

**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, December 11, 2012**

**CALL TO ORDER/ESTABLISH QUORUM**

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday, December 11, 2012 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. A quorum was established.

**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. LABOR NEGOTIATIONS – Agency Negotiators: General Manager Schultz, Human Resources Specialist Keechler, Planning and Engineering Manager Stelter, and Chief Financial Officer Marple. Under Discussion: Public Employees Pension Reform Act (PEPRA). Discussion pursuant to Section 54957.6.
2. 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.
3. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION Discussion pursuant to subdivision (b) of Section 54956.9. Number of cases: Two (2)
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. REAL PROPERTY DISCUSSION/NEGOTIATIONS – Discussion pursuant to Section 54956.8. Property: Stoker Property (APN's 090-121-010, 11, 26, 27 and 090-122-030, 31, 33, 34). Under Negotiation: Decision regarding Possible Sale of Property.

President Lewis reported that action was taken by the Board during Closed Session on Items 1 and 4 as follows:

**(1) MOTION: Director Bergmann moved to approve a two year extension of Memorandum of Understanding with IUOE Stationary Engineers Local #39 through June 30, 2015, which will allow for clarification of PEPRA before contract expiration, with an annual cost of living adjustment (COLA) range between 2% to 3.5% based on the Western States Consumer Price Index, All Urban Consumers, May Data. Upon second by Director Daniels, the Board voted unanimously (5-0) to approve the agreement.**

**(4) MOTION:** Director Ferrell moved to authorize General Manager to proceed with an appraisal of the property known as Stoker Property, and offer it for sale inclusive of all parcels at the current value to interested parties, including the California Tahoe Conservancy, Joseph Huelle, and the Tahoe Expedition Academy. Upon second by Director Thompson, the Board voted unanimously (5-0) to approve the motion.

#### **PLEDGE OF ALLEGIANCE**

President Lewis called Open Session to order at 9:30 a.m. Director Daniels led the Pledge of Allegiance.

Staff in attendance included General Manager/CEO Schultz, Chief Financial Officer Marple, Parks and Facilities Manager Long, Planning and Engineering Manager Stelter, Construction Administrator Butterworth, Contracts and Planning Coordinator Gibbons, Executive Assistant Emmerich, Human Resources Technician Keechler, and Board Secretary Potts. Counsel Eskind was also present.

**REVIEW OF AGENDA:** Consent Calendar Item #3 was removed from the agenda as the motion for approval of a two year extension of the MOU had been made in Closed Session, and announced at the beginning of the Open Session.

New Business Item #3 was added to the agenda because the item needed consideration and action. A Board Report regarding Health Insurance Coverage for the Board of Directors through Stationary Engineers Health and Welfare Plan had been included in the packet, but was left inadvertently off the agenda due to clerical error.

**MOTION:** Director Ferrell moved to add Item #3 under New Business to the agenda for Consideration of Extending Health Insurance Coverage to the Board of Directors from the Stationary Engineers IUOE Local 39 Health and Welfare Plan. Upon second by Director Daniels, the motion carried unanimously (5-0).

#### **ADMINISTRATION OF OATH OF OFFICE:**

North Tahoe PUD Seat 1 – It was noted that newly elected Director Phil Thompson took his Oath of Office on Friday, December 7, 2012 administered by Board Secretary Potts at the District's Administrative Office in Tahoe Vista.

North Tahoe PUD Seats 2 and 5 – Reelected Directors Tim Ferrell (Seat 2) and John Bergmann (Seat 5) were administered the Oath of Office by Board Secretary Potts at the meeting.

Staff and other Board members congratulated the three Directors on their recent election to office.

**PUBLIC FORUM (9:40 a.m.):** No public members were present to address the Board under Public Forum, and President Lewis closed the Public Forum at 9:40 a.m.

**CONSENT CALENDAR:** The following consent calendar items were presented for approval. Items #3 and #6 were removed from the Consent Calendar.

