

FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT

DRAFT MINUTES NOT BOARD APPROVED

Saturday, March 4, 2022

Teleconference

10:00 AM

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

ROLL CALL

President Cathcart, Director Malley, Director Hart, and Director Kramer 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.)*

Dane Wadle representing the CSDA (California Special Districts Association), gave a background of what the CSDA does, plus discussed their work as an advocacy in the Sacramento area and in Washington DC.

Currently, one bill the CSDA is supporting and sponsoring is Assembly Bill 557. This bill would extend to Special Districts the ability to hold remote meetings, like we are on now, in case of emergencies. We have AB 3361 that allowed Districts to hold meetings during emergencies. The authority of this Assembly Bill is expiring at the end of this year. Dane stated it is important for all our members to have the flexibility to hold remote meetings and that is the reason for the reason we support AB 557.

Another item Dane reported on was an initiative that has qualified for the November 2024 ballot. It is something the CSDA is opposing because it restricts districts with a percentage increase to charge or increase tax fees and would lower the minimum level of local service by hindering the districts to increase their level of taxes to maintain the level of services provided. The CSDA is not sure what the exact wording for this Assembly Bill will be and has concerns for the districts to plan their long terms needs for their district's future. If the districts have secured tax increases from January 2022 and this bill passes, these increases would be considered null and void for the future plans of the districts. Dane reported that he will continue to follow-up with Chief Gerren regarding this initiative and forward the website for the wording to be distributed to the Board.

On a federal level, there are opportunities right now through one of our State Senators and new Representative Kevin Kiley, called Community Project Funding Requests. Our district and others can submit a funding request to Representative Kevin Kiley's Office for the federal appropriations process. A link has been provided to Chief Gerren to review, complete and submit by the deadline of March 13, 2023.

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.)*

President Cathcart requested to postpone these comments and have them addressed under Agenda Items.

ADMINISTRATIVE MATTERS

A. Approval of Agenda

President Cathcart requested motion for the approval of the agenda with the following additions:

- Letter from TRPA regarding AIS Inspections. President Cathcart reported this letter came in late and will be a discussion only item. This letter is to refine the watercraft inspection protocols for the Echo Lakes and Fallen Leaf Lakes Inspection Protocols
- Store/Café/Marina Concessionaire, the committee has an update on this subject matter and will be added for discussion only.

A motion was made by Director Hart to approve the agenda with additions. Motion seconded by Director Kramer. The motion was passed unanimously.

B. Approve Minutes of Regular Meeting December 3, 2022 and Special Meeting February 27, 2023

President Cathcart requested approval of regular meeting minutes for the December 3, 2022 and Special Meeting February 27, 2023. Director Hart motioned to approve minutes for both meetings December 3, 2022, and February 27, 2023. The motion was seconded by Director Kramer and passed unanimously.

C. Approve Financial Reports F/Y 2022-23 through February 27, 2023

President Cathcart requested approval of the financials report for fiscal year 2022-23 through the end February 27, 2023, these reports were not available because the districts bookkeeper was in an accident and was unable to prepare the financials due to injuries sustained from accident. This item will be discussed at the next board meeting being held over Memorial Day weekend.

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

Chief Gerren reviewed with the Board his report that was included in the board packet, along with a few items not in the report. The responses remain the same at 48. All our paramedics have been hired by other fire departments over the winter. Currently, we are working on a flyer to recruit seasonal openings for Firefighter/Paramedics during the 2023 season. All our defensible space personnel are returning for the 2023 season, and we are hoping to expand the program this year. All the apparatus is stored and safe. If anyone has seen pictures of Fallen Leaf, it is covered with heavy snow. The report on the repair and upgrade to the Launch Ramp will be discussed under Old Business Item C. The Defensible

Space Program will begin in May depending on the snowpack around the lake. I had a meeting with the El Dorado County Water Agency, who made a presentation in December, and because of new information for the fire suppression water for both the East and West Side their presentation is currently under review so all information for the fire suppression water will be up to date. This presentation will not include the potable side of the water around the lake, only fire suppression water.

