TUOLUMNE UTILITIES DISTRICT
REGULAR MEETING MINUTES
JANUARY 24, 2023

A regular meeting of the Board of Directors of Tuolumne Utilities District convened at 9:00 a.m. at the District Office, 18885 Nugget Blvd., Sonora, California.

This meeting was held in accordance with Assembly Bill 361; and the Federal Americans with Disabilities Act. AB 361 allows the Board of Directors to participate by teleconference.

The following Directors and staff were present:

Director Kerns, President
Director Ringen, Vice President
Director Balen
Director Boatright

Don Perkins, General Manager
Erik Johnson, District Engineer
Steve Sheffield, Finance Director
Abby Parcon, Administrative Services Director
Eric Hall, Operations Director
Melissa McMullen, Executive Secretary/Board Clerk
Emily Long, Administrative and External Affairs Specialist
Gaddiel DeMattei, Associate Engineer

Call to Order
Pledge of Allegiance

I. Public Forum

Michael Allen addressed the Board regarding incentives for water conservation.

II. Consent Calendar

1. Minutes of the Regular Board Meeting of January 10, 2023

2. Investment Report as of December 31, 2022

No public comment was heard.

Director Balen moved to approve the Consent Calendar. Director Ringen second the motion and it was approved unanimously.

III. Regular Business

3. Consider Adopting a Resolution Authorizing the Submission of a Department of Water Resources Urban Drought 2022 Tuolumne Utilities District Grant Proposal for the Phoenix Lake Dredging and Bypass Pipeline Project and the Sediment Basin and Wetland Enhancement Project

Emily Long presented a summarization of the request to adopt a Resolution No.3-23 Authorizing the Submission of a Department of Water Resources Urban Drought 2022 Tuolumne Utilities District Grant Proposal for the Phoenix Lake Dredging and Bypass Pipeline Project and the Sediment Basin and Wetland Enhancement Project.

No public comment was heard.

Director Ringen, Vice President moved to adopt Resolution No. 3-23 authorizing staff to submit a grant application for the Urban Community Drought Relief Funding Program funded through the Department of Water Resources for the Phoenix Lake Dredging and Bypass Pipeline

Project and the Sediment Basin and Wetland Enhancement Project. Director Balen seconded the motion and it was approved unanimously.

4. Consider Approving a Resolution Adopting the District Investment Policy

Steve Sheffield presented a summarization for the request to adopt Resolution No. 4-23 adopting the District Investment Policy.

No public comment was heard.

Director Balen moved to adopt Resolution No. 4-23 Adopting the District Investment Policy. Director Ringen, Vice President seconded the motion and it was approved unanimously.

5. Consider Approving a Cost Reimbursement Agreement between Tuolumne Utilities District and Chicken Ranch Rancheria

Don Perkins presented a summarization for the request to approve a Cost Reimbursement Agreement between Tuolumne Utilities District and Chicken Ranch Rancheria.

Stephanie Suess spoke on behalf of the Chicken Ranch Rancheria and responded to questions from the Board.

Director Ringen, Vice President moved to authorize Board President Kerns to execute the Cost Reimbursement Agreement between Tuolumne Utilities District and Chicken Ranch Rancheria. Director Boatright seconded the motion and it was approved unanimously.

6. Discussion Regarding Assembly Bill 2449 – Enhanced Teleconferencing and Recent Developments Relating to Assembly Bill 361

Jesse Barton summarized the newly adopted AB 2449, effective January 1, 2023, which enhances some of the Ralph M. Brown Act requirements relating to future teleconferencing by members of the legislative bodies.

No public comment was heard.

7. Discussion and Approval of Timeline for the Selection of a Candidate to Fill the Vacancy on the Board of Directors

Jesse Barton summarized California Government Code Section 1780 which governs the process for filing a vacant position on the Board of Directors.

No public comment.

Director Balen moved to approve the following timeline:

- Staff to post Announcement of Vacancy three times in the Union Democrat, at three public locations and on the TUD website at least 15 days prior to appointment
- Tuesday, February 14, 2023: Filing deadline for candidate applications
- Tuesday, February 28, 2023: Board conducts applicant interviews. Each qualifying candidate will be invited to present their background and qualifications.
- Tuesday, March 14, 2023: Candidate appointment

Director Ringen, Vice President seconded the motion and it was approved unanimously.

IV. Staff Reports

Don Perkins reported on the following items:
-January 24, 2023: Meeting with Tracie Riggs, County Administrator

Eric Hall reported on the follow items:
-Provided an update on District activities

Abby Parcon reported on the following items:
-A Resolution expressing appreciation for District staff will be presented for the Boards consideration

at an upcoming Board meeting
-Nick Hayden, Distribution, obtained his Distribution 1 (D1) Certification

V. Directors Communication and Reports

Director Ringen reported on the following items:
-January 12, 2023: Attended the Mountain Counties Water Resources Association (MCWRA) Legislative Committee meeting

VI. Closed Session

a. Conference with Real Property Negotiators Property APN # 083-200-002 Agency Negotiators: Don Perkins, Erik Johnson Other Party to Negotiations: Christopher and Tessa Hatler Under Negotiation: Price and Terms of Payment

Director Kerns recused himself from this item prior to discussion because his business has provided services for the party(s) listed.

No public comment was heard.

VII. Reconvene to Open Session

b. Closed Session Disclosure

The Board voted (3-0) in Closed Session to execute a Purchase and Sale Agreement with Christopher and Tessa Hatler for 0.295 Acre Parcel in the Cedar Ridge area. Director Recused: Director Kerns, President (recused for performing prior work for the Halter's)

c. Consider Executing a Purchase and Sale Agreement with Christopher and Tessa Hatler for 0.295 Acre Parcel in the Cedar Ridge Area

Director Balen moved to authorize Board President Kerns to sign the Purchase and Sale Agreement with Christopher and Tessa Hatler for 0.295 Acre Parcel in the Cedar Ridge area. Director Boatright seconded the motion and it was approved (3-0).
Ayes: Director Ringen, Vice President, Director Balen, Director Boatright
Recused: Director Kerns, President (motion and vote were to authorize President Kerns to sign the agreement despite the recusal and despite that President Kerns took no part in the discussion or either vote.)

Adjournment

Director Kerns returned to the meeting at 11:15 a.m. and adjourned the meeting.

Date: February 14, 2023

ATTEST:

Jeff Kerns, President
Board of Directors

Melissa McMullen,
Executive Secretary/Board Clerk