



**SPMUD BOARD OF DIRECTORS  
REGULAR MEETING: 4:30 PM  
October 4, 2018  
SPMUD Board Room  
5807 Springview Drive, Rocklin, CA 95677**

The District's regular Board meeting is held on the first Thursday of every month. This notice and agenda is posted on the District's web site ([www.spmud.ca.gov](http://www.spmud.ca.gov)) and posted in the District's outdoor bulletin board at the SPMUD Headquarters at the above address. Meeting facilities are accessible to persons with disabilities. Requests for other considerations should be made through the District Headquarters at (916)786-8555.

**AGENDA**

**I. CALL MEETING TO ORDER**

**II. ROLL CALL OF DIRECTORS**

President Gerald Mitchell,	Ward 1
Director William Dickinson,	Ward 2
Director John Murdock,	Ward 3
Director Victor Markey,	Ward 4
Director James Williams,	Ward 5

**III. PLEDGE OF ALLEGIANCE**

**IV. CONSENT ITEMS**

[pg 3 to 38]

Consent items should be considered together as one motion. Any item(s) requested to be removed will be considered after the motion to approve the Consent Items.

ACTION: (Voice vote)

***Motion to approve the consent items for the September 6, 2018 meeting***

1. MINUTES from the September 6, 2018 Meeting. [pg 3 to 5]
2. ACCOUNTS PAYABLE in the amount of \$661,982.22 through September 25, 2018. [pg 6 to 11]
3. MONTHLY INVESTMENT REPORT in the total amount of \$52,556,417 through September 25, 2018. [pg 12]
4. BILL OF SALE FOR SEWER IMPROVEMENTS WITHIN WHITNEY RANCH UNIT 52A located in Rocklin – valued at \$638,715. [pg 13 to 16]
5. ADOPTION OF RESOLUTION #18-27 AUTHORIZING AN AGREEMENT WITH ALASKA ORANGES LLC ALLOWING A TEMPORARY SEWER CONNECTION AND USE FOR A PORTION OF WINDING LANE ESTATES. [pg 17 to 24]
6. ADOPTION OF RESOLUTION #18-28 AUTHORIZING THE GENERAL MANAGER TO EXECUTE AGREEMENTS WHICH ASSIGN THE ROCKLIN 60 - PHASE I & II SEWER [pg 25 to 38]

REFUND AGREEMENTS FROM TAYLOR MORRISON SERVICES, INC. TO CHRIS VRAME Taylor Morrison has entered into an Agreement of Purchase for the Refund areas and therefore

**V. PUBLIC COMMENTS**

Items not on the Agenda may be presented to the Board at this time; however, the Board can take no action.

**VI. BOARD BUSINESS**

Board action may occur on any identified agenda item. Any member of the public may directly address the Board on any identified agenda item of interest, either before or during the Board's consideration of that item.

**1. FY 18/19 BUDGET ADJUSTMENT REQUEST – VEHICLE REPLACEMENT [pg 39 to 40]**

Staff requests an adjustment to the FY 18/19 Budget for the unanticipated replacement of a Fleet vehicle which has failed earlier than its anticipated life.

Action Requested: (Voice Vote)

Staff Recommends that the Board of Directors:

- 1. Approve the Budget Adjustment request and increase the FY 18/19 Capital Budget from \$1,685,200 to \$1,717,200**

**VII. REPORTS**

[pg 41 to 48]

The purpose of these reports is to provide information on projects, programs, staff actions and committee meetings that are of general interest to the Board and public. No decisions are to be made on these issues.

1. Legal Counsel (A. Brown)
2. General Manager (H. Niederberger)
  - 1) FSD, ASD & TSD Reports
  - 2) Informational items
3. Director's Comments: Directors may make brief announcements or brief reports on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda.

**VIII. ADJOURNMENT**

If there is no other Board business the President will adjourn the meeting to its next regular meeting on November 1, 2018 at 4:30 p.m.

**BOARD MINUTES  
SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

<b>Meeting</b>	<b>Location</b>	<b>Date</b>	<b>Time</b>
Regular	District Office	September 6, 2018	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 4:30 p.m.

**II. ROLL CALL OF DIRECTORS:**

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

Absent: None

Vacant: None

Staff: Herb Niederberger, General Manager  
Adam Brown, Legal Counsel  
Joanna Belanger, Administrative Services Manager  
Eric Nielsen, District Engineer  
Sam Rose, Superintendent

Others: Representative from West Marine

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

**IV. CONSENT ITEMS:**

1. REVISED MINUTES from the August 2, 2018 Board meeting.
2. ACCOUNTS PAYABLE in the amount of \$854,130.12 through August 27, 2018.
3. MONTHLY INVESTMENT REPORT in the total amount of \$51,579,537 through August 27, 2018.
4. BILL OF SALE FOR SEWER IMPROVEMENTS FOR SIERRA COLLEGE ESTATES located on the west side of Bankhead Road just north of Sierra College Blvd in Loomis – valued at \$539,965.
5. BILL OF SALE FOR SEWER IMPROVEMENTS FOR NEWCASTLE FIRE STATION (PHASE I) located in Newcastle between Interstate 80 and Old State Highway – valued at \$10,618.
6. BILL OF SALE FOR SEWER IMPROVEMENTS WITHIN WHITNEY RANCH UNIT 51 located in Rocklin northwest of Ranch View Drive and Saddlerock Way– valued at \$179,725.
7. BILL OF SALE FOR SEWER IMPROVEMENTS WITHIN WHITNEY RANCH UNIVERSITY AVENUE (STA15+50 TO 26+50) located in Rocklin between Whitney Ranch Parkway and Ranch View Drive – valued at \$32,588.
8. ADOPTION OF RESOLUTION #18-25 AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE CONSENT AGREEMENT REGARDING USE OF EASEMENT FOR BOTH ENCROACHMENTS FOR GI JULIAN PROPERTY – WEST MARINE DIGITAL SIGN (APN 045-080-036-000).
9. ADOPTION OF RESOLUTION #18-26 DISPOSING OF DISTRICT SURPLUS ITEMS.

President Mitchell noted that Director Markey had requested pull Item #3 – the Monthly Investment Report from consent. General Manager Niederberger noted that a revision had been requested for the meeting minutes, to include an additional comment from Director Dickinson relating to the Actuarial Valuation Report item. Director Dickinson stated that he was content with the revisions addressing his concerns.

Director Williams made a motion to approve all items from the consent calendar excluding item #3; a second was made by Director Dickinson, the motion carried 4-0.

ITEM IV.1

Director Markey questioned the fund balances from the investment accounts and noted that the funds were over \$3 Million less than the previous month. ASD Manager Belanger noted that Placer County Treasury investment returns had not yet been received for the month. Also noting that the checking account balance was lower, with accounts payables showing expenditures for the T&S Construction contract for the Lower Loomis Diversion. Director Dickinson noted that the Fee & Finance Committee has looked at the balances and interest in the investments. He further mentioned that the decision was to start moving money out of Wells Fargo and disperse into the Placer County Treasury and CalTrust funds. GM Niederberger reported that Wells Fargo provides the reports for the management of funds in various FDIC accounts. When these funds mature the District will be pulling them out from Wells Fargo. He stated that there are further invoices coming from the Lower Loomis Diversion project as well as other budgeted expenditures. At the same time connection fees are being accepted into revenues.

During the discussion, Director Murdock arrived at 4:40 p.m.

Director Markey made a motion to approve item #3; a second was made by Director Williams, the motion carried 5-0.

#### **V. PUBLIC COMMENTS:**

President Mitchell opened the Public comments. Hearing no comments, public comments were closed.

#### **VI. BOARD BUSINESS**

##### **1. STRATEGIC PLAN REPORT FOR FY17/18**

General Manager Niederberger introduced the Annual Report of the Strategic Plan covering FY17/18 to FY21/22. He reported that the District is at the end of the first year of the plan, and this report provides the first year's activities within the plan. Staff provided reports on items with activities, noting significant status updates as well as any delays that have been experienced.

Board Directors asked for clarifications and additional information throughout the report. President Mitchell requested that a glossary is added for future Annual Reports. Director Dickinson asked if Herb is happy with the progress that has been made within the goals of the Strategic Plan and stated that if staff has any concerns or any needed changes they should bring back to the Board as necessary.

Director Williams made a motion to accept the Strategic Plan Report; a second was made by Director Dickinson, the motion carried 5-0.

##### **2. JOINT USE DISTRICT EASEMENTS /BIKEWAY MASTER PLAN OVERLAY PRESENTATION**

General Manager Niederberger presented an overview of location maps showing the City & County Bikeway Master Plans overlaid on a District map with the Districts Easements & Access Roads. He explained the progress made by working with County and City staff to determine similar locations which may provide an opportunity to have Bikeways and Trails on District Easements. President Mitchell stated that he would be interested to see the District work with other Agencies to identify this type of Joint Use. In line with Policy 3225 for this type of Joint Use for District Easements and Access Roads.

A brief discussion followed regarding the presentation, which was provided as informational only.

**VII. REPORTS:**

**1. District General Counsel (A. Brown):** General Counsel Brown reported that his report would be covered in the Closed Session.

**2. General Manager (H. Niederberger):** GM Niederberger reported that he would be attending the CSDA Annual Conference the week of September 24, 2018.

**A. ASD, FSD & TSD Reports:** Director Markey asked if staff was aware of the expansion that Loomis Basin Brewery is completing. DE Nielsen stated that staff is aware of the improvements and have Inspectors and staff who will be addressing the changes in use for the property the business is taking over. DE Nielsen provided a brief report on the Lower Loomis Diversion Project status. He mentioned that the project is scheduled for completion by the end of the year.

Director Dickinson asked if Director Murdock plans on continuing his service to the Board, since he did not file his papers with Placer County for the upcoming election. Director Murdock said it was a mistake on his part and saying he had the incorrect date for filing on his calendar. He stated he is still interested in serving the Board.

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

**3. Directors Comments:** Director Murdock stated that he had seen digging at the out of area property located on Rockhurst Way close to Barton Road. He asked if staff had heard of any updates. DE Nielsen stated that he would check with staff on the status. Director Dickinson stated that just because there are policies in place, it doesn't mean that the Board doesn't need to be involved in the decision making. Specifically referring to the OPEB investment strategy level. He stated that he will learn more about the decision in the October Fee & Finance Committee meeting. He said that he may agree with the recommendation of staff; however, wants the Board to have the opportunity to provide input in the final decision. President Mitchell reported that the Rocklin Quarry Park is scheduled for its opening on September 15<sup>th</sup>.

**VIII. CLOSED SESSION**

Legal Counsel Brown noted a correction to the citation of the Closed Session, correcting it to existing litigation. The closed session began at 6:10 p.m.

**1. Conference with Legal Counsel – Existing Litigation**

Litigation pursuant to subdivision (c) of Government Code Section 54956.9

Eminent domain proceeding against Dean and Perlita Dickson in connection with the installation of District facilities along Diaz Lane in Rocklin.

The Board heard a report from District legal Counsel. No action was taken.

**IX. ADJOURNMENT**

The President adjourned the meeting at 6:30 pm. to its next regular meeting to be held on October 4, 2018 at 4:30 p.m.



