

**MINUTES OF MEETING OF THE  
NORTH TAHOE PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS  
North Tahoe Event Center  
8318 North Lake Boulevard, Kings Beach, CA 96143  
Tuesday, February 10, 2015**

**CALL TO ORDER/ESTABLISH QUORUM**

A Meeting of the North Tahoe Public Utility District Board of Directors was held at the North Tahoe Event Center in Kings Beach, California on Tuesday, February 10, 2015. Present at the meeting were President Lewis, Directors Bergmann, Ferrell, Thompson, and Daniels, comprising the full Board and establishing a quorum.

President Lewis called the meeting to order at 2:00 p.m. and identified discussion items as listed below before adjourning to Closed Session at 2:01 p.m. Counsel Eskind was in attendance.

**CLOSED SESSION AGENDA**

Pursuant to Government Code, the Board of Directors discussed the following items:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Discussion pursuant to subdivision (a) of Section 54956.9. Name of case: Stuart Corvin v. North Tahoe Public Utility District, et al.
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Discussion pursuant to Section 54956.8. Property: Firestone Property, Assessor's Parcel Nos. 092-010-040, -041, -042, and 093-010-037, -038, -039. Agency Negotiator: Interim General Manager Marple. Negotiating Party: Placer County. Under Negotiation: Easements.
3. PUBLIC EMPLOYMENT – Discussion pursuant to Section 54957. Position: General Manager/CEO
4. PUBLIC EMPLOYMENT – Discussion pursuant to Section 54957. Position: Assistant General Manager
5. REAL PROPERTY NEGOTIATIONS – Discussion pursuant to Section 54956.8. Property: Gentry Property Easement requested by Liberty Utilities

**OPEN SESSION/PLEDGE OF ALLEGIANCE/REVIEW AGENDA**

President Lewis called Open Session to order at 3:05 p.m. The full Board was present. President Lewis reported that no action was taken in Closed Session.

Staff in attendance included Interim General Manager/Chief Financial Officer Marple, Park and Facilities Manager Towner, Engineering and Operations Manager Stelter, HR/Risk Manager Lazzareschi, Information Technology/Public Information Administrator Emmerich, Contracts and Planning Coordinator Gibbons, Construction Administrator Butterworth, and Executive Assistant/Board Secretary Potts.

Director Daniels led the Pledge of Allegiance.

No changes were made to the agenda. The Board may hear items out of order.

**TIMED ITEMS**

**3:08 p.m. PUBLIC FORUM:** Kingswood Resident David Nestle addressed the Board at length. He read and referred to several documents, including but not limited to the January 2014 District newsletter article entitled "Do I need an expansion tank?", the November 2014 District minutes, which he stated are inaccurate and requested that they be corrected, and re-read a statement which he read to the Board and all in attendance at the District's November meeting. He also addressed the naming of District facilities, the District requirement for back yard water service relocations to be paid for by the property owners, and requested clarification of the District's former General Manager Schultz' statement in a letter written to the Kingswood Homeowners Association dated October 30, 2013 regarding an inability to obtain the desired product.

President Lewis directed staff to take Mr. Nestle's concerns to the Development and Planning Committee for consideration and response.

There being no other public present to address the Board at this time, Public Forum was closed at 3:31 p.m.

**CONSENT CALENDAR:** The following consent calendar items were presented for approval. Director Bergmann noted his specific conflicts with accounts paid and payable.

1. Approve Accounts Paid and Payable for the period from January 13, 2015 through February 9, 2015.
2. Approve Minutes of the January 13, 2015 Regular Board Meeting
3. Authorize Board President to Sign Letters of Support to Include Funding for the Lake Tahoe Community Fire Prevention Partnership to the Lake Tahoe Restoration Act of 2013
4. Authorize Interim General Manager to Execute Employment Agreement for Assistant General Manager Schultz
5. Approve Budget Parameters for Fiscal Year 2015/2016

Director Daniels asked to pull Item #3 from the Consent Calendar for discussion. After clarification of the grant by Contracts and Planning Coordinator Gibbons, the item was left on the Consent Calendar.

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

## **MANAGEMENT TEAM INFORMATIONAL UPDATES**

### **Accounting Department Report for December 2014**

#### **a. Monthly Financial Statement**

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

Chief Financial Officer Marple presented the District's financial statement through the six months ending December 31, 2014 reporting that the District is on track with its budget, though facing a challenge in the Recreation and Parks Department due to aggressive revenue projections included in the budget. The Treasurer's Report was presented. President Lewis discussed recent fund expenditures for the base facilities.

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

Park and Facilities Manager Towner reported to the Board that there are three interested bidders who have the plans and specifications for a ropes course. She also addressed the department's use of volunteers, the use of the artificial turf field in the regional park for La Crosse games, and Sierra Nevada College's interest in developing a track around the field. She has negotiated payment from the college to include the college purchasing portable bleachers for the park. She noted work being done for administrative cleanup on the facility rental policies and procedures to more closely correlate with the ordinances. She noted that Placer County Deputy Sheriff's Association is working to formalize their request for the naming of the field after Michael Davis Jr. Additional information was given documenting the number of participants in Boys and Girls Club (BGNLT) activities, and upcoming District events related to SnowFest including the Kings Beach after 8 Mardi Gras Masquerade Dance and the District's pancake breakfast to be held on March 7<sup>th</sup>.

