

**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**

Tuesday, August 13, 2013

CALL TO ORDER/ESTABLISH QUORUM

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday, August 13, 2013 at the North Tahoe Event Center in Kings Beach, California. President Lewis called Closed Session to order at 8:30 a.m. Present were Directors Bergmann, Daniels, Ferrell, Thompson and President Lewis. The full Board was present establishing a quorum.

CLOSED SESSION AGENDA

Pursuant to Government Code, the Board of Directors held a closed session to discuss the following listed items. All references are to the Government Code.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Discussion pursuant to subdivision (a) of Section 54967.9. 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 54967.9. Name of case: Equal Employment Opportunity Commission (EEOC) Charge: Christopher Cannizzaro v. North Tahoe Public Utility District
3. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
Discussion pursuant to subdivision (b) of Section 54956.9. Number of cases: One (1)
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 Parties: State of CA. Under Negotiation: Terms of Agreement.
5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Discussion pursuant to Section 54956.8. Property: “Stoker Property” – APN 090-121-010, -011, -026, -027, 090-122-030, -031, -033, and -034, and “Firestone Property” Assessor’s Parcel Nos. 092-010-040, -041, -042, and 093-010-037, -038, -039. Agency Negotiator: General Manager Schultz. Under Negotiation: Terms of Agreement.

President Lewis called Open Session to order at 10:04 a.m. President Lewis reported that no action was taken by the Board during Closed Session.

PLEDGE OF ALLEGIANCE

Director Daniels led the Pledge of Allegiance.

Staff in attendance included General Manager/CEO Schultz, Chief Financial Officer Marple, Parks and Facilities Manager Long, Engineering and Operations Manager Stelter, Utility Operations Manager Begin, Contract Administrator Butterworth, Contracts & Planning Coordinator Gibbons, Technology and Public Information

Administrator Emmerich, and Executive Assistant/Board Secretary Potts. Counsel Eskind was also present.

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

PUBLIC FORUM (10:05 a.m.):

There being no unagendized items brought before the Board of Directors by members of the public, Public Forum was closed at 10:06 a.m.

CONSENT CALENDAR: The following consent calendar items were presented for approval. Director Bergmann noted conflicts with accounts paid and payable. Director Daniels asked for specifics of the “not to exceed” bid amount being requested for Item #4. All items remained on the consent calendar.

1. Approve Accounts Paid and Payable for the period from July 9, 2013 through August 12, 2013.
2. Approve Minutes of the July 9, 2013 Regular Board Meeting and July 12, 2013 Special Board Meeting
3. Approve Budget Adjustment in the Amount of \$13,359 and Authorize General Manager to File Notice of Completion for Brook Avenue Sewer Main Replacement Project (#1022)
4. Award Bid and Authorize General Manager to Execute Agreement for Tahoe Vista Recreation Area Lakeside Basin Repairs to the Lowest Responsive and Responsible Bidder for a Not to Exceed Amount of \$70,000 (#1422)
5. Approve Budget Adjustment in the Amount of \$96,000, Award Bid, and Authorize General Manager to Execute Agreement for Minnow Water Main Replacement Project to the Lowest Responsive and Responsible Bidder for a Not to Exceed Amount of \$270,000 (#1421)

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

MANAGEMENT TEAM INFORMATIONAL UPDATES

Accounting Department Report

a. Review and Discuss Monthly Financial Statement through June 2013

b. Treasurer’s Report

Chief Financial Officer (CFO) Marple responded to President Lewis’ inquiries regarding the Treasurer’s Report. Director Daniels noted that the 2013-2014 Fiscal Year Budget was completed by the Accounting Department, and President Lewis commended staff for the success in meeting budget requirements for the 2012-2013 Fiscal Year. Director Bergmann noted CFO Marple’s conservative nature in creating the District budget.

