



SOUTH TAHOE PUBLIC UTILITY DISTRICT

REGULAR BOARD MEETING AGENDA

Thursday, July 16, 2020 - 2:00 p.m.

District Board Room

1275 Meadow Crest Drive, South Lake Tahoe, California

Pursuant to the Governor's Executive Order N-29-20

the South Tahoe Public Utility District Board of Directors may participate via teleconference.

Randy Vogelgesang, President
Chris Cefalu, Director

BOARD MEMBERS
Duane Wallace, Director

Kelly Sheehan, Vice President
Nick Exline, Director

John Thiel, General Manager

Shannon Cotulla, Assistant General Manager

Public Participation

In accordance with Executive Order N-29-20, the District Board Room will be closed to members of the public and all public participation will be handled remotely through the GoToMeeting Conference Call listed below.

South Tahoe Public Utility District Board of Directors Meeting

Please join my meeting from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/903995805>

You can also dial in using your phone:

United States (Toll Free): [1-866-899-4679](tel:1-866-899-4679)

United States: [1-646-749-3117](tel:1-646-749-3117)

Access Code: 903-995-805

1. **CALL TO ORDER REGULAR MEETING – PLEDGE OF ALLEGIANCE** (At this time, please silence phones and other electronic devices so as not to disrupt the business of the meeting.)
2. **COMMENTS FROM THE AUDIENCE** (This is an opportunity for members of the public to address the Board on any short non-agenda items that are within the subject matter jurisdiction of the District. No discussion or action can be taken on matters not listed on the agenda, per the Brown Act. Each member of the public who wishes to comment shall be allotted five minutes, and no more than three individuals shall address the same subject.)
3. **CORRECTIONS TO THE AGENDA OR CONSENT CALENDAR** (For purposes of the Brown Act, all Action and Consent items listed give a brief description of each item of business to be transacted or discussed. Recommendations of the staff, as shown, do not prevent the Board from taking other action.)

4. **ADOPTION OF CONSENT CALENDAR** (Any item can be removed to be discussed and considered separately upon request. Comments and questions from members of the public, staff or Board can be taken when the comment does not necessitate separate action.)
5. **CONSENT ITEMS BROUGHT FORWARD FOR SEPARATE DISCUSSION/ACTION**
6. **ITEMS FOR BOARD ACTION**
 - a. Approve Payment of Claims (Debbie Henderson, Accounting Manager)
The Payment of Claims was not available when this Agenda was published due to the extended Fiscal Year invoice processing. It will be distributed prior to and at the July 16 Board Meeting.
7. **STANDING AND AD-HOC COMMITTEE REPORTS** (Discussions may take place; however, no action will be taken.)
8. **BOARD MEMBER REPORTS** (Discussions may take place; however, no action will be taken.)
9. **EL DORADO COUNTY WATER AGENCY PURVEYOR REPORT**
10. **GENERAL MANAGER REPORT** (Discussion may take place; however, no action will be taken.)
 - a. Review of Recent Water and Sewer Flows
 - b. COVID-19 Response and Recovery Update
 - c. Environmental Program Planning
 - d. AWWA 2020 Exemplary Source Water Protection Award
 - e. American Society of Civil Engineers – 2019 Outstanding Sustainable Engineering Project Award
11. **STAFF/ATTORNEY REPORTS** (Discussions may take place; however, no action will be taken.)
 - a. District Funding Program Update (Lynn Nolan, Grants Coordinator)
 - b. District Delinquency Report (Paul Hughes, Chief Financial Officer)
12. **NOTICE OF PAST AND FUTURE MEETINGS/EVENTS**

Past Meetings/Events
07/02/2020 – 2:00 p.m. Regular Board Meeting at the District
07/08/2020 – 10:00 El Dorado County Water Agency Meeting in Placerville
07/13/2020 – 3:30 p.m. Operations Committee Meeting at the District

Future Meetings/Events
08/06/2020 – 2:00 p.m. Regular Board Meeting at the District
13. **ITEMS FOR CLOSED SESSION** (The Board will adjourn to Closed Session to discuss items identified below. Closed Session is not open to the public; however, an opportunity will be provided at this time if members of the public would like to comment on any item listed – three minute limit.)
 - a. Pursuant to Government Code Section 54956.9(d)(2)/Conference with Legal Counsel regarding Significant Exposure to Litigation (One Case).
 - b. Pursuant to Section 54956.9(a) 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.

