



N.C.S.D

Northstar Community Services District
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Board of Directors

DUANE EVANS
JEANN GREEN
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MIKE MOLL
FRANK SEELIG

General Manager

MICHAEL STAUDENMAYER

**NORTHSTAR COMMUNITY SERVICES DISTRICT
NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
*AMENDED***

DATE: NOVEMBER 16, 2011
TIME: 9:00 A.M.
PLACE: NORTHSTAR FIRE STATION, 910 NORTHSTAR DRIVE

Director Ives will participate in the meeting by teleconference from 10950 Ford St., Mendocino, California, in accordance with Government Code section 54953(b)(3). This location is accessible to the public, and persons attending at this location will be afforded an opportunity to address the board of directors.

CALL TO ORDER, PLEDGE OF ALLEGIANCE, ROLL CALL

PUBLIC COMMENTS

Any member of the public may address the Board after roll call on any topic related to the District that is not on the agenda. Public comment will be taken on agenda action items immediately prior to Board action.

1. CONSENT CALENDAR

Approval and Discussion of the following:

- a) October 18, 2011 Finance Committee Meeting Minutes.
- b) October 19, 2011 Regular Board Meeting Minutes.
- c) October 24, 2011 Special Meeting Minutes.
- d) October 31, 2011 Special Meeting Minutes.

RECURRING BUSINESS

2. Meetings attended by NCS D Board Members – Discussion.
3. East West Partners – Update.
4. Northstar Property Owners Association – Update.
5. **10:00 A.M.** Northstar California/Vail – Update.

10:30 CLOSED SESSION

6. Conference with Legal Counsel – Anticipated Litigation.
Significant exposure to litigation pursuant to Government Code Section 54956.9(b). One case: Possible litigation with Cazadores Construction regarding the 2011 Northstar Drive Reconstruction Project contract .

NEW BUSINESS

7. **11:00 A.M.** Public Hearing Under Public Contract Code Section 4110 and related provisions of that Code – Possible Cancellation of Cazadores Construction Agreement – 2011 Northstar Drive Reconstruction Project – Discussion – Action.
8. Consideration of Termination of Cazadores Construction Agreement for Default– 2011 Northstar Drive Reconstruction Project – Discussion – Action.
9. Award of Bid – 2011 Northstar Drive Grind and Overlay Project – Discussion – Action.

10. Consideration and Adoption of Ordinance 28-11, "Ordinance Amending Ordinance NO. 23-05 of the Board of Directors of the Northstar Community Services District, Acting as the Legislative Body of Northstar Community Services District Community Facilities District NO. 1, Authorizing the Levy of a Special Tax Within Said Community Facilities District" – Discussion – Action.
11. Approval of Fund Balance Policy, GASB 54 – Discussion – Action.
12. Adoption of Resolution 11-XX "Approving Agreement for Apportionment of Property Tax Revenues Due to Annexation" (Zephyr Lodge and Cross-Country Ski Center Annexation) – Discussion – Action.
13. Approval of Fire Services Contribution Agreement with Trimont Land Company for Zephyr Lodge – Discussion – Action.
14. Approval of Cooperative Fire Protection Agreement and Annual Operating Plan – Discussion – Action.
15. Approval of Notice of Completion, 2011 Fuels Management Maintenance Project, Jeremiah's Tree Service – Discussion – Action.
16. Approval of Contract, Cottonwood Restaurant – 2011 NCS D Employee Holiday Party – Discussion – Action.

ATTORNEYS REPORT

CLOSED SESSION

17. A. Conference with Legal Counsel – Existing Litigation (California Government Code Section 54956.9(a));

1) Name of Case: *Community Facilities District #1 of the Northstar Community Services District vs. Highlands Hotel Residences Company, LLC, Bank of America, et al*, Placer County, California Superior Court #SCV0027907.

2) Name of Case: *Douglas R. Wilson, solely as Receiver appointed in Placer County Superior Court Action No. S-CV-0028021 concerning real and personal property pledged by Highlands Hotel Residences Company, LLC, a Delaware limited liability company vs. NCS D & Community Facilities District No. 1 of NCS D*, Placer County, California Superior Court #SCV0029412.

3) Name of Case: *Truckee(CA) – Highlands Syndicated Holdings, LLC vs. Northstar CSD & Community Facilities District No. 1 of the Northstar CSD*, Placer County, California Superior Court #SCV0030117

17. B. Conference with Legal Counsel --- Anticipated Litigation (California Government Code Section 54956.9(b)) – Ten cases. The anticipated cases are Mello Roos tax delinquency foreclosures. The names of the potential party defendants are set forth in the Board's Resolution 11-24, adopted September 21, 2011.

DIRECTOR REPORTS

Individual directors may give brief reports on miscellaneous items for the information of the other members of the board and NCS D staff. No action will be taken.

OPERATION REPORTS

18. General Manager's Report – Staudenmayer – Discussion.
19. Fire Department Report – Shadowens – Discussion
20. Public Works Report – Martin/Ryan – Discussion.
21. Controller's Report – Lewis – Discussion.
22. Approval of Warrant Register/Finance Committee – Update.

ADJOURNMENT

Items may not be taken in the order listed above.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact James Bowling at (530) 562-0747 or (530) 562-1505 (fax). Requests must be made as early as possible and at least one-full business day before the start of the meeting. NCS D will endeavor to accommodate requests made with less notice than that.