

FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT

Saturday, May 25, 2019
Community Building
“Old Store”
Fallen Leaf Lake, CA
09:00 AM

President Cathcart called the meeting to order at 09:05 am

ROLL CALL

President Cathcart, Director Casey, Director Malley, Director Bruce Hart, Director Grant Calof via phone.

PLEDGE OF ALLEGIANCE

Adjourned to Closed Session at 09:10 am for Conference with Legal Counsel – Anticipated Litigation

Out of Executive Session at 09:50

Report out of Executive Session: Conference with the CSD Attorney, nothing to report at this time.

PUBLIC COMMENTS

Franz McMasters reported the summary of Blue Bags for recycling and where to pick them up (Store/Fire Department/Franz McMasters porch west side).

ADMINISTRATIVE MATTERS

A. Discussion and Motion(s) to Approve Minutes of December 1, 2018

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

OLD BUSINESS

C. Should Read as follows:

Discussion and Motion(s) Regarding Soliciting Stories and History Growing Up at the Lake and other Matters of Interest to the Community – Director Casey

A discussion of possibly expanding the use of the website to include history and stories that might be of interest to people who grew up around the lake to make the website more interesting to people than just getting notices of meetings. This way the people could see the website in a different view.

After discussion motion was passed by 4 Ayes and 1 Abstention.

B. Discussion and Motion(s) to Approve Financial Reports F/Y 2018-19 through May 19, 2019

A motion was made by Director Hart to approve the Financial Reports for Fiscal Year 2018-19 through May 19, 2019. The motion was seconded by Director Casey. A full discussion was held regarding Parks and Recreation and Fire Department. The Board requested that assets be listed on the Balance Sheet. 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. A full discussion was held regarding fire vehicle on the west side, when standpipes will be checked, structure on west side. Chief reported that the fire vehicle for west side will be over there soon, the standpipes to be checked sometime next week. The old fire boat has been taken out of operation. Nothing new to report on the structure on the west side.

D. President's Report

President Cathcart thanked everybody for getting everything operational for Season 2019.

E. Concessionaire Report

Chief Gerren reported that store opened officially Thursday, May 23, 2019. Mike Basso has started the season off shorthanded. There was a brief discussion if any homeowners had rooms to rent it might help with hiring people that come all the way in from town. Chief Gerren also reported that it might be Mike Basso's last year. A discussion was held concerning the retention of Mike Basso as store/marina operation manager. CLM's contract will expire in May of 2021.

F. Voting Rights Committee Report / Communications Report

Director Casey reported that the State Audit was underway and we are unable to discuss it at this time. Lobbyist is still working on to getting bill through the Assembly and Senate by July 13, 2019. The bill is no longer SB 561, but has been reassigned a new number to AB 1053. The State Audit should be release sometime in June.

Taken out of Order

NEW BUSINESS

G. Discussion and Possible Motion(s) to Approve an Increase of \$5,000 per Month for June and July 2019 for the Nossaman LLP Contract – Director Casey

Director Casey reported that Nate Solov who was Senator Jerry Hill's Chief of Staff has joined Nossaman LLP as a lobbyist. Richard Harris our current lobbyist has requested to add an additional \$5,000 per month for June and July so that he can put Nate on the case to help him work on our project AB 1053 to move the bill through the State Assembly. After a full discussion Director Casey motioned to increase the lobbyist fee by \$5,000 per month for June and July 2019 for the hiring of Nate Solov to help Richard Harris in the passage of AB 1053. Motion was seconded by Director Malley and passed unanimously.

F. Voting Rights Committee Report / Communications Report – continued

Director Casey reported our website should include other communications, such as articles and stories from people around Fallen Leaf Lake sharing our history and stories of the people that grew up on the lake. Comments and input would be welcomed from our community around the lake.

A discussion was held regarding who would review the content of these articles prior to posting. Director Casey said he would do it until the Board could form a sub-committee to handle the review of articles prior to posting on the website.

OLD BUSINESS

Taken out of order

D. Discussion and Possible Motion(s) for Approval of CLM Marina Disclosures to Boat Users – Chief Gerren and Mike Basso, CLM

Chief presented to the Board the new CLM Marina Disclosures to Boat Users. The Board feels that disclosures are too long and the print is too small. The disclosures do not extend to the CSD on to CLM (Tahoe Recreation). Is Tahoe Recreation a company or is Tahoe Recreation a dba of CLM. If Tahoe Recreation is a separate entity, this issue would need to be corrected. In addition to these forms the CSD needs to be included in the indemnifications. The Board has requested that the boat length be defined further as to boat size and descriptive if it is from bow to stern. The Board has requested the Chief/General Manager to get with Mike Basso and clarify these issues and re-submit disclosures for Board at the next regular schedule meeting in July.

G. JPA Report

Chief Gerren reported that our JPA Representative Tom Bacchetti was unable to attend today's meeting and that he would be going over the update of the JPA Report. A full discussion was held regarding the report, financials of the JPA, new contract, how fees are collected for the ambulance. The CA Tahoe Emergency Services

Operations Authority has a Director and an Admin. Asst. and hires their own paramedics. Lake Valley FPD hires their own paramedics. The CA Tahoe Emergency Services Operations Authority will be moving out of Station 2 in the City where they currently house offices and ambulances.

OLD BUSINESS

A. Discussion and Possible Motion(s) to Review AB8 funding from El Dorado County President Cathcart

President Cathcart requested this item be tabled to a later date.

