

OLYMPIC VALLEY PUBLIC SERVICE DISTRICT
BOARD OF DIRECTORS MEETING MINUTES #927
MARCH 26, 2024

<https://www.ovpsd.org/board-agenda-march-2024>

A. Call to Order, Roll Call, and Pledge of Allegiance.

Director Hudson called the meeting to order at 8:30 a.m.

Directors Present: Dale Cox, Katy Hover-Smoot, Bill Hudson, Fred Ilfeld, and Katrina Smolen.

Directors Absent: None

Staff Present: Jessica Asher, Program Manager & Board Secretary; Gary Bell, Legal Counsel; Brandon Burks, Operations Manager; Brad Chisholm, Fire Chief; Chris De Deo, Fire Captain; Dave Hunt, Interim General Manager & District Engineer; Kurt Gooding, Engineer-Paramedic; and Danielle Mueller, Finance & Administration Manager.

Others Present: Charley Miller, Sal Monforte, and Jean Lange.

Mr. Monforte led the Pledge of Allegiance.

B. Community Informational Items.

B-1 Olympic Valley Watershed Alliance (OVWA) – None.

B-2 Friends of Olympic Valley (FoOV) – None.

B-3 Olympic Valley Design Review Committee (OVDRC) – None.

B-4 Olympic Valley Municipal Advisory Council (OVMAC) – None.

B-5 Olympic Valley Mutual Water Company (OVMWC) – None.

B-6 Firewise Community – None.

B-7 Capital Projects Advisory Committee (CAP) – Ms. Mueller briefly shared information about the projects that the CAP, Transient Occupancy Tax (TOT), and Tourism Business Improvement District (TBID) committees have recommended to the Placer County Board of Supervisors.

B-8 Tahoe-Truckee Sanitation Agency (T-TSA) – Director Cox reviewed the T-TSA Board Meeting summary, highlighting the agency's compensation and benefits study.

C. Public Comment/Presentation.

Ms. Asher read a letter from Cindy Keene, provided to the Board and available to the public upon request. The comment requested that the District work with Tahoe City Public Utility District (TCPUD) on a reciprocal use agreement related to each District's parks resources. The comments resonated with the Directors, who added that they would support an agreement pertaining to parks and recreation services (i.e., including children's recreation programming). Staff shared that they have previously discussed the issue with TCPUD management, who have not been interested as they cannot meet the capacity needs of their residents. Staff committed to understanding the past work on this issue to inform the Board's next steps, which would likely include the Board submitting a formal letter supporting a reciprocal use agreement or attending a TCPUD Board Meeting or Parks and Recreation Committee meeting to bring this issue to the TCPUD's attention.

D. Financial Consent Agenda Items.

Director Hudson and Smolen convened with staff on March 26th, 2024, from approximately 7:45 – 8:20 A.M. to review items D-1 through D-11, and other finance-related items on the agenda. Ms. Mueller provided a summary of the meeting.

Public Comment – None.

Director Hudson motioned to approve the financial consent agenda, which Director Ilfeld seconded. The motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

E. Approve Minutes.

E-1 Minutes for the Regular Board of Directors meeting of February 27th, 2024.

E-2 Minutes for the Special Board of Directors meeting of March 13th, 2024.

The Board reviewed the items, accepted public comment, and approved items E-1, as amended, and E-2.

Director Ilfeld requested additional details to be added to the minutes of the February 27th meeting related to item F-1, Climate Change Modeling for the Sufficiency of Supply Assessment. Director Ilfeld had raised a concern that the slope of the hydrograph for the “average discharge (1993-2011)” was steeper compared with the more gradual slope of the modeled scenarios (i.e., the modeled cessation of flow was more gradual compared with the actual/historical condition). Mr. Smith responded that that was a limitation of the modeling tool; however, to represent the condition more accurately, the model was modified to shift the cessation of flow back an average of two months (the mid-point of each year’s analysis).

Public Comment – None.

Director Hudson motioned to approve the minutes of the Board of Directors meetings of 2/27/24 as amended by Director Ilfeld and 3/13/24, which Director Ilfeld seconded. The motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

F. Old and New Business.

F-1 First Draft of FY 2024-2025 Budget and Rates.

