

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

<b>Meeting</b>	<b>Location</b>	<b>Date</b>	<b>Time</b>
Regular	Zoom Meeting	April 2, 2020	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 Murdock presiding at 4:39 p.m.

**II. ROLL CALL OF DIRECTORS:**

Present: John Murdock, Jim Williams, Vic Markey, Will Dickinson, Jerry Mitchell

Absent: None

Vacant: None

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

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

**IV. CONSENT ITEMS:**

1. MINUTES from March 5, 2020 Regular Meeting.
2. ACCOUNTS PAYABLE in the amount of \$534,748.03 through March 25, 2020.
3. BILL OF SALE FOR SEWER IMPROVEMENTS WITHIN PACIFIC TECH. PHASE 1 – at an estimated value of \$22,160.
4. BILL OF SALE FOR SEWER IMPROVEMENTS WITHIN THE LUGO EXTENSION/3240 TAYLOR ROAD – at an estimated value of \$145,992.
5. RESOLUTION 20-09 APPROVING LUGO REFUND AGREEMENT Adopt Resolution 20-09 to authorize the General Manager to execute the refund agreement for the 8-inch sewer as part of the Lugo Extension (3240 Taylor Road/APN 043-014-027-000).

Staff requested that consent item 4 be continued to a future meeting date as the contractor who constructed the improvements has not received payment.

Director Williams made a motion to approve consent items 1, 2, 3, and 5; a second was made by Vice President Dickinson; a roll call vote was taken, and the motion carried 5-0.

## **V. PUBLIC COMMENTS:**

President Murdock opened the meeting for public comments.

ASM Costan unmuted all zoom audio and read an eComment from Sue Stack. "I would like to make a comment as if I were participating in your Thursday meeting. The essence of the comment is that the Newcastle fire district made the choice not to fully comply with CEQA when it planned its fire station and could have avoided the current problem of relocating the sewer if it had embraced the CEQA concept of early consultation. I don't believe the general public should subsidize the sewer work that is going to be required if Newcastle fire does ever build the building. Your agency is a "responsible agency" and should consider what message you send when you allow other agencies to circumvent CEQA."

Staff responded that this item would be brought before the Board at the May meeting. A participation agreement with the Newcastle Fire District will be presented for consideration.

The public comment session was closed.

## **VI. BOARD BUSINESS**

### **1. RESOLUTION 20-10 AWARDING CONTRACT FOR CIPP LINERS**

AS Nielsen provided an overview of the contract for CIPP Liners. Three bids were received, and the lowest responsible bidder was Express Sewer and Drain.

Vice President Dickinson asked about the June project completion date in light of the Coronavirus concerns. AS Nielsen shared that this project helps to prevent SSOs and the work can be done in a way that minimizes Coronavirus concerns. Vice President Dickinson asked how reallocating the funds to the next fiscal year and moving the start and end dates would impact the bid. General Counsel Brown responded that a modification to the dates could require that the project be rebid. President Murdock commented on the need to complete the work and employ workers. GM Niederberger suggested that staff contact the contractor to see if they would agree to an extension of the completion date. Director Williams commented that construction on critical infrastructure is exempt from restrictions, and the District needs to make sure the contractor is complying with Coronavirus recommendations for workers. GM Niederberger shared Board Report attachment 3, the District's Declaration regarding Executive Order N-33-30. Vice President Dickinson shared his concern regarding the next two critical weeks of the outbreak.

Director Mitchell asked whether pipes can be lined twice. AS Nielsen responded that the inside diameter of the pipe is reduced when pipes are lined and as a practice, we do not line a pipe twice. Director Mitchell asked for the percentage of pipes in the system that been lined. AS Nielsen responded that it is a smaller percentage. He explained that CIPP Liners extend the serviceable life, but all pipes will eventually require replacement.

Director Williams made a motion to direct the GM to work with the contractor to extend the project completion date and adopt Resolution 20-10; a second was made by Vice President Dickinson; a roll call vote was taken, and the motion carried 5-0.

## **2. RESOLUTION 20-11 AUTHORIZING PROCLAMATION OF EMERGENCY**

GM Niederberger provided a briefing on the proposed proclamation of emergency. The proclamation would provide the General Manager with the necessary discretion to ensure continuous operations and the safety of District employees during the Coronavirus pandemic.

President Murdock asked about the timeline for the expiration of the proclamation. GM Niederberger shared that the proclamation can be rescinded by action of the Board and/or a declaration that the State of Emergency has ended. General Counsel Brown shared that he recommended a proclamation of emergency to the General Manager to formalize the position of the Board that the General Manager is authorized to take necessary steps to respond to Governor and County orders and evolving legislation with updates to the Board regarding any actions taken that vary from normal District practices.

