bonuses apply.

**2004.2** Water Treatment Certification Bonus

TI	\$250
TII	\$500
TIII	\$1,000

**2004.3** Distribution Certification Bonus:

DI	\$250
DII	\$500
DIII	\$1,000



**POLICY AND PROCEDURE**  
**UNION PUBLIC UTILITY DISTRICT**

DATE REVISED: 06/26/2024	MANUAL	POLICY NO. 2004
APPROVED BY: Board of Directors	POLICY TITLE <b>Bonuses &amp; Certificate Pay</b>	Page 1-2

**PURPOSE OF POLICY**

The purpose of the policy is to incentivize and support employees in obtaining relevant certifications that enhance their skills and abilities in their current roles within the Union Public Utility District. This not only benefits the individual employees by adding to their professional credentials but also contributes to the overall effectiveness and efficiency of the district's operations in water treatment, distribution, and related services. The one-time payments serve as a recognition and reward for employees' efforts in advancing their knowledge and expertise in areas directly relevant to their work responsibilities.

~~2004.1~~ Upon receiving certification, the following bonuses apply.

~~2004.2~~ Water Treatment Certification Bonus

TI — \$250

TII — \$500

TIII — \$1,000

~~2004.3~~ Distribution Certification Bonus:

DI \$250

DII \$500

DIII \$1,000

**2004.1** The Union Public Utility District will provide a one-time payment of \$500 for each Water Treatment or Water Distribution Certification acquired by an employee while actively employed:

1. Water Treatment Certification: TI, TII, TIII
2. Distribution Certification: DI, DII, DIII

Additionally, the District will grant a one-time payment of \$500 for each of the following certifications:

3. Commercial driver's license (Class A or B)
4. Cross Connection Control
5. Backflow
6. Notary

**2004.2** Any other certifications pertinent to the employee's current role will also be considered for the one-time payment, pending prior written approval by the General Manager at their discretion.

**2004.3** Probationary employees are not eligible to receive certification bonuses or certification pay until they complete the initial Union Public Utility District probationary period and satisfy the current job specification certification for new employees.

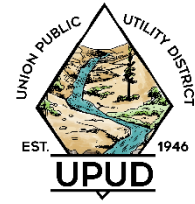
**2004.4:** Certificate Pay - Employees who maintain and utilize a backflow or cross connection control

**POLICY AND PROCEDURE**  
**UNION PUBLIC UTILITY DISTRICT**

certificate will receive an additional two percent (2%) of their base rate of pay. Employees who maintain and utilize a California Commercial Driver's License will receive an additional two percent (2%) of their base rate of pay. An employee cannot receive more than 4% combined certificate pay.

Under CalPERS California Code of Regulations (CCR Section 571 (a) and (b)) this compensation qualifies as special compensation under the category of Educational Pay. The District will report this special compensation to CalPERS per pay period, subject to CalPERS rules, regulations, and interpretations regarding special compensation. However, the District does not guarantee or warranty that CalPERS will include any payment in compensation earnable in the future.

# Agenda Item



**DATE:** June 26, 2024

**TO:** Jessica Self, General Manager

**FROM:** Jenna Mayo, Board Clerk

**SUBJECT:** Consent to Enter the Joint Protection Program of the Association of California Water Agencies Joint Powers Insurance Authority

---

## **RECOMMENDED ACTION:**

Motion: \_\_\_\_\_ / \_\_\_\_\_ approving RESO 2024-\_\_\_\_, Consenting To Enter The Joint Protection Program Of The Association Of California Water Agencies Joint Powers Insurance Authority

## **BACKGROUND INFORMATION:**

The Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA) offers a Joint Protection Program designed to provide member agencies with comprehensive risk management and insurance services. As a member agency, we have been presented with an opportunity to participate in this program, which aims to enhance our risk management capabilities and provide insurance coverage tailored to the specific needs of water agencies in California.

## **SUMMARY:**

Entering the Joint Protection Program of ACWA/JPIA requires our consent and commitment to adhere to the terms and conditions outlined by the program. By participating in this program, we will gain access to a range of benefits, including but not limited to:

- **Comprehensive Risk Management Services:** ACWA/JPIA offers expert risk management services tailored to the unique challenges faced by water agencies in California. These services include risk assessment, loss prevention strategies, and safety training programs.
- **Customized Insurance Coverage:** The program provides insurance coverage customized to the specific needs of our agency, including general liability, property, workers' compensation, and other specialized coverages relevant to water agency operations.

- **Cost-Effective Solutions:** ACWA/JPIA leverages the collective bargaining power of its member agencies to negotiate favorable insurance rates and terms, ensuring cost-effective solutions for participating agencies.
- **Access to Resources and Support:** As a member of the program, we will have access to a wealth of resources, including educational seminars, online tools, and expert guidance from ACWA/JPIA staff, to help us mitigate risks and navigate insurance-related matters effectively.

