

**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  
December 8, 2009**

**CALL TO ORDER**

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday December 8, 2009 at the North Tahoe Event Center in Kings Beach, California. President Lewis called the meeting to order at 9:00 AM. Present were Directors Mooney, Bergmann, Daniels, Ferrell, and President Lewis. A quorum was established.

**A. CLOSED SESSION AGENDA**

The following was discussed in Closed Session:

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

**Discussion pursuant to subdivision (b) of Section 54956.9: Name of case: North Tahoe Public Utility District vs. The Garwood Building**

**2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

**Discussion pursuant to subdivision (a) of Section 54956.9: Number of Cases: One.**

**B. ROLL CALL/PLEDGE OF ALLEGIANCE**

President Lewis convened Open Session at 10:07A.M. No action was reported from Closed Session.

ROLL CALL: Present were Directors Mooney, Bergmann, Daniels, Ferrell, and President Lewis. A quorum was established.

Staff present was General Manager/CEO/Clerk of the Board Aaron, Parks and Facilities Manager Long, Utility Operations Manager Hopkins, Chief Financial Officer Marple, Engineering Administrative Assistant Gibbons, Sr. Financial Analyst Rosenthal, Executive Assistant Lefrancois, and Board & Records Secretary Potts. Also present were Legal Counsel Eskind and Recording Secretary Friedman.

**C. REVIEW AGENDA**

The agenda was approved by affirmation. The Board reserves the right to take items out of order.

**D. PUBLIC PRESENTATION**

**1. Park and Facilities Public Opinion Survey. TBWB Strategies - Presenter**

The representatives from TBWB Strategies presented the results of the recently conducted Public Opinion Survey. Discussion followed.

**E. TIMED ITEMS**

**1. 10:05 AM PUBLIC COMMENT**

There were no comments on items not on the agenda.

**2. 10:15 AM – Park and Facilities Public Opinion Survey. TBWB Strategies – Presenter**

**3. 11:30 AM – Tahoe Vista Recreation Dredging and Courtesy Dock**

**F. BOARD ORGANIZATION MATTERS. ACTION TO BE TAKEN AS APPROPRIATE**

**1. Affirm Regular Board meeting dates, time, and location for 2010**

There was Board consensus to continue holding Board meetings on the second Tuesday of the month, but move the start time to 8:30 A.M. for Closed Session and Open Session to follow after at 9:00 A.M. or later as necessary.

## **2. Selection of President, Vice-President, and Secretary**

**ACTION:** Motion was made by Director Mooney, seconded by Director Ferrell, and carried unanimously, to appoint Director Lewis as President of the Board, Director Bergmann as Vice-President, and Director Mooney as Secretary.

## **3. Seating Location of Directors at Board meetings**

**ACTION:** Motion was made by Director Bergmann, seconded by Director Mooney, and carried unanimously to maintain the current seating location of Directors at Board meetings.

## **4. Committee Assignments**

- a. Finance Committee: Directors Mooney and Bergmann
- b. Development and Planning Committee: Directors Lewis and Ferrell
- c. Recreation and Parks Committee and Advisors to the Recreation and Parks Commission: Directors Daniels and Bergmann
- d. Tahoe Truckee Sanitation Agency: Director Lewis
- e. Placer County Joint Powers Agreement: Director Lewis and General Manager Aaron
- f. Other Items (None)

**ACTION:** Motion was made by Director Bergmann, seconded by Director Mooney, and carried unanimously, to retain the current Board Committee assignments.

## **G. CONSENT CALENDAR**

Item G9 was removed for discussion and clarification. It was agreed this item would be voted on separately.

**ACTION:** Motion was made by Director Ferrell, seconded by Director Bergmann, and carried unanimously, to approve Item G9 in the Consent Calendar, contingent upon review and approval by the Development and Planning Committee.

