

# FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT

## DRAFT MINUTES NOT BOARD APPROVED

Saturday, September 3, 2022  
Community Building “Old Store”  
Fallen Leaf Lake, CA  
11:00 AM Open Session  
11:30 AM Closed Session  
11:45 AM Open Session

President Cathcart called the meeting to order at 10:00 am

### ROLL CALL

President Cathcart, Director Casey, and Director Hart. Director Malley via tele/video conference  
Director G. Calof absent.

### PLEDGE OF ALLEGIANCE

Chief Gerren led us in the pledge of allegiance.

**Public Comments:** An Opportunity for Public Comments Regarding Items **Not on** the Agenda. *(Note: Comments Will Be Limited to Two Minutes. Board Members Will Not Respond or Engage in Discussion with Those Making Comments.)*

None

**Public Comments:** An Opportunity for Public Comments Regarding Items **on** the Agenda. *(Note: Comments Will Be Limited to Two Minutes. Board Members May Respond or Engage in Discussion with Those Making Comments.)*

None

### ADMINISTRATIVE MATTERS

#### A. Approval of Agenda

President Cathcart requested motion for the approval of the agenda including the attachment for the Closed Session to discuss employment and contract issues. A motion was made by Director Casey to approve agenda with the attachment for the Closed Session to discuss employment and contract issues. Motion seconded by Director Hart. Motion was passed unanimously.

#### B. Approve Minutes of Regular Meeting of July 2, 2022

President Cathcart requested approval of the minutes of the July 2, 2022 meeting. Director Hart motioned to approve minutes for Board Meeting July 2, 2022. Motion was seconded by Director Casey and passed unanimously.

**C. Approve Financial Reports F/Y 2022-23 through August 29, 2022**

President Cathcart requested approval of the financials report for fiscal year 2022-23 through the end of August 29, 2022. Motion was made by Director Casey to approve the financials reports for F/Y 2022-23 through the end of August 29, 2022 and seconded by Director Hart. Chief Gerren referred the Board to attached Financial Report regarding questions from the previous meeting regarding financial reports. Director Malley asked for a review of the changes on the financials at the next meeting. After full discussion motion was passed unanimously.

**D. COVID-19 Report**

Chief Gerren reported there had been no COVID cases or responses since last report. Tom will report on the Store, Café and Marina.

**E. General Manager's / Fire Chief's Report**

Chief Gerren reviewed with the Board his report that was included in the board packet. The following is additional hi-lights of his report. We are currently up to 35 responses from the 32 responses stated in report from strike team call outs in the past week. Our current strike team call out is from the Mill Fire near Weeds, CA. Rob Kimball has been helping with the chipping to help reduce the cost for the residences from the tree removal. These costs are being paid out of the Fire Department Reserves Funds received in from last year's strike team funds as a re-investment back into the community. The BBQ, 4<sup>th</sup> of July Parade and Wine Tasting were a big success and hope everyone enjoyed themselves at the events. Approximately \$6,000 was raised from the BBQ fundraising event and approximately \$11,000 was raised from the Wine Tasting fundraising event at this year's events. The Fire Department would like to thank everyone who participated and contributed. The Chief wanted to thank everyone for their hard work in doing their part in the defensible space program. Director Malley asked the Chief for a breakdown of the responses. There were 26 medical calls a few smoke checks and false alarm calls, along with 6 strike team call outs. The Chief reported that there are logging signs up on Tahoe Mountain and will begin removal of the log deck in that area starting next week. Liberty Utility have been working removing trees marked with a Red X all along the Fallen Leaf Road. They will be working on removing these trees through September and maybe into October depending upon weather. The company Liberty has hired to remove the trees is doing a great job and bucking up the slash and removing it from the premises and along the road. Still working on the West Side to remove the slash and will continue to do so throughout the rest of the season. Clean Up Tahoe who is a diving crew that has been cleaning up the Lake Tahoe area is part of a group that is funded through Tahoe Fund and they are here to do some clean-up of our lake. So far, they have gone about 6/10ths of a mile and have cleared out approximately 2 thousand pounds of trash and about 60 or more tires. They are hoping to be done by the end of September clearing all along the edges of Fallen Leaf Lake. So, if you see people diving, these people are diving picking up the trash along the water's edge. Franz McMaster asked about update on AT&T tower. Chief responded no update on the tower at this time. Franz McMaster asked about the small fire boat and delivery date. Chief responded the new fire boat will

