

FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT

Saturday, August 31, 2019
Community Building
“Old Store”
Fallen Leaf Lake, CA
09:00 AM

President Cathcart called the meeting to order at 09:02 am

ROLL CALL

President Cathcart, Director Casey, Director Malley, Director Hart, Director G. Calof via phone.

PLEDGE OF ALLEGIANCE

Taken out of order

ADMINISTRATIVE MATTERS

C. Award Presentation

Chief Gerren presented an award to Jack Rich for his living saving skills on July 25, 2019. The Chief read a certificate from the Fire Department and an award for his heroic actions in saving another individual in the water.

Adjourn to Closed Session was moved to the end of the meeting by President Cathcart.

Taken out of order

OLD BUSINESS

B. Discussion and Possible Motion(s) to Review Summer Road/Winter Road Maintenance El Dorado County Supervisor Sue Novasel will report – President Cathcart

President Cathcart introduced El Dorado County Board Supervisor Sue Novasel of District V to report on this subject matter.

Supervisor Sue Novasel introduced Brian Mullens and Matt Moody from the El Dorado County Department of Transportation to discuss the goals and responsibility of the summer and winter road maintenance of Fallen Leaf Lake. Brian Mullens reported that roads North Upper Truckee to Hwy 50 and Saw Mill Road to Hwy 50 will be in full closure on September 2, 2019.

Supervisor Novasel reported on the pilot program for the Meyers Roundabout, which will be open and utilized to test how will the traffic flows.

Brian Mullens also reported that the bridge area of Hwy 50 on Echo Summit will also be closed sometime in September or later. Matt Moody reported that on Tuesday, September 3, 2019 the Fallen Leaf Road from the Guard Shack to Tahoe Mountain will be closed to through traffic from 8 am – 4:30 pm with possible waiting times through Wednesday September 4, 2019. As far as snow removal in the winter the Counties equipment is too large and would not be able to plow the Fallen Leaf Lake Road. The gates are normally closed at the first snow fall and re-opened again around Memorial Day. There will be a ballot measure in March for an increase of snow removal fees in the amount of \$60.00 for CSA 3 to help pay for new equipment, where the old equipment has more down-time than up-time plowing the roads because of 25 and more year-old equipment. This additional tax will also include Fallen Leaf Lake residents even though it does not cover plowing roads at Fallen Leaf Lake.

A request was made by Director Hart to the Department of Transportation to try and get the no parking removed from Dundee and Tahoe Mountain to help residents of Fallen Leaf Lake to park and maybe snowmobile in, as it used to be years back. Brian Mullens will contact the Traffic Advisory on September 5, 2019 at the next meeting and bring this up and see about getting the No Parking Sign removed.

Supervisor Novasel also reported that the County is very pro-active in Fire Safety and has been working with the California Insurance Commissioner regarding Homeowners Insurance that has skyrocketed from the recent fires over the past few years. She recommends to any and all residents to contact her office or write a letter to the California Insurance Commissioner regarding their dissatisfaction of insurance companies increasing rates beyond what should be valid for the area and fire protection that is provided in the area.

PUBLIC COMMENTS

Franz McMasters reported that the Blue Bag Program is still underway and where to pick blue bags up (Store/Fire Department/Franz McMasters porch west side).

Franz McMasters also was concerned about the open charcoal BBQ. A brief discussion was held and the Board asked for this subject matter to be placed on the December Agenda.

ADMINISTRATIVE MATTERS

A. Discussion and Motion(s) to Approve Minutes of July 6th, 2019

Motion was made by Director Malley and seconded by Director Casey to approve the minutes with the following change under:

F. Voting Rights Committee Report / Communications Report

Director Casey gave a brief synopsis of the current status of the bill and of its background and necessity. From a timing perspective, the legislature has very strict rules governing how and by what time bills have to clear committees and reach certain benchmarks. Without waivers, it would already be very difficult to achieve those benchmarks, *(and too– delete)* depending upon the release date of the State Audit, we will soon know if it is too late to make it through this year. If so, it will become a 2-year bill. Director Casey also stated again what President Cathcart had said earlier in his report regarding the audit and our inability to discuss the matter at this time.

Motion was passed unanimously.

B. Discussion and Motion(s) to Approve Financial Reports F/Y 2019-20 through August 25, 2019

A motion was made by Director Hart to approve the Financial Reports for Fiscal Year 2019-20 through August 25, 2019. The motion was seconded by Director Casey. A full discussion was held regarding increasing the Payroll for the Fire Department to raise wages for Captains, which will be discussed under Old Business Item A. After full discussion motion was then passed unanimously.

C. General Manager's /Fire Chief's Report

Fire Chief Gerren reviewed with the Board his report that was included in the Board packet. Chief Gerren responded to questions regarding possible Firehouse off Hwy 89 and the increased parking up at Lily Lake. The Firehouse off Hwy 89 is still being pursued and there is a parking problem up at Lily Lake. Most calls there are for Public Assist, getting cars out of their improper parking spaces. The Chief has talk with the USFS to address the road and parking issues at Lily Lake

D. President's Report

President Cathcart shared his concerns regarding not receiving our fair share of taxes from AB8 and how to increase our funds from the County. He invites anyone to help him, not as a board member, but as an individual to figure out steps and solutions to help solve and receive what is a feasible amount due the District. President Cathcart also reported on the many trash issue complaints from residents and different homeowners' associations. This is not a CSD issue. South Tahoe Refuse will give free trash cans; however, the residents will need a Bear Box installed and cost varies.

