

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

**Tuesday, January 15, 2013**

**CALL TO ORDER/ESTABLISH QUORUM**

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday, January 15, 2013 at the North Tahoe Event Center in Kings Beach, California. President Lewis called Closed Session to order at 8:30 a.m. Present were Directors Bergmann, Ferrell, Thompson and President Lewis. Director Daniels was not in attendance. A quorum was established.

**CLOSED SESSION AGENDA**

Pursuant to Government Code, the Board of Directors held a closed session to discuss the following listed items. All references are to the Government Code.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Discussion pursuant to subdivision (a) of Section 54967.9. Name of case: Stuart Corvin v. North Tahoe Public Utility District, et al.
2. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION  
Discussion pursuant to subdivision (b) of Section 54956.9. Number of cases: Two (2)
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 Parties: State of CA. Under Negotiation: Terms of Agreement.

President Lewis reported that no action was taken by the Board during Closed Session.

**PLEDGE OF ALLEGIANCE**

President Lewis called Open Session to order at 9:30 a.m. Director Thompson led the Pledge of Allegiance.

Staff in attendance included General Manager/CEO Schultz, Chief Financial Officer Marple, Parks and Facilities Manager Long, Planning and Engineering Manager Stelter, Construction Administrator Butterworth, Contracts and Planning Coordinator Gibbons, Executive Assistant Emmerich, Human Resources Technician Keechler, and Board Secretary Potts. Counsel Eskind was also present.

**REVIEW OF AGENDA:** The reading of the District's Proclamation 2013-01 commending District employee, Robin Runyon, was added to the agenda unanimously. President Lewis read the Proclamation, and the Board thanked her for her professionalism, and congratulated Ms. Runyon for her 29 years of dedication and service to the District. He stated that he had received many comments, all positive, over the years regarding Robin's work and wished her the best in her plans for retirement, also stating that she would be missed by all.

**PUBLIC FORUM (9:35 a.m.):** Public member, Jake McDermott was present to address the Board. He stated that he hoped for increased public participation in the District's business, noting that he would like to be more involved. He spoke about his involvement with the Disk Golf Tournament held annually in the North Tahoe Regional Park.

Also present to address the Board was Steve Rubin from the Tahoe Expedition Academy, stating that he had received correspondence from the District which he would be addressing, and planned to bring a proposal to the Board's Regular Meeting in February for use of the North Tahoe Event Center by the Academy.

**FINANCIAL AUDIT PRESENTATION (9:45 a.m.) - Ron Ley, CPA from Damore Hamric Schneider, Inc. presented results of the Financial Audit for Year Ended June 30, 2012.**

Mr. Ley met with the Finance Committee and presented the letter of governance for the audit performed for the year ended June 30, 2012 noting that the findings showed that all financial statements were presented fairly and accurately. Mr. Ley presented highlights of the independent auditors report, citing specific aspects of the report which is available to the public. He stated that no internal control letter had been written because the audit had shown no variations from the norm.

**CONSENT CALENDAR:** The following consent calendar items were presented for approval.

1. Approve Accounts Paid and Payable for the period from December 11, 2012 through January 14, 2013.
2. Approve Minutes of the December 11, 2012 Regular Board Meeting.
3. Adopt Resolution 2013-01 A Resolution of the Board of Directors of the North Tahoe Public Utility District Establishing an Investment Policy for 2013.
4. Authorize General Manager to File Notice of Completion for Tahoe Vista Recreation Area Accessory Parking Project (#1122, #1123, and #1124).

**MOTION: Director Bergmann moved to approve the Consent Calendar with noted conflicts within Accounts Paid and Payable. Upon second by Director Ferrell, the motion carried unanimously by Roll Call Vote (4-0) with Director Daniels absent.**

**MANAGEMENT TEAM INFORMATIONAL UPDATES**

**Management Services Department Report**

**a. Review and Discuss Monthly Financial Statement through November 2012**

**b. Treasurer's Report**

Director Bergmann inquired about funds remaining in the North Tahoe Regional Park Playground Project, and the Tahoe Vista Recreation Area Capital Projects within the Recreation Department. PFM Long advised that funds were being held for concrete work which has not been completed for the playground. TVRA Phase 2 Planning was also discussed noting plans for railing at the courtesy docks, improving sidewalk in the boat basin area, and repairing a crack in the concrete near the top of the boat ramp. No discussion on the Treasurer's Report.

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

Park and Facilities Manager (PFM) Long updated the Board on staff's recent work performing custodial and snow removal. She advised that the regional park had seen a great deal of visitors and activity on snowmobiles and at the sled hill. General Manager Schultz noted that in a letter written to the Tahoe Expedition Academy, he had addressed four major concerns, and was waiting for their response expected in February. Event Center sales and Income during the time frame requested by the school were discussed briefly. PFM Long stated that she needed direction from the Recreation Committee and asked to schedule a meeting regarding the kayak racks being proposed by the North Tahoe Business Association, and facilities rates.

