

**MINUTES**  
**LASSEN MUNICIPAL UTILITY DISTRICT**  
**SPECIAL BOARD MEETING**  
**May 3, 2005**  
**5:30 P.M.**

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**AMENDED (Page 2)**

**ITEM NO. 1:      CALL TO ORDER, FLAG SALUTE AND ROLL CALL:**

The Special Board meeting of the Lassen Municipal Utility District was called to order at 5:30 PM by President Cardenas. Mrs. Cardenas led the flag salute.

Board Members Present: Nancy Cardenas (President), Wayne Langston (Vice-President), Fred Nagel (Treasurer) George Sargent (Secretary) and Darrell Wood (Director).

Also Present: General Manager, Les Leiber, Controller Bill Stewart, District Counsel Frank Cady, Associate Jaimee Richey, and Board Secretary, Jerri Kresge.

Guest: Carl Mycoff of Mycoff & Associates.

**ITEM NO. 2:      APPROVAL OF AGENDA:**

A motion was made and seconded to approve the agenda as presented. Floor opened for public comment. No comment. Motion passed unanimously.

**ITEM NO. 3:      INVITATION FOR PUBLIC COMMENT:**

*[Mrs. Cardenas opens the floor for public comment after pointing out the Rules for Public Comment.]*

Eileen Spencer commented on:

- Board Timesheets;
- Board 700 Forms; and
- PRA Requests.

**ITEM NO. 4:      INFORMATION ITEMS:**

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

- None.

**B.      BOARD/STAFF ITEMS:**

- None

**ITEM NO. 5:        ACTION ITEMS:**

**A. CONSENT AGENDA:**

1. None.

**B. Receipt of Mycoff Recruitment Report; Discussion and Consideration of General Manager Position, Interim and Permanent. Possible adjournment to 6A (1) Closed Session as part of this agenda item. (President Cardenas).**

- President Cardenas stated that at the request of Mr. Mycoff, the Board would be adjourning to closed session to review and discuss the list of candidates.

**ITEM NO 6:**        Closed Session Item 6A (1) – Public Employee Appointment/Employment. Title – General Manager (Pursuant to Government Code §54957).

The Board adjourned to closed session at 5:35 PM.

**AMENDMENT:**    *Approximately 15 minutes after the Board adjourned to closed session, and at the request of the Board, General Manager Les Leiber, General Counsel Frank Cady and Associate Jaimee Richey left the board room for the remainder of the closed session.*

The Board returned to open session at 6:50 PM.

**ITEM NO 7:        REPORT OF ACTION TAKEN (IF ANY) IN CLOSED SESSION:**

The following was orally reported for Closed Session Item 6A (1):

- After Board review of the information presented by Mycoff & Associates, Director Langston made the following motion: The Board requests Mycoff & Associates to represent the LMUD Board of Directors in drafting an offer of employment to Frank Cady for the General Manager Position and if accepted, present the proposal to the Board at the next available regular Board meeting. Motion seconded by Director Wood. Floor opened for public comment.

- Comments by Eileen Spencer.

There being no further discussion the vote was as follows:  
Directors Langston, Nagel and Wood – Aye; Directors Cardenas and Sargent – Noe.

### **C. Discussion of Dyer Mountain EIR. (Board Member Nagel)**

- Director Nagel stated the deadline for submitting responses regarding the Draft EIR for Dyer Mountain was May 27<sup>th</sup>. Directors Nagel and Sargent volunteered to be on an Ad Hoc Committee to prepare the responses. The Ad Hoc Committee would meet with General Manager Leiber and District Counsel Cady to formulate the responses. The target date for reporting to the Board would be at the next regular Board meeting on May 11<sup>th</sup>. A motion was made and seconded to appoint Directors Nagel and Sargent as members of the Ad Hoc Committee. Floor opened for public comment.
- Comments made by Eileen Spencer.

There being no further discussion, the motion passed unanimously.

### **D. Consideration of (1) Ratification of Agreements from which Demands arose; (2) Receipt of Certification from Controller and General Manager regarding Propriety of Payment of Demands; and (3) Approval of Payment of Demands.**

- Reported by Controller Stewart.

Board discussion ensued. Controller Stewart responded to the Board of Directors' questions. There being no further Board discussion, a motion was made and seconded to (1) Ratify Agreements from which Demands arose. Floor opened for public comment.

- Comments made by Eileen Spencer.
- Controller Stewart responded to the public's comments.

There being no further comments, the motion passed unanimously. A motion was made and seconded to (2) Receive Certification from Controller and General Manager regarding Propriety of Payment of Demands. Floor opened for public comment. No comment. Motion passed unanimously. A motion was made and seconded to (3) Approve Payment of Demands. Floor opened for public comment. No comment. Motion Passed unanimously.

**ITEM NO. 8:**

**ADJOURN:**

There being no further business, the meeting was adjourned at 7:00 PM.