Planning and Engineering Department Report

Engineering and Operations Manager (EOM) Stelter presented his report, updating the Board on current projects including the Dollar Pump Station Rehabilitation Project and associated pump replacement which will be installed in early September, and New Base Facilities which are scheduled to begin construction on May 1, 2014. PEM

Stelter noted that the annual work necessary for the Community Facilities District 94-1 (CFD) was completed, and commended Contract and Planning Coordinator (CPC) Gibbons. Kings Beach Commercial Core Improvement Project (KBCCIP) is out to bid from the County, but work will not begin this year. He stated that the cooperative agreement with Placer County is nearly complete, and we will capture economics of scale by coordination of the District's work with the KBCCIP. EOM Stelter noted that correspondence had been recently sent by the District to Brockway Homeowners Association regarding the Brockway Hot Springs Auxiliary Water System advising them of a potential for cross connection contamination. Current State requirements disallow this connection which could introduce cross contamination into the District's public water supply. SCADA telemetry problems are being resolved with GIS and SCADA Systems Engineer Berry addressing the issues. President Lewis requested that Mr. Berry presents recent changes made to the SCADA System to the Board at an upcoming meeting. CPC Gibbons thanked Customer Service Representative Colburn for her assistance with the CFD materials required for submittal to Placer County. She invited the Board and all interested parties to attend a Sustainable Landscape Workshop at the North Tahoe Event Center on August 20th.

OLD BUSINESS

10:15 A.M.: Designate Location for Dog Park in the North Tahoe Regional Park

Dog Day in the Park Board member, Pam Berger thanked the District for partnering with Dog Day for the first off leashed fenced dog park on the North Shore. She stated that she would like the park to be built by 2014, and noted that tourism has changed over the last several years with 50% of households owning pets, and travelers bringing their pets with the on vacations. She addressed completion of the project in phases allowing for continued fundraising. Ms. Berger noted a broad history of volunteerism, and reassured the Board of her ability to raise funds from Dog Day in the Park which is a 501(c)(3) nonprofit organization. First and second year profits were \$11,000, and \$16,000 respectively from the recent Dog Day in the Park fundraising events. Ms. Berger stated that designation of a location for the Dog Park is necessary so that she is able to obtain the funding needed to build it, and has several companies and groups who have offered to hold fundraising events such as local paddleboard operators, a brewpub, restaurants, Audi, and Incline Bowl. She presented petitions signed by local interested community members, and letters from local pet friendly lodging owners/operators requesting a dog park.

Several members of the public were present to address the Board of Directors regarding the dog park location. Linda Cruz, Kelli Borelli, Heidi Verkler, Ramona Cruz, and Meera Beser all spoke thanking the Board for offering two desirable locations, giving their analysis of which site is preferable, and citing the importance of this amenity at a tourist destination. In addition to the two sites considered by the District, Field 3 and the upper bench, they recommended additional areas for consideration such as the area in the park where the Park maintenance shed is located, and the area near the entrance to the Regional Park.

General Manager Schultz credited Engineering Manager Stelter with completing the plan and cost analysis for the two areas, noting that the evaluation of Field 3 and the upper bench is comparable to the greatest extent possible.

The Board began their discussion with Director Thompson stating that he is in full support of a dog park, and feels Field 3 is preferable because of the cost to build at that location, and asked the Board to decide how much they want Dog Day to pay and how much they are willing to fund from the District. He stated that he is concerned about safety of Field 3 for use for baseball or soccer due to mid-field rocks and mud, and it is the most affordable option for the dog park because of the access to nearby restrooms and parking with no road improvements necessary.

Director Bergmann expressed concerns about the volunteer organization's ability to raise the funds necessary for the dog park. He noted that he does not expect the Resort Association to fund this project. In the last two months, much has been allotted for the Kings Beach area, and he doesn't want grant funding from the Resort Association to be a fallback consideration. He asked the Board how much they are willing to designate toward their portion of the project. Director Bergmann expressed his concerns about the cost of the road to the upper bench, saying that it must be built before the dog park could be opened.

