

JOINING SPECIAL MEETING MINUTES

OF THE BOARD OF DIRECTORS OF CITY OF ANGELS, CITY COUNCIL, UNION PUBLIC UTILITY DISTRICT (UPUD) and UTICA WATER AND POWER AUTHORITY (UWPA)

5:30 pm Thursday, June 13, 2024
Angels Camp Fire Department | 1404 Vallecito Rd, Angels Camp, CA 95222

Board Chambers are open to the public, offering limited seating on a first-come, first-served basis. Members of the public shall have the right to observe and offer public comment during the designated time.

CITY OF ANGELS, CITY COUNCIL:

MAYOR: Jennifer Herndon (**PRESENT**)

VICE MAYOR: Isabel Moncada (**PRESENT**)

COUNCIL MEMBERS: Alvin Broglio (**PRESENT**), Michael Chimente (**PRESENT**), Caroline Schirato (**PRESENT**)

CITY ADMINISTRATOR: Rebecca Callen (**ABSENT**)

UNION PUBLIC UTILITY DISTRICT (UPUD):

PRESIDENT: Eric Bottomley (**ABSENT**)

VICE PRESIDENT: Greg Rasmussen (**PRESENT**)

SECRETARY: Tom Quincy, TREASURER (**PRESENT**): Bruce Tallakson (**ABSENT**), DIRECTOR: Ralph Chick (**PRESENT**)

GENERAL MANAGER: Jessica Self (**PRESENT**)

UTICA WATER AND POWER AUTHORITY (UWPA):

CHAIR: Ralph Chick (**PRESENT**)

VICE CHAIR: Caroline Schirato (**PRESENT**)

SECRETARY: Jennifer Herndon, DIRECTORS: Tom Quincy, Gary Conrado (**ALL PRESENT**)

GENERAL MANAGER: Joel Metzger (**PRESENT**)

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at City Hall 209-736-2181. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II) Materials related to an item on this Agenda submitted to the City Council after distribution of the Agenda packet are available for public inspection at City Hall at 200 Monte Verda Street Ste. B, Angels Camp, CA 95222 during normal business hours. The Agenda is also available on line at www.angelscamp.gov.

ORDER OF BUSINESS

CALL TO ORDER/THE PLEDGE OF ALLEGIANCE

1. **ROLL CALL**
AS NOTED ABOVE

2. **APPROVAL OF AGENDA**

MOTION TO APPROVE THE AGENDA BY UPUD VICE PRESIDENT RASMUSSEN, SECONDED BY CITY COUNCIL MEMBER BROGLIO, PASSED 9 YES, 2 ABSENT

3. **PUBLIC COMMENT:**
NONE

4. **REGULAR AGENDA:**

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

GENERAL MANAGER JOEL METZGER PRESENTED A 5-YEAR FINANCIAL ANALYSIS BY HDR, INC., AND A PROPOSED FUNDING AGREEMENT FOR THE AUTHORITY. DISCUSSIONS FOCUSED ON INCLUDING CONTINGENCY MEASURES TO PROTECT UPUD AND COA FROM RISKS RELATED TO PROPOSITION 218 CHALLENGES. TOPICS COVERED UTICA'S FERC-RELATED EXPENDITURES, MAINTENANCE, POWER REVENUE, AND POTENTIAL SAVINGS FROM A FERC EXEMPTION.

COUNCIL MEMBER CHIMENTE APPRECIATED UTICA'S WILLINGNESS TO REVISE THE RATE STUDY IF NEEDED. METZGER CONFIRMED UTICA'S COMMITMENT TO WORK WITH MEMBER AGENCIES AND LEGAL TEAMS ON A DEFENSIBLE AGREEMENT.

COUNCIL MEMBER BROGLIO RAISED CONCERNS ABOUT THE AGREEMENT'S IMPACT ON INFRASTRUCTURE INVESTMENTS AND RESOURCES BUT SUPPORTED THE AGREEMENT AS A VIABLE OPTION.