- c. Pursuant to Section 54956.9(a) of the California Government Code, Closed Session may be held for conference with legal counsel regarding existing litigation: Los Angeles County Superior Court, Case No. BC459943, State of Nevada, et al. v. J-M Manufacturing, et al

ADJOURNMENT (The next Regular Board Meeting is Thursday, August 6, 2020, at 2:00 p.m.)

The South Tahoe Public Utility District Board of Directors regularly meets the first and third Thursday of each month. A complete Agenda packet is available for review at the meeting and at the District office during the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. A recording of the meeting is retained for 30 days after Minutes of the meeting have been approved. Items on the Agenda are numbered for identification purposes only and will not necessarily be considered in the order in which they appear. Designated times are for particular items only. Public Hearings will not be called to order prior to the time specified, but may occur slightly later than the specified time.

Public participation is encouraged. Public comments on items appearing on the Agenda will be taken at the same time the Agenda items are heard; comments should be brief and directed to the specifics of the item being considered. Please provide the Clerk of the Board with a copy of all written materials presented at the meeting. Comments on items not on the Agenda can be heard during "Comments from the Audience;" however, action cannot be taken on items not on the Agenda.

Backup materials relating to an open session item on this Agenda, which are not included with the Board packet, will be made available for public inspection at the same time they are distributed or made available to the Board, and can be viewed at the District office, at the Board meeting and upon request to the Clerk of the Board.

The meeting location is accessible to people with disabilities. Every reasonable effort will be made to accommodate participation of the disabled in all of the District's public meetings. If particular accommodations are needed, please contact the Clerk of the Board at (530) 544-6474, extension 6203. All inquiries must be made at least 48 hours in advance of the meeting.



SOUTH TAHOE PUBLIC UTILITY DISTRICT
CONSENT CALENDAR
Thursday, July 16, 2020

ITEMS FOR CONSENT

- a. **ANNUAL SOFTWARE AND SUPPORT COSTS FOR MITEL PHONE SYSTEM**
(Brian Bartlett, Network/Telecomm Systems Administrator)
Approve payment to Maverick Networks for Annual Mitel Software Assurance for phone system software and annual support for system maintenance and hardware support in the amount of \$17,416.

- b. **DESIGNATION OF ENGINEER OF RESPONSIBLE CHARGE**
(Julie Ryan, Engineering Department Manager)
Designate Shannon Cotulla, PE, as the District's Engineer of Responsible Charge and authorize staff to file the designation with California Board for Professional Engineers, Land Surveyors and Geologists.

- c. **REGULAR BOARD MEETING MINUTES: July 2, 2020**
(Melonie Guttry/Executive Services Manager/Clerk of the Board)
Approve July 2, 2020, Minutes.



South Tahoe Public Utility District

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BOARD AGENDA ITEM 4a

TO: Board of Directors
FROM: Brian Bartlett, Network/Telecomm Systems Administrator
MEETING DATE: July 16, 2020
ITEM – PROJECT NAME: Annual Software and Support Costs for Mitel Phone System

REQUESTED BOARD ACTION: Approve payment to Maverick Networks for Annual Mitel Software Assurance for phone system software and annual support for system maintenance and hardware support in the amount of \$17,416.

DISCUSSION: The District's annual support costs for the Mitel phone system software and its hardware components (phone and supporting hardware) for the Contract term of July 1, 2020, to June 30, 2021, is \$17,416.

This Contract is required for phone/remote support to resolve issues with the phone system hardware and software. It provides updates and/or patches to fix any problems that may be encountered, as well as new software releases.