Joanna Belanger, Board Secretary



South Placer Municipal Utility District, CA

# Check Report

By Check Number

Date Range: 08/28/2018 - 09/25/2018

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP Bank-AP Bank</b>						
1521	Aries Industries, Inc.	08/30/2018	Regular	0.00	3,003.52	10342
1509	Crystal Communications	08/30/2018	Regular	0.00	311.64	10343
1485	Industrial Safety Supply Corporation	08/30/2018	Regular	0.00	2,137.98	10344
1564	Jensen Landscape Services, LLC	08/30/2018	Regular	0.00	861.00	10345
1221	PG&E (Current Accounts)	08/30/2018	Regular	0.00	4,922.68	10346
1253	Recology Auburn Placer	08/30/2018	Regular	0.00	300.84	10347
1305	Sunbelt Rentals, Inc.	08/30/2018	Regular	0.00	289.58	10348
1306	Superior Equipment Repair	08/30/2018	Regular	0.00	1,087.08	10349
1307	Sutter Medical Foundation-Corporate	08/30/2018	Regular	0.00	222.00	10350
1672	TNT Safety Enterprises Inc	08/30/2018	Regular	0.00	3,750.00	10351
1346	WEF Membership (Water Environment Federation)	08/30/2018	Regular	0.00	263.00	10352
1522	California Department of Fish and Wildlife	09/05/2018	Regular	0.00	-2,023.25	10353
1522	California Department of Fish and Wildlife	09/05/2018	Regular	0.00	2,023.25	10353
1522	California Department of Fish and Wildlife	09/05/2018	Regular	0.00	2,024.25	10356
1521	Aries Industries, Inc.	09/06/2018	Regular	0.00	776.84	10394
1022	AT&T (9391035571)& (9391053973)	09/06/2018	Regular	0.00	165.23	10395
1484	Axa Equitable	09/06/2018	Regular	0.00	1,110.00	10396
1663	Buckmaster Office Solutions	09/06/2018	Regular	0.00	136.73	10397
1667	California Truck Specialties	09/06/2018	Regular	0.00	3,427.93	10398
1068	City of Roseville	09/06/2018	Regular	0.00	416,262.00	10399
1086	Dataprose	09/06/2018	Regular	0.00	6,975.00	10400
1087	Dawson Oil Co.	09/06/2018	Regular	0.00	3,675.34	10401
1173	KBA DocuSys (Copies)	09/06/2018	Regular	0.00	441.13	10402
1599	Mann, Urrutia, Nelson CPA's	09/06/2018	Regular	0.00	7,000.00	10403
1218	PCWA	09/06/2018	Regular	0.00	84.17	10404
1221	PG&E (Current Accounts)	09/06/2018	Regular	0.00	260.11	10405
1473	Pitney Bowes Purchase Power	09/06/2018	Regular	0.00	208.99	10406
1554	Service Master	09/06/2018	Regular	0.00	675.28	10407
1656	SmartCover Systems	09/06/2018	Regular	0.00	1,526.00	10408
1291	Special District Risk Management Authority (SDRM)	09/06/2018	Regular	0.00	6,785.91	10409
1306	Superior Equipment Repair	09/06/2018	Regular	0.00	1,249.37	10410
1492	Wave Broadband - Rocklin	09/06/2018	Regular	0.00	209.85	10411
1327	US Bank Corporate Payment	09/06/2018	Regular	0.00	12,313.75	10412
	**Void**	09/06/2018	Regular	0.00	0.00	10413
	**Void**	09/06/2018	Regular	0.00	0.00	10414
	**Void**	09/06/2018	Regular	0.00	0.00	10415
	**Void**	09/06/2018	Regular	0.00	0.00	10416
1022	AT&T (9391035571)& (9391053973)	09/13/2018	Regular	0.00	310.13	10417
1458	Carie Huff	09/13/2018	Regular	0.00	69.02	10418
1113	Ferguson Enterprises, Inc. 1423	09/13/2018	Regular	0.00	135.63	10419
1666	Great America Financial Services	09/13/2018	Regular	0.00	452.99	10420
1139	Hill Rivkins Brown & Associates	09/13/2018	Regular	0.00	15,625.00	10421
1564	Jensen Landscape Services, LLC	09/13/2018	Regular	0.00	73.89	10422
1200	Melvin Hetrick	09/13/2018	Regular	0.00	150.00	10423
1218	PCWA	09/13/2018	Regular	0.00	1,810.44	10424
1268	Rocklin Windustrial Co.	09/13/2018	Regular	0.00	347.37	10425
1292	SPMUD Petty Cash	09/13/2018	Regular	0.00	85.00	10426
1333	SPOK, Inc.	09/13/2018	Regular	0.00	26.23	10427
1306	Superior Equipment Repair	09/13/2018	Regular	0.00	1,508.20	10428
1338	Verizon Wireless	09/13/2018	Regular	0.00	1,224.59	10429
1673	Dean Richard Dickson and Perlita Dickson	09/14/2018	Regular	0.00	7,500.00	10430
1002	4Imprint, Inc.	09/20/2018	Regular	0.00	3,455.26	10431
1652	Cintas Corporation	09/20/2018	Regular	0.00	3,877.71	10432
1073	Consolidated Communications	09/20/2018	Regular	0.00	520.53	10433

Check Report

Date Range: 08/28/2018 - 09/25/2018

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1113	Ferguson Enterprises, Inc. 1423	09/20/2018	Regular	0.00	1,856.24	10434
1123	Gladding McBean	09/20/2018	Regular	0.00	2,048.77	10435
1136	Helix Laboratories, Inc.	09/20/2018	Regular	0.00	1,812.53	10436
1218	PCWA	09/20/2018	Regular	0.00	74.88	10437
1234	Placer County Air Pollution Control District (APCD)	09/20/2018	Regular	0.00	1,599.20	10438
1244	Preferred Alliance Inc	09/20/2018	Regular	0.00	172.20	10439
1253	Recology Auburn Placer	09/20/2018	Regular	0.00	300.84	10440
1665	Shef's Plumbing, Inc.	09/20/2018	Regular	0.00	22,750.00	10441
1287	Sierra Safety	09/20/2018	Regular	0.00	4,762.98	10442
1518	Sonitrol of Sacramento	09/20/2018	Regular	0.00	802.03	10443
1325	Tyler Technologies, Inc.	09/20/2018	Regular	0.00	400.00	10444
1045	Cal Pers 457 Plan (EFT)	09/07/2018	Bank Draft	0.00	375.00	DFT0003850
1135	Mass Mutual (EFT)	09/07/2018	Bank Draft	0.00	6,266.00	DFT0003851
1135	Mass Mutual (EFT)	09/07/2018	Bank Draft	0.00	685.02	DFT0003852
1580	TASC	09/07/2018	Bank Draft	0.00	196.14	DFT0003853
1580	TASC	09/07/2018	Bank Draft	0.00	330.75	DFT0003854
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	147.25	DFT0003855
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	275.45	DFT0003856
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	420.53	DFT0003857
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	3,443.24	DFT0003858
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	5,256.16	DFT0003859
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	96.38	DFT0003860
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	122.41	DFT0003861
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	1,376.78	DFT0003862
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	1,748.90	DFT0003863
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	1,799.25	DFT0003864
1229	Pers (EFT)	09/07/2018	Bank Draft	0.00	1,969.68	DFT0003865
1149	Internal Revenue Service	09/07/2018	Bank Draft	0.00	10,733.02	DFT0003866
1098	EDD (EFT)	09/07/2018	Bank Draft	0.00	3,629.95	DFT0003867
1098	EDD (EFT)	09/07/2018	Bank Draft	0.00	865.56	DFT0003868
1149	Internal Revenue Service	09/07/2018	Bank Draft	0.00	2,728.58	DFT0003869
1149	Internal Revenue Service	09/07/2018	Bank Draft	0.00	8,392.32	DFT0003870
1045	Cal Pers 457 Plan (EFT)	09/21/2018	Bank Draft	0.00	375.00	DFT0003872
1135	Mass Mutual (EFT)	09/21/2018	Bank Draft	0.00	6,266.00	DFT0003873
1135	Mass Mutual (EFT)	09/21/2018	Bank Draft	0.00	685.02	DFT0003874
1580	TASC	09/21/2018	Bank Draft	0.00	196.14	DFT0003875
1580	TASC	09/21/2018	Bank Draft	0.00	330.75	DFT0003876
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	147.25	DFT0003877
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	275.45	DFT0003878
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	420.53	DFT0003879
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	3,443.24	DFT0003880
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	5,256.16	DFT0003881
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	96.25	DFT0003882
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	122.24	DFT0003883
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	1,374.88	DFT0003884
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	1,746.49	DFT0003885
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	1,799.25	DFT0003886
1229	Pers (EFT)	09/21/2018	Bank Draft	0.00	1,969.69	DFT0003887
1149	Internal Revenue Service	09/21/2018	Bank Draft	0.00	10,994.64	DFT0003888
1098	EDD (EFT)	09/21/2018	Bank Draft	0.00	3,578.98	DFT0003889
1098	EDD (EFT)	09/21/2018	Bank Draft	0.00	858.67	DFT0003890
1149	Internal Revenue Service	09/21/2018	Bank Draft	0.00	2,789.80	DFT0003891

Check Report

Date Range: 08/28/2018 - 09/25/2018

<b>Vendor Number</b>	<b>Vendor Name</b>	<b>Payment Date</b>	<b>Payment Type</b>	<b>Discount Amount</b>	<b>Payment Amount</b>	<b>Number</b>
1149	Internal Revenue Service	09/21/2018	Bank Draft	0.00	8,299.25	DFT0003892

Bank Code AP Bank Summary

<b>Payment Type</b>	<b>Payable Count</b>	<b>Payment Count</b>	<b>Discount</b>	<b>Payment</b>
Regular Checks	89	60	0.00	558,232.11
Manual Checks	0	0	0.00	0.00
Voided Checks	0	5	0.00	-2,023.25
Bank Drafts	42	42	0.00	101,884.05
EFT's	0	0	0.00	0.00
	<b>131</b>	<b>107</b>	<b>0.00</b>	<b>658,092.91</b>



### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	89	60	0.00	558,232.11
Manual Checks	0	0	0.00	0.00
Voided Checks	0	5	0.00	-2,023.25
Bank Drafts	42	42	0.00	101,884.05
EFT's	0	0	0.00	0.00
	<b>131</b>	<b>107</b>	<b>0.00</b>	<b>658,092.91</b>

### Fund Summary

Fund	Name	Period	Amount
100	GENERAL FUND	8/2018	17,149.32
100	GENERAL FUND	9/2018	640,943.59
			<b>658,092.91</b>