B. Discussion and Possible Motion(s) Reserve Study Report – Chief Gerren

Chief Gerren reported that he has not received the Reserve Study back and asked for this item to be tabled to the next regular schedule meeting in July as a Discussion and Possible Motion(s) to Receive and Approve Reserve Study Report.

C. Discussion and Possible Motion(s) to review winter road Maintenance – President Cathcart

President Cathcart reported that Sue Novasal will be here at the July meeting to discuss road maintenance regarding the Fallen Leaf Lake Road. Chief Gerren reported that Dave Bennett's winter crew maintained the winter snow removal on the road and around the fire station. Chief also reported that the potholes will be patched by the County once the road and all potholes have dried out. This does not include the west side.

A full discussion was held regarding the Fallen Leaf Lake Road even being plowed. However, some Board members and the Chief feel that in today's life at Fallen Leaf Lake where there are year-round residences, it could be a public safety issue to have the road plowed during winter months. Subject matter tabled till the next regular schedule meeting in July.

D. Discussion and Possible Motion(s) for Approval of CLM Marina Disclosures to Boat Users – Chief Gerren and Mike Basso, CLM

Discussed earlier.

E. Discussion and Possible Motion(s) for Benefits for Paid Employees – Chief Gerren

Chief Gerren gave a synopsis of what he reported in December regarding the benefits for paid employees. PERS is not an option right now however 457 plans would be an alternative to meet the needs to provide benefits for paid employees. After a full discussion the Board directed Chief Gerren to inquire with our insurance who have expertise in this field. Subject matter tabled till next regular schedule meeting in July.

NEW BUSINESS

A. Discussion and Possible Motion(s) to Approve Compensation to the JPA Representative Based on Current Policy – President Cathcart

President Cathcart reported that Tom Bacchetti has volunteer to remain as our JPA Representative until someone on the Board can take over his position. As a result, could Tom continue to receive compensation to the JPA Representative based on current policy. After a full discussion a motion was made by Director Malley to reimburse Tom for auto travel based on the Federal Tax Rate only. Motion was seconded by Director Hart and passed unanimously. A second motion was made by Director Malley to reimburse Tom up to \$100.00 for hotel/motel room per night per meeting. Motion was seconded by Director Hart and passed unanimously. There was no compensation for food authorized.

The Board directed Chief Gerren to check with the JPA to see if a non-elected official could be a board member.

B. Discussion and Possible Motion(s) to Appoint Board Members to Assigned Positions. Re: President, Vice-President, Parks and Recreation (Store and Marina) and Fire Department – President Cathcart

After discussion a motion was made by Director Cathcart to appoint the following assigned position as follows:

President – Director Cathcart

Vice-President – Director Casey

Parks and Recreation – Director Malley and Director Hart

Fire Department – Director Casey and Director Calof

Motion was seconded by Director Malley and passed unanimously.

C. Discussion and Possible Motion(s) Approve Resolution 2019-1, for the 2019-20 Appropriation Limitation (1979 Gann Spending Limit Initiative) – Chief Gerren

Chief Gerren presented to the Board Resolution 2019-1, for the 2019-20 Appropriation Limitation (1979 Gann Spending Limit Initiative) that numbers are generated by the El Dorado County and is done every year prior to approving budget. A motion was made by Director Malley to approve Resolution 2019-1, for the 2019-20 Appropriation Limitation and seconded by Director Casey. After discussion motion was pass unanimously.

D. Discussion and Possible Motion(s) Approve Preliminary Budgets for Administration, Parks and Recreation and Fire Department for 2019-20 – Chief Gerren

Chief Gerren presented to the Board preliminary budgets for Administration, Parks and Recreation and Fire Department for 2019-20. After a full discussion the Board

requested the Chief to draw up a new budget for the Fire Department representing the funds received in and from Fire Tax source and Ad Valorem, without utilizing any reserve funds in the income category of the budget. A motion was made by Director Hart to approve all three preliminary budgets with changes and show the current pay scale for fire department on duty personnel for approval. Also intern personnel will be classified as W-4 employees. Motion was seconded by Director Malley and passed unanimously.

E. Discussion and Possible Motion(s) Approve Returning Slip Deposits Balance to the Fallen Leaf Lake Associates – Chief Gerren

Chief Gerren reported to the Board that the Fallen Leaf Lake Associates approach him regarding refund of the boat slip deposits that were loaned to the CSD Parks and Recreation to help with the construction of the store and marina with a balance of \$13,000. Shand Green from the Fallen Leaf Lake Lodge Association (was Fallen Leaf Lake Associates) has supplied check copies of deposits made by residents of the Fallen Leaf Lake, along with copies of refunds of deposit to verify a balance of \$13,000. Our office has done the same but with different figures from the Association. Our books show approximately \$8,000 for slip deposits. After a full discussion a motion was made by Director Cathcart to direct Chief Gerren to negotiate a fair figure and have a release form drawn up that releases the District of any remaining funds owed to the Fallen Leaf Lake Lodge Association and/or refund of boat slip deposit. Motion was seconded by Director Malley. Motion was passed by 3 Ayes and 1 abstention.

F. Discussion and Possible Motion(s) Approve Attorney – Client Retainer Agreement – Chief Gerren

Chief Gerren presented to the Board an updated Client Retainer Agreement from our attorney. No agreement changes for over 9 years. A motion was made by Director Casey with the following change *duration till 2020 unless terminated by either party with or without cause*. Motion was seconded by Director Malley and passed unanimously.

G. Discussion and Possible Motion(s) to Approve an Increase of \$5,000 per Month for June and July 2019 for the Nossaman LLP Contract – Director Casey
Discussed earlier.

With no other further business, President Cathcart adjourned the meeting at 12:52 pm.