

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

| Meeting | Location | Date | | Time |
|----------------|-----------------|----------------|--|-------------|
| Regular | Zoom Meeting | August 6, 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 4:35 p.m.

II. ROLL CALL OF DIRECTORS:

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

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: Director Markey led the Pledge of Allegiance.

IV. CONSENT ITEMS:

1. MINUTES from the July 2, 2020 Regular Meeting.
2. ACCOUNTS PAYABLE in the amount of \$1,108,840 through July 28, 2020.
3. QUARTERLY INVESTMENT REPORT in the total amount of \$63,053,061 through June 30, 2020.

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

V. PUBLIC COMMENTS:

President Murdock opened the meeting for public comments on items not on the agenda. ASM Costan confirmed that no eComments were received. Hearing no other comments, the public comments session was closed.

VI. BOARD BUSINESS

1. **RESOLUTION #20-23 AUTHORIZATION TO EXECUTE CHANGE ORDER #5 TO THE FOOTHILL SEWER REPLACEMENT PROJECT CONTRACT FOR AN ALTERNATIVE DRIVABLE SURFACE FOR THE ACCESS ROAD**

DE Huff presented the proposed change order to use an alternative drivable surface for the access road behind Corona Circle. DE Huff shared that the District has had a ten-foot-wide sewer easement since 1969 and a fifteen-foot-wide access easement since 1994 at this location. The access easement backups up to a high-risk wetlands area. The access road must be able to support the weight and allow for turning and maneuvering of District vehicles and equipment. DE Huff shared that the Foothill Trunk Sewer Replacement Project also includes a sliding steel gate at El Don Drive to allow drive-through access to all manhole locations. The neighbors have expressed concerns about the gate and the proposed aggregate base access road. The proposed change order mitigates neighbors' concerns about the access road as it will support the District's vehicles and equipment while allowing native grasses to grow, blending the road into the existing surroundings.

President Murdock asked for clarification on how trees and vegetation that have grown into the access road are managed. DE Huff shared that the District will be trimming trees and vegetation that grow into the easement area. General Counsel Brown shared that even if a tree is on private property, if it is overhanging or extending into an easement, the District is within its rights to trim the tree.

Vice President Dickinson asked if the primary reason for installing the grass pave is aesthetics. DE Huff shared that aesthetics is a component, but the material also improves the structural integrity of the road which will hopefully extend its life and reduce maintenance.

Director Mitchell asked for staff to provide more background on the neighbor's concerns regarding the gate. DE Huff shared that prior to the start of construction, there was a wall in the current location where the gate is being proposed. The gate is causing security concerns for the neighbors. The proposed gate has security features and is intended to be kept closed and locked except when required for maintenance or emergency access. Vice President Dickinson added that the intent of the gate as a second access point is drive-thru access for District vehicles. The current site does not allow for a hammerhead or turnaround point on the access road.

Public Comment: ASM Costan read the following public comments into the record:

eComment received August 3, 2020 from Will Dean

Subject: Corona Circle owner asks for your consideration during 8/6 board meeting

My name is Will Dean, my family and I own the property at 4712 Corona Circle. I will be joining your board meeting on the 6th of August and wanted to voice my concerns. We back to the current site of the Foothill trunk sewer replacement project. I along with many of my neighbors have two principle concerns. One being the proposed paved road that will run through the rear of our property via the sewer easement. I am in opposition of a paved road and am in support of Carie Huff's more natural solution. We do not want to advertise easy access to the green belt due to increasing transient traffic through this area. In addition, we all purchased these homes due to the natural beauty the green belt offers. Building a paved road interferes with the natural beauty we signed on for.

Second is my concern for the addition of another access gate on El Don Dr. We have had adequate access for SPMUD for 25 years and I do not believe this additional access is needed. We do not want to advertise easy access and want to keep rear access to our properties secure.