**FINANCIAL CONSIDERATIONS:**

Joining ACWA JPIA will result in approximately \$26,000 annual savings for staff health benefits.

**RESOLUTION:**

We recommend that the Board of Directors consider and approve the following resolution:

Resolved, that the Union Public Utility District hereby consents to enter the Joint Protection Program of the Association of California Water Agencies Joint Powers Insurance Authority (ACWA/JPIA), and authorizes General Manger, Jessica Self, to execute any necessary documents and agreements on behalf of the organization.

**NEXT STEPS:**

If the resolution is approved, we will proceed with the necessary steps to formalize our participation in the ACWA/JPIA Joint Protection Program, including the completion of any required paperwork and communication with ACWA/JPIA representatives.

*Attachments:*

- *Resolution No. 2024-\_\_\_ Consenting To Enter The Joint Protection Program Of The Association Of California Water Agencies Joint Powers Insurance Authority*

**UNION PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS**

**RESOLUTION NO. 2024-**

**CONSENTING TO ENTER THE JOINT PROTECTION PROGRAM OF THE  
ASSOCIATION OF CALIFORNIA WATER AGENCIES JOINT POWERS  
INSURANCE AUTHORITY**

**WHEREAS**, pursuant to the provisions of Section 990, 990.4, 990.8, and 6500 of the Government Code, this Agency wishes to enter into an agreement with various other agencies entitled "Joint Powers Agreement: Creating the Association of California Water Agencies Joint Powers Insurance Authority" (the Authority), for the purpose of participating in the Joint Powers Insurance Authority created thereby, which since its formation has provided for and administered a joint protection program as more fully set forth in said agreement; and

**WHEREAS**, said joint protection program offers significant advantages to this Agency in terms of cost, benefits, and other services, and entering such program, on the conditions hereinafter set forth, appears to be in the best interest of the Agency.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Union Public Utility District:

Section 1. That Union Public Utility District hereby consents pursuant to the above-mentioned Joint Powers Agreement, and the resolutions and policies enacted in implementation of such Agreement, to enter said joint protection program.

Section 2. That the Agency hereby elects to join the Employee Benefits Program sponsored by the Authority, effective the 26th day of June 2024.

Section 3. That the Treasurer of this Agency is hereby authorized to pay ACWA JPIA monthly premiums commencing upon receipt of an invoice.

Section 4. That the Secretary of the Board of Directors of this Agency is directed to send a copy of this resolution and the signed Joint Powers Agreement promptly by mail to: ACWA JPIA, Employee Benefits, P.O. Box 619082, Roseville, California, 95661.

**PASSED, APPROVED, AND ADOPTED** this 26<sup>th</sup> day of June, 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Eric Bottomley, President  
Union Public Utility District

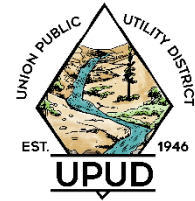
ATTEST:

I hereby certify that the within and foregoing is a full, true, and correct copy of the Resolution which was duly passed and adopted at a regular meeting of the Board of Directors of the Union Public Utility District on the 26th day of June 2024.

---

Jenna Mayo  
Clerk to the Board

# Agenda Item



**DATE:** June 26, 2024

**TO:** UPUD Board of Directors

**FROM:** Jessica Self, General Manager

**SUBJECT:** Discussion/Action Adopting an updating Organization Chart with associated staffing changes

---

## RECOMMENDED ACTION:

Motion: \_\_\_\_\_ / \_\_\_\_\_ approving an updated District Organization Chart with associated staffing changes.

## SUMMARY:

Recently, the District's Administrative Assistant retired, prompting a review and potential update of the organization chart to better align with current needs. The staff recommend two key changes: removing a position from the Administration Department and adding an additional Treatment/Distribution Operator.

### Administration Changes:

- **Remove the Administrative Assistant Position:** The duties of this role will be redistributed.
- **Reclassify Clerk to the Board/Administrative Analyst Position:** This position will become the Executive Administrative Coordinator. The reclassified role will take on the financial day-to-day responsibilities previously managed by the Administrative Assistant. Tasks such as quarterly taxes and audits may be outsourced to an external accountant at a minimal cost.

### Treatment/Distribution Operator:

- **Add an Entry-Level Field Position:** This new role is intended for an intern-level candidate who will undergo an apprenticeship program during their first year. The position will focus on meter reading, general maintenance, and other tasks. This addition will enable existing staff to concentrate on duties required by State and Federal regulations.

