

**MINUTES OF THE
NORTH TAHOE PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS MEETING
North Tahoe Community Conference Center
8318 North Lake Boulevard, Kings Beach, CA 96143
February 10, 2009**

CALL TO ORDER

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. Director Mooney was not present for a portion of the Closed Session due to possible conflicts of interest (Items 4 & 5). 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: Property Negotiation
- 2. Conference with Labor Negotiator** – Pursuant to Section 54957.6 of the Government Code.
Agency Negotiator: Curtis Aaron
Employee Organization: Management/Confidential Employees
Confirmation of Understanding
- 3. Conference with Real Property Negotiator** – Pursuant to Section 54956.8 of the Government Code.
Property: Kings Beach State Recreation Area, Kings Beach, CA, APN 090-080-004, -005, -006, -007, -009, -010, -011, -012, -013, -014, 015, - 016, -017.
Negotiating Parties: North Tahoe Public Utility District and State of California, Department of Parks and Recreation
Under Negotiation: Contract Extension
- 4. Conference with Legal Counsel – Existing Litigation**
Subdivision (a) of Section 54956.9
Name of case: North Tahoe Public Utility District vs. The Gar Wood Building
- 5. Conference with Legal Counsel – Existing Litigation**
Subdivision (a) of Section 54956.9
Name of case: North Tahoe Public Utility District vs. Louis A. Basile and Christine A. Basile

B. ROLL CALL/PLEDGE OF ALLEGIANCE

President Lewis called Open Session to order at 10:07 AM. Present were Directors Mooney, Bergmann, 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, District Engineer/Acting Utility Operations Manager Goebel, and Acting Clerk of the Board and Executive Assistant Lefrancois. Also present were Counsel Neil Eskind and Judy Friedman, Recording Secretary.

There was no action reported from Closed Session.

C. REVIEW AGENDA

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

D. TIMED ITEMS

1. 10:05 PUBLIC COMMENTS

There was no public comment.

2. 12:00 PM – Playground Project for the North Tahoe Regional Park (Item I-1)

3. 12:30 PM – Adjourn for Photos of Board of Directors.

E. PUBLIC PRESENTATION

1. 10:30 AM – Presentation to Stan Peard Honoring him for 38 Years of Service to the District.

General Manager Aaron presented a plaque to Stan Peard honoring his years of service with the District.

2. 10:45 AM – Recognition of Chris Avery, Maintenance Worker II and Paul Sandhofner, Equipment Operator/Acting Crew Chief for California Water Environment Association – Sierra Section, Employee of the Year Awards.

Supervisor Mark Begin explained why these two employees were honored with Employee of the Year awards.

F. CONSENT CALENDAR

Director Mooney asked that Items F4, F5, and F6 be pulled for discussion.

Item F4 – The details of the proposed contract were reviewed. This item will be pulled from the Consent Calendar for a separate vote.

It was moved by Director Bergmann and seconded by Director Daniels to approve the contract with Active Network for the North Tahoe Event Center software. ROLL CALL VOTE: Ayes: Directors Bergmann, Daniels, Ferrell, and President Lewis. Noes: Director Mooney. Motion carried.

Item F5 – Chief Financial Officer Marple explained that this authorization will close out the project. There was no further discussion.

Item F5 – Director Mooney asked about the value and details of the lease. Discussion followed. Director Bergmann suggested that a better contract might be negotiated with a vendor in Carson City. He will follow up. This item will be removed from the Consent Calendar.

It was moved by Director Ferrell and seconded by Director Daniels to approve Consent Calendar Items 1, 2, 3, and 5. 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 \$132,161.42 and Payable in the amount of \$176,313.34 for the period from January 20, 2009 to February 10, 2009
2. Minutes of the January 20, 2009 Regular Board Meeting.
3. Resolution 2009-4 Accepting Aluna Ave Facilities related to APN 117-130-009.
4. REMOVED FOR SEPARATE VOTE: Contract with Active NetWork for North Tahoe Event Center Software
5. Authorize transfer from the Beaver Street Assessment District (BSAD) Fund to the Sewer Reserve Fund for expenditures incurred over the past 13 years in the amount of \$112,543.71.
6. REMOVED: Agreement for Copy Machine Leases with Xerox

G. MANAGEMENT TEAM INFORMATIONAL UPDATES

1. Chief Financial Officer

a. Review and Discuss Monthly Financial Statement through December 2008

Director Mooney asked about the variance in District wages. CFO Marple explained how the wages for laid off workers were booked. Details of the Financial Statements and projected year-end balances were discussed.