I appreciate you listening to my/our concerns and hope we can come to a conclusion that makes sense. We are all reasonable people and just ask you to consider two reasonable requests to help keep our properties secure and beautiful. Thank you so much. Cordially,
Will Dean

eComment received August 4, 2020 from Kathi Gildone

Subject: Public Comment for Board Meeting 08.06.2020

My husband Joe and I have been the owners of 4710 Corona Circle since 1996. Our property contains the only Utility access located on private property on Corona Circle that currently allows entry to the Foothill Trunk Sewer. Joe and I have many questions and concerns regarding the project but, for the moment I'll address the two that were brought up during our conversation with Carie Huff on 07.27.2020.

- If we are unable to request that NO access road be put in behind our homes
 - We are requesting the Board to approve Resolution #20-23 to execute Change Order #5 which would result in a GrassPave2 access being implemented and not an aggregate road (for too many reasons to list here)
- We have been informed that a third access gate will be installed on El Don
 - We are requesting that NO access gate be placed on El Don. The access on our property has been utilized by the Utility Company 3 times in 24 years and it has always been adequate for maintenance.

Please consider the fact that over the past year the transient population has grown in our neighborhood and we are asking for consideration of our privacy and safety which we know would be compromised by a Gate. We appreciate your attention to our concerns and look forward to a good resolve. Thank you, Kathi Gildone

eComment received August 6, 2020 from Teri Berke

Subject: Foothill Trunk Bypass

Hello, My name is Teri Berke. I own the property at 4708 Corona Circle. I will be joining your board meeting on the 6th of August and wanted to voice my concerns regarding the Foothill Trunk sewer replacement project.

I purchased my home in August of 1996. I paid a premium for the lot because it backs to the green belt. During the 24 years I have lived here, SPMUD has accessed the sewer line on three separate occasions for routine maintenance.

I have two primary concerns: The proposed paved/aggregate road that will run through the rear of our property via the sewer easement. I am in opposition of this road as it is not necessary for access to the sewer line. During this work, fuel tankers, water tankers, backhoes and other large equipment have moved easily over the existing ground. There is no need for a permanent road of any kind. We all purchased these homes due to the

natural beauty the green belt offers. Building a paved/aggregate road eliminates the natural beauty we paid for.

My second concern is the plan for a third access point from El Don Dr. We currently have an access point on a 20 foot easement at 4710 Corona Circle. During this project, SPMUD added a second access point at the end of Corona Circle. This is a paved road that runs behind two new lots permitted for single family homes. We have had adequate access for SPMUD for 24 years and I do not believe this third access point is necessary. We do not want to advertise easy access and want to keep rear access to our properties secure.

SPMUD misrepresented themselves and the work that they proposed. We were told a "few" marked trees would be remove. Instead five times the number were removed. I was told trees that were lost to the work would be replaced. That is no longer part of the plan. They said the work would start in the fall and take a "few weeks." Instead the work began in June and according to Carrie, will continue through October. I cannot open my windows at night because of the diesel and sewage stench and the constant noise from the machines which run 24/7.

I appreciate you listening to my/our concerns and hope we can come to a conclusion that makes sense. We are all reasonable people and just ask you to consider two requests to help keep our properties secure and beautiful. Thank you so much. Teri Berke

eComment received August 6, 2020 from Mike O'Malley

Subject: Foothill Trunk Bypass

Our name is Mike & Pam O'Malley and we have resided at 4704 Corona Circle since December 1996. I will be joining your board meeting on the 6th of August and wanted to voice my concerns regarding the Foothill Trunk sewer replacement project.

Like our neighbors who have voiced objections over a paved or aggregate road along with a third access point off El Don, we have additional concerns with the permanent affects it will have on the value of our properties. Neither were disclosed in the original plans submitted to our neighborhood nor were the intended number of trees proposed to be removed disclosed appropriately. As the project evolves, we continually receive new information which will have either a temporary or permanent impact. Needless to say, we have concerns with what we now know and what has yet to be disclosed in the coming days or weeks. Cumulatively, we serious concerns with the diminished value of our homes as a result of this project.

