

FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT

DRAFT MINUTES NOT BOARD APPROVED

Saturday, September 25, 2023

Teleconference

Also Available Virtually from 677 La Loma Road, Pasadena, CA 91105

10:00 AM

President Cathcart called the meeting to order at 10:11 am

ROLL CALL

President Cathcart, Vice President Hart, Director Malley and Director Kramer. Director G. Calof absent.

PLEDGE OF ALLEGIANCE

Chief Gerren led us in the pledge of allegiance.

CLOSED TO EXECUTIVE SESSION at 10:12 am

REPORT OUT OF EXECUTIVE SESSION opened at 10:47 am

Responsible Staff: President Cathcart

President Cathcart reported out of Executive Session:

1. The district's bookkeeper/auditor will review the proposed charts Director Kramer has submitted in closed session.
2. President Cathcart reported Discussion and Possible Motion will be held under New Business Item E.

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.)*

Ruth Rich phoned in and started a comment and lost connection.

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 reported Public Comments "on" the agenda would be best utilized when the agenda item comes up. This item to be deleted from future agenda.

ADMINISTRATIVE MATTERS

A. Approval of Agenda

President Cathcart reported that under Item E, New Business **Fire Chief / General Manager Annual September Review for 2023**, we will be discussing the annual September review and also approval of the annual bonus. President Cathcart requested

motion for the approval of the agenda. A motion was made by Director Hart to approve the agenda as noted per President Cathcart. Motion seconded by Director Kramer and motion was passed unanimously.

B. Approve Minutes of Regular Meeting July 1, 2023

President Cathcart requested approval of regular meeting minutes for the July 1, 2023. Motioned to approve minutes of July 1, 2023 was made by Director Hart and seconded by Director Kramer. With no discussion motion was passed unanimously.

C. Approve Financial Reports F/Y 2023-24 through August 26, 2023

President Cathcart requested approval of the financials report for fiscal year 2023-24 through August 26, 2023. Director Hart requested to have a presentation and full discussion, then call for approval. A full discussion was held regarding new format of the financials, the Balance Sheet and Budget vs Actual current balances as they relate to the budgetary line items of the Administration, Parks and Recreation and the Fire Department. After discussion, motion was made by Director Kramer to approve the Administration, Parks and Recreation and the Fire Department for F/Y 2023-24 through August 26, 2023. The motion was seconded by Director Hart and passed unanimously.

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

Chief Gerren reviewed with the Board his report that was included in the board packet. Chief Gerren reported an update from 30 responses since report was written, is now up to 38 responses to date. We have been working on improving our ISO rating, that is now a 2 Y/2X which is very good. We are working on upping our points with ISO, because ISO is based on point calculations for each fire department district. We added a new volunteer this year that ups our volunteer count to 5. All apparatus is in service, along with our new UTV's. We have already used the UTV's on a couple of fires and rescues. One fire was on the east side down in the woods past the old Taggart project we helped the Forest Service put out a tree fire from a lightning strike. The new mini-pumper is still be outfitted with equipment. Hopefully we will have it outfitted by the end of this season, if not by the start of next season so it can be in full service within the district. Still looking at getting some funding from the USFS to continue our defensible space work and to help assist them on their property around the Fallen Leaf Lake area. Hopefully it will be approved this week in the approximately amount of \$200,000 to help keep our defensible program going for another season. The Cal-Parks grant we applied for, for the docks is now closed out. They came up and inspected the docks and sign that we put up. We are currently waiting for a grant check in the amount of \$177,952 to go back in the Parks and Recreation reserve funds. The cost of the project cost to us was in the approximate amount of \$384,000. The USFS will be conducting burn projects throughout the winter, as long as weather permits. They are currently starting a project that they have been prepping for, for about 10 days, putting water lines in between the area of Emigrant Road, Fallen Leaf Road and ridge, going out towards Tahoe Mountain. They will be doing understory burns and pile burns and set to start the burns tomorrow on a 30-acre project. Their water is coming from a hydrant up on Dundee Circle and the project will go through next weekend and possible through the following week. They also have several other projects behind this one, in the same acreage, but different areas as long as weather and conditions permit. So, if you see smoke in that area that is where it is coming from. Both the BBQ and Wine Tasting events

