

AGENDA  
REGULAR BOARD MEETING  
LASSEN MUNICIPAL UTILITY DISTRICT  
65 S. ROOP ST  
SUSANVILLE, CALIFORNIA  
January 16, 2007  
5:30 P.M.

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THE BOARD MAY TAKE ACTION ON ANY OF THE ITEMS LISTED ON THIS AGENDA REGARDLESS OF WHETHER THE MATTER APPEARS ON THE CONSENT CALENDAR OR IS DESCRIBED AS AN ACTION ITEM, A REPORT OR AN INFORMATION ITEM. THIS AGENDA MAY BE SUPPLEMENTED BY STAFF REPORTS WHICH (IF SO SUPPLEMENTED) ARE AVAILABLE TO THE PUBLIC UPON REQUEST.

1. CALL TO ORDER, FLAG SALUTE AND ROLL CALL
2. APPROVAL OF AGENDA, WITH POSSIBLE ADDITIONS OR DELETIONS
3. INVITATION FOR PUBLIC COMMENT. All COMMENTS ARE SUBJECT TO THE RULES OF PUBLIC COMMENT AND DECORUM SET FORTH BELOW AND AT THE END OF THIS AGENDA.

- **GENERAL COMMENT PERIOD:** FOR ITEMS NOT ON THIS AGENDA AND ANY ITEMS ON THIS AGENDA **EXCEPT FOR THE “ACTION ITEMS”**: *At this time any person (“Speaker”) may address the Board on both (1) any item on this Agenda except for the “ACTION ITEMS” and (2) any subject germane to the District not on this Agenda.*

*If this is a Special Meeting, however, comments may be limited to Agenda items only.*

- **SPECIFIC COMMENT PERIOD.** FOR “ACTION ITEMS” ON THIS AGENDA: *Speakers will have the opportunity to comment on this Agenda’s “ACTION ITEMS” after such ACTION ITEMS introduction and staff report.*

4. INFORMATION ITEMS

A. Board and Staff Response (if any) to Public Comment

B. Board/Staff Items:

1. Un-agendized Board Members Reports pursuant to Government Code §54954.2(a) regarding (a) clarification questions; (b) activity announcements; (c) report announcements; (d) reference to staff for information; (e) request for staff to report back at later meeting; or (f) direction to place matter on future agenda. Any of these can be done by a Board member at this time or at any other time during the meeting.

2. Board Members' Meetings Attended Report:

C. NEW BUSINESS: CMS Energy:

1. Presentation regarding the Shaffer Mountain Wind Generation Project.

D. General Manager's Report.

E. Accountant's Report:

1. Financial Report.

F. Outage Report (Electric Superintendent).

G. Incident Activity Report (General Foreman).

5. ACTION ITEMS

A. **CONSENT AGENDA:** *(These items are routine in nature and usually approved by a single vote). Prior to action of the Board, the public will be given the opportunity to comment. ANY BOARD MEMBER CAN PULL ANY CONSENT ITEM FOR DETAILED DISCUSSION*

1. NEW BUSINESS: Approval of Minutes from the November 21, 2006 Regular Board Meeting and the December 19, 2006 Special Board Meeting. *(Board Secretary)*
2. NEW BUSINESS: Consideration of (1) Ratification of Agreements from which Demands arose; (2) Receipt of Certification from Controller regarding Propriety of Payment of Demands; and (3) Approval of Payment of Demands. *(Accountant)*

B. NEW BUSINESS: Administering of Oath of Office and Election of Officers *(Board Secretary & Board of Directors).*

C. NEW BUSINESS: Employee Grievance Number 2006-01, [undated] Appeal (Step Three Appeal Hearing presented to the Board). *(General Manager)*

D. NEW BUSINESS: Consideration of Resolution 2007-01, establishing regular meeting dates and times (superceding all such resolutions regarding this subject). *(General Manager)*

E. NEW BUSINESS: Presentation of the FYE 6/30/06 Audit Findings. *(Julia Gussett and Accountant Stewart)*

F. OLD BUSINESS: Consideration of continued Membership in NCPA. *(General Manager)*

- G. OLD BUSINESS: Consideration of the Member Agreement (Phase IIA) for Financing the Planning and Development Activities of the New Lodi Project. (*General Manager*)

6. CLOSED SESSION

A. Conference with Legal Counsel:

- (1) Significant exposure to litigation pursuant to Government Code §54956.9(b) – (3 cases).