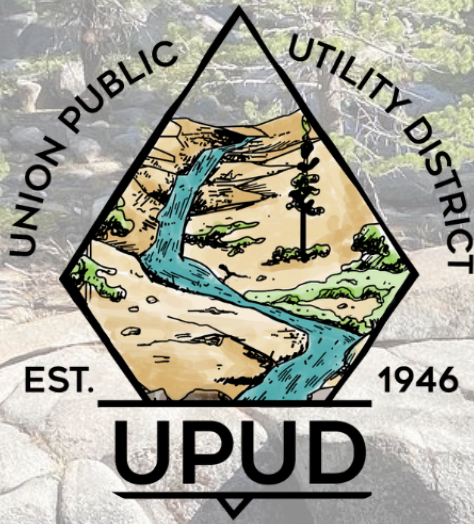
These changes aim to enhance operational efficiency and ensure compliance with regulatory requirements.

**FISCAL IMPACTS:**

Making these changes will not negatively impact the FY25 budget. When incorporating a 3% scheduled COLA to the District's salaries, the District will see a reduction in costs for salaries and benefits such as Cal PERS, FICA, Medicare and Workers Comp.

*Attachments:                      Proposed Organization Chart  
   Executive Administrative Coordinator Job Description*





Board of Directors (5)

General Counsel

General Manager

Operations Manager

Executive  
Admin  
Coordinator

Customer  
Service  
Rep

Treatment /  
Distribution  
Operator

Treatment /  
Distribution  
Operator

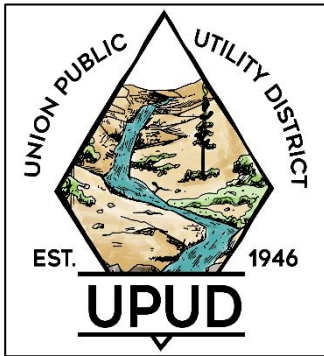
Treatment /  
Distribution  
Operator

Treatment /  
Distribution  
Operator

# ORGANIZATION CHART

**PROPOSED**





**Union Public Utility District  
Executive Administrative Coordinator**

**POLICY NUMBER: 2360**

**REPORTS TO: General Manager**

**Wage Schedule Range: 24**

**Start Date: June 26, 2024**

*Classification specifications (job descriptions) are intended to present a descriptive summary of the range of duties and responsibilities performed by an incumbent in the classification. Specifications are intended to outline the minimum qualification for entry into the classification and not intended to reflect all duties and responsibilities of an incumbent in the classification.*

**Definition/Summary**

Under the direction of the General Manager, this position is responsible for all duties related to Clerk to the Board. In addition, this position is responsible for updating District policies and communication practices, supporting various professional development and administrative activities. It involves providing highly responsible, confidential, and complex support to the General Manager, assisting in day-to-day administrative functions, and supporting the implementation and monitoring of departmental programs. The role includes customer service duties, accounting functions such as accounts payable and general ledger tasks.

**Essential Duties and Responsibilities**

*Other duties may be assigned.*

1. Assist the General Manager in implementing the Agency's rules, regulations, and policies. Participate in developing the Agency's work plan, lead office activities, assign tasks, oversee projects and programs, monitor workflow, and evaluate work products, methods, and procedures. Additionally, assist the General Manager and support field operations by handling public information requests, work orders, and other essential tasks to ensure effective and efficient district operations.
2. Researches, complies, and analyzes data for special projects, various reports, and presentations.
3. Researches and assists in administration of grants.
4. Generate and manage content posted on the District's website and social media accounts.
5. Conducts community and customer outreach, legislative advocacy, and other communications roles as assigned.
6. Answer's telephone and greets office visitors, providing a wide range of receptionist duties related to office procedures and meeting preparation.
7. Receives, processes, and maintains accounts payable records.
8. Allocates and maintains proper posting to general ledger accounts.
9. Prepares a wide variety of financial reports including, but not limited to, Budget, Investment, Workers Compensation, annual Government Compensation Report, and monthly accounts receivable reconciliation.
10. Prepares, calculates, and reports annual 1099's and 1096 submittals.

11. Researches and assists General Manager with document preparation, technical information and research of assignments as directed.
12. Establish and maintain cooperative working relationships with co-workers, outside agencies and the public.
13. Perform other duties as assigned.

**Knowledge of:**

1. District operations, procedures, policies, precedents, and rules and regulations.
2. Agenda preparation and distribution requirements.
3. The functions and operating procedures of local governance bodies and committees.
4. Grant writing, administration, and state and federal solicitation processes.
5. Customer Service skills, procedures, and method for communicating effectively.
6. Adobe Acrobat for professional document finishing, indexing and compilation.
7. Modern office practices, procedures, and computer equipment/software.
8. Principles and practices of effective customer service.
9. Microsoft Office Suite programs for word processing and spreadsheets.
10. Standard business practices such as letter writing, report writing, preparing informational materials in visual formats.
11. English language usage, spelling, grammar, and punctuation.
12. Pertinent Federal, State, and local laws, codes and regulations for Special Districts, including the Brown Act, California Public Records Act, and Political Reform Act, etc.