were very successful, raising about \$9,000 from Wine Tasting and BBQ for the volunteers raised about \$6,000. Both events had a good attendance. Would like to take this opportunity to thank the El Dorado County Board of Supervisors for the funds to purchase both UTVs, Mini Pumper and a new Zoll EMS Monitor for our Advanced Life Support program. These funds were provided through the Transient Occupancy Tax. Liberty Electric is tagging poles and if you see a red and white ribbon on the pole it means that the pole is going to be replaced. Going to try and get the project going before the weather got bad and maybe not until next year. Next regular board meeting is scheduled for December 2, 2023 and will be a teleconference/zoom meeting. The store and marina are doing great and Luke is doing a fabulous job and has exceeded the record of sales for over the last 13 years. He will report more about the store and marina under the Concessionaire's Report.

President Cathcart asked about the eastern dock replacements and the ramp itself. Chief Gerren reported that the engineer has produced an engineer drawing for the eastern side dock replacements. This needed to be done in order to start the process for a grant request. Currently there are no grants available for this project, but we get notified periodically from Cal-Parks regarding grants available and we check to see if the grant is one that we qualify for. The engineer is currently working on the drawings for the upgraded launch ramp. The same criteria apply, we have to have the engineer drawings done and estimated costs prior to applying for a grant. We make sure that we look through each grant available that Cal-Parks and other agencies through them have available, to see if we qualify under their various types of grants.

Director Kramer asked Chief Gerren if he could define the different colored markings on the trees and what they represent from the conversation they had to the public. Chief Gerren reported that ribbons you see around the trees are forestry markers to evaluate trees that the USFS will be logged out or taken down and bucked up. The Blue marks that you see on the trees are markings from Liberty Utilities that their contractor(s) will be cutting down. Some of you may have already seen Mountain Enterprises (one of the 3 or 4 contractors) cutting down trees in the area. Stanford Hill will be an area that they will be working at and other areas until weather gets bad this year.

Director Kramer asked about the defensible space program and the inspection form. Chief Gerren reported that the fire department will be going around again in the spring 2024 to hang door hangers with information for fire safety and the defensible space inspections will begin mid-May through mid-June 2024. Chief Gerren went on to report that the defensible space on the east and west side is pretty much complete.

E. President's Report

President Cathcart reported that we had a good and successful year from transition into season 2023. The Strike Teams were less than the past because of a wet winter causing less fires.

F. Concessionaire Report

Luke Johnston reported that this first year was good and as Gary had mentioned that BBH is about 3 ½% above highest revenue record for the store/cafe and marina and reported his appreciation for the support of the community.

The Marina and kitchen will be closing October 1, 2023. Notices and emails have already been posted and sent out. We are asking anyone who has a boat in the marina or on the lake to please take their boat out by September 30, 2023, this will prep us to be able to remove the docks. Big Blue Hospitality (BBH) has decided to pull the docks from the marina ourselves this year. The equipment to help remove the docks will be here the 1st of October. Luke also reported that he will be out of town in Las Vegas at a trade show buying new items for the Store for next session and the removal of the docks will transpire on October 9th through the 16th, 2023. If any boats remaining on the west side and/or east side that are still in the water at their properties, you will need to contact Donnie at marina@fallenleaf lodge.com or call (530) 544-2628 to make an arrangement prior to pulling your boat out of the water. No boats will be removed during transition of removal of docks October 9th through the 16th.

Store operations will remain open through mid-October during out prepping for next session and closing down this session to continue to sell any merchandise in the store. If there are any perishables left, BBH will donate to Christmas Cheer.

We are excited for next session. We will have several months this winter to recruit staff and to engage the community to help us increase our sales even more above this year. Next year we hope to have a wider array of pontoon boats (small, medium and large) to accommodate the different size groups. Also, we will have fishing boats and dedicated chase boats so all boats can be out at the same time. Some of the kayaks that did not make it through last season we kept in storage and will be removed from inventory. We will be purchasing more some new double and single kayaks. We will not be purchasing any more triple kayaks, because they can become top heavy with possible cause of liability issues. We will also be purchasing more paddle boards. There will be a variety of outdoor water inventory for enjoyment by any size group and/or individual. Plus, the Las Vegas Conference offers souvenirs and much more for the guests that visit Fallen Leaf as a memento of their time spent at Fallen Leaf Lake.

