

**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, March 13, 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, March 13, 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 REAL PROPERTY NEGOTIATORS – Property: 8318 North Lake Blvd., North Tahoe Event Center. Agency Negotiator: General Manager Schultz. Negotiating Party: James T. McDonnell, Main Street Commercial Real Estate. Under Negotiation: Terms of Agreement for Long Term Lease. Discussion pursuant to Section 54956.8.

5. President Lewis reported that no action was taken during Closed Session. General Manager Schultz noted that the Board authorized him to hire an expert to work on potential litigation associated with the December 19, 2010 sewer overflow.

PLEDGE OF ALLEGIANCE

President Lewis called Open Session to order at 9:30 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, Utility Operations Manager Begin, Executive Assistant

Lefrancois, Human Resources Specialist Keechler, and Board Secretary Potts. Counsel Eskind was also present.

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

PUBLIC FORUM (TIMED ITEM 9:35 a.m.): No members of the public were present to address the Board in Public Forum. President Lewis closed Public Forum at 9:35 a.m.

CONSENT CALENDAR:

1. Approve Accounts Paid in the amount of \$254,005.31 and Payable in the amount of \$104,100.24 for the period from February 14, 2012 to March 12, 2012 with potential conflicts for Directors Bergmann and Mooney in the amount of \$3,291.61.
2. Approve Minutes of the February 14, 2012 Regular Board Meeting.
3. Declare Vehicles, Computer Equipment, and Other Items No Longer Used or Useful as Surplus for Donation and/or Disposal.
4. Adopt Resolution 2012-04 Authorizing Records Destruction per the District's Retention Policy
5. Adopt Mitigated Negative Declaration and De Minimus Impact Report for the Tahoe Vista Recreation Area Accessory Parking Project and Direct Staff to File Notice of Determination (#0823).
6. Authorize Budget Adjustment for \$33,000 and Change Order #17 and Filing of Notice of Completion for Kingswood Water Main Replacement Project (#0929). Because of the location of the project, and its proximity to his home, Director Mooney abstained from voting on this consent calendar item.
7. Adopt Resolution 2012-05 Adopting New Plan Document for the North Tahoe Public Utility District Deferred Compensation 457(b) Plan.
8. Add Rim Drive Water Line Replacement to Fiscal Year 2011-2012 Capital Improvement Program and Authorize Budget Adjustment for \$100,000.
9. Resolution 2012-06 Accepting Beach Street and Beach Court Water Line Facilities Related to Assessor Parcel Number 117-150-040.
10. Resolution 2012-07 Accepting Kings Beach Housing Associates (Domus) Facilities Related to Assessor Parcel Numbers 090-126-026, 090-182-024, 090-064-037, and 090-122-39.
11. Authorize General Manager to Execute Amendment #3 of California Tahoe Conservancy Beach Maintenance Agreement (Tabled).

Item #11 was tabled for discussion at the Regular Meeting scheduled for April 2012 at the request of Director Bergmann.

Consent Calendar Items #5 and #7 were removed for discussion by Directors Ferrell and Daniels respectively. The items were discussed briefly and remained on the consent calendar.

MOTION: A motion to approve Items 1 through 10 on the Consent Calendar was made by Director Daniels and seconded by Director Ferrell. The motion carried unanimously (5-0) by a roll call vote, with noted conflicts for Directors Mooney and Bergmann for accounts paid and payable, and Director Mooney's abstention from Item 6.

10:00 a.m. EMPLOYEE ANNIVERSARIES: President Lewis and General Manager Schultz presented service awards to Contracts and Planning Coordinator Suzi Gibbons for five years, Human Resources Specialist Sandra Keechler for ten years, and Maintenance Technician Crew Chief Norm Moore for fifteen years.

MANAGEMENT TEAM INFORMATIONAL UPDATES

Management Services Department Report

a. Review and Discuss Monthly Financial Statement through January 2012.

b. Treasurer's Report

No questions or comments were made on the Financial Statement or Treasurer's Report.

Parks and Facilities Department Report

Park and Facilities Manager (PFM) Long thanked Directors Lewis, Bergmann, Ferrell and Daniels who volunteered at the March 10th Recreation Department's SnowFest Pancake Breakfast fundraiser. The Youth Trust Fund raised \$1,339, and \$126 for Friends of the Park. PFM Long responded to Director Mooney's inquiry about the progress of the Dollar Hill to Fulton Crescent bike trail, and advised him that a route had been chosen, and that she has asked Peter Kraatz of Placer County to discuss the project at a future Board meeting. Resizing the 2" meter at the Kings Beach School Little League Field was discussed and recommended if the cost to do so was not prohibitive. Director Daniels reported that she had received comments on the poor condition of the Regional Park restrooms, and PFM Long responded that she will address this with Park staff.