**Ability to:**

1. Under minimal supervision, perform a variety of administrative and analytical support work involving the use of sound independent judgment and personal initiative for the General Manager to effectively carry out operations of the District.
2. Analyze situations carefully and adopt effective courses of action.
3. Maintain confidential data and information for appropriate personnel.
4. Independently prepare correspondence and memorandums.
5. Successfully adapt to changing workload and task assignments.
6. Adapt to changing technologies and learn functionality of new equipment and systems.
7. Plan, coordinate, and organize work to meet deadlines with accuracy, thoroughness, and attention to detail.
8. Establish, communicate, and maintain cooperative working relationships with co-workers, members of the public and outside agencies.
9. Read, understand, and carry out written and oral directions in a clear, concise, and consistent manner.
10. Operate a variety of automated office machines typical of a work environment such as a multi- function printer/copier/scanner machine, and fax machine.
11. Operate a computer for the effective operation of the Department including word processing, database, spreadsheet, presentations, email, Internet, and an integrated accounting software package.

**Physical Demands:**

While performing the duties of this job, the employee is regularly required to sit. The employee frequently is required to use hands to finger, handle, or feel objects, tools, or controls and talk or hear. Specific vision abilities required by this job include close vision and the ability to adjust focus.

**Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The noise level in the work environment is usually moderate. On a continuous basis sit at a desk and in meetings for long periods of time; intermittently twist to reach equipment surrounding desk; perform simple grasping and fine manipulation; use telephone, write, or use a keyboard and mouse to communicate through written means.

This job specification should not be construed to imply that these requirements are the exclusive standards of the position. Incumbents will follow any other instructions, and perform any other related duties, as may be required.

**Experience and Education:**

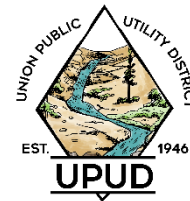
At least six (6) years of administrative support experience that includes providing direct support to management and executive level staff and Board of Directors, preferably within a public agency.

Associate's degree with coursework in business administration, communication or a related field.

**Certificates, Licenses, Registrations:**

Possession of a valid California driver's license and a continuing acceptable driving record.

# Agenda Item



**DATE:** June 26, 2024

**TO:** UPUD Board of Directors

**FROM:** Jessica Self, General Manager

**SUBJECT:** Discussion/Action Adopting Fiscal Year 2025 Annual Budget

---

## RECOMMENDED ACTION:

Motion: \_\_\_\_\_ / \_\_\_\_\_ adopting Resolution No. 2024-\_\_\_\_ UPUD's Fiscal Year 2025 Annual Budget.

## SUMMARY:

UPUD's mission and values to maintain fiscal responsibility while providing safe and reliable water service to the community has guided the development of the fiscal year 2025 budget. UPUD staff and the finance committee have provided input to assure all needs of the District will be met over the next year. In addition, staff is recommending a cost-of-living increase to offset rising inflation and keep salaries competitive among neighboring water agencies.

## BUDGET OVERVIEW:

### Changes to the budget structure:

**Fund Accounts:** Historically, UPUD has only had one fund account, Water fund. However, it is important to separate specific funds to assure proper accounting and transparency. Staff are recommending the following Funds Accounts:

- Utica Fund: Specific to Utica contributions from customers.
- Enterprise Fund: Specific to Domestic treatment and Distribution and Irrigation funds
- General Fund: Administrative and all other general funds.

**Separating Irrigation & Domestic Revenue and Expenditures:** It is important to ensure we are meeting all Proposition 218 requirements. Therefore, staff recommends clearly accounting for each system to assure one system is not subsidizing the other. If adopted, staff will create new GL's for Irrigation Distribution.

**Revenues:** UPUD has two revenue categories:

**Operating:** Consists of water sales, including Domestic, Irrigation and Utica conveyance fees, as well as other water related fees such as penalties. Total water sales revenue is estimated to be \$2,258,582, which will increase about \$125,000 from last fiscal year due to the tentative third round of rate increases that will occur on January 1, 2025. In addition, UPUD is conservatively estimating about \$14,000 in connection fees, and \$18,000 in other water related revenues.

Total operating revenue is estimated at **\$2,290,582** for Fiscal Year 2024.

**Non-Operating:** Consists of all other revenue that is not received through operation rates and fees. This includes property taxes, interest earned from reserve accounts, loan proceeds or transfers from reserves. The largest revenue contributor for this fiscal year will be transfers from reserves at an estimated \$1.46 million, which will fund the costs for emergency repairs at UPUD's treatment plant and the replacement of filter media. Staff are currently working to secure debt issuance so that we are not pulling these funds from reserves. However, it is imperative these projects are completed this year, so for now, staff recommend transferring funds from reserves until a loan is secured.

The total non-operating revenue is estimated at **\$1,786,500** for fiscal year 2025.