Personally, I am extremely disappointed with lack of full disclosure SPMUD has provided to date. As of today, SPMUD has over promised and under delivered. We can certainly provide examples should you wish to hear this afternoon. Thank you., Mike & Pam O'Malley

Terri Berke made additional public comment sharing that she did not understanding why the area is considered a high risk area, the need for the gate to access the easement, the number of trees being removed and the lack of replacement of trees, and the credibility of the District with regard

to what has been promised and what is being delivered. Will Dean also made an additional public comment that communication on the project has not been good.

Director Williams shared that he visited the construction site and the neighbor's concerns on the aesthetics are valid. He shared that there will be trees replanted but only outside of the easement area. Director Williams asked staff if the gate at El Don was included in the original project scope. DE Huff responded that to the best of her knowledge the gate has always been part of the project plans and was put out to bid with the gate included. Director Williams shared he has been on the SPMUD Board for eighteen years and during that time there have been a lot of changes to the State Water Board requirements and penalties especially in wetlands area. Access for the Vector truck to clear a line is imperative, as the costs from a spill or overflow are prohibitive. He asked that the District make sure the gate is secure.

Vice President Dickinson shared that emergencies often happen in the middle of the night during rainstorms which create unsafe conditions for District employees. He also questioned the existing wrought iron fencing that will remain and allows access to the area verses the larger steel gate with privacy screening that the District plans to install.

GM Niederberger shared that under normal circumstances there would have been more community outreach meetings; however, the Coronavirus impacted the District's ability to hold tent meetings with residents. DE Huff has been in continuous contact with the residents to address their concerns.

Vice President Dickinson shared that he believes that staff is doing everything they can to mitigate the construction impacts. The District's needs as a modern utility necessitate drivable access. He shared that he supports the aesthetically pleasing surface for the residents.

Director Williams shared that he believes the grass pave is aesthetically superior in addition to being a 60-year road thereby reducing maintenance. He stated that in order to protect the District and its ratepayers there must be adequate access.

President Murdock asked for more information on the hydroseeding. DE Huff shared that the District would use a native grass mix, and crews will be at the site routinely to make sure that the roots take hold thereby preventing erosion.

Director Williams shared that the District has been fortunate to only have had to utilize the access road a few times in the past but needs to be able to respond quickly to future events. He asked that DE Huff work with the neighbors on the gate to alleviate their concerns.

Director Mitchell asked about the height of the gate. DE Huff shared that the gate would match the height of the block wall. Director Mitchell stated that the gate will provide more security to the area than the existing wrought iron fence. He shared that due to the volume of development upstream there is increased likelihood of maintenance being required. He asked that the District work to make sure that the area is as secure as possible. GM Niederberger offered that the District will reach out the City of Rocklin regarding the condition of the existing wrought iron fencing.

Vice President Dickinson made a motion to adopt Resolution 20-23 Authorizing the General Manager to execute change order #5 to the Foothill Sewer Replacement Project contract for an alternative drivable surface for the access road; a second was made by Director Williams; a roll call vote was taken, and the motion carried 5-0.

2. GIS AND PUBLIC FACING WEB MAP WORKSHOP

DS Nielsen gave a demonstration of the District's public facing web map and internal GIS program. He showed how the public can access information such as ward boundaries, pipes, and manholes. In addition to determining physical locations, the public can find out data about certain District assets such as the size, material, elevation, and depth. DS Nielsen also shared the internal web map used by staff. The internal web map has additional layers and data such as maintenance hot spots and access information. In addition, the internal web map contains links to Laserfiche so staff can view documents that pertain to certain assets such as the bills of sale or record drawings.

President Murdock commented that the program looks great. Director Mitchell commented that it was very impressive.

No action was requested – informational item.

3. COVID-19 PANDEMIC ILLNESS

GM Niederberger provided an update on District operations in response to the COVID-19 outbreak. District staff met to review the lessons learned during the COVID-19 outbreak and plans to incorporate those items into the Pandemic Illness Continuity of Operations Guide. The District is continuing to monitor local school closures and how closures will impact District employees and workload. Once the District understands the impacts, staff will schedule a Personnel Advisory Committee meeting to review accommodations. The District plans to continue waiving late fees through October 1, 2020 and continue having Board meetings via Zoom for the foreseeable future.