E. Concessionaire Report

Mike Basso reported that all is going well at the Store and Marina. No damage to docks or boats this year. Figures were up 7% in July from last year and overall the figures are up 15% as a total for season from last year. Staffing is good in the Store and Marina.

Director Malley on behalf of the Board expressed how pleased and grateful that are for Mike and Cindy coming back next season.

Mike Basso further reported that the last day to pull boats from marina is September 30, 2019. Also, the USFS will be dropping the lake level more this year to fix the dam. So, it is very important for those around the lake that do not pull their boats till a little later could have difficulties at the ramp. Lake levels normally drop to 2.5 and if the USFS drops to 2.0 vehicles will not be able to clear the ramp.

Mike continue to report that there have been some issues regarding residents and visitors not complying to Rules on the Lake. There have been noise and boat wake issues around the lake. Director Casey will be discussing this issue further under New Business Item I.

F. Voting Rights Committee Report / Communications Report

Director Casey gave a brief report of the current status of the Assembly Bill and the Audit from the State of California. The Lobbyist, of Nossaman LLP, have been helping with the process of getting our request through Legislation. The Board does not agree with the views of the Audit and stands by the Fire chief 100%.

Director Casey further reported that the State Auditor did agree with the voting rights provisions, however on another issue separate from the voting rights, claimed that the FLLFD over claimed funds from OES on strike teams over the past years. The Board, the District's Attorney and Fire Chief have been working with OES regarding the recommendations from the State Auditor's Office and there are items on this Agenda to correspond to these recommendations.

G. JPA Report

President Cathcart reported he is now our JPA Representative. He and the Chief represents the Fire Department at these meetings. Chief Gerren reported that that El Dorado County Board of Supervisors approved the JPA's 2-year contract starting September 1, 2019.

OLD BUSINESS

A. Discussion and Possible Motion(s) to Amend Fire Department OES Salary Schedule and FD Salary Schedule Budget for 2019-20 – Chief Gerren

Chief Gerren presented to the Board the amended OES (Office of Emergency Services) Salary Survey for 2019 to be effective September 1, 2019 and the amended FD Salary Schedule for 2019 to be effective September 1, 2019 that was included in the Board Packet. The FD increase in Captains salary would be an increase to the payroll budget of approximately \$3,000. A motion was made Director Malley and seconded by Director Casey to approve the amended OES Salary Survey for Captains from \$21.00 to \$22.00 hourly and FD Captains Salary increase from \$21.00 to \$22.00 hourly. This increase would be in effect from September 1, 2019 until new budget year 2020-21 at which time a new Salary for both OES and FD would come before the Board for approval. After full discussion was held and motion was passed unanimously. Chief Gerren reported that there are Resolutions on the agenda that the District's Attorney has drawn up is to reflect the State Auditor's recommendations and completed recommendations be forwarded to the State Auditor per their time frame.

B. Discussion and Possible Motion(s) to Review Summer Road/Winter Road Maintenance El Dorado County Supervisor Sue Novasel will report – President Cathcart

Discussed earlier.

C. Discussion and Possible Motion(s) to Approve Fire Department Trainee Job Description – Chief Gerren

Chief Gerren presented to the Board the Fire Department Trainee Job Description prepared by the Fire Department and the District's Counsel and his firm's Labor Group. Motion was made by Director Malley to approve the Fire Department's Trainee Job Description and seconded by Director Hart. After a full discussion, motion was passed unanimously.

NEW BUSINESS

A. Discussion and Possible Motion(s) Regarding Third Amended Joint Powers Agreement to Establish, Operate, and Maintain an Emergency Medical Services Authority – Chief Gerren

Chief Gerren presented to the Board the Third Amended Joint Powers Agreement. It is the same agreement as was signed prior, except Barton Hospital has been eliminated from the JPA. Chief Gerren recommended to the Board to approve said agreement. Motion was made by Director Malley and seconded by Director Casey to approve the Third Amended Joint Powers Agreement to Establish, Operate, and Maintain an Emergency Medical Services Authority. After a full discussion, motion was passed unanimously.

B. Discussion and Possible Motion(s) to Approve Resolution 2019-3 Approving the Department of Forestry and Fire Protection Agreement #FG19033 for the volunteer fire Assistance program (VFA) – Chief Gerren

Chief Gerren presented to the Board Resolution 2019-3 approving the Forestry Agreement #FG19033 for the VFA program in the amount of \$19,877.50. A motion was made by Director Malley and seconded by Director Casey to approve the Department of Forestry and Fire Protection Agreement #FG19033 for the Volunteer Fire Assistance Program (VFA). After a full discussion, motion as passed unanimously.