Next meetings will be May 27, 2023, July 1, 2023, September 2, 2023, and December 2, 2023. The exhibits for the Concessionaire Contract have been reviewed by our legal counsel and Big Blue Hospitalities legal counsel. This will be an add-on item on the agenda, discussion only.

Director Hart asked if the next meetings will be in person at the old store. Chief Gerren reported yes, and President Cathcart added that these meetings will be in person and teleconference.

President Cathcart asked if there will be difficulty in finding new firefighter/paramedics to replace those that have found other jobs. The Chief reported that all fire departments lose firefighters/paramedics to other departments, and it is part of the job to find new hires. We are contacting paramedic schools in and around our area with graduating paramedic students that may be looking for paramedic positions. The biggest problem is that we are seasonal and why we lose paramedic/firefighter to other full-time departments.

Director Hart asked about the EDC Water Agency's plan, if it will be a line that goes along each side of the lake. Chief Gerren reported that the EDC Water Agency's Plan is a 2-part plan. One is to extend and upgrade the potable water and the other is for fire suppression. We would be interested only in the fire suppression water to provide a better water resource for fighting fires. We have no interest in the potable water supply currently. The letter to the TRPA that I wrote was for funding and support for Fire Suppression Only. The EDC Water Agency has more data to gather to compile before they can present a presentation for the Fire Suppression Water and, in addition, this project would be 100% funded where it would not cost the district any money. Director Hart asked about where this water for fire suppression would come from and Chief Gerren reported from out of our lake. This project would be putting in commercial size hydrants/pumps or a form of pumps that would pump about 500 gallons of water to feed fire suppression lines only. This is what was projected for the fire suppression side of the plan, excluding the potable water side of the plan.

Bill Neidig requested an update on the fiber and cell tower. Chief Gerren reported that he had no current information regarding the cell tower. The fiber has been installed, however no connection yet. A full discussion was held regarding connections to residences and FLLCSD offices.

E. President's Report

President Cathcart reported on letter from Thomas Boos of TRPA regarding coordinating AIS programs for Echo Lakes, Fallen Leaf Lake and Lake Tahoe. Not sure if the email and letter attached has been widely distributed to the board because it was received after the publication of the board packet and asked if this letter could be distributed to the board members and be put on the website. Thomas would like comments on a proposal and President Cathcart would like everyone to look at this letter and address questions and comments to be provided to TRPA regarding this proposal. This proposal does not seem

to change anything that we are doing, however we do need to review this and bring it up for discussion at the next meeting or forward comments to be discussed at the next meeting. President Cathcart reported an agenda item that assigns board of director positions for the calendar year through 2024, this item was tabled during December meeting and postponed till May meeting the position for AIS under the assigned position of Store and Marina where the concessionaire is responsible for tags and AIS protocols, that Mike Casey while on the board oversaw AIS and as a recommendation we could appoint a non-board member to be a liaison between the board and AIS to report to the board. If so, he would highly recommend Mike Casey to follow-up and fill this position as a non-board member during 2023 until we appoint a board member to fill this position. Mike Casey stated he would fill this position of AIS liaison for this year. The rest of the assigned positions will be discussed under Old Business, Item A. This subject matter – AIS/TRPA is to be put on the agenda for the next meeting being held in May.

A full discussion was held regarding the letter/proposal from TRPA as it relates to streamlining the access between Echo Lakes and Fallen Leaf Lake because these lakes are AIS free versus Lake Tahoe which has known AIS issues and must be inspected or re-inspected prior to going to Echo and Fallen Leaf Lake. All motorized watercrafts must have a full inspection and be tagged through the inspection stations. Echo Lakes and Fallen Leaf Lake are mostly returned residents of these two lakes who only use their boats within their resident lake (Echo Lakes or Fallen Leaf Lake) and are tagged accordingly. Whereas Lake Tahoe, is a highly motorized watercraft body of lake used by mostly people out of the area and must be inspected regardless because these motorized watercrafts are utilized in other bodies of water throughout the year in other areas and are susceptible to AIS. Another discussion was held whether non-motorized watercrafts are or can become an issue. Many non-motorized watercrafts do come through the marina, but there are many areas with non-motorized watercrafts that can be launched around Fallen Leaf Lake.

