

BOARD OF PUBLIC UTILITIES

December 1, 2020

The regular meeting of the Board of Public Utilities held on the 1st day of December, 2020, was called to order at 4:04 p.m. with CHAIRMAN CAMPBELL (TELEPHONICALLY) presiding and the following COMMISSIONERS present:

TELEPHONICALLY: COMMISSIONERS MOFFITT, SCHNEIDER AND McNEIL

Also Present in chambers and telephonically: ACTING SECRETARY SEMIONE, CITY MANAGER DANIELS AND OTHER KEY STAFF

APPROVAL COMMISSIONER SCHNEIDER MOVED, SECONDED BY COMMISSIONER
AGENDA McNEIL, to approve the agenda. Motion carried by the following roll call vote:

AYES: CHAIRMAN CAMPBELL, COMMISSIONERS
MOFFITT, SCHNEIDER AND McNEIL
NOES: NONE
ABSENT: COMMISSIONER LeJEUNE

CORSPNDN: None

PBLC APRN: None

CONSENT COMMISSIONER SCHNEIDER MOVED, SECONDED BY COMMISSIONER
CALNDR MOFFITT, to approve consent calendar items 1 through 7

1. Approval of minutes of the regular meeting held November 17, 2020
2. Waive the reading and adopt Resolution No. 12-1-20 BPU adopting the City of Needles Public Utility Authority Renewable Energy Resources Procurement Plan, Compliance Period 3 (2017-2020), pursuant to Public Utilities Code §399.30(a) and authorizing the taking of certain other actions in connection therewith
3. Determine that the initial conditions that warranted the January 2020 Emergency Declaration no longer exist and close out the 'D' Street Bridge Emergency Declaration
4. Authorize staff to develop and implement a Needles Public Utility Authority free shade program (provide residential customers up to two free desert-adapted trees) not to exceed \$14,000 (funding from electric public education)
5. Waive the reading and adopt Resolution No. 12-1-20-3 BPU authorizing an expenditure of funds not to exceed \$100,000 for the purchase of transformers and ancillary parts and equipment for commercial projects
6. Authorize Brooks Consulting LLC to complete a 69kV system model (develop an electrical model of the 69kV system) not to exceed \$7,000; and an arc flash study (assess the arc flash levels on the electrical system from the 69kV to the 120V/240V and define adequate PPE protection from arc flash electrical hazard) not to exceed \$17,000 (total cost not to exceed \$24,000 from electric engineering services)
7. Cancel the second regular Board meeting scheduled for December 15, 2020

Motion carried by the following roll call vote:

AYES: CHAIRMAN CAMPBELL, COMMISSIONERS
MOFFITT, SCHNEIDER AND McNEIL
NOES: NONE
ABSENT: COMMISSIONER LeJEUNE

REG ITEMS: Rainie Torrance, asst utility manager, spoke on the proposed reduction in the equivalent dwelling unit (EDU) in wastewater for the school customer class to 0.20 per student retroactive to November 1, 2020. After adoption of new 12-1-20-1BPU wastewater rates, the Needles Unified School District expressed concern on the REDUCE EDU factor of 0.23 for schools. City staff met with the school district and WW EDU thereafter worked with Stantec to review the industry standard for schools in SCHOOLS California. Stantec's recommendation has been included in the Board packet. She noted that the rate study recently completed did not include an in-depth analysis of each EDU factor but instead applied the data from the 2016 rate increase. Following information in the state revolving fund for construction of a wastewater treatment facility, it provides EDU schedules based on flow with schools estimated between 10-20 gallons per day per student/staff and provided an industry standard of about .20.

