

**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 17, 2012
8:30 A.M. Closed Session
10:00 A.M. Open Session**

CALL TO ORDER/ESTABLISH QUORUM

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday, January 17, 2012 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 Mooney, Bergmann, Daniels, Ferrell, and President Lewis. 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:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Discussion pursuant to subdivision (a) of Section 54956.9. Name of case: North Tahoe Public Utility District vs. The Garwood Building. Director Mooney recused himself from the discussion.
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 – Property: 8318 North Lake Blvd., Kings Beach State Recreation Area. Agency Negotiator: General Manager Schultz. Negotiating Parties: State of California. Under Negotiation: Terms of Agreement. Discussion pursuant to Section 54956.8.
4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.
Discussion pursuant to subdivision (a) of Section 54956.9. Name of Case: Cris Connolly vs. North Tahoe Public Utility District, et al.

Upon adjourning to Open Session, President Lewis reported that no action was taken during Closed Session.

PLEDGE OF ALLEGIANCE

President Lewis called Open Session to order at 10:00 a.m. Director Daniels led the Pledge of Allegiance.

Staff present were General Manager/CEO Schultz, Chief Financial Officer Marple, Parks and Facilities Manager Long, Construction Administrator Butterworth, Planning and Engineering Manager Stelter, Contracts and Planning Coordinator Gibbons, Sr. Financial Analyst Rosenthal, Acting Utility Operations Manager Begin, Executive Assistant Lefrancois, Human Resources Specialist Keechler, and Board Secretary Potts. Counsel Eskind was also present for the meeting.

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

PUBLIC FORUM (TIMED ITEM 10:05 a.m.): No members of the public were present to address the Board in Public Forum. President Lewis closed Public Forum at 10:06 a.m.

CONSENT CALENDAR:

1. Approve Accounts Paid in the amount of \$520,430.54 and Payable in the amount of \$137,729.62 for the period from December 13, 2011 to January 16, 2012 with potential conflicts for Directors Bergmann and Mooney in the amount of \$16,077.24.
2. Approve Minutes of the December 13, 2011 Regular Board Meeting.
3. Award Bid and Authorize General Manager to Execute Agreement for Catering Services at the North Tahoe Event Center.
4. Award Bid and Authorize General Manager to Execute Agreement for National Avenue Water Treatment Plant Improvements, Phase 1 (#1203 & #1219).
5. Adopt Resolution 2012-01 A Resolution of the Board of Directors of the North Tahoe Public Utility District Establishing an Investment Policy for 2012.
6. Adopt Resolution 2012-02 A Resolution of the Board of Directors of the North Tahoe Public Utility District Authorizing the General Manager to Enter into an Agreement with Caltrans for Snow Storage and Disposal. **Item Tabled.**
7. Authorize General Manager to Execute Task Order 003 for Zone 1 Water Storage Tank Project (#0833).
8. Authorize General Manager to Implement Utility Operations Department Reorganization.
9. Authorize Sponsored Use of North Tahoe Event Center Rooms for SnowFest Event.

Director Mooney requested that items 4, 7, 8, and 9 be removed for discussion. Item #6 was tabled until the next regular Board meeting because the contract had not been finalized.

Director Mooney's question about #4 was answered by Systems and Mapping Coordinator Berry who explained that due to the benefit of scale and economy, the projects for National Avenue Water Treatment Plant Improvements and SCADA were combined. After discussion, this item remained on the consent calendar.

Director Mooney stated that he did not feel that the recommended Task Order 003 was warranted for the Zone 1 Water Storage Tank Project. Contracts and Planning Coordinator Gibbons identified the need for the task order which was additional work created for the consultant by the District's contractor. After discussion, a separate vote was taken for this item.

MOTION: Director Ferrell motioned to authorize payment to authorize the General Manager to execute Task Order 003 with Nichols Consulting Engineers, Chtd. for the Zone 1 Water Storage Tank Project (#0833) in the amount of \$15,000. Upon second by Director Daniels, the motion carried (4-1) with Director Mooney opposed.

Director Mooney requested, and the full Board directed staff to place any type of reorganization (Item 8) in new business for discussion at the full board meeting, rather than on the consent calendar. After discussion, this item remained on the consent calendar.