**Total projected revenue is \$4,077,082 for fiscal year 2025.**

**Expenditures:** UPUD expenditures are allocated across departments.

**Treatment:** The proposed budget for treatment will include CIP projects such as emergency repairs and upgrades to the treatment plant, replacement of filter media and removal of tules along Cademartori Reservoir totaling \$1,513,552. In addition, there are funds allocated to Professional Services – Other to pay for a portion of the rate study and a master plan. All other line items remained the same or were adjusted based on projected inflation and cost of living.

Total Treatment expenses are budgeted at **\$1,944,230**.

**Domestic Distribution:** The proposed budget for Distribution department includes two CIP Items including the Master plan and paying off the remaining balance of the Vac Trailer. Other line items have been divided between Domestic Distribution at an 80/20 split. With 80% of the costs allocated to Domestic Distribution, and 20% of the costs allocated to Irrigation.

Domestic Distribution expenses are budgeted at **\$745,160**

**Irrigation Distribution:** The proposed budget for Irrigation department includes two CIP Items including a small irrigation project not to exceed \$75K and a portion of the Master Plan. Other line items have been divided between Domestic Distribution at an 80/20 split. With 80% of the costs allocated to Domestic Distribution, and 20% of the costs allocated to Irrigation.

Total Irrigation Distribution expenses are budgeted at **\$246,529**.

**Administration:** The proposed budget for Administration department will decrease by over \$200K this year due to downsizing staffing and a projected reduction in legal fees. One new GL is DROP Assistance. All funds for this GL will be covered through late fees. Cost for administration are divided among Domestic and Irrigation Revenue in a 90/10 split. With 90% of the costs being funded by domestic revenue and 10% of the costs funded by irrigation.

Total Administration expenses are budgeted at **\$668,131**.

*Attachments:*

*Proposed FY24 Budget*

**UNION PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS**

**RESOLUTION 2024-**

**ADOPTION OF THE FISCAL YEAR 25 ANNUAL BUDGET**

**WHEREAS**, the Union Public Utility District (UPUD) Board of Directors held a public meeting on June 26, 2024, regarding the 2025 Fiscal Year Budget; and

**WHEREAS**, at that time all persons, including members of the public, were given an opportunity to comment on the proposed Fiscal Year 2025 budget; and

**WHEREAS**, the Board has deliberated on comments received on the Budget and reviewed the Budget documents prepared and presented by staff; and

**BE IT FURTHER RESOLVED**, that the Board of Directors of Union Public Utility District hereby approves and adopts the attached Fiscal Year 2025 Budget as the official budget for the Union Public Utility District beginning July 1, 2024, and ending June 30, 2025.

**PASSED, APPROVED, AND ADOPTED** this 26th day of June, 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Eric Bottomley, President  
Union Public Utility District

I hereby certify that the within and foregoing is a full, true, and correct copy of the Resolution which was duly passed and adopted at a regular meeting of the Board of Directors of the Union Public Utility District on the 26<sup>th</sup> day of June 2024.