COMMISSIONER SCHNEIDER spoke on a previous discussion by the Board about empty lots/vacant land and collecting basic water and sewer fees on these lots as service is available to them. The rate plan is designed on everyone paying their fair share. He questioned if vacant buildings continue to pay their wastewater and water fees and, if not, can be they charged a basic rate equivalent to a standby charge? He recalls discussing this previously but not sure of the status. City Manager Daniels responded that all customers are paying full charges but restaurants (next agenda item) are not operational and staff is recommending reducing their EDU by half per seating which would recognize they are generating much less revenue than they would under normal conditions. COMMISSIONER SCHNEIDER explained his question/comment is more directed at closed shuttered businesses and/or vacant empty lots that are still connected to the system. Kim Mitchell, business office manager, responded that all customers pay unless service is turned off. Discussion followed on Board action previously taken to impose a charge on vacant properties that have access to water and wastewater utilities even though disconnected. CHAIRMAN CAMPBELL pointed out that the approved rate policy does not include such a charge. COMMISSIONER SCHNEIDER withdrew his comments at this time and will address under Board requests.

COMMISSIONER MOFFITT MOVED, SECONDED BY COMMISSIONER McNEIL, to waive the reading and adopt Resolution No. 12-1-20-1 BPU amending Resolution No. 10-6-20-1 BPU by reducing the Equivalent Dwelling Unit (EDU) for the wastewater schools customer class to 0.20 per student retroactive to the initial effective date of the new wastewater rates being November 1, 2020. Motion carried by the following roll call vote:

AYES: CHAIRMAN CAMPBELL, COMMISSIONERS
MOFFITT AND McNEIL
NOES: COMMISSIONER SCHNEIDER
ABSENT: COMMISSIONER LeJEUNE

RESOL NO 12-1-20-2BPU Asst Utility Manager Torrance briefly explained the impact Covid-19 has had on the local food establishments and religious organizations since March 2020 when they were forced to close or move all service outside. The resolution before the Board is for a temporary wastewater reduction of 50% for food establishments and religious organization effective November 1 through January 31, 2021.

TEMP WW REDUCTN FOR FOOD ESTBLMNTS

& RELGS ORGNZTNS COMMISSIONER McNEIL MOVED, SECONDED BY CHAIRMAN CAMPBELL, to waive the reading and adopt Resolution No. 12-1-20-2 BPU amending Resolution No. 10-6-20-1 BPU by temporarily reducing the food establishments and religious organizations wastewater bill by 50% retroactive to the initial effective date of the new wastewater rates being November 1, 2020 until January 31, 2021. Motion carried by the following roll call vote:

AYES: CHAIRMAN CAMPBELL, COMMISSIONERS
MOFFITT, SCHNEIDER AND McNEIL
NOES: NONE
ABSENT: COMMISSIONER LeJEUNE

REPORTS: None

MGR'S RPT: City Manager Daniels reported that the council will be declaring the 'D' Street bridge water line break emergency over.

BRD RQSTS: COMMISSIONER SCHNEIDER referred back to his comments made during regular items (Resolution No.s 12-1-20-1 BPU and 12-1-20-2 BPU) asking if staff can research as he knows the Board took some action regarding residential lots that were developed but otherwise vacant or not built on. He felt it was mainly for water and not sure if wastewater was included but his question is should the Board be looking at a policy for businesses that are no longer in business but the building is still there and should the property owner be responsible for paying a minimum fee to have water and sewer available to that building. City Manager Daniels agreed staff can research and report back at a future meeting.

WTR & WW AVAILBTY

HYDRO POWER

CHAIRMAN CAMPBELL requested staff look into legal remedies in regard to hydropower not being part of the renewable portfolio standard / renewable energy credits. We do get some consideration from the state due to being in a different balancing authority other than the State of California but San Francisco gets 100% credit for their hydro energy. It appears the reason is that all of that power goes to the city government itself and they received a special condition, however, under the State Constitution, all citizens and groups of citizens are to be treated equally. He would like to explore the cost of a legal remedy but is not suggesting filing suit against the State of California but maybe a court order that we should be treated the same as San Francisco and/or legislative action.

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CHAIRMAN CAMPBELL declared the regular meeting of the Board of Public Utilities held on the 1st day of December, 2020, adjourned at 4:25 p.m.

ATTEST: _____
Chairman

Acting Secretary