FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT

DRAFT MINUTES NOT BOARD APPROVED
Saturday, December 3, 2022
Teleconference
10:00 AM

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

ROLL CALL

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

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.)*

Rick Lind a consultant and a formal representative for the El Dorado County Water Agency wanted to request some future actions to the Board. He wanted to give information regarding issues the El Dorado County Water Agency has been undertaking and in conjunction with the CSD, Chief Gerren and other water operators within the Fallen Leaf Lake area. He requests at some future date that the CSD Board may schedule a meeting. To determine if the board wants to make a commitment, to both the fire suppression system and the portable water system upgrades We have completed some technical evaluations, engineering evaluations, as well as some financial evaluations. We have produced reports and they are available for review. Also, we have been working with Tahoe water suppression partnership, that Chief Gerren has submitted a formal letter this past summer requesting the CSD's fire suppression system consideration for future funding and prioritization on the Lake Tahoe Restoration Act List. To get to that list and to get placed as a priority as future funding we have to complete some formal design evaluations and environmental regulatory review processes. The Water Agency invested $158,000 to $200,00 without requesting any match from the CSD or other water systems in the Basin. To take this next step and go into the final design and environmental review, along with seeking prioritization of these projects on to the Lake Tahoe Restoration Act List, the Water Agency is looking for the board to make a commitment to the project. Chief Gerren reiterated that the interest of the CSD and the Fire Department was based solely on retaining funds from the restoration act or through other grant sources. There was discussion regarding if this request on the East Side that they have been spending time in putting together information, at which it is; technical evaluations, engineering evaluations, financial evaluations, along with grants and loans that may be eligible for applying for these projects. President Cathcart reported that the Board would be interested in discussing this further in an upcoming meeting. We do need to clarify that the CSD is not a water district and does not have the jurisdiction over the water itself except for the side issues and collateral issues joined with running a fire department, store, and marina, along with a launch ramp and participating in AIS prevention measures as we do. We are

actually a customer of the water system itself, along with the residences, but there are actually other entities that are non-governmental that do deal with the water system around the lake that we should coordinate with. The discussion held was that the CSD would only be involved with the commitment to the fire suppression water systems only. Chief Gerren stated we need to have a public meeting at some point with Rick to have a presentation that can explain what is in the report. Based on his presentation we need more information. This has all been exploratory. Most of the work has been done through Max, Dave Bunnett and different water companies, such as Richard Lund, Emigrant Road and I know that Steve Malley has seen the report. This is something that we should probably but on the March agenda to have Rick Lind back and have a more explanation on what he is talking about. President Cathcart directed Chief Gerren to put it on the March agenda. Director Kramer asked that any information regarding this issue be available to the Board and public prior to the March meeting. Rick Lind said he would pull this information together and submit to Chief Gerren.

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

F. President's Report – Taken out of order.

President Cathcart wanted to take this time to welcome Danny Kramer as our newest Board Member and to welcome Bruce Hart as a continued Board Member from the latest election.

Honoring Board of Director Mike Casey

President Cathcart started out talking about how beautiful Fallen Leaf Lake is and how we all enjoy the area. Also, how we all enjoy being residents here either part-time or full-time residents and what makes Fallen Leaf special are the people we know and have gotten to know over the years. I would like to thank Mike Casey for his service in over 10 years on the Board of Fallen Leaf Lake. He is exemplary as one of those people who make this place a wonderful place to visit and live. He has tirelessly spent many years and many off hours not including his service on the Board for the last 10 years, in service helping not just the Board, but all of us making this a better place to reside and visit. This also includes his participation on CSD related activities will before the time that he started his commitment on the Board going back to the formation of the CSD, in its earlier years. That include the development of the Store and Marina and all these things that have happened in and around the last 25 years. Mike Casey as you all know, is a long-time resident of the Lake on the West Side, along with many members of his family. I would like to say that over the past 15 or 20 years that I've have gotten to know Mike personally instead of just preferably in passing by waving. He has become a wonderful friend, a wonderful neighbor and he is obviously a wonderful family person, deserves all of our appreciation and praise for everything he has done. He has work tirelessly participating as a volunteer working on the committee for the Voting Rights Bills, which

has taken many, many hours, along with his participation on Boating Safety and AIS issues on the Lake. He is unbelievably bright, energetic, creative, he is loyal to almost to a fault to all of use. I sometimes cannot understand his loyalty to me sometimes or to any of us, but he is. He has become a true friend to all of us and I just want to thank Mike Casey for what he has done for the Board, the basin and all our friends and neighbors here over the last several years. Thank you very much and I know that you are leaving the Board or technically have left since we welcomed Danny Kramer onto the Board, but you are not going to be leaving your energy and service to all of us because you will be continually counted on for help on many on-going activities whether it be continuing with the Voting Rights issues or other activities like Boating Safety, AIS or anything connecting all of us to this beautiful place in what we do here. Thank you again Mike.

Mike Casey stated he does not know what to say. He thanks Mike Cathcart for the very, very kind words. Fallen Leaf is a spectacular and wonderful spot, and it is part of his family's roots. Thank you for the comments that you have made.