SCHEDULE: July 1, 2020 – June 30, 2021

COSTS: \$17,416.00

ACCOUNT NO: 50/50 56-6030

BUDGETED AMOUNT AVAILABLE: 2020/21 \$231,259

ATTACHMENTS: Maverick Networks (Mitel) Quote

CONCURRENCE WITH REQUESTED ACTION: _____ **CATEGORY:** Sewer/Water

GENERAL MANAGER: YES *JT* NO _____

CHIEF FINANCIAL OFFICER: YES *PAH* NO _____



Site Specific Schedule "A"

Master Maintenance Agreement is By and Between

Maverick Networks, Inc. and South Tahoe Public Utility District
Address: 1275 Meadow Crest Drive. South Lake Tahoe, CA 96150

July 1, 2020

thru

June 30, 2021

Starting

Ending

IP Hardware	
Mitel 3300 Controller	Mxe III 1
Mitel ASU	0
Mitel ONS Card	0
Mitel NSU	0
Mitel T1/PRI	3
Mitel Analog Option Board	0

MAINTENANCE STANDARD SUPPORT:

Hardware Warranty - for term
Break/Fix Labor Covered
Mitel Software Assurance
System Software Upgrade

Mitel Software/Applications			
Active IP License	117	Active SIP Trunks	4
MiVoice Business Software Assurance Base	2	Active Analog Users	32
MiVoice Business Users	117	Softphone Support	52
MiCollab Software Assurance	1	MiContact Center	1
MBG Teleworker Support	1	MiVoice Business Reporter	0
MiCollab Client Users	96	MiVoice Call Recording	0
Embedded Mailboxes	175		

Mitel IP Desktop Devices	
Mitel IP Phones	0
Mitel MiVoice Conf Phone	0
Mitel PKM's	0

1 Year Price: \$17,416.00

Agreed and Accepted By:

South Tahoe Public Utility District

Maverick Networks

Company

Company

DocuSigned by:

Brian Bartlett

6/26/2020

DocuSigned by:

Laron J Lee

6/26/2020

Signature

Date

Signature

Date



Software Assurance Agreement is By and Between
Maverick Networks, Inc. & South Tahoe Public Utility District

Software Assurance Coverage on all systems listed from:
July 1, 2020 - June 30, 2021

Application Record	Description	System Type
10234972	ULM	ULM
26745509	MiVoice Business	MiVoice Business Express Bundle Virtual
58989407	3300 Mxe III Controller	MiVoice Business
94351241	MiVoice Border Gateway	MiVoice Border Gateway
53558958	MiContact Center	MiContact Center

South Tahoe Public Utility District

Company

DocuSigned by:

Brian Bartlett

6/26/2020

3073D4ACCD634BE...
Signature

Date

Maverick Networks, Inc.

Company

DocuSigned by:

Aaron Lee

6/26/2020

2859A471AB31447...
Signature

Date



South Tahoe Public Utility District

General Manager
John Thiel

Directors
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BOARD AGENDA ITEM 4b

TO: Board of Directors
FROM: Julie Ryan, Engineering Department Manager
MEETING DATE: July 16, 2020
ITEM – PROJECT NAME: Designation of Engineer of Responsible Charge

REQUESTED BOARD ACTION: Designate Shannon Cotulla, PE, as the District’s Engineer of Responsible Charge and authorize staff to file the designation with California Board for Professional Engineers, Land Surveyors and Geologists.

DISCUSSION: On January 1, 2015, SB 1467 went into effect, instituting many changes to the California Business and Professions Code, specifically including changes to both the Professional Land Surveyors’ Act and the Professional Engineers Act that apply to governmental agencies and their employees. Principally, these changes require that public agencies, including any department or agency of the state, city, county, city and county, district, and special district, designate at least one individual as the person of responsible charge of land surveying and each branch of engineering practiced by the agency. The District has yet to file its designation form with the State of California Board of Professional Engineers, Land Surveyors and Geologists.

As the District Engineer, staff recommends that the Board formally designate Shannon Cotulla, PE, as the Engineer of Responsible Charge. Upon approval, staff will complete and file the associated forms with the California Board for Professional Engineers, Land Surveyors and Geologists.

