

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

**Tulare Public Library & Council Chamber
491 North M Street, Tulare**

**Thursday, April 18, 2024
4:00 p.m. - Regular Meeting**

COMMISSIONERS PRESENT: President Ray Fonseca
Vice President Tony Sozinho
Commissioner Brian Nunes (arrived at 4:05 p.m.)
Commissioner Renee Soto
Commissioner Blake Wilbur

STAFF PRESENT: City Manager Marc Mondell; Assistant City Attorney Megan Crouch; Chief Deputy City Clerk Melissa Hermann; Public Works Director Trisha Whitfield; Assistant Finance Director Melanie Gaboardi; City Engineer Michael Miller; Assistant Public Works Director Tim Doyle; Senior Management Analyst Andrew Bettencourt

1. CALL TO ORDER

President Fonseca called the regular meeting of the Board of Public Utilities Commissioners to order at 4:00 p.m. in the Council Chamber located at 491 North M Street.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

President Fonseca led the Pledge of Allegiance and an invocation was given by Commissioner Soto.

3. PUBLIC COMMENTS

There were no public comments.

4. COMMUNICATIONS

There were no communications.

5. CONSENT CALENDAR

It was moved by Commissioner Wilbur, seconded by Commissioner Soto, and carried 4 to 0 (Commissioner Nunes absent) that the items on the Consent Calendar be approved as presented.

5.1 Special and/or Regular Meeting Minutes of April 4, 2024.
Recommended Action: Approve as submitted. [M. Hermann]

5.2 Public Works Performance Reports for March 2024.
Recommended Action: Receive the Public Works performance reports for March 2024. [A. Bettencourt]

6. GENERAL BUSINESS

6.1 Notice of Completion for Project WW0069 – Industrial WWTP Bulk Volume Fermenter (BVF) Rehabilitation Project.

Recommended Action: Accept as complete the contract with Synagro-WWT, Inc. of Baltimore, MD for CIP Project WW0069 - the rehabilitation of the Bulk Volume Fermenter (BVF) at the Wastewater Treatment Plant, authorize the Public Works Director to sign the Notice of Completion, and direct the City Clerk to file the Notice of Completion with the Tulare County Recorder's Office.

Presented By: Public Works Director Trisha Whitfield

Public Comment: None

Board Action: It was moved by Vice President Sozinho, seconded by Commissioner Soto, and unanimously carried to approve the item as presented.

6.2 Engineering Services for South "I" Street Water Line.

Recommended Action: Award and authorize the City Manager to sign a contract with Peters Engineering Group of Clovis, CA for engineering services for the design of the South I Street Water Line, a 12-inch water main extension on South "I" Street to Lactalis in the amount of \$230,155; and authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% (\$23,015.50) of the task order amount.

Presented By: Assistant Public Works Director Tim Doyle

Public Comment: None

Board Action: It was moved by Commissioner Wilbur, seconded by Commissioner Nunes, and unanimously carried to approve the item as presented.

6.3 Bid Results for Project EN0095 – Academy & Apricot Improvements.

Recommended Action: Award and authorize the City Manager to sign contracts related to City Project EN0095, Academy and Apricot Improvement Project; authorize the City Manager or designee to approve contract change orders in an amount not to exceed 10% of each contract amount; and approve the revised budget.

	Task Description	Contractor	Amount
1.	Construction Contractor	Dawson-Mauldin, LLC of Selma, CA	\$9,933,583
2.	Construction Inspection	NV5 of Fresno, CA	\$623,207
3.	Materials Testing	Blackburn Consulting of Fresno, CA	\$385,135
4.	Construction Surveying	4Creeks of Visalia, CA	\$130,000
5.	Labor Compliance	Silveira Consulting of Galt, CA	\$32,880

Presented By: City Engineer Michael Miller

Public Comment: None

Board Action: It was moved by President Fonseca, seconded by Vice President Sozinho, and unanimously carried to approve the item as presented.

7. ITEMS OF INTEREST

Items of interest were discussed amongst the Board and staff.

8. RECESS TO CLOSED SESSION TO DISCUSS THE FOLLOWING

8.1 Conference with Legal Counsel - Existing Litigation (Gov. Code § 54956.9)

Name of Case: Central Valley Resource Recovery, LLC v. City of Tulare
Case Number: VCU282595

The Board recessed to closed session at 4:47 p.m.

9. RECONVENE FROM CLOSED SESSION

The Board reconvened from closed session at 5:11 p.m.

10. CLOSED SESSION REPORT

Assistant City Attorney Megan Crouch reported that the Board voted 5 to 0 to approve a settlement agreement with Central Valley Resource Recovery in which the City agrees to pay \$500,000 to Central Valley Resource Recovery, the City will enter into a continuing contract with Central Valley Resource Recovery for a term of 15 years, Central Valley Resource Recovery will be hired to haul the City's solids from the Wastewater Treatment Plant, and the City will receive a 5% and the potential for an advance 10% profit share in Central Valley Resource Recovery as it relates to the hauling of solids at the Wastewater Treatment Plant.

11. ADJOURNMENT

President Fonseca adjourned the regular meeting at 5:13 p.m.

Approved by the Board on May 2, 2024.

RAY FONSECA, PRESIDENT

ATTEST:

MARC MONDELL, CITY CLERK

By Melissa Hermann, Chief Deputy City Clerk