---

Jenna Mayo  
Clerk to the Union Public Utility District Board



# FY25 Budget | Draft



Account Number	Description	FY23 Budget Actuals	FY24 Budget Adj	FY25 Budget (Proposed)	FY25 Domestic Revenue & Charges	FY25 Irrigation Revenue & Charges	FY25 Utica Revenue & Charges	FY25 Reserves	Comments
	<b>REVENUES</b>	<b>\$2,492,963</b>	<b>\$2,937,477</b>	<b>\$4,077,082</b>	<b>\$3,291,207</b>	<b>\$312,842</b>	<b>\$370,000</b>	<b>\$103,033</b>	
	<b>Operating Revenues</b>	<b>\$2,091,663</b>	<b>\$2,207,277</b>	<b>\$2,290,582</b>	<b>\$1,759,425</b>	<b>\$147,000</b>	<b>\$370,000</b>	<b>\$14,157</b>	
01	<b>Water Sales:</b>	<b>\$1,993,663</b>	<b>\$2,151,277</b>	<b>\$2,276,582</b>	<b>\$1,759,425</b>	<b>\$147,000</b>	<b>\$370,000</b>	<b>\$157</b>	
	<b>Domestic, Irrigation &amp; Utica</b>	<b>\$1,962,163</b>	<b>\$2,133,277</b>	<b>\$2,258,582</b>	<b>\$1,741,425</b>	<b>\$147,000</b>	<b>\$370,000</b>	<b>\$157</b>	
01-4100	Domestic	\$1,830,000	\$1,583,114	\$1,741,425	\$1,741,425				
01-4105	Irrigation	\$132,000	\$180,000	\$147,000		\$147,000			
01-4106	Utica Conveyance Fees		\$370,000	\$370,000			\$370,000		
01-4107	Utica Irrigation Water Sales	\$163	\$163	\$157				\$157	
	<b>Other Water Related</b>	<b>\$31,500</b>	<b>\$18,000</b>	<b>\$18,000</b>	<b>\$18,000</b>				
01-4120	Hydrant meters	\$2,000	\$2,000	\$2,000	\$2,000				
01-4160	Penalties	\$22,500	\$10,000	\$10,000	\$10,000				
01-4180	Other - Water related	\$7,000	\$5,000	\$5,000	\$5,000				
01-4189	Meter Reset Fees	\$1,000	\$1,000	\$1,000	\$1,000				
01	<b>Connection Fees:</b>	<b>\$98,000</b>	<b>\$56,000</b>	<b>\$14,000</b>	<b>\$0</b>			<b>\$14,000</b>	
01-4190	Domestic	\$98,000	\$56,000	\$14,000				\$14,000	
01-4190	Irrigation	\$0	\$0	\$0		\$0			
01	<b>Non-Operating Revenues</b>	<b>\$401,300</b>	<b>\$730,200</b>	<b>\$1,786,500</b>	<b>\$1,531,782</b>	<b>\$165,842</b>	<b>\$0</b>	<b>\$88,876</b>	
01-4195	CV Autogate	\$7,100	\$1,500	\$1,500	\$1,500				
01-4200	Interest Earned	\$57,000	\$110,000	\$70,000				\$70,000	
01-4300	Taxes	\$145,000	\$165,000	\$165,000	\$55,282	\$90,842		\$18,876	
01-4440	Garage Rentals	\$1,200	\$1,200	\$1,200	\$1,200				
01-4441	NCPA Facilities Use Agreement	\$2,500	\$2,500	\$2,500	\$2,500				
01-4460	Grant Income	\$38,500	\$150,000	\$0					
01-4470	Loan Proceeds	\$0							
00-1501	Transfer from Emergency Reserve			\$725,300	\$725,300				
00-1502	Transfer from Irrigation Reserve			\$75,000		\$75,000			
00-1504	Transfer from Utica Reserve								
00-1506	Transfer from Operations Reserve	\$150,000	\$300,000	\$746,000	\$746,000				
00-1507	Transfer from Capital Reserve								
	<b>EXPENSES</b>	<b>\$2,620,140</b>	<b>\$2,937,477</b>	<b>\$3,974,050</b>	<b>\$3,291,208</b>	<b>\$312,842</b>	<b>\$370,000</b>		
	<b>UTICA FUND</b>	<b>\$490,000</b>	<b>\$370,000.00</b>	<b>\$370,000</b>			<b>\$370,000</b>		
02	<b>Water Purchased</b>	<b>\$490,000</b>	<b>\$370,000</b>	<b>\$370,000</b>			<b>\$370,000</b>		
02-6003	Utica Fees	\$490,000	\$370,000	\$370,000			\$370,000		
02-6003	UPUD Contribution		\$290,000	\$370,000			\$370,000		
00-1407	Utica Reserve		\$80,000	\$0			\$0		
	<b>ENTERPRISE FUND</b>	<b>\$1,246,490</b>	<b>\$1,641,638</b>	<b>\$2,935,919</b>	<b>\$2,689,390</b>	<b>\$246,529</b>			<i>Distribution Split: 80% Domestic / 20% Irrigation</i>
03	<b>Treatment</b>	<b>\$494,417</b>	<b>\$474,644</b>	<b>\$1,944,230</b>	<b>\$1,944,230</b>				
03-6100	Labor	\$83,991	\$86,300	\$88,798	\$88,798				
03-6103	Overtime	\$4,256	\$20,000	\$20,900	\$20,900				
03-6104	On-Call	\$18,000	\$10,494	\$10,966	\$10,966				
03-6105	Cert Bonus	\$1,500	\$500	\$500	\$500				
03-6107	Temp Labor	\$1,000	\$0	\$0	\$0				
03-6110	FICA/Medicare (6.2%/1.45% Emplr)	\$8,500	\$9,200	\$9,500	\$9,500				
03-6200	Repairs & Maintenance	\$5,000	\$5,000	\$5,000	\$5,000				
03-6201	Equipment Repairs	\$7,500	\$7,500	\$7,500	\$7,500				
03-6202	Supplies	\$85,000	\$75,000	\$75,000	\$75,000				