SCHEDULE: Upon approval

COSTS: None

ACCOUNT NO: N/A

BUDGETED AMOUNT AVAILABLE: N/A

ATTACHMENTS: None

CONCURRENCE WITH REQUESTED ACTION: _____ **CATEGORY:** Sewer/Water

GENERAL MANAGER: YES JT NO _____

CHIEF FINANCIAL OFFICER: YES PPH NO _____



SOUTH TAHOE PUBLIC UTILITY DISTRICT

Randy Vogelgesang, President
Chris Cefalu, Director

BOARD MEMBERS

Kelly Sheehan, Vice President
Nick Exline, Director

John Thiel, General Manager

Shannon Cotulla, Assistant General Manager

REGULAR MEETING OF THE BOARD OF DIRECTORS
SOUTH TAHOE PUBLIC UTILITY DISTRICT
July 2, 2020
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: President Vogelgesang, Directors Sheehan, Wallace

Via Conference Call: Directors Cefalu, Exline

Staff: John Thiel, Shannon Cotulla, Paul Hughes, Melonie Guttry, Brian Bartlett, Chris Stanley

Via Conference Call: Gary Kvistad, Stephen Caswell, Shelly Thomsen, Steve Caswell, Heidi Baugh, Chris Skelly, Jim Hilton, Tim Bledsoe, Liz Kauffman, Jessica Henderson, Jeff Lee

CORRECTIONS TO THE AGENDA OR CONSENT CALENDAR:

Director Wallace requested Item 4C – Diamond Valley Ranch Hay Barn, be pulled from Consent and moved to Action Items for discussion.

CONSENT CALENDAR:

Moved Wallace/Second Vogelgesang/Vogelgesang Yes/Cefalu Yes/Sheehan Yes/Exline Yes/Wallace Yes to approve the Consent Calendar with changes as presented.

- a. **EL DORADO COUNTY WATER AGENCY BOARD OF DIRECTORS PURVEYOR ALTERNATE**
(Melonie Guttry, Executive Services Manager/Clerk of the Board)
Adopted Resolution No. 3147-20 supporting the appointment of **Director Wallace** to serve as El Dorado County Water Agency Purveyor Alternate.
- b. **2020 ASPHALT PATCHING AND TRENCH PAVING SERVICES**
(Heidi Baugh, Purchasing Agent)
1) Approved Partial Closeout Agreement and Release of Claims; and, 2) Authorized staff to file a Partial Notice of Completion with the El Dorado County Clerk.

- c. **SPECIAL AND REGULAR BOARD MEETING MINUTES: June 11, 2020 and June 18, 2020**
(Marla Sharp, Administrative Assistant/Assistant Clerk of the Board)
Approved June 18, 2020, Minutes

CONSENT ITEMS BROUGHT FORWARD FOR SEPARATE DISCUSSION/ACTION

- a. Diamond Valley Ranch Hay Barn (Stephen Caswell, Principal Engineer) - **Director Wallace** inquired regarding the Diamond Valley Ranch business plan in addition to asking several questions regarding the operation. **Shannon Cotulla** responded with a brief history of the property and its development to date. **Jim Hilton** addressed further questions from **Director Wallace**. **John Thiel** provided details regarding the long-term financial forecast of this project.

Moved Vogelgesang/Second Sheehan/Vogelgesang Yes/Cefalu Yes/Sheehan Yes/Exline Yes/Wallace Yes to authorize staff to advertise for construction bids for the Diamond Valley Ranch hay barn.

ITEMS FOR BOARD ACTION

- a. Computer Equipment for Fiscal Year 2020/2021 (Brian Bartlett, Network/Telecom Systems Administrator) – **Brian Bartlett** provided details regarding the purchase of budgeted computers and servers, explained the timelines for recycling and warranties and addressed questions from the Board.

Moved Vogelgesang/Second Sheehan/Vogelgesang Yes/Cefalu Yes/Sheehan Yes/Exline Yes/Wallace Yes to authorize the purchase of budgeted computers and servers for the estimated amount of \$117,200 (including tax).

