

SPECIAL BOARD MEETING  
APPROVED MINUTES

October 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  
Tony Laliotis, Director of Utilities  
Bob Bolton, Director of Parks & Recreation  
Jack Beckman, Construction Project Manager  
Paul Minasian, Legal Counsel  
Ginger Charlton, District Clerk

**A. CALL TO ORDER – PLEDGE OF ALLEGIANCE**

*President Reinkens called the meeting to order at 5:00 p.m. Mr. Dykstra led the audience in the Pledge.*

**B. AGENDA AMENDMENTS AND APPROVAL**

1. Agenda Deletions, Changes and Audience Requests

*Director Reinkens said that item #11, Homewood Master Plan, would be moved up to before item #4 due to the presenter's schedule. Then item #5, Commons Beach, will happen right after that presentation, followed by item #4 (Rideout).*

2. Additions to Agenda

*There were no additions.*

3. Approval of Agenda

**Motion to approve the agenda as amended: Treabess/Wilkins/5-0**

**C. PUBLIC FORUM**

*There was no public comment.*

**D. FINANCIAL**

All items covered under consent calendar.

**E. PROJECTS**

All items covered under consent calendar.

**F. WATER AND SEWER UTILITIES**

All items covered under consent calendar.

**I. GENERAL**

11. Homewood Master Plan – JMA Ventures

*Art Chapman and Rick Brown gave a presentation to bring everyone up to date on their plans for Homewood.*

**G. PARKS AND RECREATION**

5. Activities on Commons Beach

*Bob Bolton explained that staff's recommendation is that the board continues support for the concerts at Commons Beach. He noted that copies of answers to the questions that Richard Mallett asked at a previous meeting regarding the Farmers Market were available on the back table. He then provided the board with information on the cost of getting a full permit from TRPA. Director Henrikson asked if a traffic study had been done for the concerts. An analysis is being done now on the numbers that were collected in August for the Farmers Market and the concerts. Ms. Gustafson noted that the sound analysis was done and came within the range of acceptability by the TRPA. Director Wilkins said that the questions that are being dealt with at this meeting are:*

- a. If we should request the permit from TRPA to allow concerts to occur at Commons Beach on a permanent basis?*
- b. What's the level of financial participation by the utility district to actually fund the concerts?*

*Director Reinkens asked for answers on hidden costs of the concerts such as employees working there.*

*Mr. Bolton went over the concert budget and explained all of the costs. Director Treabess said that he believes that concerts are a valid recreational program for the community and noted that part of the mission of the PUD is to provide recreational programs that strengthen the social well being of the community. Numerous community members voiced positive comments on the validity of having the concerts and Farmers Market at the beach. A couple of community*

*members voiced their opinion that the Farmers Market should be moved to a location that wouldn't affect traffic so much. Parking was the other issue that concerned some community members. Carol Arnold spoke to the board and audience on behalf of the farmers. She said that they have enough money for the permit and would like to try to help find solutions for the parking. Lolly Kupec noted that Blue Agave gave TCDA \$1,000 towards the fee for permitting the concerts.*

*Director Wilkins asked if there could be flexibility in times and dates for the Farmers Market from TRPA. Representatives from TRPA said that there is some automatic flexibility in the permit. Director Treabess said that the board needs to determine if these events are proper events for the utility district to be involved in. Director Henrikson asked how we're going to pay for this item and how is parking going to be enforced. He wants to be sure that enforcement does take place. Ms. Gustafson said that the district can augment the public information part of the program but we don't have parking enforcement personnel. Director Atchley noted that this issue is a conflict of interest for her and she can't speak on the issue*

**Motion to move ahead with the permitting process for both the Farmers Market and the concerts as long as the parking enforcement issue is handled: Treabess/Wilkins/4-0 (Director Atchley abstained)**

4. Current and Future Rideout Programs

*Mr. Bolton first updated the board on the two-year lease that is being worked on with the school district for Rideout. Site assessment and liability are the two areas that he is still working on. He discussed his concerns and said that he is hopeful that the lease can be on the next board meeting agenda for approval. Mr. Minasian explained the ramifications of the legal issues in the contract.*