1. Approve Accounts Paid in the amount of \$247,459.27, and Payable in the amount of \$187,540.65 for the period from November 13, 2012 through December 10, 2012, with abstention by Director Bergmann due to a conflict noted in the amount of \$635.77.
2. Approve Minutes of the November 13, 2012 Regular Board Meeting and the November 19, 2012 Special Meeting.
3. Approve Two Year Extension of Memorandum of Understanding with IUOE Stationary Engineers Local #39, and Authorize General Manager to Execute Agreement through June 30, 2015 (Removed from Consent Calendar and voted upon separately).
4. Authorize General Manager to File Notice of Completion for the Dollar Hill 22" Force Main Repair (#1321).
5. Authorize General Manager to Execute Engagement Letter with Damore Hamric and Schneider, Inc. for Audit of the District's Money Purchase Pension Plan for Year Ended December 31, 2012.
6. Authorize Changes to the Memorandum of Understanding with the Tahoe City Public Utility District regarding Joint Sewer Facilities (Removed from Consent Calendar and presented as informational report to Board).
7. Approve Over-Hire of Water Quality Technician Position for Training Purposes.

**MOTION: Director Daniels moved to approve Items 1, 2, 4, 5, and 7 on the Consent Calendar, with the noted conflicts within Accounts Paid and Payable for Director Bergmann. Upon second by Director Thompson, the motion carried unanimously by Roll Call Vote (5-0).**

## **MANAGEMENT TEAM INFORMATIONAL UPDATES**

### **Management Services Department Report**

#### **a. Review and Discuss Monthly Financial Statement through October 2012**

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

No discussion on the Financial Statement. President Lewis noted an increase of \$400,000 in cash available shown on the Treasurer's Report over the previous month.

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

Park and Facilities Manager (PFM) Long updated the Board on recent activities within the Park and Facilities Department. She reported that the tree lighting had been well attended by the local community. The Boys and Girls Club had contributed to the festivities with craft tables for the children, a photo opportunity with Santa, and homemade soup. The North Tahoe Business Association had provided hot chocolate, and music was performed by the North Tahoe Middle School Jazz Band. The District is currently working as a liaison with California Tahoe Conservancy and the North Tahoe Business Association to coordinate holiday lighting at District managed properties and gateways to the community. PFM Long is seeking marketing strategy from Sandy Hall, CEO of the North Lake Tahoe Resort Association to increase bookings at the Event Center. With regard to the Kings Beach Commercial Core Improvement Project (KBCCIP) PFM Long noted that if income at Coon Street is significantly down, the District can seek reimbursement for the loss through Placer County.

## **Planning and Engineering Department Report**

Planning and Engineering Manager (PEM) Stelter addressed the Board on District projects being wrapped up at Tahoe Vista Recreation Area, Brook Avenue, Dollar Hill (force main repair), and the Zone 1 Water Storage Tank. He stated that he is meeting with Placer County representatives regarding the KBCCIP and working through sewer and water conflicts, and the development of storm water treatment vaults within the project area. PEM Stelter noted a delay in receiving steel needed for the base covered parking for emergency equipment, and Director Thompson expressed concerns about the structure not being adequate to prevent snow building up on the vehicles, and he noted that walls could be constructed at little expense to the District. PEM Stelter stated that a curtain could be erected on the windward side of the structure, and the District could reassess this concern after winter.

## **Utility Operations Department Report**

Utility Operations Manager Begin (UOM) invited the Board members to go on a tour of District facilities. He took newly elected Director Phil Thompson to all major District sites, including water tanks, sewer pump stations and satellites, and the National Avenue Water Treatment Plant. The Board stated that they would like to visit the Dollar Pump Station prior to next year's renovations. Director Daniels recommended that all Board members go on a facility tour to locations they haven't yet had an opportunity to visit. UOM Begin responded to President Lewis' questions about routine maintenance schedules for wet well cleaning, alarm testing and routine cleaning at sewer stations and satellites.

## **OLD BUSINESS**

### **Base Facilities Update**

Construction Administrator (CA) Butterworth informed the Board that the architect is currently working with the modular building plant to finalize changes made in response to District input, and plans should be ready for submittal by March. President Lewis recommends that the District considers hiring a planner to submit the plans and follow up with outside plan review instead of going through the plan review process with Placer County. He requested that Directors Ferrell and Thompson tour other modular facilities for considerations of quality and longevity. Director Thompson stated that he would particularly like to inspect older modular buildings (20+ years) locally, or in a similar geographic location with severe weather conditions.

## **NEW BUSINESS**

### **Authorize Budget Adjustment for HVAC Repairs at the North Tahoe Event Center**

PFM Long advised the Board on repairs needed for the HVAC system at the North Tahoe Event Center, and the transfer from reserves to cover the unbudgeted expense.

