

**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  
& 100 Thorndale Drive, #343, San Rafael, CA 95403**

**Tuesday, April 16, 2013**

**CALL TO ORDER/ESTABLISH QUORUM**

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday, April 16, 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 attending by teleconference from San Rafael, CA. 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.
4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Discussion pursuant to Section 54956.8. Property: “Stoker Property” – APN 090-121-010, -011, -026, -027, 090-122-030, -031, -033, and -034. Agency Negotiator: General Manager Schultz. 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 Ferrell 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, Planning Coordinator Gibbons, and Board Secretary Potts. Counsel Eskind was also present.

**REVIEW OF AGENDA:** No additions or deletions were made to the agenda.

**PUBLIC FORUM (9:35 a.m.):** Former California Senator Omer Rains was present to address the Board requesting that consideration of naming the tennis courts in the North Tahoe Regional Park after the late George Gallante, who spent many volunteer hours teaching tennis, be placed on the agenda for next month. Mr. Rains introduced Marian Bach, who restated this request. The Board directed staff to place this item on the agenda for consideration after a review by the Recreation and Parks Committee.

There being no further public present to address the Board regarding matters not on the agenda, President Lewis closed Public Forum at 9:45 a.m.

**9:45 A.M. NORTH LAKE TAHOE RESORT ASSOCIATION (NLTRA):** Andy Chapman, Chief Marketing Officer presented an update on Ironman Lake Tahoe Event on September 19<sup>th</sup> through 22<sup>nd</sup>, 2013.

Mr. Chapman addressed the Board on the Ironman Lake Tahoe event which is one of only nine in the United States, noting this event to be the only full distance Ironman on the West Coast. He also stated that motel/hotel bookings are ahead of average by 200% for the event time frame, and pointed out that the Ironman contract is for five annual events.

Discussion was held regarding the cost to the District for use of the beach and space requested at the Event Center for the weekend beginning Thursday, September 19<sup>th</sup>, with the race and event cleanup being complete in four days, on Sunday, September 22<sup>nd</sup>. The impact on parking fees, beach use, and Event Center rentals was discussed as was Director Thompson's inquiry about Ironman being a for-profit entity. Director Daniels stated that she would like to be sure the District recovered any costs incurred for staff, and any parking and rental fees lost in order to keep the event cost neutral for the local community. Director Bergmann stated that he endorses determining the cost to the District, but does not wish to recover the costs from the Resort Association because of the overall benefit to the community. Director Bergmann stated that the exposure of the Event Center will have a positive impact on the community, although he wants to be cognizant of the costs so that the District is able to respond to community concerns. Director Ferrell stated that he would like to see the impact on the District analyzed by staff and presented to the Recreation and Parks Committee. President Lewis noted that the District is a partner with the Resort Association in the North Tahoe Event Center, and wants to be a good partner. He requested that the Board consider waiving fees for the current year, and meeting with the Resort Association after the event to determine cost and benefit to the community, while remaining mindful of the impact of four additional years for the event.

President Lewis stated that the District receives tremendous value from the Resort Association, and as partners we should coordinate to make the event better each of the following years. He identified the increased visitor use of District facilities as an opportunity to request funding for visitor serving amenities, such as a new pier at the Kings Beach State Recreation Area, deferred maintenance at the Event Center, and capital funding for a track in the Regional Park.

**MOTION:** Director Bergmann moved to provide the Kings Beach State Recreation Area (KBSRA) beach, parking lot, and space at the North Tahoe Event Center as requested to the North Lake Tahoe Resort Association gratis for

**the Ironman Lake Tahoe triathlon event from September 19<sup>th</sup> through September 22<sup>nd</sup>. Director Thompson seconded the motion. After discussion, the motion carried unanimously (5-0) by roll call vote.**

Further discussion included Director Ferrell's request to determine an amount of the District's facilities donation. Park and Facilities Manager Long stated that there is minimal use of the KBSRA parking lot in late September, and that no additional staffing in the Event Center would be required. Board direction was given to review costs to the District after the event in order to more accurately determine costs, and plan for future years.

**CONSENT CALENDAR:** The following consent calendar items were presented for approval. The Board had no questions or discussion about the items presented.

