

SPECIAL BOARD MEETING
APPROVED MINUTES

May 11, 2009

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

STAFF PRESENT: Cindy Gustafson, General Manager
Alan Harry, Director of Development & Public Information
Jim Dykstra, Treasurer/Director of Accounting & Employee Services
Bob Bolton, Director of Parks & Recreation
Ginger Charlton, District Clerk

A. CALL TO ORDER – PLEDGE OF ALLEGIANCE

President Henrikson called the meeting to order at 5:00 p.m. and led the audience in the Pledge.

B. PARKS AND RECREATION

Fee Changes at Lake Forest Boat Ramp (Lake Tahoe Public Access)

Ms. Gustafson thanked the audience for coming. She said that since the Board took action at the April meeting, staff has been speaking to various groups to make sure that there is a lot of public information in the community about the potential fee increase.

Mr. Bolton gave a history of the boat ramp including its improvements, hours, and fees. He explained the new restrictions that TRPA has placed on the ramp due to the Quagga mussel inspections and how these restrictions affect boaters and the PUD. He said that staff recognized that the community historically used the ramp before and after the hours that TRPA would provide inspectors (6:00 am – 8:00 pm) and those additional hours would need to be provided by TCPUD staff. This would in turn cost the District more money to run the ramp. TCPUD approached the Wildlife Conservation Board to request changing the parking fees to launch fees to help pay some of the costs for additional staff. He explained that the District has been requesting the ability to charge launch fees for years but WCB has always turned us down. They have realized now that the parking fees aren't enough to cover our costs and they can't ignore it any more. He reviewed comparisons of charges from other local ramps and marinas and said that staff feels that the recommendations made on April 17th are fair and reasonable. The revenues derived from the site will be used to help us get closer to breaking even on the costs of staffing, operations, and maintenance.

Mr. Bolton reviewed the launch fees, summer pass, and season pass prices that were adopted at the April Board meeting and reiterated that the parking fee would be eliminated. He explained that we can't enact any of the new fees until the MOU with WCB is completed. He got a verbal ok and received a letter from them approving the launch fee of \$10. They are working on the change in the MOU and he is hopeful that it will be completed very soon so that the fees can be put in place.

Mr. Bolton reported that seven season passes were sold to people before February 18th. As soon as he learned about the upcoming changes with TRPA he froze the selling of the passes. Approximately fifteen people have asked to buy passes since that time and have been turned away. Three passes have been sold since the new fees were put in place.

Mr. Bolton reviewed the process that will take place at the boat ramp for inspections, paying fees, and launching. He went over signage and fliers that are being prepared to keep things moving as smoothly and swiftly as possible and to alleviate any anticipated problems such as boats being moored for extensive periods of time and boats coming in to shore after the gate has been closed.

Director Wilkins said that there was an \$80,000 operating loss funded through our property taxes in 2008 for the boat ramp and the campground. Routine maintenance of the ramp is picked up in our operating budget but rehab is not.

Director Henrikson asked for public input.

Delainah Narlock said that Lake Forest will be shut down at certain times due to a backup of boats and asked if the CHP has been notified of the plans. Mr. Bolton said that he had contacted the sheriff and the fire department and would contact the CHP.

Jan Brisco said that she was attending the meeting to represent the community. She requested that in the future the Board only take action on an emergency/urgency item when it is truly an emergency. She said that the agreement that is being changed is not just an MOU but a cooperative agreement between the State of California and the PUD and there is a process that needs to be gone through before this change. She stated her concern that the public process needs to be followed and wondered if we were legally able to take the action that was taken in April. Mrs. Brisco said that charging fees for this affects the community and the public needs to be able to participate in the decision. She is also concerned about charging separate rates for District residents and non-residents when all California residents pay taxes that help pay for boat ramps. Mr. Bolton replied that District residents pay extra towards the boat ramp through the local property taxes that we receive. Mrs. Brisco said that a 300% price increase for an annual pass has a huge impact on fishermen and before we decide the charges for the passes, she would hope that we would get a handle on the costs.

Director Treabess pointed out that in 1989 the District requested launching fees because of the amount of local money being used for state-wide visitors. The WFC explained that State money was also used so it had to be available to everyone. He said that the District has budgeted \$86,500 to go into the operation of those facilities and that is well worth the consideration of the recreator paying more money.