President Murdock asked whether the District was getting information from Placer County or the State. He questioned errors in State reporting on the number of cases and if that extended to the County. GM Niederberger shared that the District is participating in weekly calls with Placer County.

Director Williams asked if the District is still staggering work schedules for field workers. GM Niederberger shared that the staggered work schedules have ended, but the District continues to stagger locker room times and encourage social distancing. Director Williams shared that he recently came into the office and had to follow the District screening procedures.

Director Mitchell added that he attended the Governmental Relations Committee Meeting held by the Chamber. During the meeting the Superintendent of Rocklin Unified School District shared that they are starting the year with distant learning per State restrictions. Even though it may not be as effective as in person schooling, the school district can do it safely. There is a requirement

for seventeen days of good health conditions for the schools to be eligible to reopen for in person instruction.

No action was requested – informational item.

VII. REPORTS

1. **District General Counsel (A. Brown):** General Counsel Brown’s had no report for this meeting.

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

A. ASD, FSD & TSD Reports:

Director Mitchell asked about item B2 on the General Manager’s report regarding requests for renumerations due to impacts from the Foothill Trunk Sewer Replacement Project. GM Niederberger shared that individuals seeking renumerations have been directed to the District’s claim process and to date the District has not received a claim.

Director Mitchell also asked when the Headquarters Breakroom project was scheduled to start. DS Nielsen shared that the building permit submittal is scheduled for September. The current plan is for construction to start right after the permit is received and the bidding process is completed.

President Murdock asked if the purchase orders in this month’s report are yearly totals. GM Niederberger shared that these are blanket purchase orders for the year. They were not utilized in previous years but were created this year based on a recommendation from the District auditor. President Murdock questioned the cost of the Tyler Incode software. ASM Costan shared that the Tyler software performs multiple functions for the District including accounting and finance, personnel and payroll, and customer utility accounts and billing.

Director Mitchell asked what PLSD stands for in the Field Services monthly report. DS Nielsen responded that it stands for private lateral sewer discharge.

GM Niederberger asked DE Huff to share additional information on the Foothill Trunk Sewer Replacement Project. DE Huff shared that the rock quantity encountered by the contractor, Garney Pacific, during this billing period increased beyond what is specified in the contract. The contract allows for up to five hundred cubic yards and the contractor encountered seven hundred seventy-five cubic yards. The contract unit price does not change, but due to the increase in quantity, the added charges in this progress payment exceed the General Manager’s purchasing authority. DE Huff also shared that future changes coming before the Board include a change order for removal of unexpected asbestos concrete pipe, additional contract days, and an agreement for the scope of the monitoring with the 347 Group.

GM Niederberger added that the existing pipe that is being removed and replaced with larger pipe was laying directly on top of granite slabs with no bedding in place which has caused the need for rock excavation beyond what was projected. Discussion occurred regarding having a special meeting to approve the current progress payment to Garney Pacific. The change order for additional rock is over fifty thousand dollars; however, the amount is within the ten percent contingency authorized by the Board during award of the original contract with Garney Pacific.

Director Mitchell asked what percentage of the project has been completed. DE Huff shared that the pipe installation is fifty percent complete but there is trench restoration, paving, and cleanup work that will need to be completed. She anticipates that the project will be complete in the beginning of October.

The Board recommended that the General Manager proceed with payment of the billing invoice under the currently approved ten percent contingency.

B. Information Items: No additional items.

3. Director's Comments:

Vice President Dickinson thanked staff for taking him on a tour of the Corona Circle easement area. He appreciates the efforts made with the neighbors. President Murdock thanked the staff.

VIII. ADDITIONAL PUBLIC COMMENTS

President Murdock re-opened the meeting for public comments. ASM Costan confirmed that no eComments were received. Hearing no other comments, the public comments session was closed.

IX. ADJOURNMENT

The President adjourned the meeting at 6:07 p.m. to the next regular meeting to be held on September 3, 2020 at 4:30 p.m.



Emilie Costan, Board Secretary