

**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  
Monday April 14, 2014**

**CALL TO ORDER/ESTABLISH QUORUM**

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was changed to Monday, April 14, 2014 at the North Tahoe Event Center in Kings Beach, California. 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 8:30 a.m. and identified Closed Session items for discussion as listed below before adjourning to Closed Session at 8:35 a.m.

**CLOSED SESSION AGENDA:** Pursuant to Government Code, the Board of Directors held a Closed Session to discuss 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 LEGAL COUNSEL – EXISTING LITIGATION Discussion pursuant to subdivision (a) of Section 54956.9. Name of case: North Tahoe Public Utility District v. Diablo Contractors, Inc. a CA Corp., Coral Construction Company, an Oregon Corp., and DOES 1 through 50.
3. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – Discussion pursuant to Section 54957.
4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Discussion pursuant to Section 54956.8. Property: 8318 North Lake Blvd., Kings Beach State Recreation Area. Agency Negotiator: General Manager Schultz. Negotiating Party: State of CA. Under Negotiation: Terms of Agreement.
5. 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: General Manager Schultz. Negotiating Party: Placer County. Under Negotiation: Terms of Agreement.

**OPEN SESSION/PLEDGE OF ALLEGIANCE**

President Lewis called Open Session to order at 9:43 a.m. The full Board was present. President Lewis reported that no action was taken by the Board during Closed Session, but that the Board will reconvene into Closed Session for further discussion of Items 4 and 5 at the close of the business of Open Session.

In addition to the Board of Directors, staff in attendance included General Manager/CEO Schultz, Chief Financial Officer Marple, Park and Facilities Manager Towner, Engineering and Operations Manager Stelter, Utility Operations Manager Begin, Construction Administrator Butterworth, Human Resources/Risk Manager Lazzareschi and Executive Assistant/Board Secretary Potts. Counsel Eskind was also present.

Director Daniels led the Pledge of Allegiance.

**REVIEW AGENDA:** No changes were made to the agenda.

**TIMED ITEMS:**

**9:45 a.m. PUBLIC FORUM:** No members of the public were present to address the Board of Directors on non-agendized items under Public Forum, and it was closed at 9:45 a.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 March 10, 2014 through April 13, 2014
2. Approve Minutes of the March 10, 2014 Regular Board Meeting
3. Adopt Resolution 2014-05 Declaring an Election be held in its Jurisdiction; Requesting the Board of Supervisors to consolidate this Election with any other Election conducted on Said Date; and Requesting Election Services by the County Clerk
4. Authorize Budget Adjustment and Transfer from Reserves for the Replacement of Six Computers, the North Tahoe Event Center Projector, Three (3) License Upgrades, and SyTech ViewWise Software Services
5. Deny Claim against District for Water Damage at 9902 North Lake Boulevard in Kings Beach and Refer to the District's Insurance Carrier
6. Authorize General Manager to Execute Professional Services Agreement with Harris and Associates for Engineering Services for the Dollar Hill 22" Force Main Rehabilitation Project (#1407)
7. Adopt Mitigated Negative Declaration and De Minimus Impact Report for the Kingswood 500 Tank/ 120 Booster Demolition and Griff Creek Restoration Project and Direct Staff to File Notice of Determination (#1114)

Director Thompson requested that Items 3, 4, and 6 be removed for discussion. After discussion, all items remained on the Consent Calendar.

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

**MANAGEMENT TEAM INFORMATIONAL UPDATES**

**Accounting Department Report**

**a. Monthly Financial Statement for February 2014**

**b. Treasurer's Report**

Chief Financial Officer Marple presented the Financial Statement and Treasurer's Report. The impact of the Kings Beach Commercial Core Improvement Project on income at the North Tahoe Event Center was discussed briefly. There were no questions on the Treasurer's Report.

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

Park and Facilities Manager Towner updated the Board on current projects the department is working on, including lighting at the Event Center, a grant application for the Dog Park with ADA compliant restrooms in the Regional Park, and concerts in the park which are scheduled for July 17<sup>th</sup>, 19<sup>th</sup>, and August 4<sup>th</sup> but will not include overnight camping as had been requested. The dog park grant application will be reviewed by the North Tahoe Regional Advisory Council (NTRAC) on May 8<sup>th</sup> and the District is hoping to receive \$270,000 in Park Mitigation Fees.

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

Engineering and Operations Manager Stelter presented his report stating that he had taken the Capital Improvement Program (CIP) to the Development and Planning Committee for direction. He updated the Board on his plan to obtain a full land capability verification for the Base Facilities Project. Mr. Stelter stated that he would like to obtain the TRPA permit prior to going to bid on the project. The Board directed staff to move forward with the project as soon as possible, and going to bid prior to obtaining the approval permit if reasonably certain of obtaining it in order to proceed with construction this year. Engineering and Operations Manager Stelter also updated the Board about the progress of utilizing Lucity with GIS. He advised of Water Treatment Specialist Fischer coordinating retrofits required to prevent cross-contamination with the District's water supply for Brockway Hot Springs homeowners having a separate intake for the hot springs. It appears that the cost for the retrofit will be no more than \$700 for each homeowner affected.

