

REGULAR BOARD MEETING
APPROVED MINUTES

March 16, 2007

DIRECTORS PRESENT: President Lou Reinkens, Vice President Kelly Atchley
Directors Erik Henrikson, Dan Wilkins, and Ron Treabess

STAFF PRESENT: Bob Lourey, General Manager
Cindy Gustafson, Assistant General Manager
Jim Dykstra, Director of Accounting
Matt Homolka, Engineer
Tony Laliotis, Utilities Superintendent
Bob Bolton, Director of Parks and Recreation
Mike Sexton, Legal Counsel
Ginger Charlton, District Clerk

A. CALL TO ORDER – PLEDGE OF ALLEGIANCE

President Reinkens called the meeting to order at 8:30 a.m. Director Treabess led the audience in the Pledge.

B. AGENDA AMENDMENTS AND APPROVAL

1. Agenda Deletions, Changes and Audience Requests

There were none.

2. Additions to Agenda

There were none.

3. Approval of Agenda

Motion to approve the agenda: Atchley/Henrikson/5-0

C. PUBLIC FORUM

None.

D. FINANCIAL

All items covered under consent calendar.

E. PROJECTS

All items covered under consent calendar.

F. WATER AND SEWER UTILITIES

4. Award of Bid – Harbor Master Sewer Pump Station (HMPS) Project

Mr. Lourey introduced members of the audience who were attending for this item. Mr. Homolka explained the project and went over the bids. Mr. Sexton explained the bid protest and noted that Manito did comply with MBE/WBE requirements. Mr. Dykstra went over the project's budget and explained the financing. Mr. Homolka went over the timing for the various stages of the project and recommended approval.

Motion to approve: Henrikson/Atchley/5-0

6. Professional Services Agreement – HMPS Construction Management and Inspection Services with Nolte Associates, Inc.

Mr. Homolka explained the process that was used to select someone that could handle the inspections and who could run this complex project without overburdening staff. He went over all of the facets that would be handled by Nolte Associates, Inc. and recommended approval of the contract at not to exceed \$301,240. Mr. Lourey noted that how this agreement was handled was not inconsistent with the District's current policy. Board members expressed their concerns about the dollar amount of this item and wondered how the job would be handled if there were no money for this added expense. Director Atchley asked if it would be valuable for staff to document for future projects the fact that in order to do the item in-house, there would be a ripple affect and what the cost would be. That way the Board would be able to understand why an outsider is needed. Mr. Lourey said that many of these issues need to be looked at when revising the District's policies.

Motion to approve: Atchley/Henrikson/5-0

5. Professional Services Agreement – HMPS Design Engineer Construction Phase Services with Auerbach Engineering Corporation

Motion to approve: Wilkins/Atchley/5-0

7. Professional Services Agreement – HMPS Materials Testing Services with Kleinfelder

Mr. Homolka explained that Kleinfelder was chosen because they did all of the investigations for this project as a sub-consultant to Auerbach.

Motion to approve: Atchley/Henrikson/5-0

G. PARKS AND RECREATION

All items covered under consent calendar.

H. CONSENT CALENDAR

Director Reinkens asked to pull items 10-d and 10-e.

Motion to approve remaining consent items: Atchley/Wilkins/3-0 (2 Directors away from their seats)

8. Minutes – February 9, 2007; February 16, 2007
9. Finance Report
10. General Manager and Staff Reports
 - a. General Manager
 - b. Sewer and Water Report
 - c. Public Works Report
 - d. Parks Activity Report
 - e. Recreation Activity Report
 - f. Project Development Report
 - g. Assistant General Manager Report
 - h. District Engineer Report

Regarding item d, Director Reinkens asked to hear more about Rideout. He said that he is concerned about the six-month lease we have on Rideout and asked what has been accomplished. Mr. Bolton said that he held a Parks and Recreation Committee meeting last week to look at the status of Rideout and to establish temporary rates through July 31st. The rates have been kept low to get people to try using Rideout for their events. He reported that Sue Rae Ireland has been hired as a temporary consultant to help with requested programs from outside groups. Director Reinkens asked for a Rideout update at future meetings. Director Treabess asked if in-house staff could have been used instead of hiring Ms. Ireland. Staff noted that she has the enthusiasm, the necessary contacts, and immense knowledge of the community that would help her do the job quickly and efficiently. Staff would not have the necessary time to get the programs going in a timely fashion.