B. Real Property:

AT&T Equipment Site at the Intersection of Smoke Creek Road and US 395. APN 109-010-04

Agency Negotiators: General Manager, Ray Luhning, Paul Glau and/or Jaimee Jones.

Negotiating Parties: AT&T and BLM Designees.

Under Negotiation: Price and Terms.

C. Semi-Annual Public Employee Performance Evaluation. Title – General Manager (Pursuant to Government Code §54957).

7. REPORT OF ACTION TAKEN (IF ANY) IN CLOSED SESSION

A. Conference with Legal Counsel:

- (1) Significant exposure to litigation pursuant to Government Code §54956.9(b) – (3 cases).

B. Real Property:

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Agency Negotiators: General Manager, Ray Luhning, Paul Glau and/or Jaimee Jones.

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Under Negotiation: Price and Terms.

C. Semi-Annual Public Employee Performance Evaluation. Title – General Manager (Pursuant to Government Code §54957).

FUTURE MEETING SCHEDULE:

Regular Board Meeting February 27, 2007

Special Board Meetings TBA

CLOSED SESSION:

*At any time during this meeting, the Board may adjourn to a closed session pursuant to the Brown Act.*

ADDITIONS TO AGENDA:

*At any time during this meeting, additional items may be added to this agenda pursuant to the provisions of the Brown Act.*

**INDIVIDUALS NEEDING ACCOMODATIONS:**

*If requested, agendas shall be made available in appropriate, alternative formats to persons with a qualified disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. §12132), and the federal rules and regulations adopted in implementation thereof. Any person with a qualified disability who requires a modification or accommodation including an assisted listening device in order to participate in a board meeting of the Lassen Municipal Utility District shall submit a request to the Board Secretary either in writing, in person, or by telephone. All such requests shall be made at least 48 hours before the scheduled meeting so that appropriate arrangements may be made. LMUD will utilize its best efforts to make the arrangements prior to the scheduled meeting.*

**RULES OF PUBLIC COMMENT AND DECORUM:  
(Fundamental Robert's Rules of Order as Modified by California  
Law Presented as a Courtesy to those Unfamiliar with  
Parliamentary Procedure)**

1. *For items not on this Agenda, and for "INFORMATION" items on this Agenda, comments shall be limited to 5 minutes per Speaker unless otherwise noted by the Chair.*
2. *For items that are on this agenda, (other than "INFORMATION" items, comments will be limited to 5 minutes per Speaker unless otherwise noted by the Chair.*
3. *As a matter of parliamentary procedure and common courtesy, the District requests that each Speaker please state their name at the beginning of their comment.*
4. *Any Speaker wishing to address the Board may do so only after being recognized by the Chair.*
5. *Privileges of the Chair and Members, i.e., Board members:*
  - *At any time the Chair can unilaterally retake the floor from any Speaker in which case the Speaker must immediately yield the floor by sitting down or stepping back from the podium until the floor is returned to the Speaker by the Chair. If the Speaker does not yield, he or she is out of order and subject to being removed. The Chair retakes the floor by interrupting the Speaker in any manner the Chair chooses (e.g. by questions, calling the Speaker to order, rapping of the gavel, or otherwise).*
  - *Further, any Speaker immediately loses the floor when any Member interrupts the Speaker with a Motion for a Point of Order, Calling the Speaker to Order, Point of Information, Orders of the Day, or a Parliamentary Inquiry.*
6. *All comments must be germane to the specific items of business before the Board, except for comments during the General Comment Period during which such comments must be germane to matters within the jurisdiction of the District.*
7. *All comments shall be directed solely and exclusively to the Chair.*
8. *All comments during the Specific Comment Period shall be confined to the pending question.*
9. *No Speaker may yield his/her time to another Speaker.*
10. *As a matter of parliamentary procedure and common courtesy, Speakers should refrain from attacking personal motives.*
11. *As a matter of parliamentary procedure and common courtesy, Speakers should avoid the use of Members' names.*
12. *As a matter of parliamentary procedure and common courtesy, Speakers should refrain from reading from reports and quotations unless they have first obtained the permission of the Chair.*
13. *As a matter of parliamentary procedure and common courtesy, a Speaker, as well as all members of the public, shall refrain from disturbing the orderly conduct of the District's meeting.*
14. *Any Comment Period questions or matters that require response or action may be referred to a committee or staff for subsequent determination of relevance, report, discussion, and/or action at a future board meeting.*
15. *No Speaker may comment more than once on any item.*