**ACTION:** Motion was made by Director Bergmann, seconded by Director Daniels, and carried by Roll Call Vote approving the Consent Calendar with the removal of Item G9. Directors Mooney and Bergmann abstained from voting on conflicts of interest noted on the Accounts Paid and Payable.

1. Accounts Paid in the amount of \$146,605.99 and Payable in the amount of \$136,014.10 for the period from November 11, 2009 to December 8, 2009.
2. Minutes of the November 11, 2009 Regular Board Meeting.
3. Authorize Sale at Auction, or Appropriate Donation or Disposal of Surplus Office Furniture and Computer Supplies.
4. Authorize Amendment to Agreement and Two (2) Year Extension of North Tahoe Event Center Catering Contract with Bella Affair from January 1, 2010 through December 31, 2011.
5. Authorize General Manager to Enter into Professional Services Agreement for Zone 1 Water Tank.
6. Adopt Resolution 2009-23 Amending the District's Records Retention Policy.
7. Adopt Resolution 2009-25 Authorizing Records Destruction Request.
8. Authorize General Manager to File Notice of Completion for the Kingswood West Tank Security Fence Project.
9. Authorize Task Order 002 with KB Foster Civil Engineering and Budget Adjustment for Kingswood Waterline Replacement Project (#0929) Removed and voted upon separately.
10. Authorize Cooperative Bid Purchase through Placer County for 5-Yard Dump Truck.
11. Adopt Resolution 2009-26 Amending District Job Description for Planning and Engineering Manager.
12. Designate Stephen Twomey, P.E., to Review and Stamp Standard Details as the District's Engineer of Record.

## **H. MANAGEMENT TEAM INFORMATIONAL UPDATES**

### **1. Chief Financial Officer**

- a. Review and Discuss Monthly Financial Statement through October 2009

Specific line items were reviewed.

**ACTION:** Chief Financial Officer Marple will clarify "Other Operating Revenue" of \$29,000.00 in the Kings Beach State Recreation Area report.

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

### **2. Parks and Facilities Manager**

Details of the report were reviewed.

### **3. Engineering**

The Board asked that the tracking of employee costs for projects be reported in a different format.

### **4. Utility Operations Manager**

There were no questions or comments.

## **I. OLD BUSINESS**

### **1. Tahoe Vista Recreation Area Dredging & Courtesy Dock**

Director Mooney declared a conflict of interest and was not present for the discussion or action on this item.

The Board considered the options for having the dredging work done now or waiting until spring. Wyatt Ogilvy presented timeline, permitting, and construction information.

**ACTION: Motion was made by Director Bergmann, seconded by Director Daniels, and carried, to award the bid for the Tahoe Vista Recreation Area Dredging Project to the lowest responsive and responsible bidder and authorize the General Manager/CEO to execute a contract not to exceed the Engineer's Estimate of \$96,047 and a 10% contingency.**

## **J. GENERAL MANAGER/CEO COMMENTS**

### **1. Reschedule January 12, 2010 Regular Meeting to January 19, 2010**

This request was approved by affirmation.

### **2. Final changes to North Tahoe Event Center Ordinance**

This item was presented in the Board packets as informational only.

### **3. Employment Development Department Update**

The Finance Committee asked that this item be included in the agenda. Chief Financial Officer Marple and Director Mooney explained the two methods of paying unemployment insurance.

**ACTION: Chief Financial Officer Marple was asked to determine the current unemployment insurance rates for the District and track both payment methods to determine which is most beneficial for the District.**

## **K. BOARD OF DIRECTOR'S COMMENTS**

Director Daniels asked to be provided with Committee meeting updates. No other Board comments were made.

General Manager Aaron thanked the Board for the recent Employee Appreciation banquet.

## **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 12:55 P.M. The next scheduled meeting of the North Tahoe Public Utility District Board of Directors is Tuesday, January 19, 2009 at 8:30 A.M.

Respectfully submitted,

Judy Friedman, Recording Secretary

THE PAPER TRAIL SECRETARIAL & BUSINESS SOLUTIONS