C. Discussion and Possible Motion(s) Meeting Dates for 2020 Resolution 2019-4 – Chief Gerren

Chief Gerren presented to the Board Resolution 2019-4 to approve Board meeting dates for 2020. Motion was made by Director Casey and seconded by Director Hart to approve Resolution 2019-4, Board meeting dates for 2020 After a full discussion, motion as passed unanimously.

D. Discussion and Possible Motion(s) to Approve and Extension of the Lobbyist Nossaman LLP Contract – Director Casey

Director Casey reported to the Board the need to extend the Lobbyist contract. Currently the fee for July and August was \$9,000 per month. To extend the contract during the winter months, September, October, November and December the fee would be \$7,000 per month. Director Casey highly recommends that the District extends this contract to help the District pass the bill in Legislation, hopefully in January. A motion was made by Director Hart and seconded by Director Casey to extend Nossaman's contact through December at a rate of \$7,000 per month. After a full discussion, motion as passed unanimously.

E. Discussion and Possible Motion(s) to Approve Resolution 2019-5 Identifying the Terms and Conditions for Fire Department Response Away from their Official Duty Station and Assigned to an Emergency Incident – Chief Gerren

Chief Gerren presented to the Board Resolution 2019-5 drawn up by the District's Counsel to meet the State Auditor's recommendations. Motion was made by Director Malley and seconded by Director Casey to approve Resolution 2019-5 to identify the terms and conditions for the Fire Department response away from their official duty station and assigned to an emergency incident. After a full discussion, motion as passed unanimously.

F. Discussion and Possible Motion(s) to Approve Resolution 2019-6 Authorizing Overtime and Portal to Portal Pay for Employees – Chief Gerren

Chief Gerren presented to the Board Resolution 2019-6 drawn up by the District's Counsel to meet the State Auditor's recommendations. Motion was made by Director Casey and seconded by Director Hart to approve Resolution 2019-6 authorizing overtime and portal to portal pay for Employees. After a full discussion, motion as passed unanimously.

G. Discussion and Possible Motion(s) to Approve Resolution 2019-7 for the Implantation of Firefighting Internship program and Use of Firefighting Trainees (Non-Paid) – Chief Gerren

Chief Gerren presented to the Board Resolution 2019-7 drawn up by the District's Counsel to meet the State Auditor's recommendations. Motion was made by Director Casey and seconded by Director Hart to approve Resolution 2019-7 for the implantation of firefighting internship program and use of firefighting trainees (non-paid). After a full discussion, motion as passed unanimously.

H. Discussion and Possible Motion(s) to Approve Resolution 2019-8 Authorizing a Property Tax Inflation Increase of 1.5% per Resolution 2018-1 and Authorizing the El Dorado County to Collect the Special Tax for 2019-20 – Chief Gerren

Chief Gerren presented to the Board Resolution 2019-8 to approve a property tax inflation increase of 1.5% to Special Tax for 2019-20. which amounts to about a \$10.00 increase. Motion was made by Director Casey and seconded by Director Hart to approve Resolution 2019-8 authorizing a property tax inflation increase of 1.5% per Resolution 2018-1 and authorizing the El Dorado County to collect the Special Tax for 2019-20. After a full discussion regarding last increase, how this reflects that the District becomes more reliant on Special Tax. Director Hart requested that a line item be on the December agenda to review the Fire Department income and expenditures regarding the expenditures not balancing to income. Motion was amended by Director Casey to approve Resolution 2019-8 authorizing a property tax inflation increase of 1.5% per Resolution 2018-1 and authorizing the El Dorado County to collect the Special Tax for 2019-20 with a review of the Fire Department expenditures to be placed on the next regular meeting in December. Motion was then passed unanimously.

I. Discussion of Possible Damage Created by Boating Operation on Fallen Leaf Lake – Director Casey

Director Casey reported that the lake's clarity is going down, due to boats that are used for surfing and wakeboarding. All boating may cause erosion and damage along the shoreline. Director Casey requested to appoint a committee to study and see if there are any recommendations to help with the possible damage being created by boating operations on the lake. A discussion was held regarding the jurisdiction of the launch ramp and if the District should set more rules.

A motion was made by Director Casey to establish a committee to evaluate damage, if any, by wakes from the boats causing erosion and damage to the shoreline. In addition, the committee can include in their recommendations, solutions on how to curb the noise issue complaints from residents along lake. Motion was seconded by Director Hart and passed unanimously. After approval, the Board requested a committee be established at the next regular schedule meeting in December to determine the chair person and the size of the committee.

D. Discussion and Possible Motion(s) to Appoint a Liaison to Jacob Quinn, USFS, Concerning the Hike and Bike Trails Around Fallen Leaf Lake – Director Casey

Director Casey recommended that the Board appoint a Liaison to Jacob Quinn, USFS regarding the hike and bike trails around Fallen Leaf Lake. Director Malley volunteered to be that liaison.

Adjourn to Closed Session at 12:06 pm

Conference with legal counsel – Anticipated Litigation

Open Session at 12:15pm

Report Out of Closed Session

No action taken

With no other further business, President Cathcart adjourned the meeting at 12:17 pm.