THE BOARDS DISCUSSED THE LEGAL IMPLICATIONS OF PROPOSITION 218 AND AGREED TO REVISIT THE AGREEMENT IF A FERC EXEMPTION IS ACHIEVED. UPUD GENERAL MANAGER JESSICA SELF NOTED DIFFERING LEGAL OPINIONS ON TIMING, WITH UPUD'S COUNSEL RECOMMENDING A DELAY. DIRECTOR/MAYOR HERNDON EMPHASIZED THE NEED FOR A PROTECTIVE AGREEMENT BEFORE RATE STUDIES AND PROPOSITION 218 PROCEEDINGS. METZGER ASSURED THAT INCLUDING CONTINGENCY LANGUAGE WOULD NOT BE AN OBSTACLE.

DIRECTION REGARDING THE JPA 5-YEAR FUNDING AGREEMENT: UTICA CHAIR / UPUD DIRECTOR CHICK POLLED THE BOARDS ON THE FOLLOWING LANGUAGE:
THE RESPECTIVE BODIES OF THE JOINT POWERS AUTHORITY MEMBER ENTITIES AGREE TO THE 5-YEAR JPA FUNDING PLAN AS INCLUDED IN THE AGENDA PACKET, AND THE UTICA BOARD OF DIRECTORS HAS THE FULL JPA'S SUPPORT TO ADOPT THIS 5-YEAR FUNDING PLAN. THIS PLAN IS CONTINGENT UPON SUCCESSFUL PROPOSITION 218 PROCEEDINGS:

COUNCIL MEMBER BROGLIO: YES
COUNCIL MEMBER CHIMINTE: YES
COUNCIL MEMBER / DIRECTOR SCHIRATO: YES
VICE MAYOR MONCADA: YES
MAYOR / DIRECTOR HERNDON: YES
DIRECTOR CONRADO: YES
VICE-PRESIDENT / DIRECTOR CHICK: YES
SECRETARY / DIRECTOR QUINCY: YES
DIRECTOR RASMUSSEN: YES
PRESIDENT BOTTOMLY: ABSENT
TREASURER TALLAKSON: ABSENT
RESULTS OF POLL: 9 IN FAVOR, 2 ABSENT.

DIRECTOR CHICK NOTED THAT WHILE THERE IS UNANIMOUS AGREEMENT, IT'S IMPORTANT TO UNDERSTAND THAT THE FINAL LANGUAGE NEEDS TO BE REVIEWED AND APPROVED BY THE ATTORNEYS BEFORE IT'S FINALIZED. HE THEN ASKED GENERAL MANGER, JOEL METZGER, IF WE SHOULD POLL THE BOARDS. GENERAL MANAGER, JOEL METZGER, RESPONDED BY SAYING, "NO, I THINK WE'VE ALREADY DONE THAT. JUST TELL ME IF ANYONE DOESN'T AGREE." HE THEN CLARIFIED, "JUST TO BE CLEAR, IS WHAT I HAVE IN WRITING CONSISTENT IN WHAT THE BOARD IS SUPPORTING? IF ANYONE DOESN'T AGREE, LET ME KNOW; OTHERWISE, THIS IS WHAT WILL BE USED FOR THE MINUTES." MAYOR/DIRECTOR HERNDON NOTED THAT IT NEEDS TO BE PHRASED IN THEIR "LAWYER WAY."

5. ADJOURNMENT:


MOTION TO ADJOURN THE MEETING AT 6:31 PM BY THE CITY'S MAYOR/UWPA TREASURER HERNDON, SECONDED BY CITY COUNCIL MEMBER BROGLIO – MOTION PASSED: 9 YES, 2 ABSENT.

Respectfully Submitted:



Tom E. Quincy, Board Secretary

ATTEST:



Jenna Mayo, Clerk to the Board