Account Number	Name	Date	Type	Amount	Reference	Packet
102-0002712-01	Thornton, James and Clarene	9/5/2018	Refund	\$ 85.50	Check #: 10357	UBPKT05999
102-0003374-02	Danner, Sam and Audra	9/5/2018	Refund	\$ 5.04	Check #: 10358	UBPKT05999
102-0005440-01	Brinkley, Shirley	9/5/2018	Refund	\$ 82.88	Check #: 10359	UBPKT05999
102-0006386-01	Fett, O. J. III	9/5/2018	Refund	\$ 88.58	Check #: 10360	UBPKT05999
102-0006755-02	Clusserath, Gary	9/5/2018	Refund	\$ 96.64	Check #: 10361	UBPKT05999
102-0010306-02	Company, Polycomp Trust	9/5/2018	Refund	\$ 97.12	Check #: 10362	UBPKT05999
102-0011642-01	Steele, Derek	9/5/2018	Refund	\$ 104.55	Check #: 10363	UBPKT05999
102-0012387-01	Hodgson, David	9/5/2018	Refund	\$ 98.38	Check #: 10364	UBPKT05999
102-0012418-02	Sikich, Mark and Stephanie	9/5/2018	Refund	\$ 28.00	Check #: 10365	UBPKT05999
103-0013646-01	Thompson, Katie	9/5/2018	Refund	\$ 14.05	Check #: 10366	UBPKT05999
106-0013295-01	Giddings, Donna S	9/5/2018	Refund	\$ 96.64	Check #: 10367	UBPKT05999
106-0013308-01	Schrum, Bryon	9/5/2018	Refund	\$ 198.23	Check #: 10368	UBPKT05999
106-0014599-03	Roseville RE Holdings LLC	9/5/2018	Refund	\$ 33.05	Check #: 10369	UBPKT05999
106-0015286-01	Baranishyn, Nicholas Jr	9/5/2018	Refund	\$ 84.00	Check #: 10370	UBPKT05999
106-0015461-01	Daniels, Mathias C	9/5/2018	Refund	\$ 96.00	Check #: 10371	UBPKT05999
106-0016499-02	Laxamara, Joan	9/5/2018	Refund	\$ 98.08	Check #: 10372	UBPKT05999
106-0016852-01	George, Frank J	9/5/2018	Refund	\$ 104.60	Check #: 10373	UBPKT05999
106-0016862-02	Spainhour, Nicolette	9/5/2018	Refund	\$ 5.00	Check #: 10374	UBPKT05999
106-1025621-00	Yousefi, Ahmed Reza	9/5/2018	Refund	\$ 14.86	Check #: 10375	UBPKT05999
112-1021918-01	Samoylovich, Vladimir	9/5/2018	Refund	\$ 74.31	Check #: 10376	UBPKT05999
112-1023149-01	English, James	9/5/2018	Refund	\$ 25.50	Check #: 10377	UBPKT05999
112-1023348-02	Miszt, Codruta	9/5/2018	Refund	\$ 97.73	Check #: 10378	UBPKT05999
112-1026319-02	Hough, Michael and Heidi	9/5/2018	Refund	\$ 5.99	Check #: 10379	UBPKT05999
112-1027559-01	McBride, Matthew and Jennifer	9/5/2018	Refund	\$ 96.00	Check #: 10380	UBPKT05999
112-1028038-00	Taylor Morrison of California LLC	9/5/2018	Refund	\$ 92.71	Check #: 10381	UBPKT05999
112-1028122-00	The New Home Company	9/5/2018	Refund	\$ 60.06	Check #: 10382	UBPKT05999
112-1028124-00	The New Home Company	9/5/2018	Refund	\$ 62.15	Check #: 10383	UBPKT05999
112-1028125-00	The New Home Company	9/5/2018	Refund	\$ 110.02	Check #: 10384	UBPKT05999
112-1028204-00	Lennar Corp/ CalAtlantic	9/5/2018	Refund	\$ 96.00	Check #: 10385	UBPKT05999
112-1028206-00	Lennar Corp/ CalAtlantic	9/5/2018	Refund	\$ 96.00	Check #: 10386	UBPKT05999
112-1028207-00	Lennar Corp/ CalAtlantic	9/5/2018	Refund	\$ 96.00	Check #: 10387	UBPKT05999
112-1028228-00	Taylor Morrison of California LLC	9/5/2018	Refund	\$ 92.83	Check #: 10388	UBPKT05999
112-1028391-00	KB Home Sacramento Inc	9/5/2018	Refund	\$ 86.08	Check #: 10389	UBPKT05999
115-1025571-01	Azbill, Ellen	9/5/2018	Refund	\$ 259.00	Check #: 10390	UBPKT05999
202-0010704-02	Peach, Timothy and Cyndi	9/5/2018	Refund	\$ 28.17	Check #: 10391	UBPKT05999
202-1022609-00	Wilson, Jerard and Joyce	9/5/2018	Refund	\$ 7.08	Check #: 10392	UBPKT05999
212-1022730-02	Communtiy Business Bank	9/5/2018	Refund	\$ 19.80	Check #: 10393	UBPKT05999
102-0000028-02	Owen, Robert and Melissa	9/20/2018	Refund	\$ 15.49	Check #: 10445	UBPKT06154
102-0000036-03	Zuvela, Kenneth and Samantha	9/20/2018	Refund	\$ 135.78	Check #: 10446	UBPKT06154
102-0003057-01	Pellegrini, Tim	9/20/2018	Refund	\$ 18.12	Check #: 10447	UBPKT06154
102-0003425-01	Haft, Gustave	9/20/2018	Refund	\$ 86.27	Check #: 10448	UBPKT06154
102-0005204-01	Zingone, Gennaro	9/20/2018	Refund	\$ 47.90	Check #: 10449	UBPKT06154
102-0006813-01	Cavanaugh, Thomas W	9/20/2018	Refund	\$ 97.29	Check #: 10450	UBPKT06154
102-0009452-02	Hart, Steven	9/20/2018	Refund	\$ 20.01	Check #: 10451	UBPKT06154
102-0011145-01	Landa, Curtis and Janiece	9/20/2018	Refund	\$ 27.83	Check #: 10452	UBPKT06154
102-0011492-01	Sense, Andrew	9/20/2018	Refund	\$ 13.39	Check #: 10453	UBPKT06154
102-0012059-02	Oden, Kyle	9/20/2018	Refund	\$ 97.46	Check #: 10454	UBPKT06154
103-0008877-01	Sutherland, Stephanie	9/20/2018	Refund	\$ 30.99	Check #: 10455	UBPKT06154
106-0016189-01	DOLORES BICKFORD	9/20/2018	Refund	\$ 75.03	Check #: 10456	UBPKT06154

112-1026831-00	Taylor Morrison of California LLC	9/20/2018	Refund	\$	13.14	Check #: 10457	UBPKT06154
112-1027950-00	Garnet Creek Homes LLC	9/20/2018	Refund	\$	121.17	Check #: 10458	UBPKT06154
112-1028038-00	Taylor Morrison of California LLC	9/20/2018	Refund	\$	9.39	Check #: 10459	UBPKT06154
112-1028119-00	Garnet Creek Homes LLC	9/20/2018	Refund	\$	93.00	Check #: 10460	UBPKT06154
112-1028126-00	The New Home Company	9/20/2018	Refund	\$	39.87	Check #: 10461	UBPKT06154
112-1028227-00	Taylor Morrison of California LLC	9/20/2018	Refund	\$	12.33	Check #: 10462	UBPKT06154
112-1028228-00	Taylor Morrison of California LLC	9/20/2018	Refund	\$	5.22	Check #: 10463	UBPKT06154
112-1028316-00	Garnet Creek Homes LLC	9/20/2018	Refund	\$	93.00	Check #: 10464	UBPKT06154
<b>TOTAL REFUNDS</b>					<b>\$ 3,889.31</b>		

**SPMUD BOARD INVESTMENT REPORT**  
**MEETING DATE: October 4, 2018**

INVESTMENT		TOTAL FUNDS	Fund 100	Fund 300	Fund 400
			General	CIP & Expansion	Capital Replacement & Rehabilitation
Allocation to Fund Type			22.10%	39.34%	38.56%
<b>CALTRUST</b>	<b>Annual Rate of Return</b>				
Balance at inception		\$ 19,000,000	\$ 4,199,789	\$ 7,474,188	\$ 7,326,023
Cumulative Income	3.51%	\$ 666,759	\$ 147,381	\$ 262,289	\$ 257,089
Cumulative Unrealized Gain/Loss	-1.96%	\$ (371,738)	\$ (82,169)	\$ (146,234)	\$ (143,335)
Cumulative Realized Gain/Loss	0.00%	\$ -	\$ -	\$ -	\$ -
<b>Cumulative Balance at beginning of month</b>		<b>\$ 19,295,021</b>	<b>\$ 4,265,001</b>	<b>\$ 7,590,243</b>	<b>\$ 7,439,778</b>
Current month income	0.18%	\$ 34,785	\$ 7,689	\$ 13,684	\$ 13,413
Current month Unrealized Gain/Loss	0.18%	\$ 34,817	\$ 7,696	\$ 13,696	\$ 13,425
Current month Realized Gain/Loss	0.00%	\$ -	\$ -	\$ -	\$ -
<b>TOTALS</b>		<b>\$ 19,364,624</b>	<b>\$ 4,280,386</b>	<b>\$ 7,617,623</b>	<b>\$ 7,466,615</b>
<b>WELLS FARGO - Fixed Income Securities</b>	<b>Actual Rate of Return</b>				
Balance at inception		\$ 18,000,000	\$ 3,978,747	\$ 7,080,810	\$ 6,940,443
Transfers		\$ 4,000,000	\$ 884,166	\$ 1,573,513	\$ 1,542,321
Cumulative Income	3.41%	\$ 613,157	\$ 135,533	\$ 241,203	\$ 236,421
Cumulative Unrealized Gain/Loss	-3.49%	\$ (627,911)	\$ (138,794)	\$ (247,007)	\$ (242,110)
Cumulative Realized Gain/Loss	0.00%	\$ -	\$ -	\$ -	\$ -
<b>Cumulative Balance at beginning of month</b>		<b>\$ 21,985,246</b>	<b>\$ 4,859,652</b>	<b>\$ 8,648,519</b>	<b>\$ 8,477,075</b>
Current month income	0.15%	\$ 32,528	\$ 7,190	\$ 12,796	\$ 12,542
Current month Unrealized Gain/Loss	0.15%	\$ 32,556	\$ 7,196	\$ 12,807	\$ 12,553
Current month Realized Gain/Loss	0.00%	\$ -	\$ -	\$ -	\$ -
<b>Market Average/Yield to Worst</b>	<b>1.81%</b>				
<b>TOTALS</b>		<b>\$ 22,050,331</b>	<b>\$ 4,874,039</b>	<b>\$ 8,674,122</b>	<b>\$ 8,502,170</b>
<b>LAIF (Local Agency Investment Fund)</b>	<b>Annual Rate of Return</b>				
Balance		\$ 4,114,252	\$ 909,421	\$ 1,618,457	\$ 1,586,374
Quarterly Interest	0.00%	\$ -	\$ -	\$ -	\$ -
Withdrawal		\$ -	\$ -	\$ -	\$ -
<b>TOTALS</b>		<b>\$ 4,114,252</b>	<b>\$ 909,421</b>	<b>\$ 1,618,457</b>	<b>\$ 1,586,374</b>
<b>PLACER COUNTY TREASURY</b>	<b>Annual Rate of Return</b>				
Balance		\$ 5,177,179	\$ 1,144,372	\$ 2,036,590	\$ 1,996,218
		Pending - Statement Report unavailable from Placer County			
<b>TOTALS</b>		<b>\$ 5,177,179</b>	<b>\$ 1,144,372</b>	<b>\$ 2,036,590</b>	<b>\$ 1,996,218</b>
<b>SUB-TOTALS</b>		<b>\$ 50,706,385</b>	<b>\$ 11,208,217</b>	<b>\$ 19,946,792</b>	<b>\$ 19,551,377</b>
<b>CHECKING ACCOUNT BALANCE</b>		<b>\$ 1,850,032</b>	<b>\$ 408,934</b>	<b>\$ 727,762</b>	<b>\$ 713,336</b>
<b>GRAND TOTALS</b>		<b>\$ 52,556,417</b>	<b>\$ 11,617,151</b>	<b>\$ 20,674,554</b>	<b>\$ 20,264,712</b>

Investments are in compliance with Policy# 3120 - Investment Policy, and have the ability to meet the next six months of cash flow requirements.