Luke went on to report that he plans on spending as much time at the Store this winter as the weather will permit him to preparing for next session. This session startup was late and items were going on the shelves as they came in, so, come next session will have items on the shelves on opening day and to be more efficient. We plan on recruiting a substantial number of staff for next session, double the staff than this session.

We are also making improvements for a security of the property. We have placed cameras in areas to survey the parking lot and store/café and plan on securing cameras in other areas to get a full spectrum of the CSD property to observe the premises 24 hours during off hours and winter season when no one is here.

The Board congratulated Luke for a job well done.

Director Hart commended Luke for a good job, especially after a late start to get the Store/Café Marina open on time, even with limited items you succeeded in managing to financially have the highest revenue since the opening of the Store/Café and Marina.

Director Hart reported that being this is the first time his team has attempted to remove docks and that the docks are new, to please be very careful pulling these docks out.

Director Hart reminded Luke that during his trip to Las Vegas to make sure to that purchases that will be specialized as Fallen Leaf specific.

Director Hart asked that when people pull out their boats that they are properly tagged? Luke reported absolutely. Donnie, John and I are all certified tag inspectors through TRPA. We are maintaining seals and stickers in the off season for any boats that come out or go in during the off season. All 3 of us are in the local area, so one of us will be available. We are not changing any of our AIS protocols and one of us will always be available for sealing and tagging boats, just like during the summer months. Luke reported he has had several conversations with Tom Boos at TRPA in reference to adhering to protocols and helping TRPA to feel secure and comfortable that the safety of the Fallen Leaf Lake is of the utmost importance.

Director Hart asked what in the store sold well? Luke responded that him and Gary had this same conversation and it was everything sold very well. Sold over 1500 to 2000 apparel items, rented boats daily and sold over 1000 of 3-gallon tubs of ice cream.

Mike Casey reported that there is some evidence of New Zealand mud snails in Lake Tahoe and asked Luke if he was aware of it. Luke reported yes that they are. Tom Boos came by last week, before they made it public and he was very concerned. The staff and Tom had a meeting regarding what they look like and how invasive they are. A discussion was held regarding the description of the New Zealand Mud Snails. Luke reported that his staff will do their best in keeping these snails from infesting Fallen Leaf Lake.

G. Voting Rights Committee Report

Mike Casey reported that he will check with lobbyist to hear if anything has changed with legislation regarding this item.

H. Boating Safety Report

Mike Casey reported he would like to get more involved. Nothing to report at this time.

I. JPA Report

President Cathcart reported that the JPA is a Joint Powers Association and there are 3 members, and we have 1 of the 5 seats on it on its Board. They are currently tied up in negotiations to build out the property on Lake Tahoe Blvd. The original budget for this project was 2 ½ million, however the projects estimate came in over 4 million. They are currently reevaluating and working on lowering these numbers to at least get the heavy work done before the first snowfall. The JPA continues with the housing and staffing, transporting and providing ALS to the community while construction work is in progress.

J. FLL Basin Coalition Report

Director Hart reported that he had nothing to report and ask Director Kramer if he had anything to report. Director Kramer reported at the Wine Tasting held in July, the coalition group had a booth where they were able to present and talk to people present about what the FLL Basin Coalition was about. The Coalition is requesting if the FLLCSD could put a one-page announcement on the website. Chief Gerren asked for the information of what they wanted to be posted on the website and it will be posted. Director Kramer stated that he will get with him after the meeting.

Director Malley reported that the USFS Dam spent money to clear the debris that was clogging the flow of the dam which was cleared by John Rich. The FLL Protection Group

is requesting a donation from the CSD to help pay for this expense. President Cathcart reported that this item is on the agenda under New Business B **USFS Dam Fallen Leaf Lake Proposal and Resolution** and New Business G **Consider a Donation to the Fallen Leaf Lake Protection Association for \$5,000**

OLD BUSINESS

A. TRPA Letter – Echo Lakes and Fallen Leaf Lake Inspection Protocols. Letter attached to board packet.

President Cathcart reported that there have been no comments from the public to the board regarding this matter and that the CSD is doing and providing more secure protocols than what is requested in the TRPA letter is requesting. This item is no longer to be kept on the future agendas.

NEW BUSINESS

A. Resolution 2023-6 Meeting Dates for 2024

President Cathcart presented to the Board Resolution 2023-6 setting forth the meeting dates for 2024. Motion was made by Director Malley to approve Resolution 2023-6 and seconded by Director Kramer. After brief discussion motion was passed unanimously.