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

Contracts and Planning Coordinator Gibbons addressed the Board noted that recent testing which was performed on the Kings Beach Water Storage Tank showed no lead in the paint. Progress in the Base Facilities Project was discussed including

### **Utility Operations Department Report**

Utility Operations Manager Begin reported that he is working on the 2015/2016 Fiscal Year Budget with Chief Financial Officer Marple, and discussed recent projects being completed by the department crews including satellite station cleaning and valve exercising. President Lewis requested a report on the recent rain event relative to the amount of infiltration and inflow (I&I) entering the sewer system. Utility Operations Manager Begin reported that the flows were virtually twice the amount considered average, however the system functioned well with adequate capacity. He also discussed the District's need for "bleeders" in the water mains prone to freezing, and his department's efforts to eliminate the need.

### **NEW BUSINESS**

#### **TIMED ITEM 4:30 P.M. – FISCAL YEAR 2014-2015 INDEPENDENT AUDIT REPORT**

Ron Ley of Damore Hamrick Schneider, Inc. presented a report to the Board containing the results of the independent audit of District financial statements for the Fiscal Year ended June 30, 2014. He stated that in their opinion, the District's statements reflect the financial position and changes in all material respects. Mr. Ley highlighted aspects of the audit report and responded to questions from the Board.

President Lewis thanked Mr. Ley for his report and requested that the audit report is made available to the Board for review one month before his presentation in future years. Mr. Ley thanked staff for their assistance in his performance of the audit.

### **OLD BUSINESS**

#### **TIMED ITEM 5:05 P.M. – PLACER COUNTY ANIMAL SHELTER DISCUSSION**

Ramona Cruz and Linda Slack-Cruz, District residents, and other volunteers were present to make a request of the Board regarding the potential closure of the Placer County Animal Shelter in Tahoe Vista. Ms. Slack-Cruz advised that they had met with Placer County staff to work toward a viable alternative to the closure of the shelter and

had been granted a six month extension to obtain support and funding through a private-public partnership in order to replace the shelter.

After making a request for District support at January's regular Board meeting, the Board had referred the group to the Recreation and Parks Commission to hear their concerns. Recreation and Parks Commissioner Pepin stated that the Commission would like to support the group in moving forward with a plan. Director Ferrell stated that he would support expanding the property in order to provide sufficient land capability on the site for a replacement facility. Director Thompson stated that he supported this action. President Lewis stated that although he supports the group's efforts, he did not want the District's action to precede the County's action, but would want to work with Placer County if they would make a request regarding the site which is surrounded by property owned by the District.

**MOTION: After further discussion, Director Ferrell moved to approve staff's recommendation to support the project with staff time as defined in the District's ordinances, and records as requested through the Public Records Act. Upon second by Director Daniels, the motion carried unanimously (5-0).**

#### **OLD BUSINESS**

##### **Update on Firestone Property Transfer – Provide direction to staff regarding Joint Sewer Facilities as may be impacted by proposed State Route 89/Fanny Bridge Community Revitalization Project**

Engineering and Operations Manager Stelter presented the alternatives. Staff requested approval of the comments to be filed in response to the Environmental Impact Report (EIR) as presented at the Board meeting which was drafted by Counsel Eskind. Attached to, and in support of our response, is the report the Tahoe Truckee Sanitation Agency (TTSA) provided regarding the project. The comments were specific to the necessary sewer realignment and moving of the transition-manhole only. Director Ferrell noted that the issue of future maintenance should be addressed before filing the comments on behalf of the District.

The following specific requirements were specifically identified. The project cannot create increased risk to the environment, no increase in pipe size, no decrease in pipe capacity or slope.

**MOTION: Director Thompson moved to send the comments as changed by Director Ferrell to include the issue of future maintenance. Upon second by Director Daniels, the motion carried unanimously (5-0).**

#### **CORRESPONDENCE**

##### **Request from Tahoe Public Art for use of space in the North Tahoe Event Center**

**MOTION: Upon motion by President Lewis and second by Director Daniels, the Board voted unanimously (5-0) to provide Tahoe Public Art space in the North Tahoe Event Center for a community meeting on March 19<sup>th</sup>.**

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

Interim General Manager Marple had no comments.

## **BOARD OF DIRECTORS COMMENTS**

Director Thompson stated that he would like to move forward with investigating a new CFD for funding the Recreation and Parks Department. Director Daniels requested that she would like to see a demonstration of the software, Flash Vote, brought to the Board. IT/Public Information Administrator Emmerich stated that she would move forward with a demonstration to be presented to the Management Team.

## **ADJOURNMENT**

There being no further business to come before the Board of the North Tahoe Public Utility District, the meeting was adjourned at 5:50 p.m.

Marianne J. Potts  
Board Secretary