Planning and Engineering Department Report

Contracts and Planning Coordinator (CPC) Gibbons updated the Board on the status of the Zone 1 Water Storage Tank which is now working, and a small leak which will require fixing. She also stated that the Planning and Engineering Department is working in house as much as possible on the Tahoe Vista Recreation Area Accessory Parking Project to keep consulting costs as much as possible. CPC Gibbons also stated that Engineering was working with Placer County on the Kings Beach Commercial Core Improvement Project to ensure the County's contractor completes the necessary utility relocations as this will result in cost savings to District customers.

Utility Operations Department Report

Utility Operations Manager (UOM) Begin presented his report noting less water main leaks over the last month than in the previous months. Director Daniels noted groundwater surfacing in the Kingswood neighborhood, and UOM Begin stated that he would set up a leak correlator in order to determine if there was a leak in the area.

President Lewis adjourned the meeting for a short break from 10:20 a.m. until 10:30 a.m. in order to accommodate the timed item at 10:30 a.m.

10:30 a.m. – Request for Use of North Tahoe Regional Park Field 1 for Dog Day in the Park Fundraiser

PFM Long recommended approval of the request for use of Field 1 in the park on September 8, 2012, noting no other request for field use has been made for that date, and provided a slide show from Dog Day at the Park fundraisers. Director Bergmann recused himself from the discussion. Event Organizer, Pam Berger, described the

event and noted that last year's event raised over \$10,000 for the Wiley Animal Rescue Foundation (WARF) in support of the Placer County Animal Shelter, helping to make the shelter virtually no-kill. If allowed to hold the event at the Park, she stated that this year's funds would also go toward WARF and would stay in the community.

MOTION: Director Daniels moved to allow the Dog Day in the Park fundraiser to utilize Field #1 at the North Tahoe Regional Park for the event on September 8, 2012 at no cost, provided that the fundraisers execute an agreement with the District with necessary liability insurance in place. Upon second by Director Ferrell, the motioned carried (4 ayes) with Director Bergmann abstaining.

10:40 a.m. – Request for Designated Dog Park in the North Tahoe Regional Park
PFM Long described the public request to allocate space in the Regional Park for a designated dog park. She recommended an area including the turf area of field #3 and surrounding area to include approximately one acre.

Community member and organizer of Dog Day in the Park, Pam Berger, addressed the Board noting that the request for a designated dog park in the Regional Park had been heard by the Recreation and Parks Committee. Other community members were present in support of the request for a designated dog park, including Court Berger, and Linda Cruz.

The community members present stated that any costs associated with the project would be paid for by fundraisers, and a volunteer group would be set up for ensuring the area is properly maintained with a minimum of effort from the Parks and Facilities staff.

President Lewis asked for a motion to approve the concept before discussion continued as to the location within the regional park.

MOTION: Director Bergmann moved to approve the concept of a designated area for a dog park within the North Tahoe Regional Park. Upon second by Director Daniels, the motion carried (4-1) to approve with Director Mooney voting no.

Pros and cons of three areas were discussed for the location of the designated dog park. Field three and the surrounding wooded area, the lower bowl, and the upper bowl. Use conflicts were addressed, and handicap access was considered. President Lewis and the Board referred the discussion back to the Recreation and Parks Committee for review and recommendation.

NEW BUSINESS

Present Budget Parameters to Board for Fiscal Year 2012-2013

Budget parameters for the upcoming fiscal year were discussed. A 10% increase for utilities was included for radios, cell phones utilities, and Liberty Energy costs which will be increasing effective January 1, 2013. The District's long time payment for street lights was also addressed. Chief Financial Officer Marple requested that the parameters be approved by Board action.

MOTION: Director Bergmann moved to approve the Budget Parameters as presented for Fiscal Year 2012-2013. Director Mooney seconded the motion, and the motion carried (5-0).

GENERAL MANAGER AND BOARD OF DIRECTORS COMMENTS

The Board requested that staff invites a representative of the Boys and Girls Club of North Lake Tahoe to attend next month's regular meeting to present their annual report.

President Lewis requested that a budget workshop for the Fiscal Year 2012-2013 budget be held in May so that the budget can be approved at the June meeting prior to the end of the current fiscal year.

ADJOURNMENT

The meeting was adjourned to Closed Session for discussion of Closed Session Item #4 (Conference with Real Estate Negotiators re. North Tahoe Event Center) at 11:15 a.m.

CLOSED SESSION

The Board and General Manager Schultz met in closed session for discussion of Closed Session Item #4.

ADJOURNMENT

No action was taken in Closed Session. There being no further business to be considered by the Board, the meeting was adjourned at 11:40 a.m.

Marianne Potts
Board and Records Secretary