

**ACTION MINUTES OF
BOARD OF PUBLIC UTILITIES COMMISSIONERS
CITY OF TULARE**

April 19, 2018

A special meeting of the Board of Public Utilities, City of Tulare was held on Thursday, April 19, 2018 at 7:00 p.m. in the Tulare Public Library & Council Chambers, 491 North "M" Street.

BPU PRESENT: Jim Pennington, Howard Stroman, Thomas Griesbach

STAFF PRESENT: Willard Epps, Sarah Tobias, Darlene Thompson, Michael Miller, Trisha Whitfield, Nick Bartsch, Tim Doyle, Frank Rodriguez, Ben Siegel, Jim Funk, Leonel Alvarez, Melissa Hermann

I. CALL TO ORDER SPECIAL MEETING

President Pennington called the special meeting to order at 7:02 p.m.

II. PLEDGE OF ALLECIANCE AND INVOCATION

Board Member Griesbach led the Pledge of Allegiance and an invocation was given by Vice President Stroman.

III. CITIZEN COMMENTS

President Pennington advised that comments from the public are limited to items listed on the agenda (GC 54954.3a). Speakers will be allowed three minutes. Please begin your comments by stating and spelling your name and providing your city of residence.

There were no public comments.

IV. COMMUNICATIONS

There were no items for this section.

V. STUDENT REPORTS

There were no students present to provide a report.

VI. CONSENT CALENDAR

It was moved by Vice President Stroman, seconded by Board Member Griesbach and unanimously carried that the items on the Consent Calendar be approved as presented with the exception of items 3, 5, 7, 8, and 10.

- (1) Approve minutes of April 5, 2018 regular and/or special meeting(s).**
- (2) Accept the Financial Status Report.**
- (3) Receive the Public Works performance reports for March 2018.** Board Member Griesbach pulled this item to inquire about the increase in water consumption. Water and Wastewater Collections Utility Manager Tim Doyle provided a response thereto. Following discussion, it was moved by Board Member Griesbach, seconded by Vice President Stroman and unanimously carried to approve the item as presented.
- (4) Receive the quarterly Potable Water Pumping and Meter Delivery Report.**
- (5) Accept Public Works Monthly Water System Report.** Board Member Griesbach pulled this item to inquire if the Villa was still connected to the City water system. Water and Wastewater Collections Utility Manager Tim Doyle provided a response thereto. Following discussion, it was moved by President Pennington, seconded by Board Member Griesbach and unanimously carried to approve the item as presented.
- (6) Accept the Water System Development Program update.**
- (7) Receive and update on the purchase of additional natural gas.** Vice President Stroman pulled this item for clarification regarding the “locked-in” price for the natural gas. Public Works Director Trisha Whitfield provided a response thereto. With no further discussion, it was moved by Vice President Stroman, seconded by Board Member Griesbach and unanimously carried to approve the item as presented.
- (8) Receive the Fuel Cell Performance report for February 2018.** Vice President Stroman pulled this item to inquire about the jump in electrical consumption in February 2018. President Pennington inquired which chart would be the simplest to share when questioned. Public Works Director Trisha Whitfield and Management Analyst Ben Siegel provided responses to the Board’s questions. Following discussion, it was moved by President Pennington, seconded by Vice President Stroman and unanimously carried to approve the item as presented.
- (9) Award Bid 18-656 to Shape, Incorporated of Stockton, CA in the amount of \$115,030.20 for the purchase of two (2) replacement sanitary sewer lift station pumps.**

- (10) **Award and authorize the City Manager to execute a contract for the Well 22 Electrical System Rehabilitation Project to Strategic Mechanic of Fresno, California in the amount of \$221,486.00; and authorize the City Manager, or designee, to approve contract change orders in amounts up to 10% (\$22,148.60) of the contract award.** President Pennington pulled this item to inquire if the City is able to award construction bids to local contractors even if the bid is not the lowest. Project Manager Jim Funk and City Engineer Michael Miller provided a response thereto. Assistant City Attorney Sarah Tobias advised the Board that she would look into the matter and bring an item to the next regular meeting. Following discussion, it was moved by President Pennington, seconded by Vice President Stroman and unanimously carried to approve the item as presented.

VII. GENERAL BUSINESS – Comments related to General Business Items are limited to three minutes per speaker for a maximum of 30 minutes per item unless otherwise extended by the Board.

(1) Public Hearing

- a. **Adopt Resolution 18-02 approving the Solid Waste Study Financial Report dated February 10, 2018; and Public Hearing to adopt Resolution 18-03 establishing new Solid Waste rates effective July 1, 2018.** Interim City Manager Willard Epps introduced the item. Assistant City Attorney Sarah Tobias provided an overview of Proposition 218. Public Works Director Trisha Whitfield provided a report for the Board's review and consideration. William Schoen of R3 Consulting, Inc. gave a presentation in regard to the process and findings of the study.

Questions posed by the Board were responded to by staff.

President Pennington opened the public hearing at 8:00 p.m. and advised that written protests will be accepted until the end of the public hearing.

Citizen Comments:

Rose de Azevedo inquired if the R3 study was available for the public to view.

Staff addressed questions posed by the public. President Pennington closed the public hearing at 8:04 p.m. Following a brief discussion, it was moved by President Pennington, seconded by Board Member Griesbach and unanimously carried to adopt Resolution 18-02 as presented.

President Pennington trailed the matter to provide the clerk opportunity to open and tabulate the protest letters.

Deputy City Clerk/Records Coordinator Melissa Hermann reported the following:

- 6 protest letters had been received;
- 103 mailings were returned as not deliverable, unable to forward, vacant, etc.;
- A summary spreadsheet reflecting the reasons returned were provided to the Board and were available for review;
- Out of abundance of caution, the returned mailings were counted as protest letters bringing the total to 109; and
- The number failed the 50% + 1 threshold and allowed the Board to move forward with consideration and adoption of the solid waste rates.

With no further discussion, it was moved by President Pennington, seconded by Vice President Stroman and unanimously carried to adopt Resolution 18-03 as presented.

VIII. ITEMS OF BOARD INTEREST

Items of Board interest were discussed amongst the Board and staff.

It was the consensus of the Board to bring an item to the next meeting to discuss ways the Board can more effectively communicate with the Council.

IX. ADJOURN SPECIAL MEETING

President Pennington adjourned the special meeting at 8:33 p.m.

President of the Board of Public Utilities
Commissioners of the City of Tulare

ATTEST:

Secretary of the Board of
Public Utilities Commissioners