Regarding item e, Director Reinkens told Mr. Bolton that there is a huge pile of snow on the Sans Souchi bike trail. Mr. Bolton explained that there is a procedure in place for snow removal and the Parks Superintendent will handle it.

Motion to approve: Reinkens/Atchley/5-0

11. Approval of a Professional Services Agreement for the Evaluation of Alternatives and Preliminary Design for the Blackwood Pump Station Flood Protection Project with Auerbach Engineering Corporation

I. RESOLUTIONS/ORDINANCES

12. Resolution Requesting Park Dedication Fee Funding (portable stage and the re-design of the Lake Forest Boat Ramp floating docks)

Ms. Gustafson explained the need for Resolution #07-04 to request help with funding for the boat ramp repairs and the purchase of a new portable stage.

Motion to approve Resolution #07-04: Henrikson/Atchley/5-0 by roll call vote

J. GENERAL

13. Succession Planning and Leadership Development

Mr. Lourey explained the report included in the packet and assured the Board that progress is being made with the process both in succession planning and leadership development. He asked that the Board digest the report and then next month a closed session will be structured to discuss recruitment issues and to get direction from the Board. Director Wilkins said that since many of the strong managers are retiring he asked that the organization chart be looked at into the future. His philosophy is that although a recruitment process is a little more effort, it is usually good practice. That way if an in-house employee gets the position, it validates the choice. Director Atchley asked for Board members to be provided a copy of the org. chart before the April meeting.

14. General Correspondence

Mr. Sexton explained the letter from his office regarding the ACWA Legislative Committee that he serves on. It will be placed on the April agenda for action.

15. Reports

Mr. Dykstra reported that the audit is complete. He said that instead of holding the Finance Committee Meeting, he would like to have a Board workshop on March 30th at 8:00 a.m. to listen to the audit. Also, in April the Finance Committee packet will go out but there will be no meeting as Mr. Dykstra will be out of town.

Mr. Bolton reported on his recruiting efforts for a Parks position and a Recreation position. He reported that the Parks and Recreation float won the Community Spirit Award at Snowfest. He recognized Dusty Grawrock and Amy Bolton for all of the time that they volunteered on the project.

Mr. Lourey reported that North Tahoe Fire is focusing on the potential of building a new firehouse directly across the street from TCPUD. That will dislodge the snow dump area. Next month there should be an item on the agenda regarding the fire station and an MOU between TCPUD and NTFPD.

Mr. Sexton reported to the Board on how he works with individual staff members at TCPUD behind the scenes.

Ms. Gustafson reported that we are moving forward on the purchase of the portable stage. A joint-use policy is being prepared to ensure that although TCPUD will own it in title, it will be available for other agencies and organizations. She also reported that Debi Black has sent out the letter to restaurants regarding the ordinance passed in April. She will provide a copy of the letter to the Board. She noted that some community members may be surprised by it and Board members may get some phone calls.

K. DIRECTOR'S FORUM

16. Director's Comments

Director Atchley reported that on March 22nd the Placer County Redevelopment Agency and Tahoe City Marina folks will be in this room to talk about the parking structure. She also asked to have a discussion at some point on contracts. Her question is if there are two equally qualified folks to do a job, do we have a responsibility to the community to support the local economy?

L. MEETING REVIEW AND STAFF DIRECTION

17. Meeting Review

Mr. Lourey reported the following items for follow-up:

- *He will look at the technical consultant policy and prepare some drafts for the Board.*
- *LAFCO election materials will be placed in the next available agenda.*
- *ACWA Legislative Committee Representation will be placed on the April agenda.*
- *Homewood will be notified to get snow off the trails.*

M. GENERAL

18. Pursuant to Government Code section 54956.9 (c), the Board will meet in closed session with legal counsel to discuss whether to initiate litigation.

N. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
GOVERNMENT CODE SECTION 54956.9 (c) One potential case

19. The Board will meet to discuss whether, based on existing facts and circumstances, to initiate litigation

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
GOVERNMENT CODE SECTION 54956.9 (a)

20. TCPUD v. St. Francis Lakeside Homeowners Association

O. CLOSED SESSION REPORT

Legal Counsel reported out of closed session that with respect to item #19, the Board took no action to initiate litigation. With respect to item #20, Counsel updated the Board on the status of the litigation.

P. ADJOURNMENT

The meeting was adjourned at 10:25 a.m.

Kelly Atchley, Vice President

Ginger Charlton, District Clerk

Prepared by Ginger Charlton