

**MINUTES OF THE
NORTH TAHOE PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS MEETING
North Tahoe Event Center
8318 North Lake Boulevard, Kings Beach, CA 96143
January 20, 2009**

CALL TO ORDER

President Lewis called the meeting to order at 9:00 AM. Present were Directors Bergmann, Daniels, Ferrell, and President Lewis. A quorum was established.

A. CLOSED SESSION AGENDA

Closed Session was convened at 9:03 AM to consider:

1. Conference with Real Property Negotiator – Pursuant to Section 54956.8 of the Government Code.

Property: 7717 North Lake Blvd. Tahoe Vista, CA, APN 117-015-038

Negotiating Parties: North Tahoe Public Utility District

Under Negotiation: Determination of Interest

2. Conference with Labor Negotiator – Pursuant to Section 54957.6 of the Government Code.

Agency Negotiator: Curtis Aaron

Employee Organization: Management/Confidential Employees

Draft Confirmation of Understanding

3. Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: two cases - Pursuant to subdivision (c) of Government Code Section 54956.9, the incident to which said anticipated litigation exists involves easements on Bay Street.

Closed Session was recessed at 10:00 AM. No action was reported.

B. ROLL CALL/PLEDGE OF ALLEGIANCE

President Lewis called Open Session to order at 10:05 AM. Present were Directors Bergmann, Mooney, Daniels, Ferrell, and President Lewis. A quorum was established.

Staff present was General Manager/CEO Aaron, Public Works Director Schegg, Parks and Facilities Manager Long, Chief Financial Officer Marple, Chief Engineer/Acting Operations Manager Goebel, and Acting Clerk of the Board and Executive Assistant Lefrancois. Also present were Counsel Neil Eskind and Judy Friedman, Recording Secretary.

C. REVIEW AGENDA

The Board reserves the right to take items out of order.

D. TIMED ITEMS

1. 10:05 PUBLIC COMMENTS

E. PUBLIC PRESENTATION

1. 10:30 AM – Presentation regarding North Tahoe Event Center Rates and Business Plan.

2. 12:30 PM – Presentation of Certificates of Appreciation to Outgoing Recreation and Parks

Commissioners

Recreation and Parks Commissioner Suzy Shoberg was present to receive a Certificate of Appreciation for her participation and service. A Certificate was also presented to Commissioner Keven McDermott for his accomplishments on the Commission, particularly with the establishment of the Disc Golf Course.

F. CONSENT CALENDAR

Item F3 was removed for discussion. Craig Hill, of North, Cross, Hill & Nash, made a presentation to the Board regarding the debt financing options available for the water storage project.

Item F5 was removed for discussion. Director Ferrell explained his discussions with Auerbach Engineering on the potential fees for relocations.

It was moved by Director Bergmann and seconded by Director Ferrell to approve the Consent Calendar. ROLL CALL VOTE: Ayes: Directors Mooney, Bergmann, Daniels, Ferrell, and President Lewis. Noes: None. Directors Bergmann and Mooney abstained from voting on any conflicts of interest noted on the Accounts Paid and Payable. Motion carried.

The following was approved in the Consent Calendar:

1. Accounts Paid in the amount of \$899,199.80 and Payable in the amount of \$141,267.67 for the period from December 16, 2008 to January 20, 2009
2. Minutes of the December 16, 2008 Regular Board Meeting.
3. Professional Services Agreement for Financial Consultants related to Debt Financing for Capital Projects.
4. Resolution 2009-1 Approving an Investment Policy for 2009.
5. Amend Professional Service Agreement with Auerbach Engineering for Utility Conflict Relocation Plan related to the Environmental Improvement Project on Highway 28.

G. MANAGEMENT TEAM INFORMATIONAL UPDATES

1. Chief Financial Officer

a. Review and Discuss Monthly Financial Statement through November 2008

Director Mooney asked about the expenses at Tahoe Vista Recreation Area. Parks and Facilities Manager Long explained that, because of the good weather and people using the area, the facility needs maintenance such as snow removal, cleaning of rest rooms, and garbage removal. The expenses for the Event Center were reviewed.

b. Treasurer Report

There were no questions or comments.