**MOTION: Director Ferrell moved to authorize the budget adjustment for HVAC repairs. Upon second by Director Daniels, the motion carried unanimously (5-0).**

### **Consider Claim against District for Damages at 8769 Trout Avenue due to Sewer Backup in Home owned by Jennifer Hall**

Human Resources Specialist (HRS) Keechler presented the claim, and asked the Board to deny the claim in order to turn it over to the District's liability insurance carrier.

**MOTION: After discussion, Director Thompson moved to deny the claim. Upon second by Director Daniels, the motion carried unanimously (5-0).**

**Consideration of Extending Health Insurance Coverage to the Board of Directors from the Stationary Engineers IUOE Local 39 Health and Welfare Plan**

HRS Keechler presented a recent offer to cover the Board of Directors on the same plan as the District employees made by the Local 39 Health and Welfare Plan. The Union offered to waive the 80 hour monthly work requirement for the Directors, and HRS Keechler advised that the plan would offer significant savings to the District.

**MOTION: After discussion, Director Ferrell moved to authorize the General Manager to execute a contract with Stationary Engineers Local 39 for health, dental, and vision coverage for the Board of Directors. Upon second by Director Bergmann, the motion carried unanimously (5-0).**

**BOARD ORGANIZATIONAL MATTERS**

**Set Regular Board Meeting Dates, Time, and Location for 2013**

The Board affirmed by consensus that the meeting dates, time and location will remain the same for 2013, being the second Tuesday of each month at 8:30 a.m. at the North Tahoe Event Center, 8318 North Lake Boulevard, Kings Beach, CA. The January meeting, however, was set for the third Tuesday of January (January 15, 2013).

**Selection of Officers for 2013**

Discussion was held, and motion was made to keep Director Lewis as President for 2013, Director Bergmann as Vice-President, and elect Director Daniels as Secretary.

**MOTION: Director Thompson moved to elect District officers for 2013 as noted above. Upon second by Director Daniels, the motion carried unanimously (5-0).**

**Committee Assignments**

**MOTION: After discussion, Director Daniels moved for standing Committee assignments as follows. Upon second by Director Ferrell, the motion carried unanimously (5-0).**

**2013 Committee Assignments**

- Finance Committee – Directors Bergmann and Daniels
- Development and Planning Committee – Directors Ferrell and Lewis
- Recreation and Parks Committee – Directors Daniels and Thompson
- Personnel Committee – Directors Ferrell and Thompson
- Tahoe Truckee Sanitation Agency (TTSA) Representative – Director Lewis with Director Daniels acting as alternate if allowed by TTSA
- Placer County Redevelopment Department – Director Lewis, with Director Daniels appointed as alternate.

## **GENERAL MANAGER/CEO COMMENTS**

General Manager Schultz thanked the Board for approving that the District offer them health insurance through the Local 39 Health and Welfare Plan noting that it will provide for considerable savings.

## **BOARD OF DIRECTORS COMMENTS**

President Lewis stated that it is a pleasure to sit on this Board of Directors, thanked staff for their hard work and success in 2012, and stated that although the Directors sometimes had differing opinions, they all keep the community first. He congratulated each of the Board members for their professional manner. He welcomed Director Thompson to the Board at his first meeting as a Director.

The Board also discussed the need for more community outreach and requested that staff work with the local schools, noting that Earth Day in April might be a good time to engage students in a facility tour of the National Avenue Water Treatment Plant.

Director Bergmann noted that he had been approached by community members about a dedication ceremony, and placing a plaque at the tennis courts in memory of George Gallante and his selfless efforts in teaching tennis in the Regional Park. Discussion continued that this would be best handled by the community and the District could help by accepting donations toward the dedication into the Friends of the Park fund.

Director Daniels recommended that all Board members take a tour of the facilities, and thanked staff for a productive year.

President Lewis repeated a recent comment made by former General Manager Hassenplug, and thanked staff again for their dedication to their jobs, and for representing the District in a highly professional manner. He credited the important relationship needed to communicate the District's needs to the Board in order for them to make the best possible policy decisions.

## **ADJOURNMENT**

There being no further business to be considered by the Board, the meeting adjourned at 11:45 a.m.

**Marianne Potts**  
**Board and Records Secretary**