- b. Secondary Clarifier No. 3 Rehabilitation Project
(Stephen Caswell, Principal Engineer) – **Stephen Caswell** provided details regarding the Secondary Clarifier No. 3 Rehabilitation Project and addressed questions from the Board. Four bids were received, and the low bidder, Farr Construction, did not provide the required backup documentation; and therefore, their bid was deemed nonresponsive. The second lowest bidder, TNT Industrial Contractors, Inc., had minor irregularities associated with their Good Faith Effort and DBA. **Stephen Caswell** further explained that the irregularities were not material and did not provide a competitive advantage. **Attorney Kvistad** added that the documents discussed in the low bid are required in order to maintain the bidding as fair and accurate.

Moved Vogelgesang/Second Sheehan/Vogelgesang Yes/Cefalu Yes/Sheehan Yes/Exline Yes/Wallace Yes to 1) Find the bid from Farr Construction California non-responsive and reject bid; 2) Find minor irregularities in the bid from TNT Industrial Contractors, Inc., to be immaterial and waive immaterial irregularities; and, 3) Award Project to the lowest responsive, responsible bidder, TNT Industrial Contractors, Inc., in the amount of \$2,031,822, including Bid Alternate No.'s 1, 2, and 4.

- c. Approve Payment of Claims (Debbie Henderson, Accounting Manager)

Moved Sheehan/Second Wallace/Vogelgesang Yes/Cefalu Yes/Sheehan Yes/Exline Yes/Wallace Yes to approve Payment of Claims in the amount of \$1,613,528.60.

STANDING AND AD-HOC COMMITTEE REPORTS:

Nothing to report

BOARD MEMBER REPORTS:

Director Wallace reported there was a fire reported near Kiva Beach, which was put out quickly. The Chamber is inundated with calls regarding the town needing to remain open along with concerns regarding citizens paying their bills during this time of COVID-19. **Paul Hughes** reported that financial information should be available next week regarding District delinquent payments and the Board will discuss what can be done to assist District customers.

EL DORADO COUNTY WATER AGENCY PURVEYOR REPORT:

Director Sheehan reported a financial framework committee meeting was held June 30, and **Shannon Cotulla** attended on her behalf.

GENERAL MANAGER REPORT:

John Thiel reported on several items:

- Provided a staffing update including full-time and temporary recruitments
- The District has no COVID-19 reported cases and remains at Risk Level 3, including the new Governor directive of wearing masks in public areas. Customer Service may reopen on July 13, balancing safety at work. **Shannon Cotulla** provided comments regarding the concern for ensuring the District can provide water and sewer services to customers, while protecting the District's human resources. This means the District must focus on core services to keep the District functioning. **Director Wallace** commented that that the original idea was to flatten the curve and **President Vogelgesang** reported that while the infection rates are rising, the death rate is dropping, so in that, we have been successful and the District is doing the right thing. **Director Cefalu** provided suggestions regarding COVID -19 testing and reaching out to other critical agencies for resources in the case of a spike at the District.
- District delinquency payment rates will be reviewed next week once available.

STAFF/ATTORNEY REPORTS:

- a. **Shannon Cotulla** reported the District received a request to temporarily connect 11 homes near the Heather Lake, Bijou area to a District fire hydrant as their well failed. They currently have a boil water order in effect since they are receiving water through the fire hydrant. This request was granted so those property owners are purchasing water from the District for the time being, which may last a few weeks. There is a backflow preventer on the hydrant.
- b. **Melonie Guttry** reported Ethics Training for the Board and Managers is due in September and Brownstein, Hyatt, Farber, Schreck is available Thursday, September 17, from noon to 2 p.m. to do the training via conference call. By consensus, the Board agreed to schedule Ethics Training on this date.

ADJOURNMENT: 3:19 p.m.