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48	03-6204	Utilities	\$40,000	\$43,000	\$41,000	\$41,000			
49	03-6205	Capital Expenditures/Equipment Purchases	\$100,000	\$60,000	\$1,513,552	\$1,513,552			Tules, Electric panel, filters, filter media, Master Plan
50	03-6207	Permits	\$30,000	\$30,000	\$30,000	\$30,000			
51	03-6208	Equipment Rental	\$2,300	\$2,500	\$2,500	\$2,500			
52	03-6209	Uniforms	\$500	\$500	\$600	\$600			
53	03-6212	Water Analysis	\$22,000	\$22,000	\$22,000	\$22,000			
54	03-6214	Other	\$500						
55	03-6215	Equipment Purchase to \$999	\$5,000	\$8,000	\$8,000	\$8,000			
56	03-6216	Education	\$1,000	\$1,500	\$2,500	\$2,500			
57	03-6220	Autogate Expense - Crestview	\$1,000	\$1,500	\$1,500	\$1,500			
58	03-6300	Health Insurance	\$40,135	\$44,000	\$40,035	\$40,035			
59	03-6301	Worker's Comp	\$4,160	\$4,150	\$4,535	\$4,535			
60	03-6400	CalPERS Contributions (Employer & Employee Contributions)	\$20,000	\$20,000	\$20,344	\$20,344			
61	03-6450	Travel & Mileage	\$500	\$500	\$1,000	\$1,000			
62	03-6500	Telephone	\$3,500	\$3,500	\$3,500	\$3,500			
63	03-6801	Professional Services - Engineer	\$0	\$10,000	\$15,000	\$15,000			
64	03-6804	Professional Services - Other	\$9,075	\$9,500	\$20,000	\$20,000			NBS (5K) and Water Reliability Study (5K) and previous services.
65	<b>04</b>	<b>Domestic Distribution</b>	<b>\$752,073</b>	<b>\$1,166,994</b>	<b>\$745,160</b>	<b>\$745,160</b>			
66	04-6100	Labor	\$243,833	\$269,000	\$273,045	\$273,045			
67	04-6103	Overtime	\$8,000	\$4,000	\$5,000	\$5,000			
68	04-6104	On-Call	\$11,500	\$10,494	\$10,966	\$10,966			
69	04-6105	Cert Bonus	\$1,000	\$1,500	\$1,000	\$1,000			
70	04-6107	Temp Labor	\$1,000	\$0	\$15,000	\$15,000			
71	04-6110	FICA/Medicare (6.2%/1.45% Emplr)	\$24,000	\$22,000	\$20,064	\$20,064			
72	04-6200	Repairs & Maintenance	\$2,000	\$5,000	\$8,000	\$8,000			
73	04-6201	Equipment Repairs	\$7,500	\$7,500	\$6,000	\$6,000			
74	04-6202	Supplies	\$30,000	\$30,000	\$24,000	\$24,000			
75	04-6204	Utilities	\$5,800	\$5,800	\$4,640	\$4,640			
76	04-6205	Capital Expenditures/Equipment Purchases	\$80,000	\$500,000	\$80,000	\$80,000			Master Plan & Vac trailer
77	04-6206	Memberships	\$4,500	\$4,500	\$3,680	\$3,680			
78	04-6207	Permits	\$140	\$500	\$500	\$500			
79	04-6208	Equipment Rental	\$2,000	\$2,500	\$2,500	\$2,500			
80	04-6209	Uniforms	\$2,000	\$2,000	\$2,000	\$2,000			
81	04-6211	Gas, Oil & Fuel	\$24,000	\$24,000	\$19,200	\$19,200			
82	04-6214	Other	\$0						
83	04-6215	Equipment (to \$999)	\$3,000	\$3,000	\$4,000	\$4,000			
84	04-6216	Education & Training	\$5,000	\$2,500	\$5,200	\$5,200			
85	04-6300	Health Insurance	\$146,000	\$120,000	\$113,414	\$113,414			
86	04-6301	Worker's Comp	\$10,500	\$12,400	\$11,567	\$11,567			
87	04-6400	CalPERS Contributions (Employer & Employee Contributions)	\$48,000	\$57,500	\$44,185	\$44,185			
88	04-6450	Travel & Mileage	\$300	\$300	\$800	\$800			
89	04-6500	Telephone	\$5,000	\$5,500	\$4,400	\$4,400			
90	04-6801	Professional Services - Engineer	\$65,000	\$65,000	\$56,000	\$56,000			
91	04-6804	Professional Services - Other	\$22,000	\$12,000	\$30,000	\$30,000			NBS (10K) and Water Reliability Study (10K)
92	<b>XX</b>	<b>Irrigation Distribution</b>	<b>\$0</b>	<b>\$0</b>	<b>\$246,529</b>	<b>\$246,529</b>			
93		Labor			\$68,262	\$68,262			
94		Overtime			\$2,000	\$2,000			
95		On-Call			\$0	\$0			