*Rhonda Kreidler, the Rideout Program Coordinator, gave a slideshow on the current and future programs at Rideout. She introduced Dee Dee Driller, Teen Program Coordinator, who explained her position at Rideout. The board thanked Rhonda, Dee Dee and all involved staff for their efforts with Rideout. The board encouraged staff to look at all ways to optimize funding and help program grow.*

**H. CONSENT CALENDAR**

*Director Reinkens asked to pull item no. 6.*

**Motion to approve the remaining items: Treabess/Atchley/5-0**

6. Minutes – September 24, 2007  
September 27, 2007

*Director Reinkens asked to change the September 24<sup>th</sup> minutes, page 2, last paragraph, as follows:*

Water and sewer would drop 20% a year until it is nothing.

*It was determined that Director Reinkens had said water but meant water and sewer. The September 24<sup>th</sup> minutes will not be changed but the board has been advised of Director Reinkens intent.*

*Director Reinkens asked Mr. Lourey for clarification on what he said in the September 27<sup>th</sup> minutes, page 2, item 6, 1<sup>st</sup> paragraph, 8<sup>th</sup> line down, as follows:*

Mr. Lourey said that he isn't sure if our policy is outlined the way it should be since this system has a lot of steel pipe in it.

*Mr. Lourey explained that the sentence had to do with, if knowing that the entire distribution system would need to be replaced, should we proceed with an appraisal.*

*Director Treabess said that the first sentence in the last paragraph of page 3 doesn't make sense:*

Regarding item 9-c, Public Works Report, Director Reinkens asked what the California Department of Health Services working with DOHS to clarify water/sewer separation issues is all about.

*Mr. Lourey said that he would correct the statement. Upon listening to the tape, it was found that the statement was recorded word-for-word with what Director Reinkens said. The statement should have been:*

Regarding item 9-c, Public Works Report, Director Reinkens asked what the California Department of Health Services working with ~~DOHS~~ **TCPUD** to clarify water/sewer separation issues is all about.

**Motion to approve the minutes as noted: Reinkens/Atchley/5-0**

7. Finance Report
8. 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

9. Harbor Master Pump Station - Pay Estimate #6
10. Lakeside Trail II-B – Notice of Acceptance of Completion

**I. GENERAL**

12. NTFPD Property Owner Ballot

*Mr. Lourey explained that this item was placed on the agenda so that the board could indicate how the ballot should be cast. Director Henrikson asked why just one piece of property received a ballot instead of all the properties that the district owns. Mr. Dykstra said that the ballots may have been sent out only to properties on the property tax rolls. Mr. Minasian said that per formula the district would pay an assessment under Prop. 218 on each site. The board had many questions about the ballot and how it would affect the district so decided to table the vote at this meeting and request the fire chief to come to the next meeting and explain the issues in detail.*

13. General Correspondence

*There was no comment.*

14. Reports: Engineering Department, Finance Committee, Finance Department, Parks & Recreation Committee, Parks & Recreation Department, Pre-Agenda Committee, Risk Coordinator, Tahoe-Truckee Sanitation Agency, Water & Sewer Department

*Mr. Dykstra reminded the board that there will be a workshop on Friday the 19<sup>th</sup>.*

*Mr. Beckman said that he applied for and received one extension to the TRPA permit for grading on the Harbor Master project that still needs to be completed in the highway right-of-way.*

*Ms. Gustafson reported that in response to John Ballard's discussion, a letter was prepared to go out to the Timberland homeowners. The letter was not mailed at Mr. Ballard's request. Mr. Lourey said that the president of the homeowner's association said that the potential for them forming a mutual is very much alive.*

*Director Henrikson said that TTSA sent Teichert a letter in violation because they over-excavated and they had promised not to do that anymore. He asked if we have to do the SSMD plan since we have sewer line. Mr. Lalotis said that we do have to do the multi-year process.*

