

**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
October 13, 2009**

CALL TO ORDER

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday October 13, 2009 at the North Tahoe Event Center in Kings Beach, CA. President Lewis called the meeting to order at 9:00 A.M. Present were Directors Mooney, Bergmann, Ferrell, and President Lewis. A quorum was established.

A. CLOSED SESSION AGENDA

The following was discussed in Closed Session. Director Mooney recused himself from Item A1.

- 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 – POTENTIAL LITIGATION Discussion pursuant to subdivision (b) of Section 54956.9: California State Lands Commission and Signage at Speedboat Beach**
- 3. CONFERENCE WITH LEGAL COUNSEL – REAL PROPERTY NEGOTIATIONS. Discussion pursuant to Section 54956.8: Assessor’s Parcel Numbers 090-122-030, -031, -033, -034 and 090-121-010, -011, -026 and -027**

B. ROLL CALL/PLEDGE OF ALLEGIANCE

President Lewis convened Open Session at 10:03 AM. No action was reported from Closed Session.

ROLL CALL: Present were Directors Mooney, Bergmann, 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, Accountant Rosenthal, Engineer Taylor and Executive Assistant Lefrancois. 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. TIMED ITEMS

1. PUBLIC COMMENTS

There were no comments on items not on the agenda.

2. Resolution 2009-21 (Item E5)

Phoebe Bell, Program Officer of the Truckee Tahoe Community Foundation, narrated a Power Point presentation about “Speak Your Peace, The Civility Project,” which asks community members to sign off on nine tools outlining rules for civil participation at public meetings.

E. CONSENT CALENDAR

Director Mooney asked that Items E3, 4, 6, and 8 be removed for discussion.

Director Bergmann asked that Items E1, 5,7, and 9 be removed for discussion.

Clarification on these items was provided. Items E6 and E8 were removed to be voted on separately.

ACTION: Staff was asked to see if the licensing referred to in Item E9 is transferable.

ACTION: Motion was made by Director Bergmann, seconded by Director Mooney, and carried by Roll Call Vote approving the Consent Calendar with the removal of Items E6 and E8. Director Bergmann abstained from voting on the payment to All Weather Roofing in Item E1 and Directors Bergmann and Mooney abstained from voting on conflicts of interest noted on the Accounts Paid and Payable.

1. Accounts Paid in the amount of \$302,244.97 and Payable in the amount of \$346,849.49 for the period from September 8, 2009 to October 13, 2009
2. Minutes of the September 8, 2009 Regular Board Meeting
3. Adopt North Tahoe Public Utility District Main Sewer Pump Station Master Plan
4. Authorize Capital Purchase Budget Adjustment for Replacement of 5-Yard Dump Truck
5. Adopt Resolution 2009-21 Accepting the Nine Tools of Civility to Encourage Public Participation at Public Meetings (Timed Item D-2)
7. Authorize Sale or Appropriate Disposal of Surplus Items
9. Approve Budget Adjustment for District Computer Network Server

Item E6 – Adopt Resolution 2009-22 Accepting \$300,000 Grant from the California Department of Boating and Waterways for the Tahoe Vista Recreation Area Parking Lot

Director Mooney feels that a financial plan for maintenance at Tahoe Vista Recreational Area (TVRA) needs to be developed before the project is continued. Discussion followed regarding the current status of the project and expectations from Phase I that parking requirements would be satisfied in Phase II.

ACTION: Motion was made by Director Ferrell, seconded by Director Bergmann, and carried by Roll Call Vote with Director Money voting no, to approve Item E6.

Item E8 – Authorize General Manager to Award Bid for Tahoe Vista Recreation Area Dredging to the Lowest Responsive and Responsible Bidder

The Board considered the timing of the proposed dredging and the pros and cons of dredging this fall instead of in the spring. This item was tabled to a later meeting.

F. MANAGEMENT TEAM INFORMATIONAL UPDATES

1. Chief Financial Officer

a. Review and Discuss Monthly Financial Statement through August 2009

Line items, specifically with regard to the Parks Department and North Tahoe Event Center, were reviewed.

b. Treasurer Report

There were no questions or comments

2. Parks and Facilities Manager

a. Draft Minutes of September 23, 2009 Recreation and Parks Commission Meeting

Parks and Facilities Manager Long reported on the recent Disc Golf Tournament and the installation of Active Net software at the Event Center.

3. District Engineer

The Board considered the visual impact and access to the Zone 1 Water Tank. Staff was asked to consider alternate alignments.

4. Utility Operations Manager

Utility Operations Manager reviewed a report from the Passive Leak Monitoring System and explained how the new system generates reports and what data can be provided. The Board asked for a report on the

use of carbon versus chlorine. Planning and budgeting for ongoing maintenance of District facilities were discussed.

G. CORRESPONDENCE

The Board reviewed all correspondence and gave direction on responding.

H. GENERAL MANAGER/CEO COMMENTS

1. Stoker Property – Tahoe Truckee Sanitation Agency (TTSA) Permits. Discussion and possible action.

The opinion from Counsel Eskind included in the Board packets was reviewed. No action was taken.

2. Carnelian Bay Sewer Damage Report 9/29/09

General Manager Aaron explained the pipe puncture and quick repair response. Discussion followed regarding possible effects of the puncture and the claim being submitted for repair costs of mutual aid from neighboring agencies.

3. Engineering Reorganization

General Manager Aaron announced the resignation of Chief Engineer Goebel. The Development and Planning Committee is considering options to bridge the gap for the next six months until the position is filled.

I. BOARD OF DIRECTOR'S COMMENTS

Director Bergmann reviewed the comments he has received about the Recreation survey. There may be confusion that facilities are closing. It was agreed that the intent of the survey, which is merely to gather information, needs to be clarified.

President Lewis praised staff on the way the recent Carnelian Bay sewer emergency was handled.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:07 P.M. The next scheduled meeting of the North Tahoe Public Utility District Board of Directors is Tuesday, November 10, 2009 at 9:00 A.M.

Respectfully submitted,
Judy Friedman, Recording Secretary
THE PAPER TRAIL SECRETARIAL & BUSINESS SOLUTIONS