

SEWER & WATER COMMITTEE MEETING
APPROVED MINUTES

April 12, 2012

DIRECTORS PRESENT: Dan Wilkins, Erik Henrikson

STAFF PRESENT: Matt Homolka, District Engineer
Tony Laliotis, Director of Utilities
Coral Lochridge, Technical Services Supervisor
Dan Lewis, Utilities Superintendant
Kelli Twomey, Dir. Of Resource Dev. & Community Relations
Carol Hackbarth, Utilities Coordinator

PUBLIC PRESENT: Jan Brisco & Larry Boerner – North Tahoe Cruises

The meeting was called to order at 7:05 a.m. by Director Henrikson.

1. TAHOMA MEADOWS MUTUAL WATER COMPANY (TMMWC) – UPDATE

Mr. Laliotis reviewed his memorandum regarding the alternatives for solutions to TMMWC's water problem. He indicated this is a very broad brushed summary with the limited funds available for the study, \$5,000 approved. There was discussion on the alternatives, the perspective of McKinney Water District (MWD), a potential joint project with MWD (Emerald Circle) with cost sharing, and long term foresight on all solutions. Director Wilkins said getting more information on the pump station and the cost of purchasing water makes sense. If we are going to help out TMMWC, he is not convinced the pump station is the way to go. Director Henrikson agrees. They both prefer a pipeline solution. The District may spend more money up front, but in the long run it would be less costly in relation to costs for pump stations, mechanical issues and another generator. Mr. Laliotis said at the end of the April 5th meeting it was mentioned there might be a conservation easement on the proposed pump station site. This was confirmed Tuesday night once we received documents from a title company. To move the pump station to a new parcel not burdened with the easement it will probably add an additional \$100,000 in pipe costs which puts the two solutions around the same cost. More needs to be done to investigate other parcels. Director Wilkins wants to minimize relying on mechanical devices, generators, etc. and has concerns if MWD decides to stop our intertie. Mr. Laliotis said that agreement is pretty solid.

The committee agreed that staff should continue ahead. Start conversations with MWD related to purchasing water costs as well as talk about the current situation related to the pump station. Director Wilkins wants to make sure we communicate with MWD on all the options we are investigating. Mr. Laliotis said that there may be another solution with the District assisting MWD with unfamiliar issues/territory if they chose to acquire TMMWC.

3. DIRECTOR OF UTILITIES REPORT

Director Henrikson asked about the 2010 water production and sewer collection anomaly. Mr. Laliotis said 2010 was the year the McKinney Quail system had issues with the failed valves. He estimates the water would be 17 to 18 million gallons. Related to sewer he believes that was a dry Spring.

4. DISTRICT ENGINEER'S REPORT

Director Henrikson asked about and Mr. Homolka explained the cost sharing agreement reimbursement for Placer County's Tahoe City Residential Water Quality Improvement Project.

5. PROJECT ACTIVITY REPORT

No questions nor comments.

6. TECHNICAL SERVICES REPORT

Correction on report – September should say March in both columns.

7. GIS & INFORMATION MANAGEMENT REPORT

Director Henrikson asked about the GIS status. Mr. Homolka updated the committee.

8. PUBLIC FORUM

Jan Brisco representing North Tahoe Cruises (NTC) is here with Larry Boerner the operator of the tour boat. They met with the District on March 30th related to the interconnect where the bike trail intersects with the path to the boat where it comes down from the Lighthouse Marina. She provided the Director's a copy of Lou Basile's letter from yesterday. Mr. Homolka acknowledged he received it yesterday. Ms. Brisco continued. There is very little time to get the path in safe conditions for their May 1st start date. Since the design stage of this (2-3 years ago) NTC said the interconnect is a pivotal issue. It is a very steep slope, 15%. They have heard solution options – a steel plate or decomposed granite; neither of which are acceptable to NTC for the safety of their passengers and crew. The Board said this should not impact NTC. Director Wilkins clarified their concern to be the access to the dock from the bike trail during construction. Ms. Brisco agreed and added 'and the liability issues involved with that'. Mr. Boerner has been talking to Ms. Gustafson about this in February and the past few years. They have heard about talk of raising the pier. None of this has been communicated with NTC only with the Lighthouse Mall owner. There is a communication disconnect. They need this ready for May 1st. NTC has charters scheduled. Mr. Homolka and staff were going to meet with the contractor; they haven't heard anything about that.

Mr. Boerner said we have talked about this for years, prior to construction and during construction. He does not want it to interfere with business. He is concerned about his elderly passengers. As it stands now it is not even usable. It is hard for him to walk it. No one can walk down the ramp in the condition it is now. With the proposal of the temporary fix it is still not ADA compliant. When raining the steel plate will be slippery, and if it is warm out it is going to be hot. If a child sits on it, it will burn them. If not finished by May 1st it needs to be graded back to original level/sloop to the dock and the work can be finished at end of season.

Director Henrikson asked if that seems reasonable to you (Mr. Homolka). Mr. Homolka said he wanted to make sure the Director's wanted to talk about this here. This is the Sewer and Water Committee and this subject is a Parks and Recreation project. Director Wilkins said it is a public forum item too. Maybe you can just give us what you know about it.