B. USFS Dam Fallen Leaf Lake Proposal and Resolution

President Cathcart reported that this subject matter is in reference to a letter to the USFS regarding their responsibilities to oversee and maintain the dam at Fallen Leaf Lake per MOU and documents attached in board packet. Chief Gerren reported this subject matter is submitted by Director Kramer in reference to his proposal and resolution to the USFS for review and possible motion to approve resolution.

Director Kramer gave a background regarding subject matter going back to the 1930's when the Annetta Baldwin had a dam built at the end of Fallen Leaf Lake on the west side on USFS land and per a MOU between the Fallen Leaf Lake Protection Association and the USFS dated in 1972 referring to the responsibilities of the USFS was to oversee and maintain the operation of the dam per the documentation attached in board packet. Director Kramer reported that this summer debris had built up so badly that the dam was not functioning. Per John Kleppe, the president of the FLL Protection Association, USFS responded that they did not have the resources to repair the dam. The dam had to be cleared of this debris and through the Fallen Leaf Lake Protection Association, residents helped pay for the debris to be cleared by John Rich. Director Kramer stated that the USFS needs to hold up to their responsibilities to maintain the operation of the dam and that includes clearing debris time to time from the dam itself and he is asking the FLLCSD board of directors to approve attached resolution and documentation to be submitted to the USFS to remind them of their responsibilities to operate and maintain the FLL dam. A full discussion was held regarding subject matter as to the impact it can cause to the FLLCSD marina and the fire department as to water levels and more and how important it is for the USFS to hold up to their MOU agreement that was signed in 1972 with amendments.

President Cathcart suggested a motion be made to approve and pass Resolution for the safety to operate its firefighting boats and to provide adequate facilities for the launch and removal of boat from Fallen Leaf Lake and to reaffirm its support for the appropriate management of the FLL dam and the lake level in accordance with the USFS's existing obligations, to benefit our mutual constituents. Director Kramer motioned the above suggestion and motion was seconded by Director Hart with the following changes.

To change the 2nd Whereas paragraph

WHEREAS the United State Forest Service is bound by its 1972 Memorandum of Understanding (as amended) with the Fallen Leaf Lake Protection Association to provide ongoing management of the Fallen Leaf Lake dam in a manner that maintains agreed-upon water levels at Fallen Leaf Lake; and

To read as

***WHEREAS** the United State Forest Service is bound by its 1972 Memorandum of Understanding (as amended) with the Fallen Leaf Lake Protection Association to provide ongoing management of the Fallen Leaf Lake dam in accordance with the targets mandated in the Memorandum of Understanding at Fallen Leaf Lake; and*

After a further discussion, motion was passed unanimously, along with instructions for Chief Gerren to forward signed Resolution and all attachments to the USFS, head officer of the Lake Tahoe Basin Management.

C. Resolution 2023-7 from Department of Forestry and Fire Protection Agreement #7GF23035 for the Volunteer Fire Assistance Program (VFA)

Chief Gerren reported that this is a VFA grant program he applies for every year. The grant has been improved from the Department of Forestry and Fire Protection and we now need to submit a resolution approving the amount of grant in the amount of \$13,776.96 and at this point finalizes the process to apply for the equipment that we are trying to get through the grant. Deadline for this grant's final process ends the end of this month. A motion was made by Director Malley to approve Resolution 2023-7 for VFA Grant #17GF23035 and seconded by Director Hart. After discussion motion was passed unanimously.

D. Committee of the Board (President Cathcart and Director Casey) were to study the allocation of future funds produced from Strike Team(s) under the management and control of the Fallen Leaf Lake Fire Department Fire Chief, to use any such future funds for purposes only for fire department related capital and/or operational expenses needed by the Fire Department only to cover capital and/or operating costs.

President Cathcart reported this committee was to study the allocation of future funds produced from strike teams for the fire department's operational expenses. Mike Casey was part of this committee and there was no need for a standing committee to continue studying these funds as it relates to the fire department. Unless someone feels a need, please speak up, if not, no action will be taken.