Steve Malley commented that we all echo Mike Cathcart's words, and he remembers when we were trying to get you onto the Board and now it is impossible to think that you are not going to be on the Board. You have been so valuable and such a good friend to all of us.

Mike Casey shared his thanks.

Chief Gerren stated that he has been working with Mike Casey since he came to work for Fallen Leaf and that it has been a pleasure to work with him. I want to thank you for all your support that you have provided for the District and the Fire Department. It has been my honor to be the Fire Chief and General Manager under you Mike during this time. Thank you so much.

Bruce Hart stated that many of you do not know, but Mike and him were homeowners together in Ross, CA. We are members of the Lagunitas Club, Mike and Jeannie have been fabulous supporters of that club. Some of you might not know, but Mike moved into Nicasio, where is raises Longhorn Cattle. He has let me participate in the round ups each year. Mike in each of those endeavors you have shown limitless passion and energy and the outcomes have always been positive. Even when you have faced head winds, it is amazing to me that through your demeanor your intelligence and your approach you have always managed to work out a very positive outcome and you do not leave enemies or blood in your wake. I believe it is a talent and an attribute that I certainly aspire to, and I want everyone else to recognize this also. Thank you, Mike, for being a friend and colleague, for all you have done for the community.

Mike Casey did not know what to say to all these kind words.

Mike Cathcart in closing of his President's Report responded that we all will try and emulate him.

ADMINISTRATIVE MATTERS

A. Approval of Agenda

President Cathcart requested motion for the approval of the agenda. A motion was made by Director Hart to approve agenda. Motion seconded by Director G. Calof. Motion was passed unanimously.

B. Approve Minutes of Regular Meeting of September 3, 2022

President Cathcart requested approval of the minutes of the September 3, 2022, meeting. Director Hart motioned to approve minutes for Board Meeting September 3, 2022. Motion was seconded by Director Malley and passed unanimously.

President Cathcart requested approval of the minutes of the Special Meeting of October 10, 2022. Director Hart motioned to approve minutes of the Special Meeting of October 10, 2022. Motion was seconded by Director Kramer. Director Kramer made note of Ruth Rich's email addresses. After brief discussion was held how residents can subscribe to the Fallen Leaf Lake CSD by going to FLLCSD.org and click on Subscribe to Our Newsletter motion was then passed unanimously.

C. Approve Financial Reports F/Y 2022-23 through November 25, 2022

President Cathcart requested approval of the financials report for fiscal year 2022-23 through the end of November 25, 2022. Motion was made by Director Hart to approve the financials reports for F/Y 2022-23 through the end of November 25, 2022, and seconded by Director Malley. Director Kramer asked about the Fire Department Profit and Loss Strike Team Expenses and how the bottom line is showing a negative figure. Chief Gerren reported that funds are spent prior to receiving funds in from the strike teams from either the State or the USFS. He is currently working with our outside CPA to help rectify this issue in the future. After a full discussion was held motion was passed unanimously.

D. COVID-19 Report

Director Hart asked the Board if this line item can be taken off future Agenda's and have it now included in the Chief's / General Manager's Report. The Board members agreed.

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

Chief Gerren reviewed with the Board that there has been no current COVID cases to report. He went on to review with the Board his report that was included in the board packet.

F. President's Report

Discussed above

G. Concessionaire Report

Chief Gerren reported that RRM/CLM concluded their season and removed all boats (new kayaks, platoon boats and fishing boats) and products they bought based on the contract. We are waiting on the final close out numbers. We purchased from RRM/CLM the cappuccino machine, the old kayaks and a couple of other misc. items.

H. Voting Rights Committee Report

President Cathcart expressed that he would like Mike Casey to continue with the Voting Rights Committee, along with Andy Anderson, and to appoint a liaison to report back to the Board. Mike Casey did not have a report currently.

I. Communications Report

Chief Gerren reported the new website is complete and operational.

J. Boating Safety Report

Mike Casey had nothing to report at this time.

K. JPA Report

President Cathcart reported the JPA is operational at their new location.

L. FLL Basin Coalition Report

Director Hart reported that the major activity has been centered around the Angora/Lily Lake trail. USFS and TRPA have a MOU that requires USFS to, under most circumstances, to get a permit from TRPA to make new trails. The USFS ignored this requirement and went ahead and built the trail. This trail is not good for equestrian, it is more of a mountain trail and is a hard bike trial for most bikers. The Coalition went to both TRPA and USFS to let them know that the requirement had been violated per their MOU agreement. It is on the agenda for December with the TRPA to approve the trail in the rears. This seems unacceptable. Jeff Campen has spear headed the effort to have TRPA to close the trail because it was built illegally and does not serve all elements of the community. Everyone needs to keep a watch on the USFS creating a lot of new trails. The Coalition is representing the Fallen Leaf Basin and if you hear of anything you should contact Ruth Rich, Danny Kramer, Jeff Campen or Bruce Hart. Ruth Rich is the Chair does a fantastic job of keeping up with this issue. In general, we would like the USFS and TRPA to follow their own rules that they have set forth, along with getting public in-put, environmental studies.