Mr. Homolka said he met with Mr. Boerner and talked about an interim solution being implemented until May 24th. He has 5 cruises between then and now. We guaranteed

them we would not work in the area when he had a cruise. Director Henrikson said that is good. Mr. Homolka continued. When we met with Mr. Boerner and were talking about the temporary solutions we were not aware the contractor had paved the area. Right now the connection is fully paved and we consider the temporary solution implemented and satisfactory. It is steep; it is 15%. Mr. Homolka and Mr. LeRoy understood we were to receive a summary letter of the March 30th meeting. Ms. Brisco said they were waiting to hear from the District. Regardless, Mr. Homolka said we have been meeting with the contractor negotiating a number of things including an early start and a solution. We haven't communicated with NTC regarding the contractor because we haven't resolved that yet.

Mr. Boerner said he has the letter he emailed Ms. Gustafson on Feb 22nd. Director Wilkins said he thinks he understands what the concern is. Mr. Homolka said we have a permanent solution we are working on and have communicated that to Mr. Boerner. We expect to have that implemented by May 24th when the full season starts. Director Henrikson asked if we think the pavement is adequate until then. Ms. Brisco said a 15% slope! Mr. Boerner said absolutely not! Mr. Homolka said there we disagree. Mr. Homolka said there is nothing we can do until the pier is raised (about 9"). We are negotiating with the property owner to get that completed. We are having permitting issue so we agreed to get it permitted. The property owner is going to contract to have the pier raised.

Mr. Homolka said we had an approved design that we worked out with Mr. Boerner with steps and a ramp around but nobody liked it including us. We have been working on an alternative which involved raising the pier involving a lot of property owner negotiations. Director Wilkins clarified the head end of the pier would have a bit of an angle on it to make the grade transition better. Ms. Brisco said that will put Mr. Boerner out of business with his ADA compliance and so on and so forth. She thinks this is a very serious matter. You will read Lou Basile's letter. You will realize this is an interference with business operation. It had never been communicated with Mr. Boerner that he would be subject to a 15% slope and not be able to load and unload his passengers in a safe manner.

Ms. Brisco said there is a lack of communication by staff to Mr. Boerner. He has been hammering on it for a year and again in February to Ms. Gustafson. They have basically been getting the same message – that nothing is going to happen and that you cannot incur any more cost on this project and so on and so forth. We met on March 30th. Regardless of whether or not I was going to summarize the meeting we should have heard back staff as to what they were going to do. You have two weeks for Mr. Boerner to start his operation or cancel his charters. He will have a significant issue with cancelling because he is financially harmed. To wrap it up we would appreciate a response in writing to Lou Basile's letter. Mr. Boerner and Ms. Brisco left the meeting.

Director Henrikson asked what the percent was before. Mr. Homolka said the whole trail going up to the parking lot is between 10 & 15%. We have met with them many times and have communicated with them every chance we can get. Director Henrikson asked if there is anything we can do? There is not much we can do beyond what we have done. Director Henrikson asked if the pier gets raised would that match the original grade and be ADA compliant? Mr. Homolka said yes from the trail to the pier will be ADA compliant. We have guaranteed Mr. Boerner all along that the connection from the trail to the pier would be ADA accessible when the project was completed. We have always followed through with everything we have promised Mr. Boerner. Everything above the bike trail – that didn't get touched commented Director Henrikson – Mr. Boerner always claims that he is grandfathered in, and we have warned him about that. Mr. Homolka was very surprised to get the letter. He thought we were working it through. When we left the meeting we definitely had a good understanding of their concerns.

Director Wilkins confirmed we have information on what the access condition was prior to work on the trail – photos. Typically the standard of care is if we are making the situation worse then there is some potential exposure. They had steep grades before. He thinks they have less of that now. If you look at the path of travel from the parking area to the pier his recollection is it was pretty steep and a long distance and now it is not. Mr. Homolka said Mr. Boerner still uses that path. In our last meeting he did admit that if he had wheel chair needs he would use Lakeside VII which we have always told him we were solving his ADA problem. Directors Wilkins and Henrikson both said ok. Director Henrikson said as long as we didn't make it worse just put it back to the way it was. Mr. Homolka said we are in construction now. If you go down there you will see it is paved; it looks like it is done. I think his concern is that he thinks we may just leave it like it is and not come back. Director Wilkins said it sounds like the elevation differential is 18 inches? Mr. Homolka said it is not even that maybe 13 inches total over about 8 feet. Director Henrikson said that is almost 10%; it is less than 10%. Mr. Homolka said it is definitely not ADA compliant. It is a construction zone and our plan is to flag it up and label it as a construction zone. He said he told Mr. Boerner if he would provide reasonable accommodation to his passengers to help them through that zone he could comply with ADA. Mr. Boerner said that would put him out of business. Director Wilkins confirmed we will send the letter to our attorney. Mr. Homolka said it has already been sent. We are waiting for Ms. Gustafson to get back from vacation to respond or not. Directors Wilkins and Henrikson said ok.

9. ADJOURNMENT

The meeting was adjourned at 8:05 a.m.

Carol Hackbarth, Utilities Coordinator

Prepared by Carol Hackbarth