Director Daniels asked the other directors to consider the area near the maintenance shed as a preferred site because of access to parking, restrooms, water, and electricity noting that an ADA ramp would not be required on this flat area.

President Lewis stated that he is strongly in favor of upper bench, or down below the entrance to the Regional Park where Meera Beser suggested, and doesn't want to take Field 3 from its current users. He stated that he believed that the District should pay for basic road and parking lot to get to the upper bench, but the estimated cost being presented by staff was higher than he was willing to commit funds. Because the park trails connect to the upper bench, he believed the site would be ideal for a dog park. He stated that he would like to hold a public meeting before consideration of Field 3 because we would be changing the use of the field.

Former Park and Facilities Manager, Kathy Long stated that the District didn't consider the site Meera suggested because it is deemed residential with it being adjacent to residential properties, but could look at the lower area suggested by Director Daniels with equipment and tree removal, and demolition of the park shed. She also noted that the area next to shelter is watershed, and it was noted by Linda Cruz that the activity in the dog park would be detrimental to the dogs and other animals at the shelter.

A motion made by Director Ferrell to designate the area of the upper bench in the Regional Park as the dog park was seconded by Director Bergmann for discussion. Further discussion of sites, costs, and funding for the road necessary to place a dog park on the upper bench was held, with no specific direction or decisions made.

MOTION: Director Ferrell moved to designate the area known as the upper bench in the North Tahoe Regional Park as the preferred location for a dog park. Director Bergmann seconded the motion, and the Board voted (4-0) by roll call vote, with Director Thompson voting no.

NEW BUSINESS

11:15 A.M.: Request for Gratis Use of North Tahoe Event Center for Tahoe Community Thanksgiving 2013 on November 28, 2013

MOTION: Upon motion by Director Daniels and second by Director Thompson, the Board voted unanimously (5-0) to donate use of the building for the third annual Tahoe Community Thanksgiving with reimbursement to the District for employee expenses incurred.

Utility Operations Department Report

Utility Operations Manager (UOM) Begin presented the departmental report, and noted the new format. The Board of Directors reviewed the report. UOM Begin responded to inquiries about tasks completed year to date regarding FOG completed twice annually and in coordination with the cleaning of the "holiday" sewer lines. No further discussion was held on the reports.

NEW BUSINESS (Continued)

Request from Placer County for filming at Kings Beach State Recreation Area

General Manager Schultz advised the Board of the request from Placer County and noted that the State Lands Commission would have to approve.

OLD BUSINESS (Continued)

Authorize General Manager to Execute Task Order 003 with Psomas for GIS Services in the Amount of \$15,690

Engineering Manager Stelter described the work to be done by the work order, noting that it crossed the \$15,000 threshold for professional services, thereby requiring approval by the Board. He stated that this task order will bring the District to a great spot in coordinating GIS of District facilities with our asset management system. All new facilities will be added as installed or developed.

MOTION: Director Daniels moved to authorize the General Manager to execute Task Order 003 with Psomas for GIS Services in the amount of \$15,690. Upon second by Director Ferrell, the motion carried unanimously (5-0).

GENERAL MANAGER/CEO AND BOARD OF DIRECTORS COMMENTS

General Manager Schultz states that we completed interviews, extended offers for the positions of Park and Facilities Manager, and Park and Facilities Coordinator, with acceptance by both candidates who will begin on August 26th. He stated that both were strong candidates with good credentials for finance and grant writing experience.

Director Daniels thanked former Park and Facilities Manager Long for her work with District and wished her good luck in retirement.

President Lewis thanked Mr. Huelle, in attendance, for his input during the meeting.

GM Schultz stated that he would be bringing a draft facility naming policy to the Board for their approval after review and recommendation by the Recreation and Parks Committee.

ADJOURNMENT

The meeting was adjourned at 12:15 p.m.

Marianne Potts
Board Secretary