

# LAMONT PUBLIC UTILITY DISTRICT REGULAR MEETING MINUTES

Monday, September 25, 2017 6:00 P.M.

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

## 1. Call to Order/Roll Call

- a. Board Vice President Hernandez called to order the regular board meeting at 6:04 pm on Monday, September 25, 2017 at the office of the Lamont Public Utility District. Four Board Members were present, with President Cruz absent. Staff present included General Manager/District Secretary Scott Taylor, Finance Officer Wendy Swope and District Engineer Dan Cronquist.

## 2. Pledge of Allegiance – Led by Vice President Hernandez.

## 3. Board Member Announcements –

- a. Director Prado made comments regarding an administrative assistant job description.
- b. Director Prado made comments regarding creating an ordinance for charging 10% interest to developers that do not pay fees for new construction.
- c. Director Prado made comments to no longer receive the agenda packet on her Ipad. She requested hardcopy of the agenda packet.
- d. Director Sanchez made comments regarding it's the General Manager's duties to address and make decisions relative to personnel matters.
- e. Director Sanchez commented regarding charging 10% interest, stating if developers don't pay the fee, they do not receive water connection.
- f. Director Hernandez commented in support of the 10% interest.

## 4. Public Comment

- a. A citizen named Jose Nuno commented on issues regarding his water bill, and having to pay a past due balance upon purchasing a property.
- b. Director Sanchez commented on possibly preparing a resolution amendment relative to past due bills.

## 5. Staff Announcements – Information Only

- a. General Manager provided information regarding the closure and next step of the RFQ process for District Counsel position.
- b. General Manager informed Board of his participation in Latin Independence Day festival representing the District sponsored by the Chamber of Commerce.
- c. General Manager informed Board he was asked to become a Board Member for the Kern County Chapter of the California Special Districts Association.
- d. General Manager provided comments of the ability to change the day of week for regular board meetings.
- e. Director Sanchez commented on changing the day of the board meetings stating if a board member cannot attend, and a quorum exists, the meeting should be held.
- f. Director Prado commented stating each board member has a life and needs to provide for their family. She supports changing the day of the regular meeting

## 6. Consent Agenda

- a. Director Prado commented on the transcription language of the minutes stating the minutes do not reflect her exact words. She commented stating she approves the audio tape, but not the written minutes.
- b. General Manager commented that items may be removed from the consent calendar but that items not on the consent calendar cannot be approved.
- c. Director Sanchez motioned for approval for the minutes as presented. Seconded by Gonzalez. Vote: Aye-Sanchez, Gonzalez. Nay-Prado, Hernandez. Motion failed.
- d. Director Sanchez commented stating the minutes are a summary.
- e. Director Prado commented stating the minutes do not reflect her words. Director Prado stated the Board members are fighting with each other and the minutes are used to corroborate detailed board discussion.
- f. Director Hernandez commented the minutes and audio should be preserved.
- g. General Manager commented minutes are a summary of the meeting, not a word for word transcription. He also commented all audio of meetings are preserved.
- h. Director Prado commented that she now approves the minutes.
- i. Director Sanchez made a motion to approve the consent calendar as presented. Seconded by Gonzalez. Vote: Aye-Prado, Gonzalez, Hernandez, Sanchez. Nay-None. Motion Passes. Consent Calendar approved.

## 7. Regular Agenda

- a. Report and Overview of Finalization of *Sanchez v. LPUD* lawsuit.
  - i. Attorney Sarah Ornales provided information to Board relative to finalization of lawsuit. Informational only.
- b. Action to Sign GM Contract Amendment.
  - i. Director Prado commented regarding an evaluation form not originally included in the evaluation or contract process.
  - ii. General Manager commented on his performance for the District and that the Board has praised him for the good work he has done.
  - iii. Director Sanchez commented that the agenda item was to approve the contract amendment. Director Prado stated she understood and agreed. Director Prado commented she brought it up to respond from comments from the previous board meeting.
  - iv. Director Sanchez made a motion for approval of the GM contract amendment. Director Gonzalez seconded. Vote: aye-Sanchez and Gonzalez. Nay: Prado, Hernandez. Motion fails.
  - v. Agenda item to be brought back to a future board meeting.
- c. Authority to Prepare Action Minutes and Make Audio tapes Available.
  - i. General Manager commented to prepare action minutes from Board meetings and provided options to Board.
  - ii. Director Sanchez made a motion to provide action minutes and preserve and make available the audio tapes of the board meeting. Seconded by Director Gonzalez. Vote: 4-0. Motion Passes.
- d. Adopt a Resolution to Submit Construction Application for El Adobe Consolidation Grant Funding.
  - i. District Engineer provided information and background detail regarding consolidation of El Adobe Water District with LPUD. District Engineer provided additional information and detail regarding the construction application for grant funding and the need for a resolution.
  - ii. Director Prado made a motion to adopt a resolution to submit grant funding application. Seconded by Gonzalez. Motion approved 4-0.

e. Issue Will Serve Letter for Commercial Development at Panama Lane and Fairfax Road.

- i. General Manager presented information and details regarding a request for a will serve letter for a commercial development at Panama Lane and Fairfax Road. General Manager stated that no connection would occur until all fees and costs are paid in full to the District by the developer.
- ii. Director Prado commented on the process for the use of septic tanks, for this project, where projects are not within sewer connection distance of the District. Staff responded providing information relative to the process and use.
- iii. Director Sanchez motioned for approval. Seconded by Gonzalez. Motion approved 4-0.

f. Adopt Resolution Establishing Regulations for Utility Billing, Reconnection and Disconnection.

- i. General Manager presented information and details regarding the adoption of a resolution implementing new utility billing policies and procedures.
- ii. Director Sanchez commented on the ambiguity and discretion of the board relative to fee assessment related to damaged or tampered meters.
- iii. Director Prado commented on the details of the rate study in relation to establishing a utility billing fee schedule. Director Prado also commented on whether the ordinance was all inclusive of utility billing policies and procedures including security deposits, billing, late payments and alike and supersedes previous utility billing ordinances and resolutions.
- iv. Director Prado also commented on the process for informing the community of the changes to the utility billing policies.
- v. Direction given to bring ordinance back to a future board meeting with modifications to discretion of fee implementation.

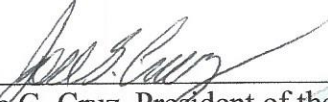
**8. Closed Session: Conference with Legal Counsel – Existing Litigation**

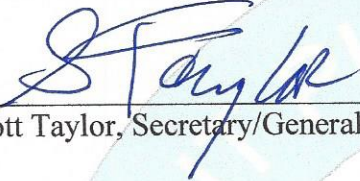
- a. Name of Case: *Sanchez v. LPUD*
- b. Closed Session Removed from Agenda. No reportable action

**Adjournment**

A motion was made by Director Sanchez and seconded by Director Prado to adjourn the Regular Meeting of the Board of Directors of the Lamont Public Utility District, held on Monday, September 25, 2017 at 8:04pm. Approved. 4-0.

**ATTEST:**

X   
\_\_\_\_\_  
Jose G. Cruz, President of the Board

X   
\_\_\_\_\_  
Scott Taylor, Secretary/General Manager



**Adjournment**

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**ATTEST:**

X

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Jose G. Cruz, President of the Board

X

\_\_\_\_\_  
Scott Taylor, Secretary/General Manager