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

Planning and Engineering Manager (PEM) Stelter addressed the Board on District projects including the Dollar Hill Pump Station, SCADA, GIS, and Lucity asset management.

### **Utility Operations Department Report**

PEM Stelter presented the Utility Operations Department report on behalf of Utility Operations Manager Begin who was absent. He noted the work crews had recently performed including increased televising and cleaning of "holiday" sewer lines in order to comply with a recent audit of sewer procedures.

### **OLD BUSINESS**

#### **Update on Kings Beach Commercial Core Improvement Project Water and Sewer Line Relocations (#1311, #1317 and #1318)**

PEM Stelter began the discussion describing existing water and sewer infrastructure conflicts within the commercial core. Dan LaPlante of Placer County was present to address questions. PEM Stelter noted that most relocation conflicts consisted of customer connections. He stated that the District had budgeted for sufficient funds in this year's budget with Federal grant funding available for infrastructure conflicts within the commercial core, except for conflicts on State Highway 28. Mr. LaPlante noted that Placer County will be going out to bid for construction during 2013, and has phased back one drainage system at each end of Kings Beach in order to remain within available funding. The plan will be presented to the community at a public meeting on February 19<sup>th</sup>, and although there are still numerous items to address prior to April 1<sup>st</sup>, the county plans to proceed with construction mid-July 2013.

#### **Base Facilities Update**

Construction Administrator (CA) Butterworth discussed progress of the New Base Facilities project, noting that permitting was going smoothly. In order to move forward, he stated that the modular portion needed to be bid by May. He discussed the possibility of some construction during the winter months. The difficulty of winter conditions versus less construction/maintenance business during the winter months was discussed. CA Butterworth stated that the foundation and outside of the building would be complete prior to winter.

#### **Rescission of July 10, 2007 Board Motion regarding District representation by Staff and Board Members on other community Boards.**

In response to the Board's direction to increase involvement in local community based Boards and Agencies, staff requested new action to be taken in order to allow for representation on organizations such as North Tahoe Business Association, and the North Lake Tahoe Resort Association. President Lewis stated that the Board would like to remain informed and involved, allowing for District representatives to provide input on community topics in addition to water, sewer and parks. If asked for an official opinion of the District, the appointed representatives are to receive direction from the full Board at a regular or special Board meeting.

**MOTION: Director Ferrell moved to rescind the ban made in July 2007 regarding individuals representing the District on other community Boards. Upon second by Director Thompson, the motion carried (4-0) with Director Daniels absent.**

### **NEW BUSINESS**

**Authorize Budget Adjustment (Reduction of \$8,000 from Capital Project #1306 and increase of \$8,000 to account 11-5044-4510 for the purchase of point of entry (POE) switches and other network equipment needed to move to a Voice Over Internet Protocol (VOIP) phone system) and Authorize General Manager to Execute Agreement with ATS Communications for a Telephone System (#1306)**

Executive Assistant Emmerich presented the agreement, stating that the system would be usable in the new base facilities, and would likely reduce the District's monthly telephone bill. She noted that bids came in about \$20,000 less than anticipated.

**MOTION: Director Bergmann moved to authorize the budget adjustment, and authorize General Manager Schultz to execute the agreement with ATS Communications. Upon second by Director Thompson, the motion carried unanimously (4-0) with Director Daniels absent.**

**Consider December 8, 2012 Claim against District from Homeowner Kevin Riley for \$200 Plumbing Bill at 8748 Trout Avenue for Sewer Main Blockage.**

Human Resources Specialist (HRS) Keechler presented the claim, and asked the Board to approve the claim in order to reimburse the property owner as the blockage was in the sewer main.

**MOTION: Director Ferrell moved to approve the claim. Upon second by Director Thompson, the motion carried unanimously (4-0) with Director Daniels absent.**

**Consider Claim against the District for Damage to Boundary Line Property Markers at 7621 Forest Glenn Drive.**

HRS Keechler presented the property owner's claim for the removal of front survey monuments which were discovered after the District's water meter replacement project completed by the District's contractor. She noted that the property owner was requesting 50% of the cost for replacement of the markers.

**MOTION: After discussion, Director Bergmann moved to approve the claim. Upon second by Director Ferrell, the motion carried unanimously (4-0) with Director Daniels absent.**

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

General Manager Schultz thanked the Board for their action taken to keep the District's projects moving forward.

#### **BOARD OF DIRECTORS COMMENTS**

Director Bergmann announced that former Recreation and Parks Commissioner Nancy Gaines had passed away. The Board and Staff concurred that Nancy, and her contribution to the District, will be remembered.

#### **ADJOURNMENT**

There being no further business to be considered by the Board, the meeting adjourned at 1:45 p.m. in order to convene as the North Tahoe Building Corporation for its annual meeting.

**Marianne Potts**  
**Board and Records Secretary**