1. Approve Accounts Paid in the amount of \$365,699.15, and Payable in the amount of \$117,229.63, with conflicts for Director Bergmann in the amount of \$416.34 for the period from March 13, 2013 through April 15, 2013.
2. Approve Minutes of the March 5, 2013 Board Workshop, the March 12, 2013 Regular Board Meeting, and the March 19, 2013 Special Board Meeting
3. Authorize General Manager to Sign Engagement Letters for District Financial Audit, and Establishing Appropriation's Limit for Year Ending June 30, 2013
4. Adopt Resolution 2013-02 Establishing Signature Authorization for Administrative Checking, Payroll and General Accounts at the Bank of the West
5. Adopt Resolution 2013-03 Establishing Signature Authorization for the Local Agency Investment Fund
6. Establish Surplus Policy for Surplus of District Equipment and Items No Longer Used or Useful
7. Authorize General Manager to File Notice of Completion for Emergency Equipment Covered Parking (#1211)
8. Adopt Resolution 2013-04 Approving California Environmental Quality Act (CEQA) Categorical Exemption for Replacement of District Base Administration Facilities and Direct General Manager/CEO to File the Appropriate Notice of Exemption as Required by Law

**MOTION: Director Ferrell moved to approve the Consent Calendar with noted Accounts Paid and Payable conflicts for Director Bergmann. Upon second by Director Daniels, the motion carried unanimously (5-0) by roll call vote.**

## **MANAGEMENT TEAM INFORMATIONAL UPDATES**

### **Finance Department Report**

#### **a. Review and Discuss Monthly Financial Statement through February 2013.**

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

Chief Financial Officer Marple pointed out that he had incorporated the funds reserved for the Base Facilities and Dollar Sewer Station Rehabilitation into the Cash and Investments Report as of February 28, 2013 as per Board direction given March 12th. No other questions or comments.

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

Park and Facilities Manager (PFM) Long told the Board that the tennis players at the Regional Park are beginning to donate for maintenance. She noted that this is an

early season because of the light winter, and the tennis nets have already been set up, and water fountains turned on. She commended the cooperative effort between the Park and Facilities and Engineering Departments for working quickly to reduce the high cost for heating at base, and obtaining and installing programmable thermostats. PFM Long stated that she had obtained a grant from Placer County Air Quality Control in the amount of \$3,200 for bicycle racks at District facilities, and she will seek to obtain the balance needed from the NLTRA. Permitting for the proposed kayak racks is moving forward.

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

Contracts and Planning Coordinator (CPC) Gibbons advised the Board that she will include the Base Facilities Project in the departmental report monthly in order to inform the public of progress made since often no report is prepared for inclusion in the Board packets. She noted that new Federal regulations do not allow for Federal funds to be used to raise underground facilities to grade for road improvements, so the District will be responsible for these costs for all facilities within the Caltrans right-of-way, however Placer County is continuing to pay for these costs as has been done previously. CPC Gibbons also noted that the District is working closely with Tahoe Regional Planning Agency to obtain a beach grading permit which will allow the District to grade three times this year and annually thereafter, to alleviate sand being blown from the beach into the parking lot at KBSRA and across State Highway 28.

### **Utility Operations Department Report**

Utility Operations Manager Begin was not present, so the Utility Operations Report was given by PEM Stelter. He noted that the Utility Operations crews are currently working on Fats/Oils/Grease (FOG) inspections of the sewer lines near restaurants. They are finding a sufficient amount of grease in the lines to warrant more frequent inspections. He stated that it was notable that there had been no water leaks in February, and no need for snow clearing. He thanked Utility Operations Supervisor Bob Orr for the work that crews performed on the Carnelian Main bypass which allowed for replacement of problematic valves in the Carnelian lift station. Mr. Huelle, a member of the public present at the meeting, stated that a manhole or storm drain vault cover on Bear Street in Kings Beach was above grade creating a potential hazard to bicyclists. General Manager Schultz told Mr. Huelle that we would investigate and make any necessary repairs, or contact Placer County if the cover was the responsibility of the County.