b. Treasurer's Report

2. Parks and Facilities Manager

GM Aaron reported that as a result of the State of California putting a hold on all funding for projects, the work with the California Tahoe Conservancy (CTC) on the trail is stopped for now. Because of the collections agreement with the Forest Service, the project needs to be funded anyway in order for it to remain in the Forest Service budget. GM Aaron is meeting with the Department of Boating and Waterways on February 26 to discuss the allocation for TVRA, Phase 2. The remaining work on that project and possible funding options were discussed.

a. Draft Minutes of January 28, 2009 Recreation and Parks Commission

3. District Engineer/Utility Operations Manager

Director Mooney asked about the proposed RFP to update the Master Plan as mentioned in the written report. Public Works Director Schegg explained that funds have been allocated toward replacement of lines, per previous direction and plans. The master plan needs to address maintenance, capacity, and the consequence of failures. President Lewis added this request is for an outside firm to assess the infrastructure in order to make sure the system is running as efficiently as possible. Discussion followed regarding the current sewer master plan, the pros and cons of having outside consultants review the plan vs. using in-house expertise, and the possible impacts to the current Capital Improvement Project plan. PWD Schegg stated that \$210,000 has been budgeted for this update. The work would refresh the existing plan and include a hydraulic analysis in order to insure that the sewer management systems are in compliance. He believes that Federal funding may be available for this process.

H. OLD BUSINESS:

1. Kings Beach State Recreation Area Discussion and Possible Action

a. Authorize Month-to-Month Extension through November 2009

GM Aaron updated the Board on the agreement with California State Parks. He recommends continuing negotiations, with the goal of either having a final agreement in place by November 2009 or discontinuing the month to month operating agreement.

I. NEW BUSINESS

1. Playground Project at the North Tahoe Regional Park

a. Resolution 2009-5 Supporting Fundraising for Construction of new Playground Equipment at the North Tahoe Regional Park.

Former Recreation and Parks Commissioner Suzy Shoberg and current Commissioner Lydia Carter made a presentation regarding the request for this Resolution and seed funding for the playground equipment. Discussion followed regarding the request, the site, and the equipment proposed. It was noted that the equipment that had been at the playground was removed due to safety concerns and because it did not meet ADA requirements. The proposed budget was reviewed and the District's donation of in-kind services discussed.

It was moved by Director Daniels and seconded by Director Bergmann to approve Resolution 2009-5 supporting fundraising efforts for construction of new playground equipment at the North Tahoe Regional Park. The Resolution is to be amended to show that NTPUD has made a cash commitment of \$25,000 toward this project. ROLL CALL VOTE: Ayes: Directors Mooney, Bergmann, Daniels, Ferrell, and President Lewis. Noes: none. Motion carried unanimously.

b. Budget Amendment to the Park Capital Fund in the amount of \$10,000.00 for renovation of the North Tahoe Regional Park Playground.

It was moved by Director Daniels and seconded by Director Ferrell to approve a budget amendment in the amount of \$25,000 from the Park Capital Budget as seed money for renovation

of the North Tahoe Regional Park playground. ROLL CALL VOTE: Ayes: Directors Mooney, Bergmann, Daniels, Ferrell, and President Lewis. Noes: none. Motion carried unanimously.

J. CORRESPONDENCE

The Board reviewed all correspondence.

K. GENERAL MANAGER/CEO COMMENTS

L. BOARD OF DIRECTOR'S COMMENTS

1. Re-appoint Nancy Gaines to the Recreation and Parks Commission.

It was moved by Director Mooney and seconded by Director Bergmann to re-appoint Nancy Gaines to the Recreation and Parks commission. Motion carried unanimously.

2. Report from meeting with Tahoe Truckee Unified School District Regarding Track

President Lewis reported on his meeting with John Britto and Steve Jennings from the School District regarding using monies from a bond fund to the track. President Lewis stated that given the current financial situation and consideration of budget reductions at the School District, now is not the time to continue the discussion. The Board considered the work needing to be done to complete the track and possible ways to move the project forward.

The Board adjourned for a photo session. Closed session was reconvened at 1:00 PM. Open session was reconvened at 2:12 PM and it was reported that the Board authorized GM Aaron to execute the COU with management confidential employees.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 2:15 PM.

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

Respectfully submitted,

Judy Friedman, Recording Secretary

THE PAPER TRAIL SECRETARIAL & BUSINESS SOLUTIONS