

LAMONT PUBLIC UTILITY DISTRICT REGULAR MEETING MINUTES

Tuesday, September 25, 2018 6:00 P.M.

Meeting Location:
District Office
8624 Segrue Road
Lamont CA, 93241

1. Call to Order/Roll Call

- a. Board President Jose Cruz called to order the regular board meeting at 6:02pm on Tuesday, September 25, 2018 at the office of the Lamont Public Utility District. All board members were present. Staff present included General Manager/District Secretary Scott Taylor and District Counsel Karl Berger.

2. Pledge of Allegiance – Led by President Cruz.

3. Board Member Announcements –

- a. Director Prado requested an item be placed on a future agenda to look for a new attorney. Director Prado referenced the conflict of interest item on the last agenda and she made a motion to table the item and the vote was 2 to 2 and the attorney was not present at the last meeting and that she feels that is an issue.
- b. Director Gonzalez asked Director Prado if there was only one issue. Director Prado stated she could bring the incidents with date and time.
- c. Director Sanchez inquired of Director Prado how the presence of counsel would make a difference if the agenda item came to a draw.
- d. Director Prado stated the counsel could state if something was not being done right. Director Prado stated we are humans and mistakes are made and she is willing to fix them.
- e. Director Sanchez made comments regarding board members not being prepared and not understanding conflict of interest and waiting till the last minute to table an item because they need more information.
- f. Director Prado said that in the past, the first attorney would tell board members when they are out of order. Having the attorney here would have better control and prevent board members from being out of order.
- g. Counsel Berger stated if the Board want him to step in and tell the Board that they are out of order, he said, “you are out of order right now.” Counsel Berger stated this is Board Comments and this is not an agenda item to be discussed.

- h. Counsel Berger stated if you want me to start running the meetings he can do that, but it is the Board's meeting to run. He stated it is not his role.
- i. No motion or vote was made to place on future agenda.

4. Public Comment

- a. Jose Nuno, 1011 Quantico Ave., Bakersfield, CA
 - i. Mr. Nuno commented on the status of his water bill complaint that he made 5 months ago. He stated he has not received any letter regarding that matter.
 - ii. President Cruz and Director Sanchez stated they remember this item being on a previous agenda and remember Mr. Nuno coming to a previous board meeting.
 - iii. Director Prado inquired as to whether a letter was sent to Nuno and asked if we could send a letter.
 - iv. Counsel Berger stated this is Public Comment and the Board needs to stop having a dialogue with the public. This is not an agenda item and it is not allowed under the Brown Act. Director Prado agreed with Counsel Berger.
 - v. President Cruz directed staff to place the item on the next agenda for discussion by the Board. Counsel Berger stated the Board needed to vote to place on the agenda.
 - vi. Director Gonzalez motioned for placement on the agenda, Director Prado seconded. Motion passes 4-1 with Director Sanchez voting no.
- b. Jesus Alonso, 8817 Jeffrey Ave., Lamont, CA
 - i. Mr. Alonso commented on placing a display of the Brown Act on the wall of the meeting area so the public can be aware of the proper conduct of the meeting.

5. Staff Announcements – Information Only

- a. District Counsel Attendance at Meetings
 - i. General Manager commented on Director Prado's statements regarding the attendance of the District Counsel. General Manager reminded the Board that the Board directed the General Manager to not have District Counsel or the engineering consultant present at meetings when not necessary to reduce unnecessary costs and expenses.
 - ii. General Manager stated he informed the District Counsel that he did not need to attend the meeting because the Board had reviewed and signed a resolution to update the Conflict of Interest Code several times in the past, thus the Board was familiar with the Conflict of Interest Code and update process. The General Manager commented that he did not imagine the Board would need

counsel for something they have approved and adopted so many times in the past.

b. Rate Increase

- i. General Manager provided updated information regarding the rate increase including commenting that the public hearing is scheduled for November 27, 2018 and the ballots will be mailed on October 8, 2018.

c. Well #17 TCP Project Update

- i. General Manager provided an update on the installation and completion of the treatment project at well #17. The General Manager also informed the Board of change orders from Bowe Construction.

d. Plan B Update

- i. General Manager provided an update as to the Plan B update regarding the Cease and Desist Order from the State Water Board.
- ii. Confusion occurred amongst board members and staff was directed to place this update item on a future agenda for additional information and discussion.
- iii. Director Prado motioned for placement on the agenda. Vice President Hernandez seconded. Motion passes 5-0.

e. District Counsel – none.

6. Consent Agenda

- a. Director Prado motioned for approval of the consent calendar. Seconded by Director Sanchez.
- b. Motion passes 5-0.

7. Regular Agenda

a. Consideration, Receive, and File Information of New Administration Building.

- i. General Manager presented information regarding the design, floor plan, and renderings of the proposed new building. General Manager also inquired as to the desire of the Board to retain a drive thru window in the design of the building.
- ii. Director Sanchez requested dimensions of the proposed floor plan of the building.
- iii. Staff was directed to obtain analyzed cost estimates of cost saving if the drive thru window feature was removed from the design. Staff was directed to bring that information to a future meeting.

b. Action to Adopt a Resolution Updating the Conflict of Interest Code as Required by the FPPC.

- i. This item was brought back to the Board from the previous meeting at the request of the Board. General Manager presented information regarding the adoption of a resolution updating the conflict of interest code as required by the FPPC.
- ii. Director Prado stated she wanted more detail in the resolution prepared by District Counsel. She indicated that she obtained a copy of Arvin CSD's resolution and that the proposed resolution includes a section, and she wants more of the regulations included in the resolution as opposed to a few sections of the regulations.
- iii. Director Sanchez commented the update is for Form 700 reporting only.
- iv. Director Prado stated she wanted the proposed resolution to mimic Arvin's with more verbiage included in the resolution.
- v. General Manager attempted to explain the verbiage within the proposed resolution.
- vi. Director Sanchez excused himself from the meeting as he informed the Board that he had an emergency he needed to handle.
- vii. President Cruz stated he wanted to see a copy of the previous update resolution before deciding to adopt this resolution.
- viii. Director Prado made a motion to not adopt the resolution as presented. Seconded by Vice President Hernandez. Motion passes 4-0.

c. Action to Authorize General Manager to Purchase Replacement Backhoe Not to Exceed \$65,000.

- i. General Manager presented information regarding the need for a replacement backhoe. General Manager provided research indicating a reasonable backhoe can be purchased for under \$65,000.
- ii. Board members inquired as to the age, maintenance costs, and projected life span of current backhoe.
- iii. Board members recommended obtaining quotes of the purchase of a new backhoe with a warranty.

iv. Board directed staff to bring additional quotes for new backhoes for consideration.

v. Item to be brought to a future meeting.

Adjournment

A motion was made by Director Prado and seconded by Director Hernandez to adjourn the Regular Meeting of the Board of Directors of the Lamont Public Utility District, held on Tuesday, September 25, 2018 at 7:18 pm. Approved. 4-0.

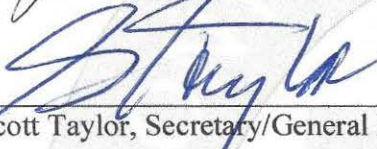
ATTEST:

X



Jose G. Cruz, President of the Board

X



Scott Taylor, Secretary/General Manager