The Board reviewed the item, accepted public comment, and approved the mailing of the Proposition 218 notice.

Ms. Mueller reviewed the financial summary for the fiscal year (FY) 2024-2025. She emphasized that it is early in the process, and assumptions will be refined as details are finalized.

The draft budget proposed rate increases of 3% for water, 3% for sewer, and 8% for garbage for FY 2024-25. The District will prepare and distribute a one-year Proposition 218 notice, for which staff requests approval at this meeting. The water and sewer rate increases are consistent with the cost-of-living adjustment to the Utility and Administration Departments. The garbage increases result from the

contract with Truckee Tahoe Sierra Disposal, which increased 6%, as well as the District's increase in services such as green-waste disposal days, green-waste bin rebates, and bear box rebates. Chief Chisholm reviewed the grants open to complete projects identified in the Community Wildfire Protection Plan. Mr. Hunt reviewed the open grants on the utility side for the emergency intertie with the Mutual Water Company and the water meter replacement project.

Ms. Mueller noted that the salary increases for the utility and administration departments are based on the current Memorandum of Understanding (MOU). A compensation study is underway for the Fire Department personnel; this budget draft anticipates a 10% increase in Fire Department Personnel salaries and wages.

Ms. Mueller reviewed the minimum payments required for the CalPERS unfunded accrued liability (UAL), anticipated consulting fees, bike trail snow removal revenue, property lease revenue, and insurance premium costs.

Mr. Hunt reviewed each of the capital projects included in the budget. There was a brief discussion about the HVAC replacement project at 305 Olympic Valley Road, which will be a design-build project that will hopefully begin in Spring 2025.

Public Comment –

Mr. Monforte asked for clarification regarding CALPERS UAL and asked if the District had considered taking a loan elsewhere at a lower rate. Ms. Mueller confirmed that that has been considered and provided details on the current liabilities.

Director Hudson motioned to approve the mailing of the Proposition 218 notice with proposed rate structures, which Director Ilfeld seconded. The motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

F-2 Fire Department Long-Term Modeling

The Board reviewed the item and accepted public comment.

Chief Chisholm, Ms. Mueller, and Mr. Bell gave a presentation included in the board exhibit.

There was a discussion about the Local Agency Formation Commission (LAFCO) process, with several questions about how LAFCO may analyze the plan to annex and develop a tax-sharing agreement. Mr. Bell explained that the Districts can voice their needs and make recommendations but that, ultimately, the County will decide how the tax-sharing agreement is structured. Likely, the application to annex could be withdrawn if the property tax sharing agreement is not viable. The ultimate Board structure would depend on the type of organizational changes. If the North Tahoe Fire Protection District (NTFPD) annexes the Olympic Valley Fire Department (OVFD), they must redistrict to include Olympic Valley. However, that may be Olympic Valley's only representation on their Board.

Director Cox expressed concern that commercial entities may not pay their fair share of the emergency services provided. Mr. Monforte commented on the proportional property tax paid by entities in the

Valley, which funds the Department. Director Cox requested a cost-of-service study for the Fire Department and would like the District to examine how to fund the Department without annexation.

Director Hover-smoot briefly discussed how the annexation of the Fire Department might necessitate changes to the administrative staff. She also asked Captain De Deo and Engineer Gooding if they felt any financial scenarios would keep the Department viable. They responded that they think consolidation of services will be best for the employees and community in the long term.

Director Smolen voiced a need for special taxes and benefit assessments to fund the additional responsibilities the Fire Department has been given (such as fuels management).

Mr. Miller asked for additional information about a Joint Powers Authority (JPA) agreement, which does not require LAFCO approval. Mr. Bell shared that the two Districts would create a contract specifying the terms related to financing, staffing, facilities, etc. A new, separate agency could be created or not. This could be a much faster process than an annexation process.

Chief Chisholm thanked the Board for their attention to the long-term viability of the Fire Department. The Chief shared that this discussion is not all financially driven. He is uncomfortable with OVFD's reliance on other agencies and wants to allow firefighters more vertical and lateral career growth opportunities. However, he emphasized that he would be hesitant to discuss organizational changes with any agencies without negotiating on an equal footing. He noted that while the development of the Village at Palisades Tahoe may eventually increase property taxes, it is essential that the District proceed with determining the best path forward now.

