

**REGULAR BOARD MINUTES  
SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

<b>Meeting</b>	<b>Location</b>	<b>Date</b>	<b>Time</b>
Regular	Zoom Meeting	September 1, 2022	4:30 p.m.

**I. CALL MEETING TO ORDER:** The Regular Meeting of the South Placer Municipal Utility District Board of Directors was called to order with President Mitchell presiding at 4:32 p.m. using Zoom Meeting.

**II. ROLL CALL OF DIRECTORS:**

Present: President Jerry Mitchell, Director John Murdock, Director James Durfee, Director Will Dickinson, Vice President Jim Williams  
Director Murdock joined the meeting at 4:34 p.m.

Absent: None

Vacant: None

Staff: Adam Brown, Legal Counsel  
Herb Niederberger, General Manager  
Carie Huff, District Engineer  
Eric Nielsen, Superintendent  
Emilie Costan, Administrative Services Manager

**III. PLEDGE OF ALLEGIANCE:** President Mitchell led the Pledge of Allegiance.

**IV. PUBLIC COMMENTS:**

ASM Costan confirmed that no eComments were received. Hearing no other comments, the public comments session was closed.

**V. CONSENT ITEMS:**

1. MINUTES from the August 4, 2022 Regular Meeting.
2. ACCOUNTS PAYABLE in the amount of \$1,196,176 through August 23, 2022.
3. BILL OF SALE Acceptance of the Bill of Sale for Sewer Improvements for the Tractor Supply, with an estimated value of \$136,507.
4. FINAL REPORT ON THE 2018/2022 STRATEGIC PLAN
5. RESOLUTION 22-33 DEFERRED PAYMENT OF PARTICIPATION FEES FOR KNEISELS COLLISION CENTER AT 4011 SIERRA COLLEGE BLVD
6. RESOLUTION 22-34 AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE CITY OF ROCKLIN ALLOWING A TEMPORARY SEWER CONNECTION

AND USE FOR THE NORTHWEST ROCKLIN SEWER ANNEXATION  
CONSTRUCTION PROJECT

7. RESOLUTION 22-35 DECLARING AND RE-RATIFYING THE STATE OF EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS DUE TO THE COVID-19 EMERGENCY.

Director Dickinson pulled consent item #6 for further discussion.

Director Dickinson made a motion to approve consent items 1 through 5 and 7; a second was made by Director Durfee; a roll call vote was taken, and the motion carried 5-0.

Director Dickinson summarized that the temporary sewer use agreement for the Northwest Rocklin Sewer Annexation Construction Project will allow the City of Rocklin to use portions of the newly constructed pipeline as they see fit throughout the project rather than installing one long bypass for the entire project. GM Niederberger shared that this agreement contains language very similar to the temporary sewer use agreement for the Rocklin Road/Pacific Street Roundabout Construction Project.

Director Dickinson made a motion to approve consent item 6; a second was made by Vice President Williams; a roll call vote was taken, and the motion carried 5-0.

## **VI. BOARD BUSINESS**

### **1. RESOLUTION 22--36 ADOPTING THE 2023/2027 STRATEGIC PLAN**

GM Niederberger introduced Resolution 22-36, thanking DS Nielsen for his hard work in developing the new Strategic Plan. DS Nielsen shared that the new strategic plan document is the culmination of a seven-month process which included meetings with the Strategic Plan Development Advisory Committee, Board Workshops, and staff input.

President Mitchell asked that the acronym NC (Newcastle) be added to the list of acronyms on page 14 of the Strategic Plan.

Vice President Williams made a motion to adopt Resolution 22-36 Adopting the 2023/2027 Strategic Plan; a second was made by Director Murdock; a roll vote was taken, and the motion carried 5-0.

## **VII. REPORTS**

### **1. District General Counsel (A. Brown):**

General Counsel Brown had no report for this meeting.

### **2. General Manager (H. Niederberger):**

#### **A. ASD, FSD & TSD Reports:**

Director Dickinson asked for additional information on the General Manager's meeting with the Rocklin City Manager on August 4<sup>th</sup> where there was a discussion regarding possible programs to lessen the impact of the District's Local and Regional Participation fee on low-income development. GM Niederberger shared that he became aware of a grant program administered through the State that provides funds for low-income housing developments. After further discussion and review, it appears that the City or the developer are the only entities that can apply for the program. There was also discussion about reviewing how the new low-income development in Whitney Ranch has been able to finance its project without subsidies and researching other programs and financing options. He also informed the Rocklin City Manager about the Rate and Cost of Service Study currently being conducted by the District. Director Dickinson requested an additional Rocklin 2x2 meeting to review fees for low-income housing. A Rocklin 2x2 meeting was scheduled for Wednesday, September 7<sup>th</sup> at 11:00 a.m.

