

SPECIAL COMBINED BOARD MEETING
OF
TAHOE CITY PUBLIC UTILITY DISTRICT
AND
NORTH TAHOE FIRE PROTECTION DISTRICT

APPROVED MINUTES

June 17, 2009

DIRECTORS PRESENT	TCPUD:	President Henrikson, Vice President Wilkins Directors Treabess, Reinkens, and Friedman
	NTFPD:	President O'Dette Directors Hale, Correa, Potts Director Loverde arrived at 4:20 pm
STAFF PRESENT	TCPUD:	Cindy Gustafson, General Manager Mike Sexton, Legal Counsel Ginger Charlton, District Clerk
	NTFPD:	Duane Whitelaw, Fire Chief Nita Wracker, Administrative Manager/Clerk of the Board Joan Noble, Administrative Assistant II

A. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Presidents Henrikson and O'Dette called the meeting to order at 4:05 p.m. President O'Dette led the audience in the Pledge. Introductions of all participating personnel were made.

B. GENERAL

Fire Station Relocation Project

Chief Whitelaw began the meeting with a power-point presentation that included history and background of the relocation of Station 51. He reported that the District's needs have outgrown the current site and building and without upgrading facilities, future growth and redevelopment within the District will compromise the level of service. He added that the Fire District plans to house an aerial ladder truck which is a piece of equipment that is necessary for them to provide service to buildings that exceed 35 feet in height. He reviewed a lengthy list of reasons that the station needs to be replaced and what steps have been taken to date.

Chief Whitelaw reviewed the three possible sites that were identified based on initial screening criteria. The USFS advised NTFPD that they would not consider a proposal on the 64 Acres unless all other sites were proven to be infeasible. The study found the TCPUD lower yard site to be too constrained by topography and land capability, and access to Hwy.

89 is not feasible due to elevation differential. Chief Whitelaw said that the study found that the Fairway Drive site was feasible for District Administration and Station 51 relocation, subject to mitigation and resolution of regulatory constraints.

Chief Whitelaw said that in late 2006, the schematic design of Station 51 relocation for the Fairway Drive site was done and he reviewed the design goals that were needed. He reviewed the landscape plan of the proposed station and explained each component. Chief Whitelaw then reviewed likely funding sources and explained that some of the funds are for shovel-ready projects and time is of the essence. Director Loverde arrived.

Chief Whitelaw answered questions of the Board. Directors Henrikson and Wilkins asked if the Fire District's use of this property will hinder the District's ability to do anything more with our land. Mr. Auerbach responded that after this project is done the TCPUD will have 11% coverage left, which translates to about 50,000 square feet.

Mr. Sexton said that one of the requirements for the District to enter into a lease with the Fire District is that it be in the best interest of this District to do so. He asked Chief Whitelaw and Ms. Gustafson to talk about the cooperation that takes place between the Fire District and the PUD during emergency operations. Chief Whitelaw said that the Fire District works with both the PUDs for confined space rescue. With the grants the Fire District was able to get and the contributions made by the two PUDs, the Fire District is now trained to be able to rescue our employees should they get trapped in a permitted confined space. He said that this huge joint effort saved everyone from the cost of doing it alone. The cost of building the fueling facilities was also shared.

Chief Whitelaw said that the PUD will benefit from the joint parking called for in their project. Ms. Gustafson said that the PUD has benefitted by the shared use and maintenance of this road, maintenance of the board room, and the work that Duane has done to support the District in getting \$560,000 for our water supply lines for this summer and more in 2010, and fuels reduction grant monies.

Mr. Auerbach said that the study of the identified sites took many years and was a huge expense. He added that the Forest Service's position has always been that we have to show them that there is nowhere else to put the station. After that, they want to know if it is a compatible use with the forest service recreational use of the land. The answer is no and, even if they accepted the application, it would be thrown out after the first screening.

Mr. Auerbach gave a power-point presentation on snow storage as it relates to the fire department. He noted that the NTFPD construction and funding program relies upon a May 2010 start. Snow storage in the 2009-2010 winter season would compromise a May 2010 start, and increase costs; therefore, snow removal operators must make other plans for snow storage. The NTFPD has been committed to facilitating the process and several public meetings have already taken place. Approximately 80 hours of consulting time has been expended on the issue so far, at public expense.