F. Concessionaire Report

Director Hart reported an update of the progress of the concessionaire. He received an old copy of the CLM contract and updated it with all the new information, fixed any typographical errors and cleaned up some of the attached exhibits by attaching exhibits to some of the old documents that needed exhibits attached. The contract was reviewed by in-house counsel and submitted to Big Blue Hospitality. The added agenda item under New Business, Item D, we will discuss in further detail what we need to do next.

G. Voting Rights Committee Report

Nothing to report.

H. Boating Safety Report

Nothing to report.

I. JPA Report

Nothing to report.

J. FLL Basin Coalition Report

Director Hart reported that since the last board meeting the Coalition was to go to TRPA and ask them to closely examine the events that led up to the trail that goes from Angora Lake down to Lily Lake. The fact that it was built by the Forest Service who was in violation of the TRPA memorandum of understanding and that the TRPA staff was approving, in the rears, the approval of the constructed trail. Ruth Rich, Jeff Campen and others have clearly done a great job in trying to get TRPA to adhere to their own guidelines in issuing permits for trails prior to being constructed on USFS property and for the USFS to pay more attention to their agreements with other entities, such as the TRPA regarding agreements that are in force prior to new trail construction. By doing so, all elements of possible erosion, sediment going into lakes or bodies of water, safety of trails for all people, such as hikers, mountain bike enthusiasts and making sure there is proper available parking for people utilizing these trails. Director Hart also reported that there is a webinar coming up sponsored by agencies to accommodate the increased need for trails. Director Hart asked Ruth Rich to further expand on this subject.

Ruth Rich reported this webinar meeting is being held Tuesday, March 21, 2023, at 5:30 pm. Ruth reported that she will be sending out an announcement regarding this meeting from the directory email list.

OLD BUSINESS

A. Assign Board of Director Positions

President Cathcart reported this item was discussed under President's Report and that a list of these assignments was included in the board packet. The AIS assignment will be added to this list. A discussion was held, and this item will be carried over to the regular meeting in May.

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

Director Hart reported that there may be some revenue opportunities for the Parks and Recreation to receive from the Fire Department or concessionaire by leasing out the space upstairs above the store. After discussion this subject matter was postponed and/or carried over to the regular meeting being held in May.

C. Final Approval to Accept Contract from HCI Docks for the Replacement of the #3 and #4 Docks, Slips, and Gangways. The bid amount is \$390,349. Less Cal parks Grant Funding of \$177,925. The district would be responsible for \$212,424.

Chief Gerren reported that this item has already been approved by the board, along with the Cal Parks Grant. Chief Gerren asked for final approval to accept contract from HCI Docks regarding the replacement of docks, slips and gangways in the total amount of \$390,349, less Cal Parks Grant of \$177,925 for a total district responsibility of \$212,424. Chief Gerren also stated that there are 3 bids included in the board packet for their review that total up to a contract bid from HCI in the amount of \$390,349. A full discussion and review were held regarding bids, start date, including product and design for the replacement of docks, slips and gangways and full disclosure of removal of old docks, slips and gangways. Another bid was received and Chief Gerren reported he overlooked putting the Mid-Cal bid in the board packet for review, however, that bid was \$20,000+ more than

HCI and Mid-Cal would not be able to start project until June, whereas HCI could start as soon as they received approval and could have project completed prior to Memorial Day, along with a lower bid and had the best product for the needs of the district.

A discussion was held regarding the replacement of launch ramp and Chief Gerren reported grants are being looked into and applied for, plus we are waiting for the engineers' specifications for the new launch ramp to be completed in order to apply for grants. After discussion a motion was made by Director Hart to approve and authorize Chief Gerren to accept contact from HCI Docks for the replacement of the #3 and #4 docks, slips and gangways in the amount of \$390,349. The district will be responsible for \$212,424 after the Cal Parks Grant Funding of \$177,925. Motion was seconded by Director Malley. Motion was passed with 3 in favor vote and 1 abstained. The Board commended Chief Gerren for a good job in researching qualified engineers and bids for the replacement of docks, slips and gangways, along with grant funding from Cal Parks.