Staff committed to providing an informational update at the April Board Meeting month and working to develop the next steps.

Public Comment –

Mr. Lange asked if a Fire Prevention Officer needs to be a Fire Department employee; the staff responded that the FPO could be a safety employee if they came through the ranks but that often, prevention staff are administrative/non-safety.

The Board took a break from 11:10-11:15 AM.

F-3 Fire Department Annual Report.

The Board reviewed the item and accepted public comment.

Chief Chisholm reviewed the annual report and provided highlights from Captain Rytter's report on EMS, Fleet, and Facilities, Captain De Deo's Report on fire prevention, and Captain Walde's report on training. The Board thanked the Chief for his comprehensive and meaningful report.

Public Comment – None.

F-4 Adopt Resolution 2024-03 Acknowledging Receipt of Annual Fire Inspection Services Required by the California Health & Safety Code.

The Board reviewed the item, accepted public comment, and adopted Resolution 2024-03.

Chief Chisholm reviewed the staff report and Resolution 2024-03. The Olympic Valley Fire Department has three (3) occupancies that could be considered Group E and twenty-two (22) occupancies that could be regarded as Group R. All twenty-five (25) of these occupancies were inspected and passed. Chief Chisholm said the Board exhibit includes a summary of all building inspections completed in the 2023 calendar year; the summary does not include special events, defensible space, or short-term rental inspections.

Public Comment – None

Director Hover-Smoot motioned to adopt Resolution 2024-03, which Director Smolen seconded. A roll call vote was taken, and the resolution was adopted.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

Director Hover-Smoot and Cox announced a conflict of interest because they are shareholders in the Mutual Water Company and left the room.

F-5 OVPSD/Olympic Valley Mutual Water Company (OVMWC) Emergency Intertie and Mutual Aid Agreement

The Board reviewed the item, accepted public comment, and adopted Resolution 2024-04 authorizing execution of the Emergency Intertie and Mutual Aid Agreement contingent upon successfully executing a waterline easement between Palisades Tahoe and the OVMWC.

Mr. Hunt reviewed the staff report. Staff addressed the Board's concerns regarding the duration of supply and low fixed rate of reimbursement, explaining that the rate only compensates the cost of providing service in emergencies and that the supplying agency can condition use, including duration. It was determined that the language in the agreement as presented was appropriate.

The OVMWC Ad Hoc committee added that the District is providing a reimbursement agreement to the OVMWC at 0% interest, which is essential to progressing this important community project.

Public Comment – None.

Director Ilfeld motioned to adopt Resolution 2024-04 authorizing execution of the Emergency Intertie and Mutual Aid Agreement contingent upon successfully executing a waterline easement between Palisades Tahoe and the OVMWC, which Director Smolen seconded. A roll call vote was taken, and the Resolution was adopted.

Cox – Absent | Hover-Smoot – Absent | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

F-6 Award Contract – OVPSD/ OVMWC Water System Intertie Project

The Board reviewed the item, accepted public comment, approved the contract with Longo Inc. for an amount not to exceed \$596,575 with a \$50,000 contingency, and authorized the Interim General Manager to execute contractual documents contingent upon successfully executing a waterline easement between Palisades Tahoe and the Mutual Water Company.

Mr. Hunt reviewed the staff report.

Public Comment – None.

Director Smolen motioned to approve the contract with Longo Inc. for an amount not to exceed \$596,575 with a \$50,000 contingency and to authorize the Interim General Manager to execute contractual documents upon successfully executing a waterline easement between Palisades Tahoe and the Mutual Water Company. Director Ilfeld seconded the motion; the motion passed.

Cox – Absent | Hover-Smoot – Absent | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

F-7 OVPSD-OVMWC Emergency Intertie Project – File California Environmental Quality Act (CEQA) Notice of Exemption (NOE).

The Board reviewed the item, accepted public comment, and authorized staff to file a CEQA NOE by adopting Resolution 2024-05.

Mr. Hunt reviewed the staff report. Counsel explained the categorical exemption relevant to the project, the Board's responsibility to determine that the project meets the exemption's requirements, and the importance of filing the NOE with Placer County and the State Clearinghouse.

Public Comment – None.