### **Utility Operations Department Report**

Utility Operations Manager Begin discussed the crew's efforts to coordinate work with Q & D Construction on the Kings Beach Commercial Core Improvement Project. He commended Utility Operations Crews for the numerous Underground Service Alert (USA) locations required for the project. Mr. Begin noted that he is working to complete the draft budget for his department which will be presented to the Board in May for the 2014/2015 Fiscal Year. He also advised the Board that the Park Well is down but is expected to be operational soon after repairs are made to a damaged shaft. Director Daniels noted that unaccounted for water is decreasing every year, and Utility Operations Manager Begin responded that this was due to repairs and capital projects authorized by the Board.

### **NEW BUSINESS**

#### **Approve Use of Sewer Reserve Funds for Ancillary Projects related to Base Facilities construction**

- 1. Base Facilities Site Design (#1008)**
- 2. Base Facilities BMP's (#1408)**
- 3. Park Maintenance Building (#1430)**

EOM Stelter noted that this item had been brought before the Development and Planning Committee (Directors Lewis and Ferrell) at their meeting on April 1<sup>st</sup>, and that it is recommended by the Committee. Director Thompson confirmed separation of the Park Maintenance Building from the Base Facilities construction. Director Bergmann

asked about the cost of the Park Maintenance Building, and was advised that the cost presented is an estimate at this time.

**MOTION: Director Bergmann moved to approve the use of sewer reserve funds in the amount of \$733,120 for ancillary projects related to the Base Facilities construction. Upon second by Director Ferrell, the motion carried unanimously (5-0).**

**PUBLIC FORUM (Reopened at 11:30 a.m.)**

KBCCIP Project Manager Dan LaPlante updated the Board about the project and addressed concerns the Board relayed regarding use of the Kings Beach State Recreation Area (KBSRA) parking lot. He noted that Q & D, and all contractors involved will utilize only the eastern entrance for the remainder of the project. Placer County contracted directly with the State of California for use of the eastern portion of the parking lot, and will occupy the area until project completion. The District Board advised that the agreement between Placer County and the State was something they were surprised by as they would have expected the District to be included in discussions as the manager/operator of the KBSRA.

Director Ferrell inquired about the time frame for work to be completed in front of the North Tahoe Event Center (NTEC) as it had been delayed from April to October, and presented issues about the disruption of operations at the NTEC. Mr. LaPlante and Q&D Construction Manager, Royal advised that the delay was unavoidable due to equipment necessary for the drainage improvements being unavailable. Director Bergmann wants to quantify lost revenue due to the project.

Alternate construction staging areas were discussed, including the upper bench of the North Tahoe Regional Park (NTRP). The Board directed Park and Facilities Manager Towner to work with Royal to see if an agreement for staging or storage space in the NTRP could be reached. The Board thanked Mr. Laplante and Royal for their presence at the meeting, and requested further communication regarding the project whenever necessary.

There being no further public present to address the Board on items not on the agenda, Public Comment was closed at 12:05 p.m.

**OLD BUSINESS**

**Base Facilities Update**

Base Facilities update was addressed previously during the Planning and Engineering Department Report. No further discussion was held.

**GENERAL MANAGER/CEO COMMENTS**

General Manager Schultz advised the Board that he was writing an open thank you letter to the community for their support and attendance at the Town Hall Meeting held on March 20<sup>th</sup>, and will provide an update to events taking place since the meeting.

**BOARD OF DIRECTORS COMMENTS**

No comments were made by the Board of Directors.

## **CORRESPONDENCE**

Correspondence was reviewed. After discussion, the Board took action to nominate Director Daniels as a candidate for Special District Representative for Placer County LAFCO.

1. Call for Special District Representative Nomination for Placer County Local Agency Formation Commission (LAFCO)
2. Placer County LAFCO Preliminary Budget for Fiscal Year 2014-2015
3. Correspondence from Placer County Department of Public Works commending District Staff for field work on Kings Beach Commercial Core Improvement Project

**MOTION: Director Bergmann nominated Director Daniels for Special District Representative for Placer County LAFCO. Upon second by Director Thompson, the motion carried unanimously (5-0).**

## **CLOSED SESSION**

There being no further business to be brought before the Board of Directors, the meeting was adjourned to Closed Session at 12:17 p.m. in order to discuss Closed Session Items 4 and 5.

## **OPEN SESSION**

The Board reconvened into Open Session at 1:02 p.m. and announced that the Board had directed General Manager Schultz to write letters to State Parks and Placer County regarding the Kings Beach State Recreation Area and the Firestone Property, respectively.

## **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at 1:05 p.m.

Marianne J. Potts  
Board Secretary