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96	Cert Bonus			\$0		\$0			
97	Temp Labor			\$0		\$0			
98	FICA/Medicare (6.2%/1.45% Emplr)			\$5,016		\$5,016			
99	Repairs & Maintenance			\$2,000		\$2,000			
100	Equipment Repairs			\$1,500		\$1,500			
101	Supplies			\$6,000		\$6,000			
102	Utilities			\$1,160		\$1,160			
103	Capital Expenditures/Equipment Purchases			\$80,000		\$80,000			Irrigation project (75K) & Master Plan (5K)
104	Memberships			\$900		\$900			
105	Permits			\$0		\$0			
106	Equipment Rental			\$0		\$0			
107	Uniforms			\$500		\$500			
108	Gas, Oil & Fuel			\$4,800		\$4,800			
109	Equipment (to \$999)			\$600		\$600			
110	Education & Training			\$1,300		\$1,300			
111	Health Insurance			\$28,353		\$28,353			
112	Worker's Comp			\$2,892		\$2,892			
113	CalPERS Contributions (Employer & Employee Contributions)			\$11,046		\$11,046			
114	Travel & Mileage			\$100		\$100			
115	Telephone			\$1,100		\$1,100			
116	Professional Services - Engineer			\$14,000		\$14,000			
117	Professional Services - Other			\$15,000		\$15,000			NBS (10K) & Water Reliability Study (5K)
118	<b>GENERAL FUND</b>	<b>\$883,650</b>	<b>925,839</b>	<b>\$668,131</b>	<b>\$601,818</b>	<b>\$66,313</b>			<b>90% Domestic / 10% Irrigation</b>
119	<b>06</b>	<b>\$883,650</b>	<b>\$925,839</b>	<b>\$668,131</b>	<b>\$601,818</b>	<b>\$66,313</b>			
120	06-6100 Labor	\$295,000	\$339,080	\$299,998	\$269,998	\$30,000			
121	06-6103 Overtime	\$4,500	\$1,000	\$1,000	\$900	\$100			
122	06-6110 FICA/Medicare	\$24,000	\$27,000	\$22,950	\$20,655	\$2,295			
123	06-6200 Repairs & Maintenance	\$5,000	\$5,000	\$10,000	\$9,000	\$1,000			
124	06-6201 Equipment Repairs	\$500	\$500	\$500	\$450	\$50			
125	06-6202 Supplies	\$5,000	\$5,000	\$5,000	\$4,500	\$500			
126	06-6203 Copier Expense	\$3,700	\$3,700	\$3,700	\$3,330	\$370			
127	06-6204 Utilities	\$2,500	\$4,500	\$4,500	\$4,050	\$450			
128	06-6205 Capital Expenditures/Equipment Purchases	\$65,000	\$0	\$0	\$0	\$0			
129	06-6206 Memberships	\$19,000	\$22,000	\$23,000	\$20,700	\$2,300			
130	06-6207 Permits & Fees	\$200	\$800	\$200	\$180	\$20			
131	06-6209 Uniforms	\$0	\$500	\$500	\$450	\$50			
132	06-6210 Postage	\$8,500	\$8,500	\$8,200	\$7,380	\$820			
133	06-6213 Banking Fees	\$18,000	\$30,000	\$2,000	\$1,800	\$200			
134	06-XXXX Customer Transaction Fees			\$7,000	\$6,300	\$700			
135	06-6214 Other								
136	06-6215 Equipment (to \$999)	\$2,500	\$5,000	\$5,000	\$4,500	\$500			
137	06-6216 Education & Training	\$6,000	\$1,500	\$6,000	\$5,400	\$600			
138	06-6217 Late Fees			\$0	\$0	\$0			
139	06-6300 Health Insurance	\$83,000	\$72,500	\$45,982	\$41,384	\$4,598			
140	06-6301 Worker's Comp	\$6,250	\$950	\$1,350	\$1,215	\$135			
141	06-6302 General Insurance	\$25,000	\$25,000	\$25,000	\$22,500	\$2,500			
142	06-6303 Unemployment	\$0	\$0	\$0	\$0	\$0			
143	06-6400 CalPERS Contributions (Employer & Employee Contributions)	\$47,500	\$75,000	\$37,450	\$33,705	\$3,745			

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144	06-6450	Travel & Mileage	\$1,300	\$10,000	\$12,000	\$10,800	\$1,200		
145	06-6500	Telephone	\$3,500	\$3,500	\$4,000	\$3,600	\$400		
146	06-6801	Professional Services - Engineer	\$0	\$0	\$0	\$0	\$0		
147	06-6802	Professional Services - Legal	\$30,000	\$140,000	\$30,000	\$27,000	\$3,000		
148	06-6803	Professional Services - Accounting	\$9,700	\$10,400	\$20,000	\$18,000	\$2,000		Outside accountant & audit
149	06-6804	Professional Services - Other	\$50,000	\$31,000	\$32,000	\$28,800	\$3,200		NBS (10K) and all other reoccurring services
150	06-6805	Professional Services - IT	\$18,000	\$20,809	\$20,800	\$18,720	\$2,080		
151	06-6806	Professional Services - Software		\$35,000	\$30,000	\$27,000	\$3,000		
152	06-6810	Communicatons		\$5,000	\$5,000	\$4,500	\$500		
153	06-6850	Election Expense			\$0				
154	06-6901	Contingencies	\$150,000	\$42,600	\$0				
155	06-XXXX	DROP Assistance			\$5,000	\$5,000			Fund using Late Fees
156	-	<b>Debt Issuance</b>	<b>\$0</b>						
157	+	<b>Liability - Debt Svs</b>	<b>\$0</b>						
162	+	<b>Admin - Debt Svs Interest</b>	<b>\$0</b>						