be here approximately September 19, 2022 and will be docked at Stanford Camp. The boat will be staffed by Stanford Camp during the winter months like we used to do with the old boat and paid staff of the fire department who live in South Lake will be here also to staff the boat. Franz McMasters asked about the marina. President Cathcart reported that it is an agenda item and we will get to that under New Business. Director Hart asked about the replacement of poles by Liberty Utility. Chief responded that the pole replacement on the West Side have been completed all the way behind Snow Park to Hwy 89, along with behind Stanford Camp. Liberty may be coming back in November to replace the high voltage lines with fire rated lines on the West side. Liberty Utilities will be back to change out the poles from the Fire Station all the way to Hwy 89 on Fallen Leaf Road. They may start this season, but it does depend on weather. This work will be done by arguer along the road not by fly in. They will be changing all poles to taller and bigger base poles and lines to fire rated between now and next year. Do not have exact dates, but that is what was stated at the last meeting with Liberty. A brief discussion about underground utilities was held. Liberty is also over on the West Side marking trees with red x's to be taken down, as they are doing on this side of the lake. The only trees being removed at this time are the trees along the main distribution line of the new poles being put in, not individual poles outside that main distribution line, according to latest email from the Arbor Department of Liberty Utilities. A discussion was held regarding individual trees being removed that are hazardous along the power line by Liberty and how it needs to be preplanned in advance with Liberty and the resident. Director Hart asked Chief to report when boats need to be out of the water in Tom's absence. Chief reported that boats are scheduled to be out no later than the 30<sup>th</sup> of September that has been the standard every year and expressed to everyone to please get your boats out by then. John Rich will be removing the docks sometime during the first week of October and after that Tom and Jen will be gone. Then it would be up to him to help get their boats out of the water and not sure if the cable ties will be in his position when the current concessionaire's leave the premises. So, everyone needs to make sure that their boats are out of the water by September 30<sup>th</sup> to avoid any confusion with the boat tie regulation and responsibility that is currently under the concessionaire's management. President Cathcart reported that this subject will be discussed further under New Business. Director Hart wanted to thank the Chief for re-vesting funds back into the community for the pick up of slash and chipping from the strike team funds received from last year to help with the defensible space in and around residences to help make our community a fire safe responsible community.

### **President's Report**

President Cathcart reported items of importance on the agenda, such as AIS boat tags, operation of the Store and Marina and that the current concessionaires have resigned. The board member election for 2 positions will be in November and there will be 3 board members coming up for election in the next 2 years. We are looking at a younger generation coming in to fulfill these positions in the coming years. These items will be discussed further under New Business.

### **G. Concessionaire Report**

Tom and Jen Melendez were absent. Chief Gerren reported that they were short staffed and needed to remain at the Store, Café and Marina. The RRM contract discussions will be held under New Business.

### **H. Voting Rights Committee Report / Communications Report**

Director Casey reported that he wanted to bring people up to date, that this is his last meeting as a Board Member. Director Casey gave a brief background update as to the Voting Rights Committee and where everything stands at this point. President Cathcart reported that Board Members will be assigned specified aspects of the CSD at the December meeting after the official voting of the El Dorado County has been completed. It is important that someone of the Board get with Director Casey and get a good knowledge of what has been happening with the Voting Rights Committee and be able to fill the position that Director Casey has been handling over the many years regarding this subject matter and other matters of what we do as a Board. President Cathcart reported that he will be getting with the Chief regarding the assigned aspects of the CSD, but the main aspects are the Store, Marina, Fire Department, AIS program and more. A list will be drawn up and given to each board member for their review and possibility of the assigned aspect that each member would like to be responsible for reporting and working with the Chief on for the next year. Director Malley asked Director Casey if he would like to pass his position and information on to Danny Kramer who is running for an open position. Director Casey stated that he has already been talking with him and will be meeting with him sometime in September to go over all the items that he has been involved with and bring him up to date on the Voting Rights Committee.

