

**MINUTES OF MEETING OF THE  
NORTH TAHOE PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS  
North Tahoe Event Center  
8318 North Lake Boulevard, Kings Beach, CA 96143  
Tuesday, September 9, 2014**

**CALL TO ORDER/ESTABLISH QUORUM**

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held at the North Tahoe Event Center in Kings Beach, California on Tuesday, September 9, 2014. Present at the meeting were President Lewis, Directors Bergmann, Ferrell, Thompson, and Daniels, comprising the full Board and establishing a quorum.

President Lewis called the meeting to order at 8:30 a.m. and identified closed session items for discussion as listed below before adjourning to Closed Session at 8:35 a.m.

**CLOSED SESSION AGENDA:** Pursuant to Government Code, the Board of Directors held a Closed Session to discuss the following items.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Discussion pursuant to subdivision (a) of Section 54956.9. Name of case: Stuart Corvin v. North Tahoe Public Utility District, et al.
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Discussion pursuant to Section 54956.8. Property: Firestone Property, Assessor's Parcel Nos. 092-010-040, -041, -042, and 093-010-037, -038, -039. Agency Negotiator: General Manager Schultz. Negotiating Party: Placer County. Under Negotiation: Terms of Agreement.
3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Discussion pursuant to Section 54956.8. Property: 8318 North Lake Blvd., Kings Beach State Recreation Area. Agency Negotiator: General Manager Schultz. Negotiating Party: State of CA. Under Negotiation: Terms of Agreement.
4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Discussion pursuant to Section 54956.8. Property: Gentry Property (APN 111-010-013 & -014). Agency Negotiator: General Manager Schultz. Negotiating Party: Liberty Utilities. Under Negotiation: Consideration of Easement for 650 Rebuild.

**OPEN SESSION/PLEDGE OF ALLEGIANCE**

President Lewis called Open Session to order at 9:42 a.m. The full Board was present. President Lewis reported that there was no action taken during Closed Session.

Staff in attendance included General Manager/CEO Schultz, Chief Financial Officer Marple, Park and Facilities Manager Towner, Engineering and Operations Manager Stelter, Contracts and Planning Coordinator Gibbons, and Executive Assistant/Board Secretary Potts. Counsel Eskind was also present.

Director Daniels led the Pledge of Allegiance.

**REVIEW AGENDA:** No changes were made to the agenda.

## **TIMED ITEMS:**

### **9:45 a.m. PUBLIC FORUM:**

Pam Berger, organizer of Dog Day in the Park, thanked the Board and volunteers for their support on a successful event held on September 7<sup>th</sup>. She noted that Placer County Supervisor Jennifer Montgomery stated at the ribbon cutting for the new dog park that she felt that it is a much needed facility. The leash cutting/start digging ceremony was held during the Dog Day in the Park event on September 7<sup>th</sup> which was very successful with estimated attendance of 500 community members and income of up to \$9,000. No other members of the public were present to address the Board on unagendized subjects. Public Forum was closed at 9:50 a.m.

**CONSENT CALENDAR:** The following consent calendar items were presented for approval. Director Bergmann noted his specific conflicts with accounts paid and payable.

1. Approve Accounts Paid in the amount of \$308,268.99 and Payable in the amount of \$162,041.32 with conflicts for Director Bergmann in the amount of \$786.05 for the period from August 12, 2014 through September 8, 2014.
2. Approve Minutes of the August 12, 2014 Regular Board Meeting.

**MOTION:** Director Bergmann moved to approve the Consent Calendar, with accounts paid and payable conflicts noted. Upon second by Director Daniels, the motion carried unanimously (5-0) by roll call.

## **MANAGEMENT TEAM INFORMATIONAL UPDATES**

### **Accounting Department Report**

#### **a. Monthly Financial Statement for July 2014**

#### **b. Treasurer's Report**

Chief Financial Officer Marple highlighted property tax revenues for the year ended June 30<sup>th</sup>. He noted that although revenues met budget expectations, the total received was down by 2% although assessed valuations increased by 2% during the year. Chief Financial Officer Marple believed that the Redevelopment Agency pass-through revenues, less than last year, may be included in the totals for both years and he is investigating the difference. Director Daniels commented that although properties were selling for an average of 8% higher over the last few months, there were fewer units sold this year so she didn't expect property tax revenues to increase during the current fiscal year. Director Daniels stated that the Finance Committee recommends that the Recreation and Parks Committee meet with Chief Financial Officer Marple to re-evaluate the Park and Facilities budget for the current year due to revenues from the Summer Outdoor Concert Series being lower than anticipated and budgeted.

## **TIMED ITEMS**

### **10:00 A.M. – Discuss Request for Proposals (RFP) for Concessionaires in the North Tahoe Regional Park (Also NEW BUSINESS Item G-3)**

Park and Facilities Manager Towner apprised the Board of the Request for Proposals for concession activities at the North Tahoe Regional Park issued in April. Ten potential bidders requested and/or received the notice, and two bidders responded to the request with proposals. Director Bergmann recused himself from the discussion. Park and Facilities Manager Towner advised that she hoped to award noncompeting activities from each proposal to both proposers, with which the Recreation and Parks Committee

concluded, noting that there would be no exclusive agreement with either concessionaires. She would like to revisit the idea of a ropes course after further research by the District.

Proposer Andy Habeger of North Tahoe Water Sports stated his objections that the ropes course is being excluded from award. Proposer Kevin Hickey stated that he also discussed the possibility of adding a ropes course to the park, but is unsure of the market and feels that more analysis is needed.

