

**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  
May 11, 2010**

**CALL TO ORDER**

The Regular Meeting of the North Tahoe Public Utility District Board of Directors was held on Tuesday May 11, 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.

**CLOSED SESSION AGENDA**

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Discussion pursuant to Government Code 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 Government Code Subdivision (b) (1) of Section 54956.9. Number of cases: Two

**ESTABLISH QUORUM/PLEDGE OF ALLEGIANCE**

President Lewis convened Open Session at 10:02 A.M. There was no reportable action taken in 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, Planning and Engineering Manager Paul Schultz, Planning and Contracts Coordinator Gibbons, Sr. Financial Analyst Rosenthal, Executive Assistant Lefrancois, and Board & Records Secretary Potts. Also present were Legal Counsel Eskind and Recording Secretary Friedman.

**REVIEW AGENDA**

The agenda was approved by affirmation. The Board reserves the right to take items out of order.

**PUBLIC PRESENTATION**

**1. Introduction of Planning and Engineering Manager**

General Manager/CEO Aaron introduced newly hired Planning and Engineering Manager, Paul Schultz.

**TIMED ITEMS:**

**1. 10:05 A.M. PUBLIC COMMENTS**

There were no comments on items not on the agenda.

**2. 10:10 A.M. Craig Hill of Northcross Hill and Ach to Present Public Financing Options**

Craig Hill of Northcross, Hill, Ach presented the options for financing Capital Improvement Projects. Discussion followed and there was consensus to submit an application in the fall of 2010 for a 15-year loan. Staff was directed to research the options supporting the Board consensus and present a proposal for Board review and approval.

## **PUBLIC HEARING – Zone 1 Water Storage Tank Project – Nichols Consulting to Present the Project for Public Comment.**

President Lewis opened the public hearing at 11:00 A.M.

Planning and Contracts Coordinator Gibbons read a letter from a resident, unable to attend the Public Hearing, who supported the project but lives in proximity of the project and expressed concerns about the visual impact to his property. Planning and Contracts Coordinator Gibbons introduced Amy Roberts of Nichols Consulting who presented the project overview, CEQA findings, and proposed schedule for the Zone 1 Water Storage Tank project.

The item was open for public comment.

Donna Greene, a resident on Canterbury, addressed the Board with her concerns related to the seismic safety of the new water tank.

As there were no further public members wishing to address the Board, Public comment was closed at 11:40 a.m.

Written comments can be submitted to Planning and Contracts Coordinator Gibbons. It is anticipated that permitting for the project will be considered by the Tahoe Regional Planning Agency (TRPA) Governing Board at their June or July meeting.

### **CONSENT CALENDAR**

Item #5 regarding a contract amendment with the California Tahoe Conservancy was discussed for clarification.

**ACTION: Motion was made by Director Daniels, seconded by Director Ferrell, and carried unanimously by Roll Call Vote approving the Consent Calendar as corrected.** (Item G4 stated that the Professional Services Agreement authorized on December 8, 2009 was with Nichols Consulting Engineering, Chtd. The PSA was authorized on that date with K.B. Foster Civil Engineering, Inc.) **Directors Mooney and Bergmann abstained from voting on conflicts of interest noted on the Accounts Paid and Payable.**

1. Approve Accounts Paid in the amount of \$194,699.94 and Payable in the amount of \$137,521.79 for the period from April 13, 2010 to May 10, 2010.
2. Approve Minutes of the April 13, 2010 Regular Board Meeting and April 27, 2010 Special Meeting.
3. Adopt Resolution 2010-08, A Resolution of the Board of Directors of the North Tahoe Public Utility District Adopting a Sanitary Sewer Management Plan.
4. a) Award Bid and Authorize General Manager to Execute Contract for Kingswood Waterline Replacement Project with Marques Pipeline, Inc. in an amount not to exceed \$1,255,794 and authorize a 10% contingency of \$125,579.  
b) Authorize Purchase Order in an Amount not to exceed \$1,381,373 to Marques Pipeline, Inc.  
c) Increase Capital Improvement Program Budget in Fund 39 Water Construction in the amount of \$1,381,373.
5. Authorize the General Manager/CEO to Execute Amendment to the District's Maintenance Agreement with the California Tahoe Conservancy to include the provision of Reservation Services at North Tahoe Beach.
6. Adopt Ordinance 381, An Ordinance of the Board of Directors of the North Tahoe Public Utility District Establishing Rental Rates for Tahoe Vista Recreation Area, Kings Beach Plaza, North Tahoe Beach and Picnic Areas at Tahoe Vista Recreation Area and Kings Beach State Recreation Area.