2. Parks and Facilities Manager

PFM Long explained that the wall hangings and signage have been removed from the Event Center. The tapestries are being stored and the signs are being replaced. Director Mooney asked about the bike trail monies from the California Tahoe Conservancy (CTC) and PFM Long replied that those funds have not been released to CTC from the State of California.

3. Chief Engineer/Utility Operations Manager

Director Bergmann asked about the equity in Lake Tahoe Wastewater Infrastructure Partnership. Public Works Director Schegg said that the matching funds have been reached. He and GM Aaron explained the benefits of the Geographic Information System (GIS), the state mandate, and possible funding sources.

H. NEW BUSINESS

1. Resolution 2009-2 – Honoring Stan Peard for 38 years of Service to the District.

It was moved by Director Mooney and seconded by Director Bergmann to adopt Resolution 2009-2 honoring Stan Peard for 38 years of service to the District. ROLL CALL VOTE: Ayes: Directors Mooney, Bergmann, Daniels, Ferrell, and President Lewis. Noes: None. Motion carried unanimously.

2. Consideration of Claims

i. Bernard Gough

Executive Assistant Lefrancois explained Mr. Gough's request for reimbursement for a sewer back up in his home. Mr. Gough was present. GM Aaron and Counsel Eskind explained the options available for working with the insurance company.

It was moved by Director Bergmann and seconded by Director Mooney to deny Bernard Gough's claim. Motion carried unanimously.

3. 10:30 AM Time Certain - Ordinance 375 Amending Rate Schedule at the North Tahoe Event Center.

PFM Long presented an overview of the proposed rates and business plan for the Event Center. The Board asked to be provided with a hard copy of her Power Point presentation. Discussion followed regarding working with sales agents and

vendors. GM Aaron noted some minor corrections on Attachment 1 and the formula used to develop the rates was considered.

It was moved by Director Daniels and seconded by Director Ferrell to adopt Ordinance 375 amending the rate schedule at the North Tahoe Event Center. ROLL CALL VOTE: Ayes: Directors Mooney, Bergmann, Daniels, Ferrell, and President Lewis. Noes: none. Motion carried unanimously.

I. OLD BUSINESS

1. Resolution 2009-3 Adopting New and Updated Job Descriptions

- i. Senior Administrative Analyst**
- ii. Fleet Assistant**
- iii. Assistant General Manager**
- iv. District Engineer**

GM Aaron explained his request for this Resolution, noting the job descriptions that were included in the Board packet. The new positions being requested are Senior Administrative Analyst and Fleet Assistant. The title "Assistant General Manager" is a change from "Public Works Director" and "District Engineer" will be the new name for "Chief Engineer." Discussion followed on the specifics for each position. The "at will" designation was clarified and changes to the proposal were considered. It was noted that the proposed changes would be effective for new hires and are not intended to change the employment status of current employees in those positions. The organization duties of the Assistant General Manager will be amended to reflect the needs of the General Manager. Counsel Eskind and GM Aaron will make the necessary revisions.

It was moved by Director Bergmann and seconded by Director Daniels to adopt Resolution 2009-3 regarding new and updated job descriptions as amended. ROLL CALL VOTE: Ayes: Directors Mooney, Bergmann, Daniels, and President Lewis. Noes: Director Ferrell. Motion carried.

J. CORRESPONDENCE:

The Board reviewed all correspondence.

The meeting recessed at 12:15 PM and reconvened at 12:35 PM.

K. GENERAL MANAGER/CEO COMMENTS

GM Aaron reported on his meeting with Rich Colwell of Placer County and a meeting with Placer County Supervisor Jennifer Montgomery regarding ways that the District can work with the County. He also met with Pam Armas of California State Parks to discuss the potential for an agreement regarding State Park properties within the District.

L. BOARD OF DIRECTOR'S COMMENTS

The Board considered options regarding the parking lot. This item will be agendaized for next month.

The Board reconvened Closed Session at 12:55 PM. Open Session was reconvened at 3:10 and no actions were reported.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 3:15 P.M.

The next scheduled meeting of the NTPUD Board of Directors is Tuesday, February 10, 2009 at 9:00 AM.

Respectfully submitted,

Judy Friedman, Recording Secretary

THE PAPER TRAIL SECRETARIAL & BUSINESS SOLUTIONS