

**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, April 12, 2011
8:30 A.M. Closed Session
9:30 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, April 12, 2011 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 – EXISTING LITIGATION
Discussion pursuant to subdivision (a) of Section 54956.9. Name of case: 8679 Trout, LLC vs. North Tahoe Public Utility District, et al.
3. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
Discussion pursuant to subdivision (b) of Section 54956.9. Number of cases: Two (2)
4. PUBLIC EMPLOYMENT: Discussion pursuant to Section 54957. Title: General Manager/CEO

MOTION: Upon adjourning to Open Session, President Lewis reported that the Board took action during Closed Session on Item #4 to appoint Acting General Manager Schultz to the position of General Manager/CEO. Motion was made by Director Mooney and seconded by Director Ferrell, carrying unanimously (5-0).

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 Schultz, Chief Financial Officer Marple, Parks and Facilities Manager Long, Construction Administrator Butterworth, Contracts and Planning Coordinator Gibbons, Sr. Financial Analyst Rosenthal, Utility Operations Manager Hopkins, Executive Assistant Lefrancois, Human Resources Technician Keechler, and Board and Records Secretary Potts. Counsel Eskind was also present.

PUBLIC FORM (TIMED ITEM 9:35 a.m.): Community member, Bryant Leferriere requested the Board reconsider maintaining the Kings Beach Little League Field. He stated that the North Tahoe Little League is now paying the Tahoe City Public Utility District \$1,500 per season toward maintenance of the field used for little league in their District, and would like to propose a similar agreement with the North Tahoe Public Utility District.

No other members of the public were present to address the Board, therefore Public Forum was closed at 9:40 a.m.

REVIEW OF AGENDA: Because of maintenance necessary to prepare the Kings Beach Little League Field before the date of the next regular meeting, should the District decide to do so, the following motion was made to add this item to the agenda for discussion and possible action:

MOTION: Motion was made by Director Daniels and seconded by Director Bergmann to add “Consideration of District Maintenance of the Kings Beach Little League Field” to the agenda. The motion carried unanimously (5-0).

MOTION: After discussion, Director Daniels motioned that the District accepts the North Tahoe Little League’s proposal to give the District \$1,500 for the Kings Beach Little League Field to water, mow, and a one-time infield preparation. Upon second by Director Ferrell, the motion carried with 4 Ayes, 1 Abstaining (Director Mooney).

CONSENT CALENDAR:

1. Approve Accounts Paid in the amount of \$289,538.55 and Payable in the amount of \$285,390.13 for the period from March 8, 2011 to April 11, 2011 with noted potential conflicts of interest in the amount of \$6,473.69 for Directors Mooney and Bergmann.
2. Approve Minutes of the March 8, 2011 Regular Board Meeting.
3. Approve Budget Adjustment in the amount of \$15,000, Change Order #1, and Authorize General Manager to File Notice of Completion for the Caltrans Highway 28 EIP Waterline Relocations Project (#0920).
4. Authorize General Manager to Execute Task Order 005 in the amount of \$19,320 with Auerbach Engineering Services.
5. Authorize General Manager to Enter into Professional Services Agreement in the amount of \$20,000 with CS3 Construction Services for Miscellaneous On-Call Inspection Services.
6. Approve Change Order #1 and Authorize General Manager to File Notice of Completion for Tahoe Vista Recreation Area Courtesy Docks Project (#1025).
7. Authorize Budget Adjustment in the amount of \$11,608 for Purchase of Auto Crane for Utility Service Vehicle (#1116)

MOTION: Upon motion by Director Ferrell and second by Director Bergmann, the Board voted to approve Staff’s recommendations for the Consent Calendar with noted potential conflicts. The motion carried unanimously (5-0) by Roll Call Vote.

MANAGEMENT TEAM INFORMATIONAL UPDATES

1. Management Services Department Report

- a. Review and Discuss Monthly Financial Statement through February 2011
- b. Treasurer's Report

No questions or discussion about the reports. Director Mooney requested that vendors and companies such as LLC's are clearly identified when requesting Board approval so that the Board Members are certain to avoid any potential conflicts of interest.

2. Parks and Facilities Department Report

Park and Facilities Manager Long presented her report, and addressed questions related to the Tahoe Vista Recreation Area Courtesy Docks

3. Planning and Engineering Department Report

Contracts and Planning Coordinator Suzi Gibbons presented highlights from her report, and updated the Board on the recent activities of the Engineering Department.

4. Utility Operations Department Report

Utility Operations Manager Hopkins presented information regarding the District's MLOG System which alerted Staff to eighteen customer leaks and two District main leaks over the last month. The main leaks were located near the Zone 2/Kingswood 500 tank on Lake Vista Court.

NEW BUSINESS

1. Public Hearing for the 2010 Urban Water Management Plan

President Lewis opened the Public Hearing at 10:30 a.m. Andrew Ryan, P.E. presented the 2010 Urban Water Management Plan to the Board and public. President Lewis confirmed with Mr. Ryan that the plan being presented meets all legal requirements of the State of California. Mr. Ryan stated that the plan meets every requirement as indicated on a checklist developed by the State. The Public Hearing was completed and closed at 10:45 a.m.

2. Authorize Legal Counsel to Execute Necessary Documents for the Transfer of a Portion of the Secline Pump Station Property

During discussions with Placer County to obtain an encroachment permit, the County decided not to issue a permit, but instead offered to quit claim approximately 2,430 square feet of the 7.9 acre parcel with no compensation other than the required surveys, legal description, plat, and escrow fees.

MOTION: Motion was made by Director Ferrell to authorize Counsel to execute the necessary and appropriate documents related to the transfer of property. Upon second by Director Bergmann, the motion carried unanimously.

3. Adopt Budget Parameters for the 2011/2012 Fiscal Year Budget

No changes were made to the budget parameters presented to the Board by Chief Financial Officer Marple. The Finance Committee recommended that they be adopted as presented.

MOTION: Director Bergmann motioned to adopt the Budget Parameters for the 2011/2012 Fiscal Year Budget. Upon second by Director Mooney, the motion carried unanimously (5-0).

4. Discussion – Consolidation of Local Utility Districts

This item was tabled until a review of the most recent annual audit report is possible.

OLD BUSINESS – Sustainable Tahoe Request for Support

After hearing a presentation made by Sustainable Tahoe on a Geotourism concept referred to as the Eight Worlds of Tahoe, the following motion was made by Director Bergmann, seconded by Director Daniels, and adopted by a four to one vote, with Director Mooney voting No:

MOTION: It is hereby moved that the District does not wish to stand in the way of the Eight Worlds of Tahoe Geotourism concept from being further explored by its organizers, Sustainable Tahoe, and therefore the District will allow discussions of the concept to proceed with the possible future inclusion of the North Tahoe Event Center being one of the eight nodes, provided that it is understood that (1) the District is not obligated to contribute any funds or staff time towards any discussions, (2) this motion does not obligate the District or the North Tahoe Event Center to any participation or inclusion, and (3) this motion does not make the District a sponsor, supporter or proponent of the concept or authorize anyone to use the District's name as such.

CORRESPONDENCE

Correspondence from Tahoe City Rotary thanking the District for its support of its Career Day event was reviewed.

GENERAL MANAGER/CEO COMMENTS

General Manager Schultz thanked staff for their hard work, and thanked the Board of Directors for his appointment to General Manager.

BOARD OF DIRECTOR'S COMMENTS

No comments were made by the Board.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 11:35 a.m.

Marianne Potts
Board & Records Secretary