Further discussion by the Board was held regarding the District defining the term of the agreement, how and when to move forward with a ropes course giving direction to Park and Facilities Manager Towner to provide a timeline for establishing a ropes course in the Regional Park, and direction to seek an Off Highway Vehicle grant for grooming a trail on U.S. Forest Service land for snowmobiles up to the Fiberboard Freeway.

**MOTION: Director Thompson moved to direct staff to negotiate agreements for concession services in the North Tahoe Regional Park with both proposers on the non-competing activities proposed, not including a ropes course. Upon second by Director Daniels, the motion carried unanimously (5-0).**

### **10:30 A.M. – 2014 Outdoor Summer Concert Series Discussion (Also OLD BUSINESS Item H-1)**

Park and Facilities Manager Towner presented income reported to the District by PR Entertainment, Inc. She reported net profits of approximately \$15,000 for the concert series. Questions arose regarding specific conditions of the agreement, and auditing of the accounting process. The Board directed Park and Facilities Manager Towner to request further information from the promoter regarding gross sales from the three concerts.

Future concerts were discussed with changes to the agreement to receipt of a predetermined amount before any future concert and reimbursement to the District for any expenses incurred. Director Bergmann noted that the District did not offer the concerts to provide entertainment to the District's customers, but primarily to assist in funding the Recreation and Parks Department. Director Daniels stated that District customers who live in the vicinity of the regional park did not retract the opinions voiced after the first two concerts, however the District did mitigate their concerns with greater community outreach and setup for the third. She stated that local business owners she had spoken to reported an economic gain on and around the concert dates. Director Ferrell noted that these concerts were to be used as a learning experience for the District in order to apply the lessons learned to any future concerts considered. President Lewis directed staff to continue the discussion regarding the concerts and revenues with the Recreation and Parks Committee.

### **MANAGEMENT TEAM INFORMATIONAL UPDATES**

#### **Park and Facilities Department Report**

Park and Facilities Manager Towner thanked the Board for their representation at the dog park ribbon cutting. She advised the Board about recent efforts to keep the event center active such as the new Kings Beach After 8 program on weekends offering recreation for adults for dancing, comedy, open mic, etc. She noted that the North

Tahoe Business Association (NTBA) will be hosting a tour of the 2014 Detours Art Exhibit in conjunction with a mixer/reception at the event center, and encouraged the Board of Directors to attend the NTBA and Resort Association mixers whenever possible. Park and Facilities Manager Towner advised of water leaks on the ball fields in the regional park and ongoing repairs, stating that as-builts will be completed as the lines are repaired or replaced. The Recreation and Parks Department budget was addressed with analysis of the current year being referred to the committee.

### **Planning and Engineering Department Report**

Planning and Engineering Manager Stelter reported to the Board regarding recent projects underway. He stated that the contractor had begun working on the Canterbury Water Main Replacement Project and that the National Avenue Community Center (NACC) had been torn down in conjunction with the Base Administration Facilities project. He advised that design is ongoing for the slip-lining of the Dollar Hill 22" force main and the Parks Department maintenance building.

### **Utility Operations Department Report**

Utility Operations Manager Begin presented his report thanking all departments for their assistance in clearing out the building and preparing the NACC for destruction. He stated that it went well with staff clearing the building out within one week. Other recent projects include repair of water sample stations, participation in the Kings Beach Commercial Core Improvement Project, jet-rodding and televising in the area of Old County Road, and root-cutting in previously identified problem areas. Director Bergmann inquired about the cost and effectiveness of the District's Fats-Oils-Grease (FOG) Program and was advised that it is effective in cost savings for maintenance which would be required if the program was not in place.

### **NEW BUSINESS**

#### **Authorize Surplus, Sale, or Donation of District Equipment No Longer Used or Useful**

**MOTION: Director Daniels moved to declare the listed items and equipment no longer used or useful as surplus, and authorize sale, donation, or disposal as appropriate. Upon second by Director Bergmann, the motion carried unanimously (5-0).**

#### **Adopt Ordinance No. 387 of the North Tahoe Public Utility District Board of Directors Amending the Provisions of Chapter 2, Article 2.05, the Conflict of Interest Code of the North Tahoe Public Utility District Code of Ordinances.**

**MOTION: Upon motion by Director Bergmann and second by Director Ferrell, the Board voted unanimously by roll call (5-0) to adopt Ordinance No. 387 amending provisions of Chapter 2, Article 2.05, the Conflict of Interest Code of the North Tahoe Public Utility District Code of Ordinances.**

#### **Concession Services in North Tahoe Regional Park (10:00 A.M. Timed Item)**

This item was discussed previously during Timed Items.

### **OLD BUSINESS**

### **Outdoor Summer Concert Series Discussion (10:30 A.M. Timed Item)**

This item was discussed previously during Timed Items.

### **GENERAL MANAGER/CEO COMMENTS**

General Manager Schultz thanked the Board for their attendance at the groundbreaking ceremony for the new Base Administration Facilities building and for all their efforts toward the project. General Manager Schultz summarized direction received by the Board to include working with Monte Webb and B & G Excavation, Inc. regarding snow removal at the Kings Beach State Recreation Area, putting on a workshop regarding District properties, and scheduling a Recreation and Parks Committee meeting with Chief Financial Officer Marple and Park and Facilities Manager Towner to discuss the department's budget and analyze the concerts' expenses and revenue shortfalls.

### **BOARD OF DIRECTORS COMMENTS**

Director Daniels thanked local volunteers, giving special appreciation for Pam Berger of Dog Day in the Park, whose efforts keep community concerns moving forward. President Lewis stated that the District needs to stay focused on the Park and Facilities Department finances and make adjustments in order to meet the budget parameters, stating that he will count on Chief Financial Officer Marple and staff to implement the necessary changes.

### **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 11:30 a.m.

Marianne J. Potts  
Board Secretary