7. Authorize General Manager/CEO to File Notice of Completion for Tahoe Vista Recreation Area Dredging Project.
8. Designate Paul A. Schultz, P.E., as the District's Engineer of Record.
9. Adopt Resolution 2010-10, A Resolution of the Board of Directors of the North Tahoe Public Utility District Authorizing Transfer of Funds from Local Agency Investment Fund Account to the District's Bank of the West Account by Specified Individuals.
10. Award Bid and Authorize General Manager to Execute Contract for Secline Pump Modifications (#0943-SPMD) to Correa Construction in the amount of \$49,677 and authorize a 10% contingency. Authorize purchase order in the amount of \$54,645 to Correa Construction.

## **MANAGEMENT TEAM INFORMATIONAL**

### **1. Management Services Department Report**

#### **a. Review and Discuss Monthly Financial Statement through March 2010**

The Board reviewed the Financial Statement and specific items were clarified.

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

Staff was asked to provide a reserve fund balance report including encumbrances by fund.

### **2. Parks and Facilities Department Report**

#### **a. Draft Minutes of April 28th Recreation and Parks Commission Meeting**

Parks and Facilities Manager Long presented the Department's report.

### **3. Planning and Engineering Department Report**

Planning and Contracts Coordinator Gibbons presented the Planning and Engineering Department report. She updated the Board on current projects, as well as those scheduled for this summer.

### **4. Utility Operations Department Report**

Utility Operations Manager Hopkins presented his department's report.

## **NEW BUSINESS**

### **1. Intergovernmental Grant Administration Agreement with South Tahoe Public Utility District**

Planning and Contracts Coordinator Gibbons presented the request outlined in the Board packets, clarifying that the grant is for water projects only.

**ACTION: Motion was made by Director Bergmann, seconded by Director Mooney, and carried unanimously to authorize General Manager/CEO Aaron to execute an Intergovernmental Grant Administration Agreement with the South Tahoe Public Utility District. Further, to authorize the use of District Water Construction Fund 30 Capital Improvement Project Carnelian Bay West Water Main Replacement project as a match for the federal grant funding.**

## **OLD BUSINESS**

### **1. North Tahoe Regional Bike Trail – Discussion and Possible Board Direction**

Peter Eichar of the California Tahoe Conservancy (CTC) addressed the Board, explaining why CTC can no longer fund this project. The Board reviewed the alternatives presented in their packets. Larry Sevison, Board member of CTC, asked that the North Tahoe Public Utility District consider supervising construction of the project. Park and Facilities Manager Long clarified the District's relationship with EDAW, Inc. consultants on the project.

**ACTION: Motion was made by Director Bergmann, seconded by Director Daniels, and carried unanimously to authorize General Manager/CEO Aaron to terminate the Professional Services Agreement with EDAW, Inc. and request all materials and deliverables from the consultant. Further, to authorize General Manager/CEO Aaron to terminate the Collections Agreement with**

**the United States Forest Service and request all materials and deliverables from the consultant. Further to authorize General Manager/CEO Aaron to turn the task of obtaining environmental documents back to the California Tahoe Conservancy. The Board reaffirms that the District remains interested in supervising the construction and operating the bike trail if the environmental and funding hurdles can be crossed.**

## **CORRESPONDENCE**

The Board reviewed all correspondence.

## **GENERAL MANAGER/CEO COMMENTS**

### **1. Small Claims Court Update (Alvina Patterson)**

General Manager/CEO Aaron reported the complainant in the case prevailed.

### **2. Distribution of Draft Budget for Fiscal Year 2010-2011 for Board Review**

General Manager/CEO Aaron announced the Boys and Girls Club Jazz Breakfast fundraiser is June 5, 2010 at the Club. He also announced a reception for the Placer County Board of Supervisors scheduled for May 17, 2010 in Squaw Valley and encouraged the Board to attend. He also announced that a joint meeting with the Tahoe City Public Utility District Board of Directors will take place on May 25, 2010 at 8:00 A.M. in Tahoe City.

General Manager/CEO Aaron commended Planning and Contracts Coordinator Gibbons for taking the initiative for pursuing educational opportunities in her field, and thanked Executive Assistant Lefrancois for an excellent job in producing the recent newsletter.

## **BOARD OF DIRECTOR'S COMMENTS**

Director Daniels announced the arrival of her new grandchild.

## **ADJOURN**

There being no further business to come before the Board, the meeting was adjourned at 12:40 P.M.

The Board will hold a Budget Workshop on Tuesday, May 18, 2010 at 8:00 A.M. to review the Fiscal Year 2010-2011 Operating and Capital Improvement Program Budget. The next regularly scheduled meeting of the North Tahoe Public Utility District Board of Directors is Tuesday, June 8, 2010 at 9:00 A.M.

Respectfully submitted,

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