

**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, May 10, 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, May 10, 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 – EXISTING LITIGATION
Discussion pursuant to subdivision (a) of Section 54956.9. Name of case: Cris Connolly vs. North Tahoe Public Utility District
4. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
Discussion pursuant to subdivision (b) of Section 54956.9. Number of cases: Three (3)

Upon adjourning to Open Session, President Lewis reported that the Board took no action during Closed Session.

PLEDGE OF ALLEGIANCE

President Lewis called Open Session to order at 9:34 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 FORUM (TIMED ITEM 9:35 a.m.): Kings Beach resident, Richard Baumgardner asked the Board about the need for the Zone 1 and Zone 2 Water

Storage Tanks. Mr. Baumgardner believed that the tanks may have been constructed in order to service the proposed biomass plant in Kings Beach. President Lewis responded to his questions stating that this was not the case, and the District planned for these tanks several years ago as increased flow was needed for operational efficiencies and fire protection. Mr. Baumgardner also asked about water meter installation throughout the system and was advised that the entire District is metered.

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: The agenda was approved by consensus.

CONSENT CALENDAR:

1. Approve Accounts Paid in the amount of \$142,101.42 and Payable in the amount of \$148,114.82 for the period from April 11, 2011 to May 10, 2011 with potential conflicts of interest in the amount of \$2,567.71 for Directors Mooney and Bergmann.
2. Approve Minutes of the April 12, 2011 Regular Board Meeting and the April 20, 2011 Special Board Meeting.
3. Adopt Resolution 2011-03 Appointing Paul A. Schultz as General Manager/CEO, Treasurer and Ex Officio Clerk of the Board.
4. Adopt Resolution 2011-04 in Support of Grant Application to United States Forest Service for Griff Creek Stream Restoration (#1114).
5. Authorize General Manager to Execute Line Extension Agreement for Cherryvale Holdings, LLC Property; Property Owner of APN 117-010-012. Director Daniels abstained from voting on this item due to a conflict of interest.

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

MANAGEMENT TEAM INFORMATIONAL UPDATES

Management Services Department Report

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

Discussion was held about the reports from the Management Services Department. Director Mooney requested that the Treasurer's Report cash and investment totals are broken down into departments.

Parks and Facilities Department Report

Park and Facilities Manager Long updated the Board about the boat ramp opening date and hours. She also addressed the proposed bike trail which is being planned in stages, the first being from Dollar Hill to Fulton Crescent in Tahoe City, and was asked to keep the Board informed on this project.

Planning and Engineering Department Report

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

Utility Operations Department Report

Utility Operations Manager Hopkins presented his departmental report. Director Mooney requested that time off be tracked within the Operations department report.

NEW BUSINESS:

GBA Master Series Software Presentation

Executive Assistant Lefrancois presented the GBA Master Series software. She commended the employees involved for their investment in the progress.

Adopt Ordinance #383 Establishing Water and Sewer Service Rates Applicable to Special Public Recreational Uses

A discussion was held regarding the ordinance and policy issues. Adoption of the ordinance was tabled, but the Board directed staff to present an alternative which would be equitable for both the operations and parks departments.

Timed Item: 10:00 a.m. Review of Easement Encroachment – APN 090-191-029 (8781 Minnow)

Contracts and Planning Coordinator Gibbons presented a request from the property owner of APN 090-191-029 (Tapia) for an extension of time to remove the structure encumbering the District's easement. The Board agreed to give an extension of time until July 1st and directed staff to advise Mr. Tapia.

CORRESPONDENCE: Correspondence presented was not discussed.

1. Placer County LAFCO Proposed Budget for 2011-2012
2. Department of Water Resources Determination of District Eligibility to Receive Water Management Grant or Loan Funds
3. Tahoe Truckee Community Foundation Quarterly Fund Statements for Friend of the Park and Disk Golf, and Notification of Additional Office Location in Tahoe City

GENERAL MANAGER/CEO COMMENTS

A Special Board Meeting was scheduled for Wednesday, May 25, 2011 at 7:00 a.m.

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 12:00 p.m.

Marianne Potts
Board & Records Secretary