### **I. Boating Safety Report**

Director Casey reported the Board might want to assign Boating Safety to a Board Member also. Last year we did a commendable job in getting some rules past for the safety of the lake use. That includes a motorized boat protection zone of a distance of 200' where boats cannot travel any more than 5 miles per hour to be safe along the coast line of the lake and to keep a 100' safe distance from any person, kayak, paddleboard, etc. A community survey still needs to be completed and has not been done. Director Casey reported that he hopes with the help of the Boating Safety Committee to get this done. A discussion was held regarding the protection zone of 200' from the coast line and adhering to these rules. Director Casey hopes that the next year we can hold courses, seminars and additional educational tools to get the safety rules of the lake out to people that live and visit here. Director Hart suggested to the Chief to have the rules and ski patterns pamphlet(s) placed in a plastic sleeve and give to each boat owner that launches his/her boat at the marina to be placed on the boat and have them sign that they have received such a packet(s) and is placed in their boat for easy access to read and adhere to while recreating on the lake. Director Casey responded his suggestion is currently being done. The Chief also responded that this program was started last year where he had the ski pattern produced, along with the safety rules to be handed out to each boat that was launched into the lake through the marina's staff. President Cathcart added also, that each person launching their boat signs that they have received and knows the safety rules

of the lake's use. A discussion was held regarding the 200' distance protection zone line and putting more buoys up. Director Casey reported that his subject matter will be on the community survey and results will be up for further discussion as it relates to placing more buoys in the water.

**J. JPA Report**

Chief reported that the JPA is still up and running out of the new location in mid-town. Chief also reported that the FLLFD is an ALS (Advance Life Support) provider that allows us to be part of the JPA, along with having a voting right within this organization where President Cathcart is the voting member within the JPA.

**K. FLL Basin Coalition Report**

Director Hart reported that they are continuing to monitor the activity of the Forest Service's trail work activities. Along, with trying to get them to reply regarding the MOU that is on record that they signed with TRPA. Nothing more to report.

**OLD BUSINESS - NONE**

**NEW BUSINESS**

**A. Resolution 2022-8 Meeting Dates**

Chief Gerren presented to the Board Resolution 2022-8 for the schedule of meeting dates for 2023 and read the dates of the meetings for 2023. Chief Gerren recommended that this Resolution be passed. A motion was made by Director Hart to approve Resolution 2022-8 specifying Board of Directors meeting dates for 2023. Motion was seconded by Director Casey and passed unanimously. President Cathcart reported that these meeting dates will be posted on the website. Chief reported that these dates are already on the website.

President Cathcart reported that ITEM B will be REVIEWED IN CLOSED SESSION

**B. Fire Chief / General Manager Annual Bonus Review for 2022**

To let

**C. Marina Launch Operations and AIS Procedures**

President Cathcart reported that this item was prompted by concerns of the residences regarding the launch operations and AIS procedures. Chief Gerren reported that there was a concern regarding boats being launched on other parts of the lake and boats not having a current boat tag. Chief reported that during the Caldor Fire, the operators had left or evacuated leaving the gate unlocked for people to pull their boats out and no cable seals available. I was not available during those times because the Caldor Fire had me busy helping to protect, not only our basin, but areas where the fire was progressing rapidly and do not know how many boats were pulled out during that time. The same was true at the end of season 2021. The concessionaire had already left for the session leaving the gate open and no cable seals available. Chief reported he opened the gate to let one boat out and advised the boat owner he did not have seals available. He advised the owner to let him know when he comes next season and he would advise the marina of the situation. The boat did not go at the marina. There was a meeting regarding this