Jim Fisher, Water Resource Engineer with the California State Water Resources Control Board Office of Enforcement, commended the Board for taking such swift action in responding to the Coronavirus.

Vice President Dickinson asked for the and/or language in item #3 of page 2 of Resolution 20-11 to be modified to either “and” or “or.” General Counsel Brown recommended the word “and” be stricken.

Vice President Dickinson asked about the frequency of updates to the Board. GM Niederberger suggested monthly updates. Vice President Dickinson asked that substantial changes be shared within three to four days.

Director Markey asked for examples of the types of authority that the General Manager may use under the proclamation. GM shared that changes such as employee work schedules, vehicle assignments and public office hours are all examples of operational changes that have been made and will continue to be modified in response to the emergency.

Director Williams asked that there be timely notification of changes that may have significant impacts on the budget. GM Niederberger shared that we have made small changes such as a temporary waiver of late fees. Director Mitchell asked for clarification on the timeframe that late fees would be waived. GM Niederberger responded that the waiver applies to late fees incurred after April 1st.

Vice President Dickinson made a motion to strike the word “and” from item #3 on page 2 and adopt Resolution 20-11; a second was made by Director Mitchell; a roll call vote was taken, and the motion carried 5-0.

**3. COVID-19, PANDEMIC ILLNESS WORKFORCE SHORTAGE CONTINUITY OF OPERATIONS GUIDE**

GM Niederberger provided an update of the business process changes implemented due to COVID-19 and shared the Pandemic Illness Workforce Shortage Continuity of Operations Guide.

GM Niederberger discussed the proposal to implement a staggered workforce for Field Services staff beginning next week. AS Nielsen shared the recommendation to move to a fifty percent, week on/ week off schedule and stagger start times to ensure continuity of services. This compartmentalizes staff and reduces the impacts of a potential need to implement quarantine requirements. Staff who are at home will remain on paid administrative leave and will be required to be available to respond. The District is working to provide training and other remote tasks to keep staff engaged; however, the primary objective is for staff to shelter-in-place and stay healthy.

Director Mitchell asked about how these changes will impact revenue and District reserves. GM Niederberger shared that the fiscal impact from this change is in the performance measures and the Performance Merit Program. Performance measures will not be maintained with reduced staffing. Director Mitchell shared that he was impressed with the Continuity Plan.

Vice President Dickinson commended staff for their work on the Continuity Plan and shared support for the staggered workforce plan.

Jim Fisher with the California State Water Resources Control Board shared that the District is one of the top examples in the State.

**4. SOUTH PLACER WASTEWATER AUTHORITY (SPWA) BOARD MEETING REPORT – DIRECTOR JERRY MITCHELL**

Director Mitchell provided an update on the SPWA bond restructuring discussed at the last SPWA Board meeting. Due to negative impacts to the bond market from the Coronavirus, the existing bond date was extended out six months.

Director Williams commented that this is unfortunate timing, but he is happy that we were able to put another plan in place to protect us through this time.

**VII. REPORTS**

1. **District General Counsel (A. Brown):** General Counsel Brown advised that he has been working with the General Manager and staff to respond to COVID-19 and providing direction on new legislation.

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

A. **ASD, FSD & TSD Reports:** There were no additions to the managers' reports.

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

### **3. Director's Comments:**

Director Mitchell commented on the assessment of the easement roads and identifying who owns each one. He suggested that this may be a project for staff who are working from home. He also asked for an update on any impacts to the Foothill Trunk, Perimeter Fence, Corp Yard Expansion, and other existing projects. GM Niederberger responded that these projects are ongoing, and work is continuing. Mitchell also asked about how the annual budget process would work and if the timeline would change due to the Coronavirus. GM Niederberger shared that he believes that we could use a PowerPoint Presentation on the Zoom Platform. Williams asked that Directors receive hard copies of the June Packets.

Vice President Dickinson asked about a discount in wastewater treatment costs for commercial customers that are closed due to COVID-19. GM Niederberger shared some of the considerations that would need to be reviewed, including the potential for a credit to benefit the property owner instead of the impacted tenant, constraints in the billing system, and restrictions due to Prop 218. Vice President Dickinson asked for this item to be placed on next month's agenda.

Director Williams gave kudos to the staff for responding to the emergency. President Murdock echoed Director Williams comments.

Public comment was reopened. ASM Costan unmuted all zoom audio.

Bill Karl with the Newcastle Fire Protection Board asked for the name of the person that submitted the eComment read at the beginning of the meeting. ASM Costan responded that the comment was submitted by Sue Stack. He stated he would be participating in the next meeting regarding the Newcastle Fire District participation agreement.

### **VIII. ADJOURNMENT**

The President adjourned the meeting at 5:48 p.m. to the next regular meeting to be held on May 7, 2020 at 4:30 p.m.



Emilie Costan, Board Secretary