\*Please note information presented is current at print time, and may be delayed by approximately 30 days.

ITEM IV.3

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

**STAFF REPORT**

**To:** Board of Directors  
**From:** Eric Nielsen, District Engineer  
**Cc:** Carie Huff, Associate Engineer  
**Subject:** Acceptance of the Bill of Sale for Sewer Improvements within Whitney Ranch Unit 52A  
**Meeting Date:** October 4, 2018

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**Overview**

The Whitney Ranch Unit 52A improvements are located southeast of the intersection of Whitney Ranch Parkway and West Oaks Boulevard in Rocklin. The Whitney Ranch Unit 52A project consists of 60 single-family residential homes for a total of 60 EDUs. The Whitney Ranch Unit 52A improvements include the following infrastructure:

- Installation of one thousand four hundred and seventy (1,470) linear feet of sanitary sewer pipe;
- Installation of seven (7) manholes.

**Recommendation**

Staff recommends that the Board of Directors accept the attached Bill of Sale for the Whitney Ranch Unit 52A improvements.

**Strategic Plan Goal**

This action is consistent with SPMUD Strategic Plan Goals:

Goal 1.1: Engage Customers to determine expectations.

Goal 1.2: Establish and meet Service Level(s) by Department.

Goal 3.1: Plan all projects to ensure adherence to District standards and ordinances.

**Fiscal Impact**

The estimated value of the contributed capital is \$638,715.

Attachments:

1. Bill of Sale
2. Map – Whitney Ranch Unit 52A
3. Whitney Ranch Unit 52A Asset Inventory



## BILL OF SALE

SUNSET RANCHOS INVESTORS, LLC, A DELAWARE LIMITED LIABILITY COMPANY does hereby grant, bargain, sell and convey to SOUTH PLACER MUNICIPAL UTILITY DISTRICT all of its rights, title and interest in and to all public sewer pipes, lines, mains, manholes, and appurtenances installed by its contractor in that subdivision/project commonly known as Whitney Ranch Unit 52A.

Grantor herein does hereby warrant and guarantee to SOUTH PLACER MUNICIPAL UTILITY DISTRICT that all of the personal property described herein consisting of sewer pipes, lines, mains, manholes, and appurtenances are free and clear of all mechanics liens and encumbrances of any type, nature or description whatsoever.

Dated this August 20, 2018

DEVELOPER/OWNER:

SUNSET RANCHOS INVESTORS, LLC,  
a Delaware limited liability company

By: Whitney Ranch Venture, LLC,  
a Delaware limited liability company  
Its sole Member

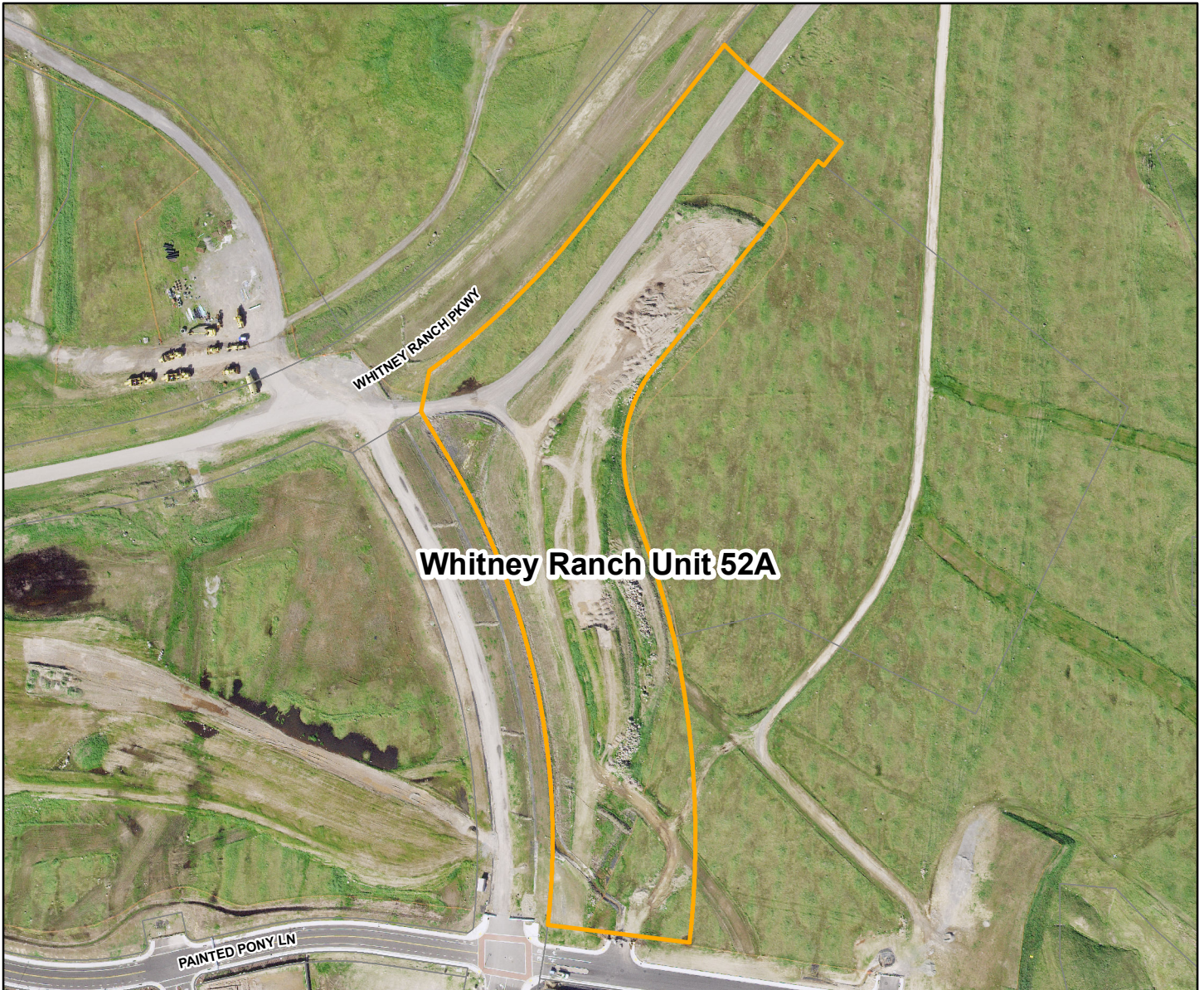
By: Institutional Housing Partners III L.P.,  
a California limited partnership  
Its Manager

By: IHP Capital Partners,  
a California corporation  
Its General Partner

By:   
**C. Blaine Peterson**  
**Senior Vice President**

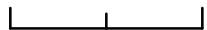
By: \_\_\_\_\_  
**Peter M. Bridges**  
**Senior Vice President**





## Whitney Ranch Unit 52A

0 130 260 Feet



1 in = 260 ft



## Whitney Ranch Unit 52A

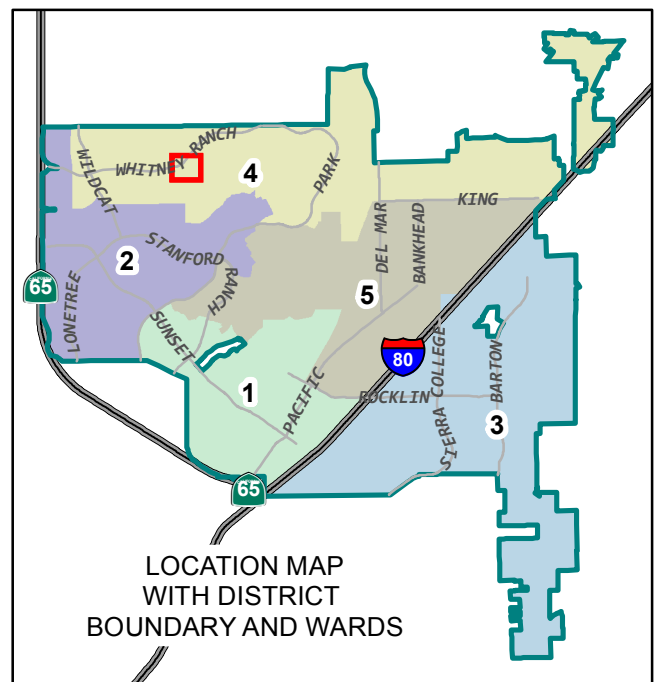
**60 EDUs**

Date: 9/24/2018

Author: Curtis Little

Document Path:

G:\spmud\_gis\mxd\Curtis\Bill Of Sale  
Maps\WRUnit52.mxd



LOCATION MAP  
WITH DISTRICT  
BOUNDARY AND WARDS

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT  
WHITNEY RANCH UNIT 52A  
ASSET INVENTORY**

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Pipe ID	Diameter (in)	Material	Length (ft)
O06-020	6	SDR26	225
O06-019	6	SDR26	336.8
O05-089	6	SDR26	69.7
O06-018	6	SDR26	191.1
O06-017	6	SDR26	342.3
O06-016	6	SDR26	301.4

Structure ID	Component Type	Diameter (in)
N06-119	Manhole	48
O06-016	Manhole	48
O06-017	Manhole	48
O06-018	Manhole	48
O05-089	Manhole	48
O06-019	Manhole	48
O06-020	Manhole	48



# SOUTH PLACER MUNICIPAL UTILITY DISTRICT

## STAFF REPORT

**To:** Board of Directors

**From:** Eric Nielsen, District Engineer

**Cc:** Herb Niederberger, General Manager

**Subject:** Adoption of Resolution No. 18-27 Authorizing an Agreement with Alaska Oranges LLC Allowing Temporary Sewer Connection and Use for a Portion of Winding Lane Estates

**Meeting Date:** October 4, 2018

---

### Overview

Alaska Oranges LLC has constructed sewer infrastructure as part of its Winding Lane Estates residential development project in Rocklin. The sewer line located within Winding Lane will serve existing SPMUD customers. However, the developer has not been able to pave Winding Lane due to delays in the relocation of several existing utility poles. This has precluded the District from accepting the sewer improvements and allowing the existing homes to connect to sewer. This agreement will permit, during the construction period, sewer flows from existing customers of the District to be routed through the new sewer line owned and operated by the developer, until such time as such improvements may be accepted by the District.