Mr. Auerbach reviewed alternative sites and showed how snow could be stored at each one. He was asked how much snow the current site had on it this year. He answered about 21,000 yards. He said the total of the alternatives is more than twice that amount. Director Reinkens asked what the damage to the site has been. Mr. Auerbach said there is an accumulation of gravel and there is probably some damage to vegetation. Director Reinkens asked if any tests have been done with regards to chemicals. Mr. Auerbach said that there were some tests done for total petroleum hydrocarbons and the results are being studied.

Director Henrikson asked what Mr. Auerbach felt was the chance of getting permits for one or all of the alternative sites. Mr. Auerbach said he doesn't think anyone has permits for a snow storage site as a primary use. He added that anyone that has a permit got it because of a complaint or for project approval. Director Henrikson asked if Mr. Auerbach thought that it would be possible to get permits for the alternative sites. Mr. Auerbach said that some of the sites should be quite easy and others could be difficult. He said his best answer is not to ask and nobody does.

Mr. Auerbach said that TCDA is taking a lead role to help develop and refine the long-term solutions and he introduced Justin Brolio, executive director of TCDA. Mr. Brolio said that TCDA's number one goal is to get the fire department out of downtown. They are working on a PBID assessment and halted it in December due to adverse economic conditions. They have been looking at the various alternatives and hope to identify a solution by September or October.

Director Reinkens asked if any thought has been given to capturing the water, processing it, and reintroducing it back into our distribution system. Mr. Auerbach said that it would be about 4 million gallons and he wasn't sure if that would be cost effective. Mr. Homolka said that it wouldn't.

Steve Teshara asked what level of analysis is needed to get to whether or not the site is functional. Mr. Auerbach said that the snow remover operators could check out if the site is doable.

Director Henrikson said that he appreciates the services from the Fire District and, from his perspective, if they replace the snow storage site; the property across the street is theirs. He asked if they have a problem with using the Fairway site.

Director Friedman noted that the Jackpine parking lot is surrounded by neighbors.

Director Wilkins said that from his perspective we have been acting somewhat naively in trying to work with the commercial property owners to allow use of our property for snow disposal. There is no monetary benefit to the PUD's customer base and everything is being done to help 20 – 30 commercial property owners. He said that if we are creating liability to the District in terms of getting a fine from TRPA, that would give him pause. He would allow the use of other PUD properties for snow disposal but he would want to understand the consequences before he did it.

Director Treabess said that he is still looking for additional analysis as to what would be the best alternative. He would be willing to consider other PUD lands on a temporary basis for the 09/10 winter and do it under the same type of agreement that we had in place before. If additional analysis came out and said that a PUD site was the better place in a community plan, he would consider it as a permanent site.

Director Hale said that they are in a prime spot now for funding and they are concerned that if it gets delayed another year or two, there could be an additional 10% on the construction costs. Doing it now would save the taxpayers some money.

Director Correa said he liked the Fairway site.

Director Loverde liked Fairway and the stump site.

Director Potts said the stump site is something to check out.

Director O'Dette asked if anyone had ever heard of anyone getting fined for snow storage.

Mr. Auerbach said no, but he couldn't say that it never happened. He suspected that if it caused a nuisance, noise, or visual problem of some sort, and someone made a phone call to TRPA, they would have the ability to cease the activity.

Director Reinkens said that there needs to be an Improvement District downtown to handle this because we're overstepping our bounds to do it. He said that he would lean towards the Fairway Center for this year because he thinks it could be in operation this year. It would be a temporary site and the Downtown Association would have to get a permanent site.

Director Friedman agreed with Director Reinkens but would like cost recovery for our staff time that is involved in the process.

Mr. Sexton said that if this Board decides to use the Fairway Center for this year, he recommended that we do a permit application for this year. He reminded the District and the Board members that they were sworn to uphold the laws of the State of California and those laws require them to get a permit.

Ms. Gustafson agreed except she wants to know how far our level of assistance in the process is so that all the Board members are clear on it.

