



SOUTH TAHOE PUBLIC UTILITY DISTRICT

David Peterson, President
Nick Haven, Director

BOARD MEMBERS
Shane Romsos, Vice President

Kelly Sheehan, Director
Nick Exline, Director

Paul Hughes, General Manager

**REGULAR MEETING OF THE BOARD OF DIRECTORS
SOUTH TAHOE PUBLIC UTILITY DISTRICT
October 19, 2023
MINUTES**

The South Tahoe Public Utility District Board of Directors met in a regular session, 2:00 p.m., at the District Office, located at 1275 Meadow Crest Drive, South Lake Tahoe, California.

ROLL CALL: Board of Directors: Vice President Romsos, Directors Haven, Sheehan, Exline

Absent: David Peterson

Staff: Paul Hughes, Keith Collins, Melonie Guttery, Julie Ryan, Chris Skelly, Trevor Coolidge, Bren Borley, Greg Dupree, Mark Seelos, Brent Goligoski, Taylor Jaime, Shannon Chandler, Star Glaze, Heidi Baugh, Donielle Morse, Stephen Caswell,

Guests: Wayne Vinciguerra, Vinciguerra Construction; Art Zorio and Gary Kvistad, Brownstein Hyatt Farber Schreck; Steve and Ashely Nichols, Village Board Shop

1. **PLEDGE OF ALLEGIANCE:**

2. **COMMENTS FROM THE PUBLIC:** None

3. **CORRECTIONS TO THE AGENDA OR CONSENT CALENDAR:** None

4. **ADOPTION OF CONSENT CALENDAR:**

Moved Sheehan/Second Exline/Peterson Absent/Haven Yes/Romsos Yes/Sheehan Yes/Exline Yes
to approve the Consent Calendar as presented.

a. **WINTER STORMS EMERGENCY RESPONSE**

(Paul Hughes, General Manager)

Pursuant to Public Contract Code Section 22050(c), continued the emergency action to respond to the Winter Storms Emergency pursuant to Resolution No. 3242-23.

b. **AVEVA WONDERWARE FLEX LICENSE MIGRATION**

(Chris Skelly, Information Technology Manager)

Authorized staff to sign Aveva's subscription three-year License contract for the District's SCADA software, Wonderware.

c. CALPERS REQUIRED PAY LISTING BY POSITION

(Greg Dupree, Accounting Manager)

Adopted Resolution 3258-23 which incorporates the Pay Listing by Position for the pay listing effective October 4, 2023.

d. SECONDARY CLARIFIER NO. 1 REHABILITATION

(Stephen Caswell, Principal Engineer)

(1) Approved Proposal to amend existing Task Order No. 29 for Carollo Engineers, Inc., for the Secondary Clarifier No. 1 Rehabilitation Project additional design services in an amount not to exceed \$43,654; and (2) Authorized the General Manager to execute Amendment A to Task Order No. 29 with Carollo Engineers, Inc.

e. REBID 2023-2024 TANK COATINGS TOUCHUP PROJECT

(Megan Colvey, Senior Engineer and Heidi Baugh, Purchasing Agent)

1) Approved Change Order No. 2 to Unified Field Services Corporation in the amount of <\$6,870.00>; 2) Approved Closeout Agreement and Release of Claims for Unified Field Services Corporation; and 3) Authorized the General Manager to execute Change Order No. 2 and the Closeout Agreement and Release of Claims for the REBID 2023-2024 Tank Coatings Touchup Project.

f. RETURN ACTIVATED SLUDGE PUMP STATION BUILDING REHABILITATION PROJECT

(Megan Colvey, Senior Engineer)

1) Approved the proposed Scope of Work from Carollo Engineers, Inc. for Task 2.2 Site Investigations associated with the Return Activated Sludge Pump Station Building Rehabilitation Project; and 2) Authorized the General Manger to execute Amendment A to Task Order No. 30 to the Master Services Agreement with Carollo Engineers, Inc. in the amount of \$49,010.

g. TALLAC CREEK SEWER PIPELINE PROTECTION PROJECT

(Julie Ryan, Engineering Department Manager)

(1) Approved Proposal from Northwest Hydraulic Consultants to amend existing Task Order No. 10 to provide revegetation, mitigation, and monitoring plan implementation services in an amount not to exceed \$38,500; and (2) Authorized the General Manager to execute Amendment C to Task Order No. 10 with Northwest Hydraulic Consultants.

h. HERBERT WALKUP WATERLINE REPLACEMENT PROJECT

(Brent Goligoski, Associate Engineer)

Authorized staff to advertise for construction bids for the Herbert Walkup Waterline Replacement Project.

i. RESOLUTION FOR BUREAU OF RECLAMATION WATERSMART DROUGHT RESPONSE PROGRAM: DROUGHT RESILIENCY PROJECTS FOR FISCAL YEAR 2024

(Donielle Morse, Grants Coordinator)

Adopted Bureau of Reclamation WaterSMART Drought Response Program: Drought Resiliency Projects for Fiscal Year 2024 grant program Resolution No. 3259-23 approving grant funding for the Improving Community Water Management Project.

j. RECEIVE AND FILE PAYMENT OF CLAIMS (Greg Dupree, Accounting Manager)

Received and filed Payment of Claims in the amount of \$2,990,261.71.