matter and it was determined all boats that did not have a seal need to go to TRPA approved inspection site to get certified with a boat seal for FLL. A notice was also placed on the website that any boat pulled out during the Caldor Fire or at the end of the season would need to get inspected and sealed prior to launching in Fallen Leaf Lake at any TRPA approved inspection site. This notice went up sometime in May 2022. No other issues, and as far as he knows, everyone is sealed or getting a seal prior to launch. Chief also reported that we are following the guidelines and he has talked with Dennis from TRPA just this week to verify that the decontamination and inspections information is on their website regarding the process and procedures that they use. The procedures for Fallen Leaf Lake are a different seal and color tag and if you are coming into one of the inspection sites and you state that you are going into Fallen Leaf Lake, they make sure your boat is clean and dry and complies with all the guidelines, they will go ahead and decontaminate the boat anyway, whether it's needed or not. Plus, his understanding from Dennis is that they do not charge you as a boat owner if you have followed all the guidelines and your boat is in clean condition. You will only be charged for the inspection process. Chief reported to the Board that as far as he knows, we are following all the proper launch and AIS procedures and guidelines. It is up to the operators that everyone is complying to the guidelines before any boat is launched into Fallen Leaf Lake. Director Malley voiced concerns from residences regarding people walking their kayaks down through USFS Property. A discussion was held. Director Casey expressed that the CSD has zero tolerance for people not adhering to rules regarding AIS and we are a lake that is free of AIS. The Chief reported that the only thing that we are authorized to do with our cleaning station is to clean non-motorized vessels such as, kayaks, canoes and paddleboards. The operators do inspect and go through the vessel and still pressure wash the vessel prior to launching. Also, the blue and white signs for the aquatic invasive species information are in bad shape and these signs will be replaced for season 2023.

#### **D. Operations of the Store, Café and Marina 2023**

President Cathcart reported that, if necessary, some items relating to employment will be discussed under or in a closed session. President Cathcart also reported that he has had conversations with RRM and that they are not interested in operating here in the future. This has nothing to do with us, it has to do with their internal plans within RRM. We have 2 possible ways to operate the Store, Café and Marina and that is the hire a manager who works for the CSD or go through an RFP process. We will continue discussing this matter of operation once a decision has been made whether to hire an individual to manage the Store, Café and Marina under our guidance or to continue with a concessionaire under an RFP. The Board can only discuss this item outside board meetings amongst 2 board members only to comply with the Brown Act otherwise it will be a violation against the Brown Act, so, Special Meetings (closed or open sessions) where all Board Members can discuss the subject matter in full and make decisions through a vote might be necessary prior to the December meeting. Wanda Komonski had a few questions for the Board regarding this matter. 1) Have the current concessionaires backed out, because she thought, they had already signed a multi-year contract. President Cathcart responded that RRM has back-out of the contract and have agreed to finish the year including participating in the removal of the docks. They have terminated their