Mr. Sexton asked what the status of the environmental documentation is. Mr. Auerbach said that the initial study is almost complete and ready to go to the clearing house. The County is assuming lead agency status because they asked them to. The MOU says that the District will assume lead agency.

Director Friedman asked what if, as a Board, they said these options have been identified and now you guys go figure out what you want to do. Mr. Sexton agreed with that reasoning. He recommended that the District take themselves out of the middle of this. If a District property is on the table, then the people who are involved with snow storage should put it in the mix and come back to the District with a proposal.

Ms. Wracker recommended that we reduce public comment to three minutes due to the 5:30 NTFID Board meeting.

Steve Kastin, field representative for Jennifer Montgomery, spoke for her. He said that she thinks the solution needs to be with the property owners and the operators. The PUD has been carrying the burden of the issue and they shouldn't. She would like to see the fire department relocation happen sooner than later.

Dave Wilderotter, said that the TCDA wants to take the lead but the community needs to be involved also, because it is not just private property snow.

Virginia Graham said that as a community member she agrees that the Fairway Center has to be a part of the mix.

Steve Teshara said that we shouldn't presuppose that the site has to be on a piece of PUD property. He appreciates that the PUD shouldn't be put in the middle.

Director Wilkins said that he believes the appropriate action for the Board to consider as it relates to the Fire District is if we are going to stand by the MOU that indicated we intend to work it out on our property. Regarding the snow storage issue, he asked if our expectations

as a Board with the work that the Fire District has done to date been met. We should also give staff direction on what our expectations are as a Board on how much staff will or will not be involved in snow disposal issues. He said that he believes we should stand by the MOU. The Fire District has done enough on the snow disposal issue. Relative to what the PUD role should be in the snow disposal issue, he said that we should have an open mind to using our property as potential disposal sites and TCDA or Placer County Development Agency should take the lead on exploring those sites.

Mr. Sexton said that if it is Director Wilkins' position to stand behind the MOU, then the Board should make specific findings that to do so is in the best interest of the District.

Director Treabess said the Board should give direction to staff to assist in appropriate ways showing support to the TCDA whether that is letters of support or something else.

Director Reinkens added that an Improvement District needs to be formed which will tax themselves and get the finances off the back of the PUD.

Director Henrikson said that that the conditions aren't quite met but are getting very close. If the Board is amenable to allowing the use of the Fairway site at least for a temporary year and then looking at another permanent site, and TCDA takes the lead, he's satisfied. He said he wants to work with the Fire District so long as the town isn't left stranded.

TCPUD Board motions:

Motion that based on the fore mentioned findings and the determination that it is in the best interests of the District's constituents, the Tahoe City PUD Board of Directors reaffirms its commitment to the existing Memorandum of Understanding with the North Tahoe Fire Protection District, and directs staff to finalize the lease and operating agreement documents for Board adoption. Treabess/Wilkins/5-0

Motion that after site analysis, TCPUD is willing to allow snow storage to occur at other TCPUD sites on a temporary basis for 2009-10 winter season as long as they are part of a community-wide snow storage program and under the same contractual basis that has been previously used. TCPUD would take under consideration permanent site use with necessary permits on other District property if proposed to be necessary as part of a community-wide program. Treabess/Wilkins/5-0

Motion to direct staff not to take the lead in the snow storage process, but to write letters of support with Board President pre-authorized to sign and/or attend meetings if necessary in efforts to secure, permit, and fund sites for a community-wide program. Treabess/Reinkens/5-0

North Tahoe Fire Protection District motions:

Motion to direct staff not to take the lead in the snow storage process, but to write letters of support with Board President pre-authorized to sign and/or attend meetings if necessary in efforts to secure, permit, and fund sites for a community-wide program. Potts/Correa/5-0

C. PUBLIC FORUM

There was no public comment.

D. ADJOURNMENT

The meeting was adjourned at 5:45 p.m.

Erik Henrikson, President
TCPUD

Ginger Charlton, District Clerk
TCPUD

Teresa O'Dette, President
NTFPD

Nita Wracker, Clerk of the Board
NTFPD

Prepared by Ginger Charlton