5. CONSENT ITEMS BROUGHT FORWARD FOR SEPARATE DISCUSSION/ACTION: None**6. ITEMS FOR BOARD ACTION:**

- a. 2023 Black Bart Waterline Replacement Project (Trevor Coolidge, Senior Engineer) – **Trevor Coolidge** provided details regarding the 2023 Black Bart Waterline Replacement Project and addressed questions from the Board.

Moved Sheehan/Second Exline/Peterson Absent/Haven Yes/Romsos Yes/Sheehan Yes/Exline Yes

to 1) Approve Contract Change Order No. 1 to Vinciguerra Construction, Inc. in the amount of \$657,751; and 2) Authorize the General Manager to execute Change Order No. 1.

- b. Amendment to Board Policy (Melonie Guttry, Executive Services Manager; Keith Collins, General Counsel) – **Melonie Guttry** provided details regarding proposed amendments to the current Board Policy.

Moved Haven/Second Romsos/Peterson Absent/Haven Yes/Romsos Yes/Sheehan Yes/Exline

Yes to approve minor amendments to existing Board Policy as recommended and to allow staff to work with General Counsel on non-substantive language changes.

- c. Liability Claim Against South Tahoe Public Utility District Received from Ashley Nichols (Ryan Lee, Customer Service Manager) – **Paul Hughes** reported that there is a correlating Closed Session Item if the Board wishes to discuss this item further in Closed Session. **Ryan Lee** provided details regarding the Liability Claim against South Tahoe Public Utility District received from **Ahsley Nichols** and addressed questions from the Board. The claim is estimated at approximately \$30,000. **Steve Nichols** explained details of the fully closed and partial closure of his family business throughout the construction project, resulting in the loss of over \$30,000 in revenue. **Wayne Vinciguerra**, Vinciguerra Construction, reported that he was onsite every day and provided details of the construction site including the construction staging areas. **Trevor Coolidge** reported that the work took quite a bit longer than anticipated and that there was no signage indicating that businesses were open during construction.

ADJOURN TO CLOSED SESSION: 2:42 p.m.

- a. Pursuant to Government Code Section 54956.9(d)(2) of the California Government code, Closed Session may be held for a conference with legal counsel (one case) Claim of Ashley Nichols.

RECONVENE TO OPEN SESSION: 3:04 p.m.

By a vote of **Peterson Absent/Romsos Yes/Haven Yes/Sheehan Yes/Exline Yes**, the Board rejected the claim against South Tahoe Public Utility District and directed the General Manager to negotiate a settlement with the claimants.

7. STANDING AND AD-HOC COMMITTEES AND LIAISON REPORTS:

Director Haven and **Vice President Romsos** reported details regarding the Operations Committee held Monday, October 16, 2023.

8. BOARD MEMBER REPORTS:

Director Exline reported that he would like more information to better understand the District grants.

9. STAFF/ATTORNEY REPORTS:

Julie Ryan provided an update regarding the solar project and addressed questions from the Board. The environmental document is complete and has been submitted. The District received timber harvest permits on November 16th, and now they go to the City Planning Commission for consideration.

10. INTERIM GENERAL MANAGER REPORT:

Paul Hughes reported on several items:

- Provided a staffing update
- **Julie Ryan** recently passed the test to earn a Certified Special District Manager status through the California Special Districts Association. She is now one of only two people in the District to acquire this certification.

11. NOTICE OF PAST AND FUTURE MEETINGS/EVENTS

12. BREAK AND ADJOURN TO CLOSED SESSION: 3:16 p.m.

RECONVENE TO OPEN SESSION: 4:54 p.m.

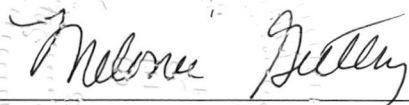
a. Pursuant to Section 54956.9(d)(1) of the California Government code, Closed Session may be held for conference with legal counsel regarding existing litigation: Yolo County Superior Court Case CV 2021-1686, Alpine County vs. South Tahoe Public Utility District; et al.

No reportable Board action

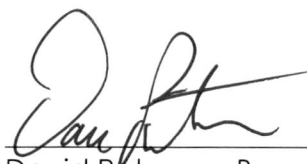
b. Pursuant to Section 54956.9(d)(1) of the California Government Code, Closed Session may be held for conference with legal counsel regarding existing litigation: False Claims Act Case: United States, the States of California, Delaware, Florida, Nevada, and Tennessee and the Commonwealths of Massachusetts and Virginia ex rel. John Hendrix v. J-M Manufacturing Company, Inc. and Formosa Plastics Corporation, U.S.A., Civil Action No. ED CV06-0055-GW, United States District Court for the Central District of California.

No reportable Board Action

ADJOURNMENT: 4:55 p.m.



Melonie Guttry, Executive Services Manager/
Clerk of the Board
South Tahoe Public Utility District



David Peterson, Board President
South Tahoe Public Utility District