Director Ilfeld motioned to adopt Resolution 2024-05, authorizing staff to file a CEQA NOE, which Director Smolen seconded. A roll call vote was taken, and the resolution was adopted.

Cox – Absent | Hover-Smoot – Absent | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

Director Cox and Hover-Smoot returned to the room.

F-8 Award Contract – Well 3 Rehabilitation Project.

The Board reviewed the item, accepted public comment, approved the contract with Carson Pump, LLC, in an amount not exceeding \$38,600 with an additional \$6,000 contingency, and authorized the Interim General Manager to execute contractual documents.

Mr. Hunt reviewed the staff report. There was a discussion about upgrading the well casing. Mr. Hunt explained that while a design is ready to replace the well, it is not prudent to replace it now due to the need for potential well relocation if the Palisades Tahoe Village project proceeds. The Board voiced concern about delaying projects due to Development. Mr. Hunt explained that this is why the District should not delay rehabilitation despite potential future relocation. Rehabilitation is the financially responsible option, as the infrastructure is integral to the District's well-field management.

Public Comment – None.

Director Hudson made a motion to approve the contract with Carson Pump, LLC, in an amount not to exceed \$38,600 with an additional \$6,000 contingency and authorized the Interim General Manager to execute contractual documents. Director Hover-Smoot seconded the motion, which passed unanimously.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

F-9 Placer County Local Area Formation Commission (LAFCO) – Special District Representative Election.

The Board reviewed the item, accepted public comment, and cast a ballot for Josh Alpine as commissioner, with Josh Alpine as the first choice and Judy Friedman as the second choice for alternate commissioner.

Ms. Asher reviewed the staff report. The Board discussed the qualifications and advantages of the candidates.

Public Comment – None.

Director Hudson made a motion to cast a ballot for Josh Alpine as commissioner, with Josh Alpine as the first choice and Judy Friedman as the second choice for alternate commissioner. The motion was seconded by Director Hover-Smoot and passed unanimously.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

F-10 Residential Green Waste Dumpster Rental Rebate Program.

The Board reviewed the item, accepted public comment, and adopted Resolution 2024-06 authorizing the district to implement a rebate program for the rental of six-yard green-waste-only dumpsters from July 1, 2024, through June 2025 for the rental of a six-yard-green-waste-only dumpster from Tahoe Truckee Sierra Disposal Company, up to a maximum of \$10,000.

Ms. Asher reviewed the staff report.

Public Comment –

Ms. Lange voiced her preference for curbside collection of green waste.

Director Hover-Smoot motioned to adopt Resolution 2024-06, which Director Hudson seconded. A roll call vote was taken, and the Resolution was adopted.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

F-11 Fuels Management Program.

The Board reviewed the item and accepted public comment.

Chief Chisholm reviewed the staff report, highlighting that the green waste disposal day scheduled for May will only proceed if there has been sufficient snow melt and drying out of the lot.

Public Comment- None.

F-12 Records Retention Schedule Revision.

The Board reviewed the item, accepted public comment, and adopted Resolution 2024-07, which adopted a revised records retention schedule.

Ms. Asher presented the staff report, emphasizing the significance of transitioning towards a paperless environment. She underscored the importance of ensuring that our records management system is user-friendly for staff and that our records retention schedule aligns with current regulations. Gladwell Governmental Services developed this proposed retention schedule, which entirely replaces the District's current schedule, in coordination with each Department. Ms. Asher reviewed the significant changes, including restructuring to adhere to ISO standards and implementing a schedule that permits the disposal of paper copies once official records are digitized and stored in a compliant manner. The other major change is the process; historically, staff have brought all modifications to the records retention schedule and all records destruction requests to the Board. However, Ms. Gladwell and the General Counsel agree that approvals by the department manager, General Manager, and General Counsel provide adequate controls to implement the policy set by the Board.

The Board supported these changes and recognized the work and legal effort related to this work product.

Public Comment – None.

Director Hudson motioned to adopt Resolution 2024-07, which adopted a revised records retention schedule. Director Ilfeld seconded the motion. A roll call vote was taken, and the Resolution was adopted.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

G. Management Status Reports.

G-1 Fire Department Report

Chief Chisholm reviewed the report highlighting staff overtime and upcoming leave of absence. He noted that the surplus sale resulted in the sale of the trailer and that he would continue to work to sell the other surplus items. There will be a firefighter-paramedic assessment in early April with the hopes of hiring two full-time firefighter-paramedics.