Item 9, requesting authorization for sponsored use of the North Tahoe Event Center by a group who would like to utilize several lakefront rooms for a SnowFest bunko fundraiser was discussed. Park and Facilities Manager Long discussed regular room rental rates and rates for donations which she may use. She discussed the policy being developed for donated use of District facilities to be presented to the Board in March. Park & Facilities Manager Long stated that increased use of the building is an effective marketing tool, and she recommends donating the rooms for this use. After further discussion, a vote was taken for this item.

MOTION: Upon motion by Director Bergmann and second by Director Daniels to donate the requested rooms at the Event Center for a SnowFest bunko fundraiser, the motion failed (2-3) with Directors Ferrell, Mooney and President Lewis voting no.

There being no further discussion, a vote was taken to approve the items remaining on the Consent Calendar (1, 2, 3, 4, 5 & 8).

MOTION: A motion to approve the remaining items on the Consent Calendar was made by Director Ferrell and seconded by Director Daniels. The motion carried unanimously (5-0) by a roll call vote, with noted possible conflicts for Directors Mooney and Bergmann for the accounts paid and payable.

10:30 a.m. PUBLIC HEARING: Tahoe Vista Recreation Area Accessory Parking – Notice of Project and Mitigated Negative Declaration Notice of Availability

President Lewis opened the Public Hearing at 10:50 a.m. Engineer Wyatt Ogilvie presented the scope of the project, CEQA findings, and project status to the Board, staff and audience members present.

President Lewis requested comments on the project which will be addressed in the final document which will be presented to the District Board in March for adoption of the findings of the mitigated negative declaration.

Present to address the Board under the Public Hearing was Jeremy Gorup who spoke in representation of the Franciscan Lodge which lies adjacent to the project area. His concerns related to thirteen units with windows facing the project area. Engineer Ogilvie stated that the landscape architect proposed significant screening vegetation between the parking area and the units. He also expressed an interest in the details of the plan in order to coordinate improvements on the Franciscan property.

Mr. Gorup was advised to work with staff in reviewing the project plans and submit any comments in writing in order to be included in and responded to within the final documents.

There being no other members of the public present for the Public hearing, the hearing was closed at 11:17 a.m.

MANAGEMENT TEAM INFORMATIONAL UPDATES

Management Services Department Report

a. Review and Discuss Monthly Financial Statement through November 2011

b. Treasurer's Report

Senior Administrative Analyst Rosenthal presented the financial statement, noting that telephone and electric utilities are over budget at this time, but he believes that they will be at or close to budget by the end of the fiscal year, but that electricity may have been under-budgeted.

Parks and Facilities Department Report

Park and Facilities Manager Long presented the highlights of her departmental report. She noted that due to the mild winter weather, the District will not receive income from sled hill operations in the park, the savings on snow removal operations may exceed the decreased revenues. She reported increased requests for summer wedding bookings over last year. Director Bergmann requested that she include bookings in her monthly report.

Planning and Engineering Department Report

Contracts and Planning Coordinator Gibbons updated the Board on the upcoming Brook Avenue sewer main replacement project. She advised the Board that a public hearing for the project will be on the agenda at the next regular Board meeting in order for the Board to set a timeline for reconnection for the effected customers.

Utility Operations Department Report

Acting Utility Operations Manager Begin presented his report and advised the Board of other recent operations activities.

OLD BUSINESS

Update on Base Facilities

Construction Administrator Butterworth presented a report stating that the District is awaiting a scaled set of plans from the architect so that space allocations can be determined.

NEW BUSINESS

Update on Redevelopment Agency Dissolution

General Manager Schultz updated the Board on recent legislation that eliminated Redevelopment Agencies (RDA's) within California. The District confirmed that RDA funding for the Tahoe Vista Recreation Area Accessory Parking Project is safe because there is a signed contract in place holding the funds. He will keep the Board updated as new information is received.

GENERAL MANAGER AND BOARD OF DIRECTORS COMMENTS

General Manager Schultz advised the Board of upcoming training through the California Special Districts' Association which would serve to meet their requirement for biannual ethics training. No further comments or discussion.

ADJOURNMENT

There being no further business to be considered by the Board, the meeting was adjourned at 11:50 a.m.

Marianne Potts
Board and Records Secretary