The agreement stipulates that Alaska Oranges LLC shall be responsible for maintaining sewer service through the portion of the sewer system it is constructing until the District accepts a bill of sale for the sewer improvements. Furthermore, Alaska Oranges LLC shall be solely responsible for the maintenance of sewer service on the Private Sewer Line, which includes, but is not limited to, all activities required to prevent sanitary sewer overflows (“SSOs”) and maintain effective service, such as monitoring flows, cleaning the system with high velocity vacuum cleaner units (i.e., flushing), repairing and/or replacing defective portions of the above mentioned sewer system. Alaska Oranges LLC shall perform such system maintenance, and any and all repairs associated therewith, at Owner’s sole cost and expense. In the event that a sanitary sewer overflow (SSO) has occurred, is imminent, or is suspected to occur, Alaska Oranges LLC shall notify the District.

### Recommendation

Staff recommends that the Board of Directors approve Resolution No. 18-27, authorizing the General Manager to enter into the attached Temporary Sewer Connection and Use Agreement for the Alaska Oranges LLC Winding Lane Estates residential development project.

**Strategic Plan Goals**

This action supports the following Strategic Plan Goals.

Goal 2.3 – Prevent and mitigate Sewer System Overflows (SSO)

Goal 4.1 – Eliminate SSO's using the most efficient and effective methods and procedures for maintenance of sewer main pipes.

**Related District Ordinances and Policies**

This action complies with the following District Ordinances and Policy:

Sewer Code

Policy No. 3370 – Sewer System Management Plan

**Fiscal Impact**

This action will not result in any net increase in District expenses as Alaska Oranges LLC is liable for all the costs incurred while this agreement and temporary facilities are in use.

**Attachments:**

1. Resolution No. 18-27 – Authorization to Enter into a Temporary Sewer Connection and Use Agreement with Alaska Oranges LLC
2. Temporary Sewer Connection and Use Agreement with Exhibit A

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

**RESOLUTION NO: 18-27**

**RESOLUTION FOR THE AUTHORIZATION TO ENTER INTO A  
TEMPORARY SEWER CONNECTION AND USE AGREEMENT WITH ALASKA ORANGES LLC**

WHEREAS, Alaska Oranges LLC intends to construct sewer infrastructure as part of the Winding Lane Estates residential development project; and

WHEREAS, Alaska Oranges LLC intends to construct the sewer line within Winding Lane and reinstate the sewer laterals from existing SPMUD customers per through their constructed improvements; and

WHEREAS, the District acknowledges the scheduling uncertainty of the utility pole relocation and subsequent paving; and

WHEREAS, during this period of construction, sewer flows from existing customers of the District will be routed through the new sewer line owned and operated by Alaska Oranges LLC, until such time as such improvements may be accepted by the District; and

NOW, THEREFORE BE IT RESOLVED, that the South Placer Municipal Utility District Board of Directors authorizes the General Manager to enter into the attached Temporary Sewer Connection and Use Agreement for the Alaska Oranges LLC Winding Lane Estates residential development project.

PASSED AND ADOPTED at a Regular Meeting of the South Placer Municipal Utility District Board of Directors at Rocklin, CA this 4<sup>th</sup> day of October 2018.

Signed: \_\_\_\_\_

Gerald P. Mitchell, President of the Board of Directors

Attest: \_\_\_\_\_

Joanna Belanger, Board Secretary

## **TEMPORARY SEWER CONNECTION AND USE AGREEMENT**

This Temporary Sewer Connection and Use Agreement (“Agreement”) is made and entered into to be effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2018 (the “Effective Date”) by and among the South Placer Municipal Utility District (“District”), a California Municipal Utility District and Alaska Oranges LLC (the “Owner”). The District and Owner may sometimes be referred to individually as “Party” or collectively as “Parties” throughout this Agreement.

### **RECITALS**

WHEREAS, Alaska Oranges LLC intends to construct sewer infrastructure as part of its Winding Lane Estates residential development project in Winding Lane; and

WHEREAS, Alaska Oranges LLC intends to construct the sewer line within Winding Lane and reinstate the sewer laterals from existing SPMUD customers through their constructed improvements; and

WHEREAS, the District acknowledges the scheduling uncertainty of the utility pole relocation and subsequent paving; and

WHEREAS, during this period of construction, sewer flows from existing customers of the District will be routed through the new sewer line owned and operated by Alaska Oranges LLC, until such time as such improvements may be accepted by the District;

### **AGREEMENT**

**NOW, THEREFORE** in consideration of the mutual covenants, conditions and promises herein contained, it is hereby agreed by and between the District and Owners as follows:

1. Owner shall be responsible for maintaining sewer service through the portion of the sewer system it is constructing as denoted in the attached Exhibit A (“Private Sewer Line”) until such time as the District, through duly authorized action of the Board of Directors, accepts a bill of sale for the sewer improvements.
2. Owner shall be solely responsible for the maintenance of sewer service on the Private Sewer Line, which includes, but is not limited to, all activities required to prevent sanitary sewer overflows (“SSOs”) and maintain effective service, such as monitoring flows, cleaning the system with high velocity vacuum cleaner units (i.e., flushing), repairing and/or replacing defective portions of the above mentioned sewer system. Owner shall perform such system maintenance, and any and all repairs associated therewith, at Owner’s sole cost and expense.
3. The Owner and/or its agent(s) shall be responsible to immediately notify the District in the event that a sanitary sewer overflow (SSO) has occurred, is imminent, or is suspected to occur.
4. The Owner and/or its agent(s) shall be responsible for the efforts and associated costs to respond to, contain, mitigate, and restore flow in the event of a SSO. The Owner shall be responsible to pay any and all fines and fees that may be assessed to the District as a result

of a SSO that occurs as a result of a blockage or activities within the portion of the sewer system not owned by the District as denoted in Exhibit A hereto.

5. The Owner and/or its agent(s) shall test all portions of the sewer system denoted in Figure A in accordance with the District Standards Specifications and Improvement Standards for Sanitary Sewers, prior to allowing sewer from existing SPMUD customers to flow through those portions.
6. The Owner and/or its agent(s) shall test all portions of the sewer system denoted in Exhibit A in accordance with the District Standards Specifications and Improvement Standards for Sanitary Sewers again prior to District acceptance thereof.
7. All fees, costs and expenses associated with the preparation, processing and approval of this Agreement by the District, including all legal expenses, shall be borne solely by the Owner.
8. Until such time as the District accepts the bill of sale conveying the Private Sewer Line to the District, the Private Sewer Line shall remain the property of Owner, who shall be solely responsible for its maintenance in compliance with District policies and ordinances, as well as state and federal law.
9. The District shall not be liable for any damages to the Private Sewer Line or any property of Owner or to any other property that may result from the installation, maintenance or use of the Private Sewer Line, which damages shall remain and be the sole responsibility of Owner.
10. Owner shall defend, indemnify and hold harmless the District, its directors, officers, employees and agents, against and from any and all claims, actions, lawsuits, fines, cease and desist orders, clean up and abatement orders or any type of regulatory activity brought by any persons as a result of the construction, installation, use, operation or maintenance of the Private Sewer Line, and Owner shall reimburse the District, and its directors, officers, employees and agents, for any and all costs and expenses, including reasonable attorney's fees, incurred in defending any such claim or action or enforcing the provisions of this Agreement.
11. This Agreement shall remain in effect in perpetuity until the District has accepted the Private Sewer Line via a duly executed and approved Bill of Sale, and shall be binding on Owner and its successors and assigns, and any subsequent owner of the Private Sewer Line.
12. A copy of this Agreement shall be recorded in the Official Records of the County of Placer.
13. This Agreement (including the Exhibit hereto) constitutes the entire understanding and agreement of the Parties relating to the Private Sewer Line.
14. No waiver of any right or remedy by a Party with respect to any occurrence or event under this Agreement shall constitute a continuing waiver or be deemed a waiver of any right or remedy in respect to any other or subsequent occurrence or event.
15. This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which shall constitute but one and the same instrument.

- 16. If any term, provision, covenant, or condition set forth in this Agreement is held by the final judgment of a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions, covenants, and conditions shall continue in full force and effect to the extent that the basic intent of the Parties as expressed herein can be accomplished.
- 17. All amendments to this Agreement shall be in writing and, if approved, must be signed by all Parties.
- 18. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

**IN WITNESS WHEREOF**, the Parties have caused this Agreement to be executed by their duly authorized officers as of the date first set forth above.

“DISTRICT”

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

ATTEST:

By: \_\_\_\_\_  
District Secretary

By: \_\_\_\_\_  
General Manager

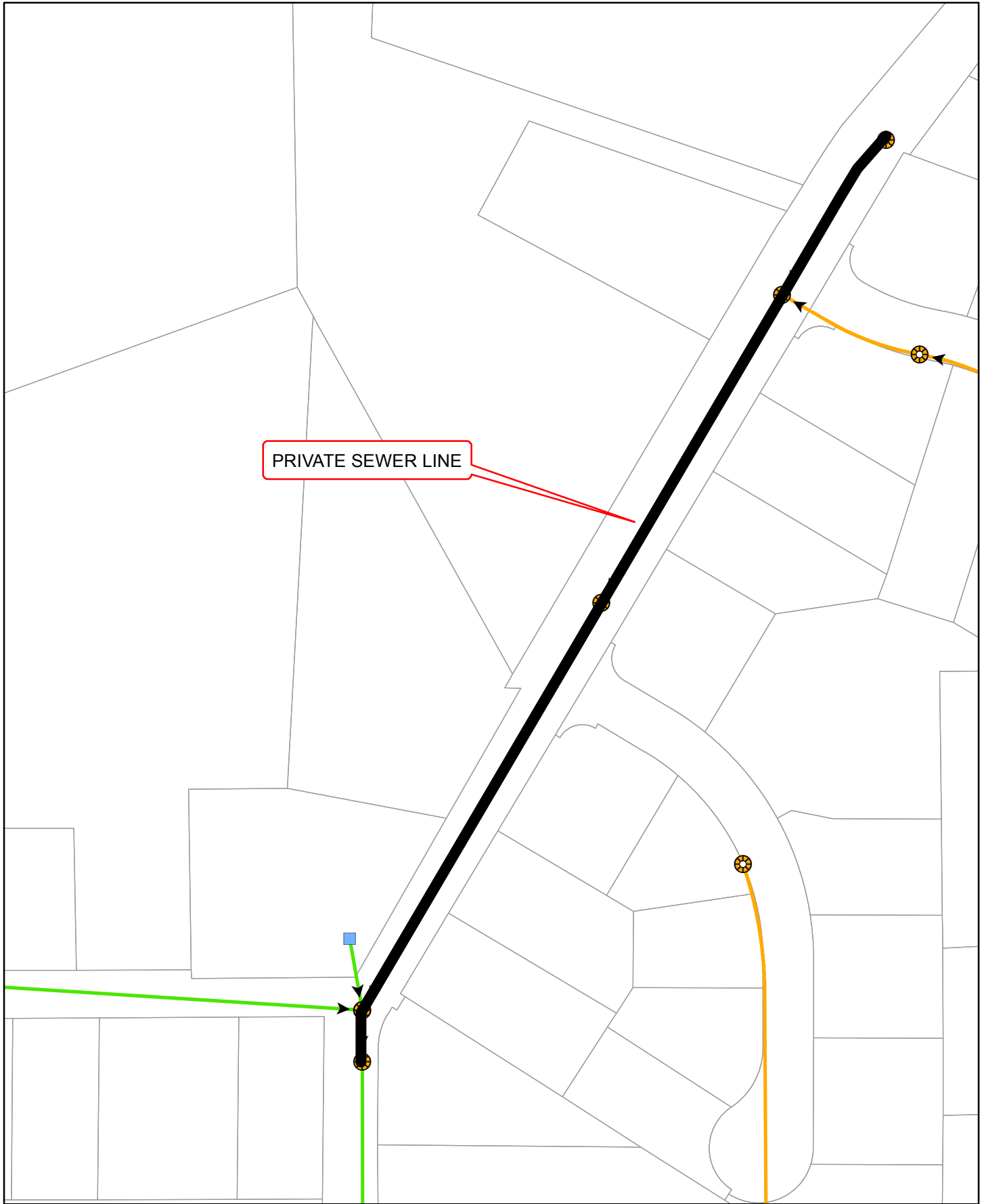
APPROVED AS TO FORM:

By: \_\_\_\_\_  
District General Counsel

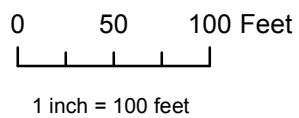
OWNER

\_\_\_\_\_

\_\_\_\_\_  
Print:



PRIVATE SEWER LINE



# EXHIBIT "A"

## Winding Lane Estates

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# SOUTH PLACER MUNICIPAL UTILITY DISTRICT

## STAFF REPORT

**To:** Board of Directors

**From:** Herb Niederberger, District Engineer

**Cc:** Joanna Belanger, Administrative Services Manager

**Subject:** Resolution #18-28 Authorization to execute the Assignment of Rocklin 60 Phase 1 & 2 Refund Agreements from Taylor Morrison to Chris Vrame

**Meeting Date:** October 4, 2018

---

### Background

On May 7, 2015 the District accepted and entered into Sewer Refund Agreements with Taylor Morrison Services Inc. for an area where sewer improvements had been made by the developer to the property located in Rocklin - Agreements named Rocklin 60 Phase 1 & 2. Taylor Morrison Services Inc. has since sold the property and requests that the District assign these agreements to the new owner, Chris Vrame. District Legal Counsel Brown has been in contact with both Taylor Morrison and Chris Vrame and reviewed these agreements. He reports that the documents are approved as to form.

### Recommendation

Staff recommends that the Board of Directors:

- Approve the attached Assignment Agreements, and
- Adopt Resolution 18-28 to authorize the General Manager to execute the Assignment of Rocklin 60, Phase 1 & 2 Sewer Refund Agreements with Chris Vrame.

### Strategic Plan Goal

This action is consistent with SPMUD Strategic Plan Goals:

- Goal 1.2: Improve communications.
- Goal 3.1: Plan all projects to ensure adherence to District standards and ordinances.

### Fiscal Impact

Per the agreement, the District will be responsible for collecting Refund Agreement Area fees for each Phase and sending those fees annually to the new owner, Chris Vrame until the period and total of each refund agreement is reached.

Attachments:

1. Resolution No. 18-28 – Authorization to execute the Assignment of the Rocklin 60 – Phase 1 & 2 Sewer Refund Agreements from Taylor Morrison Services Inc., to Chris Vrame.
2. Rocklin 60 - Phase 1 Assignment of Trunk Sewer Refund Agreement.
3. Rocklin 60 – Phase 2 Assignment of Trunk Sewer Refund Agreement.

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

**RESOLUTION NO. 18-28**

**AUTHORIZATION TO EXECUTE THE ASSIGNMENT OF THE ROCKLIN 60 –  
PHASE 1 & 2 SEWER REFUND AGREEMENTS FROM TAYLOR MORRISON  
SERVICES INC., (“ASSIGNOR”) TO CHRIS VRAME (“ASSIGNEE”)**

WHEREAS, on May 7, 2015 the District accepted and entered into Sewer Refund Agreements with Taylor Morrison Services Inc. for an area where sewer improvements had been made by the developer to the property located in Rocklin, for these Agreements named Rocklin 60 Phase 1 & 2; and

WHEREAS, the owner Taylor Morrison Services, Inc. has sold the property and requests that the District Assign the Rocklin 60 Phase 1 & 2 Agreements to a successor in interest; and

WHEREAS, the new owner, Chris Vrame will become the Assignee for both Rocklin 60 Phase 1 & 2 Agreements; and

WHEREAS, the Assignor hereby assigns all of the rights and benefits under the Refund Agreements to the Assignee; and

WHEREAS, the Assignee hereby accepts the Assignment of the Refund Agreements; and

WHEREAS, all terms and conditions for the Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

NOW, THEREFORE BE IT RESOLVED, the South Placer Municipal Utility District Board of Directors authorizes the General Manager to enter into the attached Assignment of Rocklin 60 – Phase 1 & Phase 2 Sewer Refund Agreements.

PASSED AND ADOPTED at a Regular Meeting of the South Placer Municipal Utility District Board of Directors at Rocklin, CA this 4<sup>h</sup> day of October 2018.

Signed: \_\_\_\_\_  
Gerald P. Mitchell, President of the Board of Directors

Attest: \_\_\_\_\_  
Joanna Belanger, Board Secretary

## ASSIGNMENT OF ROCKLIN 60 - PHASE 1 TRUNK SEWER REFUND AGREEMENT

THIS ASSIGNMENT OF ROCKLIN 60 - PHASE 1 TRUNK SEWER REFUND AGREEMENT ("Assignment") is entered into this 8<sup>th</sup> of September, 2015, by and between TAYLOR MORRISON SERVICES, INC., a Delaware corporation ("Assignor"), and CHRIS VRAME ("Assignee").

### RECITALS

A. On August 15, 2013, ROCKLIN 60, LLC, a California limited liability company ("Rocklin 60") and TAYLOR MORRISON OF CALIFORNIA, LLC, a California limited liability company, predecessor-in-interest to Assignor, entered into that certain Agreement of Purchase and Sale ("PSA") for that certain real property located in the City of Rocklin ("City"), County of Placer ("County"), State of California, as more particularly described on **Exhibit "A,"** attached hereto and incorporated herein by reference ("Property"). Pursuant to Section 10.1 of the PSA, Rocklin 60 retained the right to seek reimbursement from the SOUTH PLACER MUNICIPAL UTILITY DISTRICT ("SPMUD") as a result of Rocklin 60's construction of certain sewer line improvements to the Property which were larger than necessary to accommodate the needs of the Property for single-family, residential development.

B. On or about May 7, 2015, Assignor and SPMUD entered into that certain Rocklin 60 – Phase 1 Trunk Sewer Refund Agreement ("Refund Agreement").

C. Assignee is the successor-in-interest to Rocklin 60.

D. Assignor desires to assign to Assignee all of its rights and benefits under the Refund Agreement.

NOW, THEREFORE, Assignor and Assignee hereby agree as follows:

1. Assignor hereby assigns all of the rights and benefits under the Refund Agreement to Assignee.

2. Assignee hereby accepts the Assignment of the Refund Agreement.

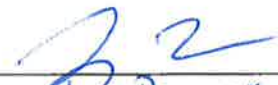
3. All of the terms and conditions set forth herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

*[REMAINDER OF PAGE INTENTIONALLY BLANK. SIGNATURES AND CONSENTS ON NEXT PAGE.]*

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the day and year first above written

**ASSIGNOR:**

TAYLOR MORRISON SERVICES, INC.,  
a Delaware corporation

  
By: JAY PAWLEK  
Its: VICE PRESIDENT

**ASSIGNEE:**

  
CHRIS VRAME

**CONSENT**

The undersigned hereby consents to the Assignment of the Agreement.

**ATTEST:**

By: Joanna Belanger  
Its: Secretary

**APPROVED AS TO FORM:**

By: Adam C. Brown  
Its: District Counsel

**SPMUD:**

SOUTH PLACER MUNICIPAL UTILITIES  
DISTRICT

By: Herb Niederberger  
Its: General Manager

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
(see attached)

Exhibit A-1

**LEGAL DESCRIPTION**

Real property in the City of ROCKLIN, County of PLACER, State of CALIFORNIA, described as follows:

**PARCEL ONE:**

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 7 EAST, MDB&M, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 7 EAST, MDB&M; THENCE RUNNING EAST ON THE CENTERLINE OF SAID SECTION 1870.5 FEET, MORE OR LESS, TO A POINT; THENCE SOUTH 618.5 FEET, MORE OR LESS, TO A POINT; THENCE WEST AND PARALLEL WITH THE CENTER OF SECTION 16, A DISTANCE OF 1870.5 FEET, MORE OR LESS, TO THE NORTH AND SOUTH CENTERLINE OF SAID SECTION 16; THENCE NORTH ON SAID CENTERLINE OF SAID SECTION 16 A DISTANCE OF 618.5 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING EAST OF THE WESTERLY LINE OF PARCEL "A" OF PARCEL MAP NO. DL-75-1 FILED MARCH 19, 1978 IN BOOK 8 OF PARCEL MAPS, PAGE 21.

**PARCEL TWO:**

THE SOUTH HALF OF LOT 7 OF HIMES TRACT AS PER MAP FILED IN BOOK "A" OF MAPS AT PAGE 30, PLACER COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN DEED TO M. CLARK TURNER, ET AL., RECORDED MARCH 3, 1959 IN BOOK 787 OF OFFICIAL RECORDS AT PAGE 504, OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN DEED TO BRENT D. VAN DERVOORT, ET UX., RECORDED MARCH 3, 1989 IN BOOK 787 OF OFFICIAL RECORDS AT PAGE 506 OF PLACER COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION LYING WESTERLY OF THE EASTERLY LINE OF THAT PROPERTY DESCRIBED IN THAT CERTAIN DEED TO HAROLD B. SHESMAN, ET UX., RECORDED JULY 21, 1978 BOOK 1304 OF OFFICIAL RECORDS AT PAGE 434, PLACER COUNTY RECORDS.

**PARCEL THREE:**

THE EAST QUARTER OF THE WEST TWO-FIFTHS OF THE SOUTH HALF OF LOT 7 AS SAID LOT IS SHOWN UPON THAT CERTAIN MAP ENTITLED MAP OF HIMES TRACT SITUATED NEAR LOOKHS, PLACER COUNTY, CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, JULY 32, 1897 IN BOOK "A" OF MAPS AT PAGE 30.

**PARCEL FOUR:**

ALL THAT PORTION OF THE SOUTH HALF OF LOT 7 OF HIMES TRACT AS PER MAP FILED IN BOOK "A" OF MAPS AT PAGE 30, LYING WESTERLY OF THE WEST LINE OF THAT CERTAIN

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PROPERTY DESCRIBED IN DEED TO HARROLD B. SHEEHAN, ET UX., RECORDED JULY 21, 1970 IN BOOK 1304 OF OFFICIAL RECORDS, AT PAGE 134, PLACER COUNTY RECORDS.

EXCEPTING THEREFROM THAT WEST ONE-TENTH (W 1/10TH) OF THE SOUTH HALF (S 1/2) OF LOT SEVEN (7) OF THE HIMES TRACT, AS SHOWN ON THE MAP FILED ON JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30.

