

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

May 3, 2018

A regular meeting of the Board of Public Utilities, City of Tulare was held on Thursday, May 3, 2018 at 4:00 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, Melissa Hermann

I. CALL TO ORDER REGULAR MEETING

President Pennington called the regular meeting to order at 4:05 p.m.

II. CITIZEN COMMENTS

Duplicate section. See below Citizen Comments.

III. PLEDGE OF ALLECIANCE AND INVOCATION

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

IV. 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 citizen comments.

V. COMMUNICATIONS

There were no items for this section.

VI. STUDENT REPORTS

There were no students present to provide a report.

VII. 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 4, 6 and 7.

- (1) Approve minutes of April 12, 2018 and April 19, 2018 regular and/or special meeting(s).
- (2) Receive, review and file the Monthly Investment Report for March 2018.
- (3) Adopt Resolution 18-04 authorizing the surplus of one (1) City Vehicle.
- (4) **Accept Public Works Project Dashboard for May 2018.** President Pennington pulled this item to inquire about the projects in yellow (projects with potential issues in schedule or budget). Public Works Director Trisha Whitfield provided a response thereto along with an update on those projects in question. Board members inquired about the hiring timeframe for the vacant positions mentioned. Ms. Whitfield responded thereto. Following discussion, it was moved by Vice President Stroman, seconded by Board Member Griesbach and unanimously carried to approve the item as presented.
- (5) **Authorize the City Manager to complete and execute the documents necessary for the purchase of property and associated easements located at the northwest corner of Mooney Boulevard and Cartmill Avenue subject to minor conforming or clarifying changes agreeable to the City Manager and City Attorney for the purpose of the construction and operation of a new municipal well and water storage tank for a combined total of \$97,400.**
- (6) **Grant an approximately 12' x 166' easement to Southern California Edison Company at the J Street water well and storage tank site, located at 1258 North J Street; and authorize the City Manager to execute the attached Grant of Easement subject to minor conforming or clarifying changes agreeable to the City Manager and City Attorney.** Board Member Griesbach pulled this item to inquire about the need for the easement. Senior Project Manager Nick Bartsch and City Engineer Michael Miller provided a response thereto. With no further discussion, it was moved by Board Member Griesbach, seconded by Vice President Stroman and unanimously carried to approve the item as presented.
- (7) **Receive and accept a 41' x 74' access easement from DG Strategic II, a Tennessee limited liability company, at the J Street water well and storage tank site, located at 1258 North J Street; and authorize the City Manager to execute the attached Access Easement Agreement subject to minor conforming or clarifying changes agreeable to the City Manager and City Attorney.** Board Member Griesbach pulled this item to inquire about the need

for the easement. Senior Project Manager Nick Bartsch 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) **Approve a contract extension to P&H Senesac Inc. of Milton, Vermont, in the amount of \$60,000.00 for an additional two month rental of the dewatering equipment at the City of Tulare Wastewater Treatment Plant.**
- (9) **Approve the cancellation of the regular meeting scheduled for July 5, 2018.**

VIII. SCHEDULED PRESENTATION(S)

- (1) **Proclamation declaring May 20-26, 2018 as National Public Works Week in Tulare.** President Pennington presented a proclamation to Solid Waste Manager Frank Rodriguez and Water and Wastewater Collections Utility Manager Tim Doyle.

IX. 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) **Set the Public Hearing to adopt Resolution 18-xx approving the 2018/19 Fiscal Year Municipal Utility Budget (including the Fleet Control, Insurance Control and Equipment Replacement Control budget components); and to adopt Resolution 18-xx approving the 2018/19 Fiscal Year Municipal Utility Position Control Budget.** Public Works Director Trisha Whitfield introduced the item. Management Analyst Ben Siegel provided a presentation for the Board's review and consideration. Following the presentation, questions by the Board were responded to by staff. It was moved by President Pennington, seconded by Board Member Griesbach and unanimously carried to approve the item as presented setting the Public Hearing for budget adoption on June 7, 2018.
- (2) **Discussion and selection of one (1) Board of Public Utilities member to serve on the TID/City Operations Committee.** Public Works Director Trisha Whitfield provided a report for the Board's review and consideration. Questions by the Board were responded to by staff. Following discussion, it was moved by Vice President Stroman, seconded by Board Member Griesbach and unanimously carried to select Jim Pennington to serve on the TID/City Operations Committee.
- (3) **Discussion and selection of an effective way to communicate with the City Council regarding action taken at the Board of Public Utilities meetings.** The Board discussed issues and solutions regarding ways to communicate action taken by the Board more effectively with the Council. Following

discussion, the Board agreed that the current process in place is sufficient. There was no action taken on this item.

- (4) **Consideration of a request for a third extension of the Entitlement Period for a ground lease between Colony Energy Partners-Tulare, LLC and the City of Tulare entered into on May 11, 2015.** Public Works Director Trisha Whitfield provided a report for the Board's review and consideration. General Services Director Steve Bonville responded to questions regarding the lease. Following discussion, it was moved by Board Member Griesbach, seconded by President Pennington and carried 2 to 1 (Vice President Stroman voting no) to extend the Entitlement Period for the ground lease for 6 months at \$833.00 per month and revert to \$5,250.00 following the end of the extended Entitlement Period as stated in the ground lease.
- (5) **Receive an update and discussion from City Attorney's office regarding bid process for public agency construction contracts.** Assistant City Attorney Sarah Tobias provided information for the Board's review and consideration. Questions by the Board were responded to by Staff. Ms. Tobias advised the Board that her office and staff will continue to look into this topic. There was no action taken on this item.

X. ITEMS OF BOARD INTEREST

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

XI. ADJOURN REGULAR MEETING

President Pennington adjourned the regular meeting at 5:47 p.m.

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

ATTEST:

Secretary of the Board of
Public Utilities Commissioners