

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

November 1, 2018

A regular meeting of the Board of Public Utilities, City of Tulare was held on Thursday, November 1, 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

BPU ABSENT: Chris Soria

STAFF PRESENT: Willard Epps, Jaskaran Gill, Michael Miller, Darlene Thompson, Trisha Whitfield, Nick Bartsch, Tim Doyle, Steve Bonville, Melissa Hermann

I. CALL TO ORDER REGULAR MEETING

President Pennington called the regular meeting to order at 4:03 p.m.

II. PLEDGE OF ALLEGIANCE AND INVOCATION

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

III. CITIZEN COMMENTS

President Pennington requested those who wish to speak on matters not on the agenda within the jurisdiction of the Board, or to address or request a matter be pulled from the Consent Calendar to do so at this time. He further stated comments related to General Business matters would be heard at the time that matter is addressed on the agenda.

There were no citizen comments.

IV. COMMUNICATIONS

There were no items for this section.

V. CONSENT CALENDAR

It was moved by President Pennington, seconded by Board Member Griesbach and carried 3 to 0 (Board Member Soria absent) that the items on the Consent Calendar be approved as presented with the exception of item(s) 2.

- (1) **Approve minutes of October 18, 2018 regular meeting.**
- (2) **Accept the Public Works Project Dashboard for November 2018.**

Vice President Stroman pulled this item to inquire about the Annual Meter Replacement project. Water and Wastewater Collections Utility Manager Tim Doyle responded thereto. President Pennington inquired about various projects and ending dates. Senior Project Manager Nick Bartsch and Public Works Director Trisha Whitfield provided responses thereto. Following discussion, it was moved by Vice President Stroman, seconded by Board Member Griesbach and carried 3 to 0 (Board Member Soria absent) to accept the Public Works Project Dashboard for November 2018.

VI. GENERAL BUSINESS

- (1) **Review the proposed Well Ordinance and make recommendations to the City Council with regard to revising Title 7 to include Chapter 7.09, Well Ordinance to the City of Tulare Municipal Code, to effect the addition described in the ordinance as attached.**

Public Works Director Trisha Whitfield provided a report for the Board's review and consideration. Assistant City Attorney Jaskaran Gill provided additional wording in section 07.09.055 of the draft well ordinance to read "The owner of each well within the City of Tulare on which a water meter has been installed shall allow the City access to read said meter annually, by any lawful means, on or about October 1 or each year and not later than thirty (30) days thereafter."

Vice President Stroman suggested the title of the ordinance read "City of Tulare Wells Ordinance" instead of "Well Ordinance of the City of Tulare." Assistant City Attorney Jaskaran Gill advised the title proposed in the draft ordinance is consistent with other ordinance names.

Vice President Stroman suggested changes to the section 07.09.020, changing and adding language. Staff cautioned that changes to language will cause additional analysis by the legal team which will delay the passage of the ordinance. It was the consensus of the Board to not change section 07.09.020 as suggested.

Following discussion, it was moved by Board Member Griesbach, seconded by Vice President Stroman and carried 3 to 0 (Board Member Soria absent) to recommend, with the additional language provided by the City Attorney's Office, to the City Council with regard to revising Title 7 to include Chapter 7.09, Well Ordinance to the City of Tulare Municipal Code.

VII. ITEMS OF INTEREST

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

VIII. ADJOURN TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION(S):

- (a) 54956.8(b) Conference with Real Property Negotiators
Property: Well 43 (portion of APN 184-080-006)
Under Negotiation: Price, terms and conditions
Negotiating Parties: Willard Epps, Trisha Whitfield, Tim Doyle, Steve Bonville, City Attorney**

President Pennington adjourned to closed session at 4:47 p.m.

IX. RECONVENE CLOSED SESSION

President Pennington reconvened from closed session at 5:10 p.m.

X. CLOSED SESSION REPORT (if any)

President Pennington advised there was no reportable action.

XI. ADJOURNMENT

President Pennington adjourned the regular meeting at 5:10 p.m.

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

ATTEST:

Secretary of the Board of
Public Utilities Commissioners