GM Niederberger shared changes to the long-range agenda in the GM Report. The introduction of proposed Ordinance 22-03 and the board policy revision will be moved to November.

Director Dickinson asked for an update on the Granite Terrace Project. GC Brown shared that he has been in contact with the City of Rocklin who is preparing a list of outstanding items before the project deadline at the end of September. DE Huff shared that there is currently no reasonable way for the contractor to finish their improvements before the end of September. They are not finished with the lift station and there are still significant improvements to be made. District Legal Counsel will be working with the City of Rocklin Attorney's Office on proposed resolutions.

Director Dickinson asked why the wastewater true-ups received from the City of Roseville have been so delayed. Inquiring as to whether this was due to flow data, new cost information, or another explanation. ASM Costan shared that Roseville communicated that the delay in invoicing prior years was due to a change in accounting systems. Director Dickinson questioned the length of time that Roseville is going back in its audit. He asked what would prevent them from coming back again with revised numbers in the future. ASM Costan shared that once an official true-up invoice is received by the District, that should conclude the invoicing for that year; however, final true-up invoices have not been received for many years. Director Dickinson recommended that the District make a comment at the next SPWA Board Meeting regarding the issues and inefficiency of the current process. ASM Costan commented that the recent change in how the City of Roseville is calculating the preliminary estimates based on actual expenses versus the prior method of using budgeted expenses should lend to future credits held for the District. As such, staff is recommending a phased approach to payment of the outstanding true-up balance. Vice President Williams shared that he believes that SPWA is struggling from a lack of cohesive leadership. The financial information given to the SPWA Board is not as comprehensive or as transparent as the information given to the SPMUD Board. GM Niederberger shared that the costs are based on more than just flows which makes the information harder to reconcile. President Mitchell commented that with only two SPWA Board Meetings, the information shared is very limited. He recalls that this has been an ongoing issue.

President Mitchell pointed out a typo in the ASD Monthly report pertaining to the District's Laserfiche repository and asked for it to be corrected.

President Mitchell asked for the names of the two food service establishments that the District is working with to retrofit their grease control devices. DE Huff shared that the District is currently working with Kiki's Chicken on Rocklin Road and Starbucks on Granite Drive.

**B. Information Items:** No additional items.

**3. Director's Comments:**

Director Durfee commented that the Loomis 2x2 met and had a very productive coordination meeting. He thanked the staff for their work in preparation for and during the meeting.

Director Dickinson shared that District crews were working in his neighborhood earlier in the day, and during the work he spoke with one of the inspectors. The inspector shared that the District is having issues with PG&E contractors accessing District pipes, creating confusion for residents, and in at least one case causing damage to a District pipe. Director Dickinson inquired as to whether there was an action that the Board could take to assist staff with this issue. He asked for this item to be brought back to the Board for further discussion. DE Huff shared that the District created an access permit and has elevated the issue at PG&E; however, staff turnover has at times hindered progress that has been made. The District is working with PG&E to share data and prevent unnecessary access and confusion for residents. Since the access permit process was implemented in June, all requests have been resolved without the need for access and no access permits have been granted. Director Murdock also asked for a future report on this item.

Director Murdock thanked DS Nielsen for his work on the Strategic Plan. He highlighted the threat of ransomware attacks identified in the Strategic Plan. President Mitchell asked whether the County has done work to harden its systems against attacks. DS Nielsen shared that while he is not sure of the steps taken by the County, over the last seven years the District's IT vendor has taken several steps to reduce the District's exposure, enhance the resiliency plans, and harden the District's system.

**VIII. CLOSED SESSION READOUT**

The Board met in Closed Session at 5:11 p.m. to hear a report from District General Counsel and staff to discuss the enumerated items set forth on the closed session agenda. The Board received a report from staff and advice from legal counsel on each item. No formal action was taken.

The Board adjourned the closed session at 6:57 p.m.

**IX. ADJOURNMENT**

The President adjourned the meeting at 6:59 p.m. to the next regular meeting to be held on October 6, 2022, at 4:30 p.m.

*Emilie Costan*

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Emilie Costan, Board Secretary