NEW BUSINESS

A. Discussion / suggestions from the Community Area Advisory Committee (CAAC) about the operation of the Store/Café/Marina during the 2023 season.

President Cathcart reported the CAAC is not in-place now and we could appoint members to re-establish this committee. A full discussion was held regarding 2 board members and the rest would be representatives of the community around the different areas of Fallen Leaf Lake basin. This item will be on the agenda for the next regular scheduled meeting in May to give time for people around the basin to respond regarding their interest in being on this committee and if we need such a committee, along with what the committee's scope would be. The board directed Chief Gerren to post on the website information and interested representative who would be interested in being on this committee and to work with Director Hart regarding the wording of this post that will be discussed further at the regular scheduled meeting in May.

B. Fire Department lease of a utility service truck for the Defensible Space Program for 2023. This is an add on lease through the CalFire Contract with Enterprise Leasing. This lease would be for 5 months at \$3,400 per month.

Chief Gerren requested from the board to lease a utility service truck for the Defensible Space Program for 2023 that would cost \$3,400 per month for 5 months during the fire season of 2023. A full discussion was held regarding how well the Defensible Space Program helped with fire reductions in the Fallen Leaf Basin and that funds received from strike teams are a way of giving back to the community to help fuel reduction in our area. A motion was made by Director Malley to approve the lease of a utility service truck for the Defensible Space program for a 5-month duration in the amount of \$3,400 per month. The motion was seconded by Director Hart and passed unanimously.

ADD – ON AGENDA ITEMS:

A. Discussion Only / TRPA Letter – Echo Lakes and Fallen Leaf Lake Inspection Protocols

Discussed under President's Report

B. Discussion Only / Big Blue Hospitality concessionaire contract for the operation of the Store, Café, and Marina starting in 2023 regarding items in the contract.

Director Hart requested Chief Gerren to give an outline of the progress with the new concessionaire and where we are right now.

Chief Gerren reported the progress with the new concessionaire and that a few items of concern with Big Blue Hospitality providing the boats prior to opening seems to be a financial issue with them at this time. Big Blue Hospitality is still looking for funding for these boats in the approximate amount of \$130,000, but as of right now they have not been successful. Big Blue Hospitality was asking if the contract could be amended as to the requirement of the boats or if the CSD could loan them money to purchase these boats and pay back the district throughout the season for these boats. Big Blue Hospitality has the funds for stock and supplies and the \$35,000 deposit to the district, just does not have the available funds now to purchase boats as the requirement per contract.

Director Hart reported that we do need to open the Marina for several important reasons. Alternatives would be to stay with Big Blue Hospitality in hopes that they can acquire the funding for the purchase of boats; we do not have time to look for another concessionaire; the district could buy the boats (2 pontoons boats and 2 fishing boats) where we could adjust the contract for the summer of 2023 only or hire Big Blue Hospitality as an employee and we purchase stock, souvenirs and boats. A full discussion was held on this subject as to contract amendment, loan for boats CSD and/or personal private loans, liability to district, Big Blue Hospitality leasing boats instead of the initial cost of purchasing the boats, the district guarantee a loan. Mike Casey reported that he would put up a personal guarantee if maybe 3 other people pitch in, so he does not carry the full amount himself. Director Hart suggested adjusting the contract taking out the requirements for boats, but not sure if we can legally do that. A suggestion was made by John Rich to allow Big Blue Hospitality to send out letters as soon as possible to all the mooring customers to get them to pay immediately for their slips and that would alleviate that short term cash flow problem and hopefully bring in \$50,000 to \$100,000 which could subsequently help purchase boats needed to full-fill contract requirements for boat rentals. A discussion was held regarding how people are now paying whether up-front or in the rears. John rich reported that historically when they were running the Marina that the money for the mooring/slips were in by March 1 and that makes a big difference as you enter the season to have those funds in the bank prior to start-up to operate the business. Chief Gerren reported it was Big Blue Hospitality's plan to send out notices for slip rentals as soon as possible to generate funds prior to start-up.

Director Hart suggested to have wording in contract to read best efforts be applied to acquire pontoon and fishing boats and leave it as that. The board agreed and no motion was necessary.

With no other business, President Cathcart adjourned the meeting at 11:56 am.