Director Hart reported he had a question that would relate to New Business Item G **Consider a Donation to the Fallen Leaf Lake Protection Association for \$5,000.** This study states for purposes for fire department related capital and/or operating funds. Do you think this precludes the ability of the fire department, in the name of public safety, in keeping the lake level accordance with the terms MOU, that the \$5,000 would come from the fire department reserves not from administrative or parks & recreation reserves? President Cathcart reported that no, this is about strike teams funds being used only for the purposes of capital and/or operating costs for the fire department. The purpose of the committee was to make sure that these strike teams funds were allocated only for the sole purposes of capital and/or operational expenses needed by the fire department only. Chief Gerren reported that these strike teams funds go back into the fire department reserves. A sheet for what strike team funds is used for is included in the board packet. A full discussion was held regarding strike team funds, why the fire department should or should not pay the donation amount to the FLLPA as it relates to the dam and water levels of FLL and, how it effects the fire department boat and other boats around the lake getting in and out of the marina. No action taken

E. Fire Chief / General Manager Annual September Review for 2023

President Cathcart reported this item is the Fire Chief and General Manager's Annual Review and Bonus for 2023 and asked Director Hart to proceed. Director Hart reported no action was taken in executive session, per law. The subject matter because it had to do with personnel was reviewed in executive session and is now open for discussion and possible motion to the public. Based on the Fire Chief and General Manager's contract, the contracts allow for a performance review and an annual bonus. The basis for providing a bonus was based on: 1) the development of relations and close relationships for state, federal and local agencies; 2) the success in grant writing that has accrued funds for both the fire department and parks and recreation; 3) the training regimen, a very sufficient wildland fire fighting team, their safety record and focus on structure fires in case that would happen; 4) the loss of our concessionaire and the scramble we had last November when we thought we were going to have to operate the store/café and marina ourselves and the winter months looking and finding the current concessionaire (Big Blue Hospitality) and the cooperation with the general manager, BBH and working with the committee to get the contract signed, getting the operations up and running was a huge achievement; 5) the prompt responses as to budgetary matters throughout the year that are important to the community and CSD; 6) the acquisitions to tools and equipment that increase the readiness of the firefighting team and their efficiency to fight fires, not only within the CSD sphere of influence, but also within the State of California. These are a few of the criteria where we should award a bonus to the Chief. An open and full discussion was held regarding the performance of the Fire Chief/General Manager and whether he should have additional compensation for his performance. Director Hart motioned that the CSD award a 5% bonus of base salary for both Fire Chief/General Manager for his contractual salary to be paid if this motion is approved. Motion was seconded by Director Malley. Motion was passed with a 3 yes vote and 1 no vote.

F. Proposal for CSD Financial Reports and Budget Process

President Cathcart reported that per Director Kramer's suggested proposal for CSD Financial Reports and Budget Process are currently being implemented. Such as adding comments to any budgetary line items necessary.

Director Kramer reported that the CSD should have a standard policy that any line item at the end of year has an amount over a 10% variance we have an explanation to what is going on, plus included in the board packet for public transparency. Any line item in mid-year over the 10% variance should also be flagged. Also, for our annual budgetary line items, that if any new line item or any line item with a more than 10% variance from previous fiscal year budget should come with a brief explanation as to why there was an increase for discussion with the CSD board. Director Kramer reported this is only a suggestion for a standard policy if voted on.

President Carthcart reported there seems to be no need for a standard policy, as Chief Gerren has made changes on how the financials are currently being presented to the board and public per financials in current board packet making comments to line items necessary.

G. Consider a Donation to the Fallen Leaf Lake Protection Association for \$5,000

President Cathcart reported this is a donation to the Fallen Leaf Lake Protection Association in the amount of \$5,000. It is on as a line item, because the board was asked by the community to add this to the agenda. This donation is to help pay for the damage and repairs to the FLL dam. Director Malley motioned for the FLLCSD to contribute the sum of \$5,000 to the Fallen Leaf Lake Protection Association. Director Kramer seconded the motion for the sake of discussion. A full discussion was held regarding the community to raise the funds privately, funds are to help replenish the FLLPA funds that were disbursed out to pay for the repairs on the dam by John Rich in the amount of \$5,000, how FLLPA does not have a membership fee, fee are raised from contributions from the community, sending out a press release and/or post on website regarding the Resolution currently passed regarding the dam. Subject matter tabled.

With no other business, President Cathcart adjourned the meeting at 12:39 PM.