Randy Vogelgesang, Board President
South Tahoe Public Utility District

Melonie Guttry, Clerk of the Board
South Tahoe Public Utility District

General Manager
John Thiel

Directors
Chris Cefalu
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BOARD AGENDA ITEM 6a

TO: Board of Directors
FROM: Debbie Henderson, Accounting Manager
MEETING DATE: July 16, 2020
ITEM – PROJECT NAME: Payment of Claims

REQUESTED BOARD ACTION: Approve Payment of Claims

DISCUSSION: The Payment of Claims was not available when this Agenda was published due to the extended Fiscal Year invoice processing. It will be distributed prior to and at the July 16 Board Meeting.

SCHEDULE: July 16, 2020

COSTS: N/A

ACCOUNT NO: N/A

BUDGETED AMOUNT AVAILABLE: N/A

ATTACHMENTS: Interoffice Memo

CONCURRENCE WITH REQUESTED ACTION: _____ **CATEGORY:** Sewer/Water

GENERAL MANAGER: YES *JT* NO _____

CHIEF FINANCIAL OFFICER: YES *PH* NO _____

interoffice

MEMORANDUM

SOUTH TAHOE PUBLIC UTILITY DISTRICT

to: Board of Directors
from: Paul Hughes, Chief Financial Officer
subject: Payment of Claims Report
date: June 23, 2020



To facilitate an accurate year-end expense cut-off, Accounts Payable has extended the deadline for submitting invoices to Friday, July 10. As such, the Payment of Claims report will be delivered to you on or about Tuesday, July 14.

Your cooperation with our once-a-year accommodation is appreciated.

General Manager
John Thiel

Directors
Chris Cefalu
Duane Wallace
Randy Vogelgesang
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Nick Exline



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BOARD AGENDA ITEM 13a

TO: Board of Directors
FROM: John Thiel, General Manager
MEETING DATE: July 16, 2020
ITEM – PROJECT NAME: Conference with Legal Counsel – Significant Exposure to Litigation
REQUESTED BOARD ACTION: Direct Staff

DISCUSSION: Pursuant to Government Code Section 54956.9(d)(2)/Conference with Legal Counsel regarding Significant Exposure to Litigation (One Case).

SCHEDULE: N/A

COSTS: N/A

ACCOUNT NO: N/A

BUDGETED AMOUNT AVAILABLE: N/A

ATTACHMENTS: N/A

CONCURRENCE WITH REQUESTED ACTION:

CATEGORY: General

GENERAL MANAGER: YES JT NO _____

CHIEF FINANCIAL OFFICER: YES PH NO _____



South Tahoe Public Utility District

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BOARD AGENDA ITEM 13b

TO: Board of Directors
FROM: John Thiel, General Manager
MEETING DATE: July 16, 2020
ITEM – PROJECT NAME: Conference with Legal Counsel – Existing Litigation
REQUESTED BOARD ACTION: Direct staff

DISCUSSION: Pursuant to Section 54956.9(a) 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.

SCHEDULE: N/A

COSTS: N/A

ACCOUNT NO: N/A

BUDGETED AMOUNT AVAILABLE: N/A

ATTACHMENTS: N/A

CONCURRENCE WITH REQUESTED ACTION:

CATEGORY: Water

GENERAL MANAGER: YES JT NO _____

CHIEF FINANCIAL OFFICER: YES RH NO _____



South Tahoe Public Utility District

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BOARD AGENDA ITEM 13c

TO: Board of Directors
FROM: John Thiel, General Manager
MEETING DATE: July 16, 2020
ITEM – PROJECT NAME: Conference with Legal Counsel – Existing Litigation
REQUESTED BOARD ACTION: Direct staff

DISCUSSION: Pursuant to Section 54956.9(a) of the California Government Code, Closed Session may be held for conference with legal counsel regarding existing litigation: Los Angeles County Superior Court, Case No. BC459943, State of Nevada, et al. v. J-M Manufacturing, et al.

SCHEDULE: N/A

COSTS: N/A

ACCOUNT NO: N/A

BUDGETED AMOUNT AVAILABLE: N/A

ATTACHMENTS: N/A

CONCURRENCE WITH REQUESTED ACTION:

CATEGORY: Water

GENERAL MANAGER: YES *JT* NO

CHIEF FINANCIAL OFFICER: YES *PH* NO