## **OLD BUSINESS**

### **Base Facilities Project**

Construction Administrator Butterworth presented revised plans based on input from the Base Facilities Ad Hoc Committee, Directors Thompson and Ferrell. General Manager Schultz noted that the meeting had been very productive and the Engineering Department had considered all recommendations, and incorporated many of the revisions proposed by the Committee. The Board voted informally by straw poll for the revision of a gabled roof versus a flat roof. In favor of the gabled roof were Directors Ferrell, Thompson and Lewis. Directors Daniels and Bergmann voted against the gabled roof believing it may require more maintenance than a flatter roof. President Lewis noted that he wanted no further discussion on the building plans in order to allow staff to move forward with building design, planning, and permitting.

**Consider Fee Waiver for Ironman Lake Tahoe Event for use of Kings Beach State Recreation Area and North Tahoe Event Center September 19<sup>th</sup> through 22<sup>nd</sup>.**

Action was taken previously in the meeting in conjunction with the 9:45 a.m. timed item, a presentation by Andy Chapman of the North Lake Tahoe Resort Association, about the triathlon event.

**NEW BUSINESS**

**Adopt Ordinance 383 – Adjusting Launch Fees and Other Miscellaneous Fees at District Facilities**

PFM Long presented the recommendation for adjusting fees. She noted further approval may be required from other agencies. Discussion focused on soccer field rental fees for local youth leagues, and adult leagues. The Board recommended that staff sets a fixed seasonal rate in the future. After adoption, the Ordinance will be posted as required, and fee changes will become effective in 30 days.

**MOTION: Director Bergmann moved to adopt Ordinance 383 Amending Chapter 10 of the Code of Ordinances Adjusting Launch and Miscellaneous Fees at Coon Street, North Tahoe Regional Park, Kings Beach State Recreation Area, and Tahoe Vista Recreation Area. Upon second by Director Daniels, the motion carried unanimously (5-0) by roll call vote.**

**CORRESPONDENCE AND REQUESTS FROM PUBLIC FOR USE OF DISTRICT FACILITIES**

**Letter from Pamela Berger of Dog Day in the Park Requesting Use of Field #1 in the North Tahoe Regional Park on September 8, 2013**

**MOTION: Motion was made by Director Thompson to donate the use of field #1 in the North Tahoe Regional Park for Dog Day in the Park. Upon second by Director Ferrell, the motion carried unanimously (5-0) by roll call vote.**

**Letter from Greg McDougall, Career Day Events Chair Requesting Use of North Tahoe Event Center for 2014 Career Day**

**MOTION: Upon motion by Director Bergmann and second by Director Ferrell, the motion to offer use of the North Tahoe Event Center for 2014 Career Day gratis carried unanimously (5-0) by roll call vote.**

**Letter from Pam Jahnke of Friends of Kings Beach Library Requesting Use of Lakeview Suite for Fundraising Event on May 15, 2013 –** Because the fundraising event is currently planned for a Wednesday when staff is not present at the Event Center, PFM Long has requested that the Friends of the Library change the date of the event to a Tuesday or Thursday when the building is staffed. She recommended that should the building require staffing on a Wednesday for the event, the District recovers any costs incurred.

**MOTION: Motion was made by Director Ferrell to donate the use of the building for the Friends of the Library fundraiser, recovering staffing costs, if incurred. Upon second by Director Daniels, the motion carried unanimously (5-0) by roll call vote.**

**Letter of Thanks from Pat Gibbons-Johnson, 2013 Career Day Event Co-Chair - Correspondence was reviewed.** No discussion.

**Letter from Placer County Local Agency Formation Commission regarding Preliminary Budget for Fiscal Year 2013-2014 – Correspondence was reviewed.** No discussion.

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

General Manager Schultz thanked Directors Bergmann and Daniels for their attendance at the Special Districts Risk Management Authority Safety Workshop on March 28<sup>th</sup> in order to obtain incentive points which will reduce the District's workers compensation expense by 2% for the current fiscal year. He reminded the Board about the reception being hosted by the District for the Placer County Board of Supervisors on Monday, April 22<sup>nd</sup> at Gar Woods Grill and Pier.

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

Director Thompson noted that staff should give consideration to the interior of the base facilities to avoid wasted space. Director Daniels asked General Manager Schultz to determine if any recent changes had been made by North Tahoe Fire requiring more stringent mandatory fire hydrant spacing requirements in commercial zones. No further comments were made.

#### **ADJOURNMENT**

There being no further business to be considered by the Board, the meeting adjourned at 12:05 p.m.

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