G-2 Water & Sewer Operations Report

Mr. Burks reviewed the report discussing aquifer levels. Chlorination for flushing and valve turning will be initiated soon, and the Department will continue to discuss future chlorination possibilities. Mr. Burks provided an update on his work related to zero-emission vehicle requirements and budgeting for the costs of vehicles and charging infrastructure. He also discussed the water meter replacement project,

which he hopes to have 80-90% completed this season, with only the more challenging replacements remaining.

G-3 Engineering Report

Mr. Hunt reviewed the report, which focused on the Granite Chief A Line replacement project. He delivered a summary of the water and sewer committee meeting and an update on the project's status. Director Smolen expressed her satisfaction with the strong turnout of affected property owners.

G-4 Administration & Office Report

Ms. Asher reviewed the report. There was a discussion about spring e-newsletter topics, which will include information about the green waste program, fuel management projects, and the General Manager transition. The Board supported staff signing a coalition letter with the California Special Districts Association supporting HR 7525, the Special District Grant Accessibility Act. This Act aims to codify in federal law a formal definition of "Special District." It would direct federal agencies to recognize special districts as local governments to ensure that districts are eligible to receive appropriate forms of federal assistance, including funding and resources through critical grant programs. There was a discussion about ensuring a quorum for Board meetings. The Board expressed their comfort with two Directors intending to participate remotely or be absent, acknowledging that in an emergency where a third Director cannot attend, the meeting would be unable to proceed. Directors will notify the Board Secretary promptly upon knowing of an absence. Ms. Asher will provide the Board with information to establish a fair method for remote participation if more than two Directors request an absence.

G-5 General Manager Report

None.

G-6 Legal Report (verbal)

None.

G-7 Directors' Comments (verbal)

The Board thanked Chief Chisholm and staff for the work and excellent exhibits.

Director Hover-Smoot made a motion, seconded by Director Ilfeld, to adjourn to closed session at 1:10 P.M. The motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

H. Closed Session.

H- 1 Closed Session – Public Employment.

The Board met in Closed Session pursuant to Government Code §54957 et al. regarding the public employment of the General Manager. Only the agenda item was discussed, and no action was taken.

Director Hover-Smoot made a motion, seconded by Director Hudson, to adjourn to open session at 1:22 P.M. The motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

This item was taken out of order.

I. Possible Action from Closed Session.

I-1 General Manager's Employment Contract.

The Board reviewed the item, accepted public comment, and adopted Resolution 2024-08, which approved the general manager's employment contract.

Mr. Hunt provided an oral report that summarizes the recommendation for final action on the salary, salary schedule, and compensation paid in the form of fringe benefits. The compensation will be \$275,000/year, including \$700/month for a vehicle and \$75/month for a cell phone. Fringe benefits are generally pursuant to the District personnel policies, with vacation leave accrual set to 160 hours/year. Vacation accrual will start with an initial bank of 120 hours. Sick leave accrual will begin with an initial bank of 80 hours.

Public Comment – None

Director Ilfeld motioned to adopt Resolution 2024-08, approving the General Manager's employment contract, which Director Hudson seconded. A roll call vote was taken, and the Resolution was adopted.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

Mr. Miller voiced excitement about the opportunity and signed the employment agreement.

I-2 Board Meeting Schedule

This item was removed from the agenda.

Director Hover-Smoot made a motion, seconded by Director Ilfeld, to adjourn to a closed session at 1:29 p.m. The motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

H-2 Closed Session – District Labor Negotiations.

The Board met in Closed Session pursuant to Government Code §54957.6 et al. regarding District labor negotiations. Only the agenda item was discussed; no action was taken.

Director Hover-Smoot made a motion, seconded by Director Hudson, to adjourn to the open session at 1:53 p.m. The motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

J. Adjourn.

Director Hover-Smoot made a motion, seconded by Director Ilfeld, to adjourn at 1:55 p.m. The motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Yes | Ilfeld – Yes | Smolen – Yes

By, J. Asher