PARCEL FIVE:

RESULTANT PARCEL 3, AS REFERRED TO IN THAT CERTAIN "APPROVAL OF LOT LINE ADJUSTMENT", RECORDED DECEMBER 27, 2007 AS INSTRUMENT NO. 2007-0121303.

PARCEL SIX:

RESULTANT PARCEL 3, AS REFERRED TO IN THAT CERTAIN "APPROVAL OF LOT LINE ADJUSTMENT", RECORDED DECEMBER 27, 2007 AS INSTRUMENT NO. 2007-0121303.

PARCEL SEVEN:

THAT PORTION OF THE SOUTHEAST CORNER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 7 EAST, MDM, INCLUDED WITHIN THE LAND SHOWN AND DESIGNATED AS PARCEL 2 ON PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF PLACER COUNTY, CALIFORNIA ON AUGUST 30, 1989 IN BOOK 25 OF PARCEL MAPS, AT PAGE 23, PLACER COUNTY RECORDS.

PARCEL EIGHT:

THE NORTH 300 FEET OF THE NORTHEAST QUARTER OF LOT 8 OF HIMES TRACT, AS PER MAP FILED JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30, PLACER COUNTY RECORDS.

PARCEL NINE:

THE SOUTH HALF OF THE EAST 220 FEET OF THE EAST HALF OF THE NORTH HALF OF LOT 7, HIMES TRACT, AS SAID LOT IS SHOWN ON THE MAP THEREOF FILED IN BOOK "A" OF MAPS, AT PAGE 30, PLACER COUNTY RECORDS.

PARCEL TEN:

THE EASTERLY 264 FEET, MEASURED ALONG THE NORTH AND SOUTHERLY LINES OF THE SOUTH HALF OF LOT 7 OF THE HIMES AS PER MAP FILED JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30.

PARCEL ELEVEN:

ALL OF THE PROPERTY DESCRIBED IN DEED RECORDED IN VOLUME 2253 OF DEEDS AT PAGE 293 LYING TO THE EAST OF THE "BOUNDARY LINE" AND CONTIGUOUS TO "THE ROCKLIN #8 PROPERTY", AS DESCRIBED AND SHOWN IN THAT CERTAIN INSTRUMENT ENTITLED "LOT LINE ADJUSTMENT 86-07, 8908BIT A, QUITCLAIM DEED AND BOUNDARY LINE AGREEMENT", RECORDED JUNE 25, 1986 IN BOOK 3011, PAGE 29, OFFICIAL RECORDS.

PARCEL TWELVE:

ALL THAT PORTION OF LOT 22 AND LOT 8 OF THE HIMES TRACT, AS SAID LOTS ARE SHOWN ON PLAT OF HIMES TRACT FILED JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30, PLACER

*First American Title Insurance Company*

COUNTY RECORDS, LYING SOUTHEAST OF THE FOLLOWING DESCRIBED LINES:

BEGINNING AT A POINT 95.0 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 132+00 OF THE BASE LINE OF THE DEPARTMENT OF PUBLIC WORKS 1955 SURVEY FROM W. MILE EAST OF ROSEVILLE TO 1 MILE OF NEWCASTLE ROAD, II-PLA-17A; THENCE SOUTH 42° 26' 48" WEST 1400 FEET.

EXCEPTING THEREFROM THE SOUTH HALF OF LOT 8 AND EXCEPTING THE NORTH 300 FEET OF THE NORTHEAST QUARTER OF LOT 8 OF THE HIMES TRACT FILED JULY 12, 1997 IN BOOK "A" OF MAPS, AT PAGE 30, PLACER COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF SAID LOT 22, HIMES TRACT, WITH THE SOUTHEASTERLY LINE OF THAT PORTION OF SAID LOT 22, DEED TO THE STATE OF CALIFORNIA, RECORDED MAY 22, 1997 IN BOOK 793, OFFICIAL RECORDS, AT PAGE 722, PLACER COUNTY RECORDS; THENCE ALONG SAID SOUTHEASTERLY LINE AND CONTINUING ALONG THE SOUTHEASTERLY LINE OF THAT PORTION OF LOT 8, HIMES TRACT, DEEDED TO THE STATE OF CALIFORNIA, RECORDED MAY 22, 1997 IN BOOK 793, OFFICIAL RECORDS, AT PAGE 222, PLACER COUNTY RECORDS, NORTH 47° 46' 20" EAST 464.67 FEET TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF LOT 8, HIMES TRACT; THENCE NORTH 87° 38' 54" EAST ALONG THE NORTH LINE OF SAID LOT 8, HIMES TRACT 410.92 FEET TO A POINT ON THE SAID NORTH LINE OF LOT 8; THENCE SOUTH 09° 07' 22" WEST 329.97 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID LOT 8, HIMES TRACT; THENCE SOUTH 87° 38' 46" WEST ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID LOT 8; AND CONTINUING ALONG THE SOUTH LINE OF LOT 22, HIMES TRACT, 465.49 FEET TO THE POINT OF BEGINNING.

PARCEL THIRTEEN:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES AS SET FORTH IN EASEMENT GRANT DEED IN FAVOR OF IMV/INTERMEDIATED REAL ESTATE ASSOCIATES, AN ILLINOIS CORPORATION RECORDED AUGUST 30, 1989, IN BOOK 3702, AT PAGE 217, OFFICIAL RECORDS,

- APNS: 045-043-005-000 (As to Parcel Eight)
- 045-043-006-000 (As to Parcel Ten)
- 045-043-027-000 (As to Parcel Nine)
- 045-043-039-000 (As to Parcel Two)
- 045-043-041-000 (As to Parcel Three)
- 045-043-043-000 (As to Parcel Four)
- 045-043-051-000 (As to Parcel Eleven and Twelve)
- 045-043-063-000 (As to Parcel Five)
- 045-043-064-000 (As to Parcel Six)
- 045-053-036-000 (As to Parcel One)
- 045-053-043-000 (As to a portion of Parcel Seven)
- AND
- 045-053-044-000 (As to a portion of Parcel Seven)

First American Title Insurance Company



## ASSIGNMENT OF ROCKLIN 60 - PHASE 2 TRUNK SEWER REFUND AGREEMENT

THIS ASSIGNMENT OF ROCKLIN 60 - PHASE 2 TRUNK SEWER REFUND AGREEMENT ("Assignment") is entered into this 8<sup>th</sup> of September, 2015, by and between TAYLOR MORRISON SERVICES, INC., a Delaware corporation ("Assignor"), and CHRIS VRAME ("Assignee").

### RECITALS

A. On August 15, 2013, ROCKLIN 60, LLC, a California limited liability company ("Rocklin 60") and TAYLOR MORRISON OF CALIFORNIA, LLC, a California limited liability company, predecessor-in-interest to Assignor, entered into that certain Agreement of Purchase and Sale ("PSA") for that certain real property located in the City of Rocklin ("City"), County of Placer ("County"), State of California, as more particularly described on **Exhibit "A,"** attached hereto and incorporated herein by reference ("Property"). Pursuant to Section 10.1 of the PSA, Rocklin 60 retained the right to seek reimbursement from the SOUTH PLACER MUNICIPAL UTILITY DISTRICT ("SPMUD") as a result of Rocklin 60's construction of certain sewer line improvements to the Property which were larger than necessary to accommodate the needs of the Property for single-family, residential development.

B. On or about June 4, 2015, Assignor and SPMUD entered into that certain Rocklin 60 – Phase 2 Trunk Sewer Refund Agreement ("Refund Agreement").

C. Assignee is the successor-in-interest to Rocklin 60.

D. Assignor desires to assign to Assignee all of its rights and benefits under the Refund Agreement.

NOW, THEREFORE, Assignor and Assignee hereby agree as follows:

1. Assignor hereby assigns all of the rights and benefits under the Refund Agreement to Assignee.

2. Assignee hereby accepts the Assignment of the Refund Agreement.


3. All of the terms and conditions set forth herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

*[REMAINDER OF PAGE INTENTIONALLY BLANK. SIGNATURES AND CONSENTS ON NEXT PAGE.]*

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the day and year first above written

**ASSIGNOR:**

TAYLOR MORRISON SERVICES, INC.,  
a Delaware corporation

  
By: \_\_\_\_\_  
Its: JAY PAWLEK  
VICE PRESIDENT

**ASSIGNEE:**

  
CHRIS VRAME

**CONSENT**

The undersigned hereby consents to the Assignment of the Agreement.

**ATTEST:**

\_\_\_\_\_  
By: Joanna Belanger  
Its: Secretary

**SPMUD:**

SOUTH PLACER MUNICIPAL UTILITIES  
DISTRICT

**APPROVED AS TO FORM:**

\_\_\_\_\_  
By: Adam C. Brown  
Its: District Counsel

\_\_\_\_\_  
By: Herb Niederberger  
Its: General Manager

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
(see attached)

Exhibit A-1

LEGAL DESCRIPTION

Real property in the City of ROCKLIN, County of PLACER, State of CALIFORNIA, described as follows:

PARCEL ONE:

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 7 EAST, M0684H, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 7 EAST, M0684H; THENCE RUNNING EAST ON THE CENTERLINE OF SAID SECTION 16 170.5 FEET, MORE OR LESS, TO A POINT; THENCE SOUTH 619.5 FEET, MORE OR LESS, TO A POINT; THENCE WEST AND PARALLEL WITH THE CENTER OF SECTION 16, A DISTANCE OF 1570.5 FEET, MORE OR LESS, TO THE NORTH AND SOUTH CENTERLINE OF SAID SECTION 16; THENCE NORTH ON SAID CENTERLINE OF SAID SECTION 16 A DISTANCE OF 614.5 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING EAST OF THE WESTERLY LINE OF PARCEL "A" OF PARCEL MAP NO. DL-75-1 FILED MARCH 19, 1978 IN BOOK 8 OF PARCEL MAPS, PAGE 21.

PARCEL TWO:

THE SOUTH HALF OF LOT 7 OF HIMES TRACT AS PER MAP FILED IN BOOK "A" OF MAPS AT PAGE 30, PLACER COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN DEED TO M. CLARK TURNER, ET AL., RECORDED MARCH 3, 1959 IN BOOK 787 OF OFFICIAL RECORDS AT PAGE 504, OFFICIAL RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION DESCRIBED IN DEED TO BRENT O. VAN DERVOOR, ET UX., RECORDED MARCH 3, 1959 IN BOOK 787 OF OFFICIAL RECORDS AT PAGE 504 OF PLACER COUNTY RECORDS.

EXCEPTING THEREFROM ALL THAT PORTION LYING WESTERLY OF THE EASTERLY LINE OF THAT PROPERTY DESCRIBED IN THAT CERTAIN DEED TO HAROLD B. SHEWAN, ET UX., RECORDED JULY 21, 1970 BOOK 1304 OF OFFICIAL RECORDS AT PAGE 434, PLACER COUNTY RECORDS.

PARCEL THREE:

THE EAST QUARTER OF THE WEST TWO-FIFTHS OF THE SOUTH HALF OF LOT 7 AS SAID LOT IS SHOWN UPON THAT CERTAIN MAP ENTITLED MAP OF HIMES TRACT SITUATED NEAR LOOMIS, PLACER COUNTY, CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, JULY 12, 1897 IN BOOK "A" OF MAPS AT PAGE 30.