*Mr. Lourey reported that he gave a presentation to the Placer County Water Agency last week regarding the situation that we are faced with regarding the private water companies. At the conclusion of the discussion, he was very encouraged by their board's comments about their desire to work with us and*

*other water agencies on a revenue disbursement plan for their re-licensing of the Middle Fork. They directed their staff to start working with us as soon as possible to start laying out the revenue expenditure plan.*

*Director Treabess reported that new numbers were passed out at the Parks and Rec. Budget Committee meeting yesterday. Since they didn't get much of a chance to study the numbers, they requested another meeting next week to go over the recreation numbers with the Parks and Recreation Committee.*

## **J. DIRECTOR'S FORUM**

### **15. Director's Comments**

*Director Henrikson said that he was curious about how the Farmers Market and concert item got so blown out of proportion in the paper and community. He said that a lot of concerns with the events didn't get discussed tonight because the crowd inhibited comments that could be construed as negative. There was a discussion on comments that were made that caused concern in the community. Director Reinkens noted that this was really a program review. Many programs are reviewed annually but there hasn't been one on Commons Beach.*

*Ms. Gustafson said that she talked to Director Atchley about inviting the TCDA board to attend this meeting. A member of the TCDA board sent the e-mail that said to tell Kelly or Cindy how they felt about the Farmers Market. Many e-mails came in and the newspaper got involved. Director Atchley said that her e-mail to her board just said that the item was going to be on our agenda and that she would not be allowed to address the issue. The board discussed how parking enforcement could be done. It's the responsibility of the market to get it done but everyone is working as a team now and the team needs to help her figure out how to do the problem pieces. Director Wilkins warned that adding items at this time will make it more difficult when we're working on the rate structure and the budget. He said that we should be in a tread water mode in terms of staffing and cost increases until we figure out what's going on with the rate structure.*

*Director Treabess expressed his appreciation to Bob Bolton and staff for the outstanding job they did on the Pumpkin Patch. He said that on events like this, staff should let the board know that their help is welcome.*

*Director Reinkens said that he also thought the Pumpkin Patch was great. He then asked about the new Administrator of Planning & Public Works position and questioned if it went through the board process at all. Mr. Lourey noted that the board authorized the Personnel Committee to go on it. Director Reinkens said that he was concerned that the job description didn't say anything in it about grant work. Ms. Gustafson said that the grant piece was called resource development and is included in the job description.*

**K. MEETING REVIEW AND STAFF DIRECTION**

16. Meeting Review

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

- *Move ahead with permitting for concerts and Farmers Market on Commons Beach. Staff will strive to provide the proper mitigation for parking and traffic issues. If it requires a significant budget amendment, it will have to be brought back to the board.*
- *Staff will report back to the board on the status of the Rideout lease and what is referenced in the site report.*
- *Staff will work on the minutes as discussed.*
- *The fire suppression assessment item will be brought back to the board on Friday and Mr. Lourey will request that Dwayne Whitelaw attend.*

**L. CLOSED SESSION**

**PUBLIC EMPLOYMENT**

17. General Manager; Assistant General Manager

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

18. TCPUD v. St. Francis Lakeside Homeowners Association

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
GOVERNMENT CODE SECTION 54954.5, 54956.9 (b)**

19. Government Code Section 54954.5, Closed Session/Real Property Negotiations. Closed Session for purposes of constituting Negotiation Team on behalf of proposed Improvement District No. 1 for voluntary acquisition of Lake Forest Water Company system and consulting with those persons who may be members of the team.
20. Government Code Section 54956.9, Closed Session: Conference with counsel in regard to existing administrative proceedings before the Public Utility Commission in regard to the Lake Forest Water Company

**M. CLOSED SESSION REPORT**

*Mr. Minasian reported out of closed session that items 17 and 18 were postponed due to time and there was no action on items 19 and 20 except for instruction to staff.*

**N. ADJOURNMENT**

*The meeting was adjourned at 9:15 p.m.*

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Lou Reinkens, President

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Ginger Charlton, District Clerk

Prepared by Ginger Charlton