Ruth Rich reported that yesterday they had received a copy of an email from Jeff Campen requesting TRPA to remove the retro-active permit from the agenda for the TRPA December 14, 2022, Board Meeting to an actual agenda item for either their January or February meeting. Several members of the Coalition will be present at this meeting, and we do have a letter prepared by Jeff Campen and vetted by an attorney, for the matter when it does become part of the public record that we have not left out anything and we have done it wisely. This letter will go in advance to all the governing officers on the TRPA Board and will have information in our favor. This matter is not just happening in

the Fallen Leaf Basin, it is happening in other areas. This matter is foremost about how the USFS and TRPA need to adhere to their own rules that they put into force through MOU's and other agreements.

OLD BUSINESS

A. Recommendations of the Committee for the Operations of the Store, Café and Marina 2023. To authorize hiring of management; to authorize purchase of merchandise for Store, Café' and Marina; to authorize purchase of equipment for the Café' and equipment for the rental operation for the Marina for Season 2023

President Cathcart referred this subject matter over to Director Hart who is the Chair of the Committee. Director Hart reported that the Committee was appointed by the Board, consists of Gary Gerren as General Manager, Danny Kramer, Mike Casey, and himself. Director Hart, firstly, wanted to thank each Committee Member for their tremendous hard work. We, also, worked closely with Mike Basso who worked for CLM as the Café/Store and Marina as the manager for many years through season 2020 and wanted to thank him for consulting with the committee during this process along with, the community for their thoughts and comments. Director Hart went on to report that replacing RRM/CLM is based on what fits the CSD best as it looks at possible risks regarding finances, products and services to both community and others visiting Fallen Leaf and overall management of the Store/Café and Marina. Director Hart gave a brief background of the role of CLM (2011-2020), at which time CLM merged with RRM/CLM during season 2021. At the end of season 2022, RRM/CLM had decided to terminate contract for 5-year extension (season 2022-2027). The Board did communicate with RRM/CLM representatives regarding continuing their contact, but RRM/CLM had decided for reasons necessary, that the Fallen Leaf area no longer fit into their future parameters of structure. The Board, at its September meeting, instructed Gary Gerren, to reach out and advertise for a new Concessionaire and/or Manager(s) to run either the Store/Café and/or Marina or both, as employees of the CSD. These resumes or interested parties were to be reviewed by the Committee and reported back to the Board at the December meeting. Director Hart asked Gary Gerren to report on what he acquired and about the strategies to fill the open position(s).

Gary Gerren, General Manager reported that he created a Letter of Interest and modified the RFP (created in 2011) with current conditions and dates. We posted the Letter of Interest in 4 different publication sites. The Letter of Interest was published in 3 newspapers (Tahoe Daily Tribune, the Union Paper, and Sierra Sun) servicing news around the Lake and outer areas in proximity of Tahoe. The Letter of Interest was also published on the Work Camper site where all CLM, RRM, USFS and others advertise for job opportunities such as what we are looking for. Work Camper covers the whole nation with over 30,000 members. We had 3 responses from the newspaper and 3 from the Worker Camper interested in working for the CSD as employees. After talking further with the interested parties, only 1 had a real interest in working in our area and he lives in on South Shore of Lake Tahoe. These responses were forward over to the Committee for further review. We also published on our website the Letter of Interest and RFP and the

committee published on the website for any comments or input from the community. Mike Basso has been a great asset for his tremendous information regarding data needed for the Committee and questions that they had. The Committee has done a great job in supporting all our efforts and going over information to making recommendations to the Board for the positions of Store/Café and Marina manager(s) for this coming season of 2023.

Director Hart reported that Director Kramer was a great advocate for the community and reaching out to them for their comments and concerns. Director Kramer reviewed and discussed the comments and concerns from the community as it related to management, products and services of the Store/Café and Marina.

Mike Casey reported some concerns regarding current issues and what our responsibility of the CSD per the acquisition of the land.

Director Hart reported 2 primary issues that were discussed within the Committee (management and business plan). A full overview was reviewed and discussed regarding management and business plan as it relates to profit and loss, products, supplies, services, employees, and responsibility whether it is an RFP or an employee singly managing the Store/Café or Manager and/or both. Also, legal matters, insurance (worker's compensation, liability, etc.) and capital outlay, such as platoon and fishing boats. After full discussion, President Cathcart directed the Committee to advertise again for an RFP and/or additional Letters of Interest to see if we get any more response and to set a Special Meeting for February 4, 2023, to make a final decision as to the management of the Store/Café and Marina for season 2023.

NEW BUSINESS

A. Assign Board of Director Positions

President Cathcart recommended that the Board wait until the March meeting to Assign Board of Director positions based on the outcome of the finalization of the Store/Café and Marina management for season 2023.

B. Review CSD Administration and Fire Department Use of CSD Building

Director Hart reported to the Board that the Fire Department should be paying a lease agreement for the use of the CSD Building. After discussion President Cathcart requested that this subject matter be placed on the March meeting agenda.

With no other further business, President Cathcart adjourned the meeting at 1:25 pm.