contract. Wanda stated question 2) she would urge the Board to continue with an RFP process and get a management company to run the Store, Café and Marina. To hire an employee to run the Store, Café and Marina would be a challenge and hard on the CSD. There are several drawbacks, such as if the employee does not work out during the season and then the CSD needs to go back out and find someone else with this type of management skills could be time consuming and could directly hinder the continuation of running the Store, Café and Marina while looking for new prospects. President Cathcart responded that the Board is trying to look into both possibilities to find the right fit for the CSD. The problem could be the same whether we have an RFP (company) or an individual. Hopefully, we will have some answers by the December meeting to decide which fit will meet the needs of the CSD the best. Wanda asked if the CSD is required to operate a store and marina or just the store. President Cathcart reported we are required to operate both the store and marina, but we are looking at all avenues and can change if necessary. Director Casey reported that there are lots of issues that put us on the other side of the concessionaire. For example, traffic and also groceries vs souvenirs and other matters. It would be much easier to solve these issues by having our own employee by putting needs of what the community wants, than, what the RFP (company) wants, to make a profit. This is just one reason why we are looking at the CSD doing it ourselves, along with a significant profit spread, for us to do it ourselves. Right now, the majority of the profit spread does go to the concessionaire. President Cathcart reported that we are leaning towards hiring an individual as manager. Wanda asked who are the leads in this process. President Cathcart responded it is Director Casey, Chief Gerren and himself. President Cathcart also reported that they have spoke with Mike Basso, and he currently is unable to run the management, but is willing to help us hire and train someone. Mike Basso has access to people and companies that might be a good fit for the CSD. Danny Kramer asked about the expected timeline and if the December decision is enough time for an opening in May regarding what we want for a Store and Marina operation. President Cathcart responded we are trying, expecting and hoping that it is enough time for a May opening. If an RFP goes out it needs to be approved by or on the December meeting for the public to know what the RFP will look like. Director Hart suggested that the Board direct the Chief to put together an RFP as soon as possible that is very similar to the last one that was put out and accept proposals so we have something to consider in December. President Cathcart stated that we are already in the process of doing that and if we need a Special Meeting it can be arranged prior to the December meeting. A discussion was held. Chief Gerren reported from his understanding that we are working on the current RFP as a footprint and red-lining the contract accordingly, along with doing research. We can schedule a Special Meeting at any time, we just need to have a 3-day notice. Director Malley asked about the equipment that the current concessionaire is willing to sale to us. Chief responded that he and Tom having been meeting and going over possible saleable equipment and that Tom will be talking with Warren and Tim at RRM regarding what will be considered saleable equipment. That process has started. Tom Melendez came to the meeting briefly to let the Board know that he and the Chief have been going over items such as tables, cappuccino machine, etc. There is a list of about 10 different items and asked if the CSD will be purchasing these items or the new concessionaire. Chief reported that it will be the CSD. Tom also reported that RRM will be taking the pontoon boats.

#### **E. Director Appointment for Insufficient Nominees for Election**

President Cathcart reported that Danny Kramer will be elected as unopposed and the other is Bruce Hart, who we need to evaluate and appoint. Chief Gerren reported that he has paperwork to be returned to El Dorado County by October 13, 2022 with the name of whom the Board of Directors has approved. Once the Board of Supervisors approve, then he will be sworn in with Danny Kramer in December. A motion was made by Director Casey to appoint Bruce Hart. Motion was seconded by Director Malley and passed unanimously.

Director Malley wanted to take the opportunity to recognize Director Mike Casey for his valuable service on the CSD Board and how he will be greatly missed. President Cathcart also wanted to state that they all have enjoyed working with Director Mike Casey and how he will be missed as serving on the Board of Directors of the FLLCSD. Director Casey thanked everyone and expressed how much he enjoyed serving on the Board and the support that the community has given him to his service. Director Hart wanted to express thank you to Jeannie Casey for her role and support to the community.

Director Hart requested an agenda item be placed on the next regular schedule meeting in December for to consider asking for rent from the Fire Department for the use of the upstairs area of the Community Building.

**President Cathcart called to order a Closed Session at 11:22 am**

**President Cathcart called to order to Resume an Open Session at 11:43 am**

#### **ROLL CALL**

President Cathcart, Director Casey and Director Hart in person  
Director Malley via tele/video conference – Director G. Calof absent

#### **Report Out of Closed Session**

#### **NEW BUSINESS**

##### **A. Fire Chief / General Manager Annual Bonus Review for 2022**

President Cathcart reported that the Board has reviewed and discussed the annual bonus for the Fire Chief / General Manager for 2022. Motion was made by Director Hart to approved an annual bonus for the Fire Chief / General Manager in the amount of \$10,000. Motion was seconded by Director Casey and passed unanimously.

With no other further business, President Cathcart adjourned the meeting at 11:57 am.