Bob Deatherage said that if the District knew there was going to be an increase in fees, they should have done it earlier instead of allowing him to pay the \$110 fee for a season pass and then informing him that his pass wouldn't be honored unless he paid the additional fee. He said that the District should honor the passes that were sold before the costs went up.

Pat Perkins said that he uses the ramp 4-5 days a week during the summer and doesn't feel that this is a PUD issue. He said that he wasn't thrilled with the rates going up but he appreciates the District opening the ramp at 5:00 a.m. so he can fish.

Mickey Daniels asked who owns the ramp. Ms. Gustafson said that the Department of Fish and Game owns the land. He said that he feels that it is very unfair that non-residents are charged a higher fee. He said that the Department of the Interior should be in charge of this issue and that the lakes that are infected should be quarantined instead of making all lakes hold inspections.

Director Reinkens asked if staff had addressed his concerns with legal counsel about risk transfer. Mr. Bolton said that he sent the wording that TRPA is using in the MOU to Tony Soares. Ms. Gustafson said that Mr. Soares responded that it was adequate.

Dan Hauserman said that he was attending to discuss the small laser Monday night boat races. He is concerned about the timing of the inspection process and the costs. Mr. Bolton said that they will try to work something out with them that still follows TRPA laws. Ms. Gustafson said that a punch card might work.

George Edmondson complimented the great job that TCPUD staff does and said that he wasn't concerned about the launch fee. His concern was with the safety of closing the gate at night and the traffic problems. He said that a place needs to be set up for inspections besides the ramp because it will be costly for the District.

Alan Younger said that he agrees with Mickey and Mrs. Briscoe and thinks that this is a safety issue because someone might get locked out during rough weather.

Ms. Gustafson asked for direction on the overall rates, direction on the seven original pass holders and the fifteen people that wanted to buy one, punch cards, and rates for District residents.

Director Wilkins said that when we did our water and sewer rate setting a few months ago, lots of people said that we needed to save as much money as we can to help minimize rates in the future. Now we need to incur additional expenses to provide this service to the community and we need to decide how to pay for it. He said that he agrees with Director Henrikson about the lack of public outreach that was caused by the timing on this item. He felt that we should leave the April board action as it stands with direction to staff that over next winter a much more in-depth analysis be done on what the rate structure should be at the boat ramp and we should engage a stakeholder group in the process.

Director Henrikson said that he would like to continue charging the old rates until a written agreement is received. He noted that he would not vote in favor of the new rates. Director Treabess was concerned about having ratepayers subsidize \$87,000 for boaters to use the ramp. Since we can't legally charge a launch fee until the written agreement is received, the Board discussed keeping the fees that were chosen at the April meeting and honoring them as parking fees until they switch over.

Director Reinkens said that he would rather see an amendment to the agreement than an MOU.

Regarding the punch card and the Board's desire to help the Monday night sailboat racers, the Board discussed various layouts for the cards and the amounts that could be charged.

Motion to move ahead with using the rates that were approved at April's meeting as parking fees until the WCB written agreement is received. At that time, they will be switched over to launch fees. Also, have staff develop a punch card that would allow fewer-time users to get a better rate. Director Wilkins added a

friendly amendment that the passes that were purchased prior to Feb. 17 be honored: Treabess/Reinkens/3-1 (Director Henrikson voting no)

C. PUBLIC FORUM

Wendy Wood asked to be placed on a TCPUD board agenda to ask the TCPUD to act as a temporary short term receiver of the Tahoe Park Water Company. She explained that Rick Dewante dropped a water well tank utility box underground on property they purchased without disclosing it. She went over the legalities and asked for help. Ms. Gustafson said that Ms. Wood spoke with her about this earlier. Ms. Gustafson contacted our legal counsel and he advised against putting it on the agenda and getting involved in it. She instructed him to call Ms. Wood's attorney, which he did. His concern is that any action on the part of the PUD could be used against us if we try to acquire a portion of the company in the future. Helping Mrs. Wood could be seen as the first steps of eminent domain. Director Henrikson said that we're discussing Assessment District #2 in May anyway and it's all the same company. Ms. Gustafson said that we are not talking about eminent domain in any way in May. Director Henrikson said that he felt it should be placed on the May agenda since legal counsel would be at the meeting.

D. ADJOURNMENT

The meeting was adjourned at 7:00 p.m.

Erik Henrikson, President

Ginger Charlton, District Clerk

Prepared by Ginger Charlton