

**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
February 9, 2010**

CALL TO ORDER

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday February 9, 2010 at the North Tahoe Event Center in Kings Beach, California. President Lewis called the meeting to order at 8:30 A.M. Present were Directors Mooney, Bergmann, Daniels, 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. Cases: One

B. ESTABLISH QUORUM/PLEDGE OF ALLEGIANCE

President Lewis convened Open Session at 9:17 A.M. There was no reportable action from Closed Session.

ROLL CALL: Present were Directors Mooney, Bergmann, Daniels, 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, Engineering Administrative Assistant Gibbons, Sr. Financial Analyst Rosenthal, Executive Assistant Lefrancois, and Board & Records Secretary Potts. 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. PUBLIC PRESENTATIONS

1. 9:15 A.M. Boys and Girls Club of North Lake Tahoe: Annual Report

Isabelle Wilson, Executive Director of the Boys and Girls Club of North Lake Tahoe, presented the Club's Financial Report, the 2007/08 Annual Report, and Draft 2008/09 Annual Report. Discussion followed regarding the funds the Club receives from the North Tahoe Public Utility District, how the funds are used, the results of the recent opinion survey, and options for future funding.

2. 10:45 A.M. Utility Operations Manager Hopkins: Maintenance Worker II, Jason Dicey, Collections System Person of the Year by California Water Environment Association (CWEA)

Utility Operations Manager Hopkins introduced Maintenance Worker II Dicey and described Mr. Dicey's work and commitment to his position that led to being awarded this honor.

3. 11:00 A.M. Park and Facilities Manager Long: Recreation and Parks Commission Snow Fest Pancake Breakfast

Park and Facilities Manager Long announced the Pancake Breakfast is March 13, 2010 and introduced Jennifer Pomales, the Department's intern who is coordinating the event. Details of the breakfast were discussed and volunteers were requested to help that day. The Recreation Commission recommended the Breakfast be a benefit for the Youth Trust Fund, but the Board asked if the funds could be earmarked for the new playground. ACTION: Park and Facilities Manager Long will work with the Recreation and Parks Commission to determine the best use of revenue from the Pancake Breakfast.

E. TIMED ITEMS:

1. PUBLIC COMMENTS

Marshall Tuttle, owner of Rustic Cottages in Tahoe Vista, addressed the Board regarding Godfern Avenue. ACTION: Staff will meet with Mr. Tuttle.

2. 10:30 A.M. – Item H. NEW BUSINESS #1. Request for Appeal of Water Overage Charges for Holiday House APN 117-110-019

F. CONSENT CALENDAR

ACTION: Motion was made by Director Daniels, seconded by Director Bergmann, and carried by Roll Call Vote approving the Consent Calendar items as follow. Directors Mooney and Bergmann abstained from voting on conflicts of interest noted on the Accounts Paid and Payable.

- 1. Accounts Paid in the amount of \$244,055.37 and Payable in the amount of \$239,431.09 for the period from January 19, 2010 to February 8, 2010**
- 2. Minutes of the January 19, 2010 Regular Board Meeting**
- 3. Authorize Budget Adjustment to Fund 18 – Facilities, for Work on District Buildings and Facilities**
- 4. Adopting Ordinance No. 379 Updating Park and Facilities Fees**
- 5. Adopt Resolution 2010-02 Authorizing General Manager to Send Letters of Support to Obtain Federal Grant Funds for Water Infrastructure Projects for Improvement of Fire Suppression Capability within the Lake Tahoe Basin**
- 6. Adopt Resolution 2010-03 Authorizing General Manager to Apply for Grant for Fuel Reduction Program through California Fire Safe Council**
- 7. Authorize General Manager to Execute Amendment No. 1 to the Annual Snow Removal Maintenance Services Contract**

G. MANAGEMENT TEAM INFORMATIONAL UPDATES.

1. Chief Financial Officer

a. Review and Discuss Monthly Financial Statement through December 2009

b. Treasurer Report

The Board reviewed the reports submitted.

2. Parks and Facilities Manager

Park and Facilities Manager Long presented her report.

a. Draft Minutes of January 27, 2010 Recreation and Parks Commission Meeting

3. District Engineer

Engineering Administrative Assistant Gibbons presented the Engineer's Report and addressed upcoming Placer County projects that may have an impact on the District budget.

4. Utility Operations Manager

There were no questions from the Board regarding Utility Operations Manager Hopkins' report.

H. NEW BUSINESS

1. Request for Appeal of Water Overage Charges for Holiday House APN 117-110-019

Alvina Patterson, owner of the Holiday House and Laundromat asked for credit on her water bill for excess usage and late fees. Correspondence and background regarding this issue was included in the Board packets and additional materials were distributed by Ms. Patterson at the meeting. Discussion followed.

ACTION: Motion was made by Director Mooney, seconded by Director Ferrell, and carried by a vote of 4-1 with Director Daniels opposing, to deny the request of reducing the water charges for excess usage.

Ms. Patterson requested relief from late charges and interest. Discussion followed.

ACTION: Motion was made by Director Bergmann, seconded by Director Daniels, and failed by a vote of 2-3, with Directors Mooney and Ferrell and President Lewis opposing, to maintain the original penalty fee of \$30.80 and waive the incremental fees.

ACTION: Motion was made by Director Ferrell, seconded by Director Mooney, and carried by a vote of 3-2 by with Directors Bergmann and Daniels opposing, to deny the request to reduce the late charges and penalties.

Ms. Patterson announced her intention to continue this issue in a court of law.

I. CORRESPONDENCE

The Board reviewed all correspondence.

J. GENERAL MANAGER/CEO COMMENTS

General Manager Aaron commended District employees, Maintenance Technician Jim Schneider and Maintenance Worker II Ken Fischer and presented letters of commendation being placed in their personnel files.

K. BOARD OF DIRECTOR'S COMMENTS

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 12:21 P.M. The next scheduled meeting of the North Tahoe Public Utility District Board of Directors is Tuesday, March 9, 2010 at 8:30 A.M.

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