PARCEL FOUR:

ALL THAT PORTION OF THE SOUTH HALF OF LOT 7 OF HIMES TRACT AS PER MAP FILED IN BOOK "A" OF MAPS AT PAGE 30, LYING WESTERLY OF THE WEST LINE OF THAT CERTAIN

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Order Number: MS-412518-SACN  
Page Number: 11

PROPERTY DESCRIBED IN DEED TO HARROLD B. SHEEHAN, ET UX., RECORDED JULY 21, 1970 IN BOOK 1304 OF OFFICIAL RECORDS, AT PAGE 434, PLACER COUNTY RECORDS.

EXCEPTING THEREFROM THAT WEST ONE-TENTH (W 1/10TH) OF THE SOUTH HALF (S 1/2) OF LOT SEVEN (7) OF THE HIMES TRACT, AS SHOWN ON THE MAP FILED ON JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30.

**PARCEL FIVE:**

RESULTANT PARCEL 3, AS REFERRED TO IN THAT CERTAIN "APPROVAL OF LOT LINE ADJUSTMENT, RECORDED DECEMBER 22, 2007 AS INSTRUMENT NO. 2007-0121303.

**PARCEL SIX:**

RESULTANT PARCEL 1, AS REFERRED TO IN THAT CERTAIN "APPROVAL OF LOT LINE ADJUSTMENT, RECORDED DECEMBER 27, 2007 AS INSTRUMENT NO. 2007-0121303.

**PARCEL SEVEN:**

THAT PORTION OF THE SOUTHEAST CORNER OF SECTION 16, TOWNSHIP 11 NORTH, RANGE 7 EAST, 40M, INCLUDED WITHIN THE LAND SHOWN AND DESIGNATED AS PARCEL 2 ON PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF PLACER COUNTY, CALIFORNIA ON AUGUST 30, 1989 IN BOOK 25 OF PARCEL MAPS, AT PAGE 21, PLACER COUNTY RECORDS.

**PARCEL EIGHT:**

THE NORTH 300 FEET OF THE NORTHEAST QUARTER OF LOT 8 OF HIMES TRACT, AS PER MAP FILED JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30, PLACER COUNTY RECORDS.

**PARCEL NINE:**

THE SOUTH HALF OF THE EAST 220 FEET OF THE EAST HALF OF THE NORTH HALF OF LOT 7, HIMES TRACT, AS SAID LOT IS SHOWN ON THE MAP THEREOF FILED IN BOOK "A" OF MAPS, AT PAGE 30, PLACER COUNTY RECORDS.

**PARCEL TEN:**

THE EASTERLY 264 FEET, MEASURED ALONG THE NORTH AND SOUTHERLY LINES OF THE SOUTH HALF OF LOT 7 OF THE HIMES AS PER MAP FILED JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30.

**PARCEL ELEVEN:**

ALL OF THE PROPERTY DESCRIBED IN DEED RECORDED IN VOLUME 2255 OF DEEDS AT PAGE 293 LYING TO THE EAST OF THE "BOUNDARY LINE" AND CONTIGUOUS TO "THE ROCKLIN # 8 PROPERTY", AS DESCRIBED AND SHOWN IN THAT CERTAIN INSTRUMENT ENTITLED "LOT LINE ADJUSTMENT 86-07, DOUBT A, QUITCLAIM DEED AND BOUNDARY LINE AGREEMENT", RECORDED JUNE 25, 1986 IN BOOK 3011, PAGE 29, OFFICIAL RECORDS.

**PARCEL TWELVE:**

ALL THAT PORTION OF LOT 21 AND LOT 8 OF THE HIMES TRACT, AS SAID LOTS ARE SHOWN ON PLAT OF HIMES TRACT FILED JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30, PLACER

First American Title Insurance Company

Exhibit A-3

COUNTY RECORDS, LYING SOUTHEAST OF THE FOLLOWING DESCRIBED LINES:

BEGINNING AT A POINT 95.0 FEET SOUTHEASTERLY, MEASURED AT RIGHT ANGLES FROM ENGINEER'S STATION 322+00 OF THE BASE LINE OF THE DEPARTMENT OF PUBLIC WORKS 1935 SURVEY FROM 1/4 MILE EAST OF ROSEVILLE TO 1 MILE OF NEWCASTLE ROAD, II-PLA-17A; THENCE SOUTH 42° 28' 48" WEST 1460 FEET.

EXCEPTING THEREFROM THE SOUTH HALF OF LOT 8 AND EXCEPTING THE NORTH 300 FEET OF THE NORTHEAST QUARTER OF LOT 8 OF THE HIMES TRACT FILED JULY 12, 1897 IN BOOK "A" OF MAPS, AT PAGE 30, PLACER COUNTY RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF SAID LOT 22, HIMES TRACT, WITH THE SOUTHEASTERLY LINE OF THAT PORTION OF SAID LOT 22, DEDD TO THE STATE OF CALIFORNIA, RECORDED MAY 22, 1957 IN BOOK 733, OFFICIAL RECORDS, AT PAGE 222, PLACER COUNTY RECORDS; THENCE ALONG SAID SOUTHEASTERLY LINE AND CONTINUING ALONG THE SOUTHEASTERLY LINE OF THAT PORTION OF LOT 8, HIMES TRACT, DEDD TO THE STATE OF CALIFORNIA, RECORDED MAY 22, 1957 IN BOOK 733, OFFICIAL RECORDS, AT PAGE 222, PLACER COUNTY RECORDS, NORTH 42° 46' 20" EAST 464.67 FEET TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF SAID LOT 8, HIMES TRACT; THENCE NORTH 82° 38' 54" EAST ALONG THE NORTH LINE OF SAID LOT 8, HIMES TRACT 140.92 FEET TO A POINT ON THE SAID NORTH LINE OF LOT 8; THENCE SOUTH 00° 07' 22" WEST 329.97 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID LOT 8, HIMES TRACT; THENCE SOUTH 87° 38' 46" WEST ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID LOT 8; AND CONTINUING ALONG THE SOUTH LINE OF LOT 22, HIMES TRACT, 455.49 FEET TO THE POINT OF BEGINNING.

PARCEL THIRTEEN:

AN EASEMENT FOR ROAD AND UTILITY PURPOSES AS SET FORTH IN EASEMENT GRANT DEED IN FAVOR OF IMB/FEDERATED REAL ESTATE ASSOCIATES, AN ILLINOIS CORPORATION RECORDED AUGUST 30, 1999, IN BOOK 3262, AT PAGE 227, OFFICIAL RECORDS.

APWS: 045-043-005-000 (As to Parcel Eight)  
045-043-005-000 (As to Parcel Ten)  
045-043-027-000 (As to Parcel Nine)  
045-043-029-000 (As to Parcel Two)  
045-043-048-000 (As to Parcel Three)  
045-043-043-000 (As to Parcel Four)  
045-043-059-000 (As to Parcel Eleven and Twelve)  
045-043-063-000 (As to Parcel Five)  
045-043-064-000 (As to Parcel Six)  
045-053-036-000 (As to Parcel One)  
045-053-043-000 (As to a portion of Parcel Seven)  
AND  
045-053-044-000 (As to a portion of Parcel Seven)

First American Title Insurance Company

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT**  
**STAFF REPORT**

**To:** Board of Directors

**From:** Sam Rose, Superintendent  
Herb Niederberger, General Manager

**Cc:** Joanna Belanger, Administrative Services Manager

**Subject:** FY 18/19 Budget Adjustment request for Vehicle Replacement

**Board Date:** October 4, 2018

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**Overview**

This report provides the Board with information, analysis and recommendations related to the purchase of a fleet vehicle which has failed earlier than its anticipated life. The vehicle was included on the replacement schedule for 2000/2021 however, it has experienced failures and the cost to replace the vehicle is more cost effective than creating additional expenditures to troubleshoot the problems.

**Recommendation**

While Staff continues to increase effectiveness and investigate opportunities for cost efficiencies, this request is brought to the Board after an unexpected failure of fleet vehicle #18, which needs replacement. Staff previously requested that the 2011 Ford Escape is deemed surplus and it was included with Resolution #18-26, approved at the 09/06/18 Board meeting. The Budget recommendation is as follows:

- 1) Increase the Capital Outlay Budget \$1,685,200 to \$1,717,200.
  - a. Vehicle Replacement Line Item \$150,000 to 182,000

**Strategic Plan Goal**

The adjusted FY 2018/19 Budget continues to support the Key Areas of Focus & Desired Outcomes; Goals & Key Performance Indicators of the Strategic Plan Goal.

**Goal 2.3, c** (Hybrid Vehicles) – Select, Implement and integrate strategies to use renewable energy, low carbon fuels, and investigate options for feasibility or alternative fuel-efficient vehicles.

**Related District Ordinances and Policies**

This action complies with the following District Policy:  
Policy 3105 - Budget Preparation

ITEM VI.1

**Fiscal Impact**

The staff recommendation to approve this adjustment will result in an increase of \$32,000 (from \$25.69M to \$25.73M) to the total District FY 2018/19 Budget. This represents an increase of less than 0.12%.

**Background and Analysis**

Requested budget adjustment:

1. The Capital budget will increase by \$32,000 to allow for the purchase of a Toyota RAV4 for use by the District Superintendent.

Staff will be available during the Board meeting to respond to any questions or concerns.



## **ITEM VII.2 GENERAL MANAGER REPORT**

To: Board of Directors

From: Herb Niederberger, GM

Date: October 4, 2018

Subject: General Manager Monthly Staff Report – September 2018

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### **1) DEPARTMENT REPORTS**

Attached are the monthly status reports for the Boards information:

- A. Facility Services Department
- B. Administrative Service Department, and
- C. Technical Services Department

The Department Managers are prepared to answer any questions from the Board.

### **2) INFORMATION ITEMS**

- A. On September 5, 2018, the General Manager, along with President Mitchell, attended the Rocklin Chamber of Commerce Government Relations Committee to hear an update of the Western Placer Waste Management Master Plan as well as a presentation on City of Rocklin Park Bond Measure A.
- B. On September 14, 2018, the General Manager and the District Legal Counsel participated in the Settlement Conference at the Santucci Justice Center with Mr. Dean Dickson regarding the eminent domain of property on Dias Lane.
- C. On September 18, 2018, the General Manager sat in on a Webinar titled “Pension Costs and Financial Pressure.” Also, on September 19, 2018, the General Manager participated in the Webinar titled, “Succession Planning: 5 Easy Steps.”
- D. On September 19, 2018, the General Manager had a conference call with the District General Counsel to discuss the following: 1) SPRR response to payment claims; 2) finalize the Dickson Eminent Domain proceedings; and 3) Rocklin 60 Refund Agreement Assignments.
- E. The General Manager was out of the office from September 25-27, 2018, attending the CSDA Annual Conference.
- F. On September 28, 2018, the General Manager attended the Joint Chamber of Commerce Government Relations Committee meeting to hear a presentation of the Regional Prosperity Plan by Mike Luken of the PCTPA and James Corless of SACOG

G. Advisory Committee Meetings:

There were no advisory meetings during September.

3) **LONG RANGE AGENDA**

**November 2018**

Employee Performance Merit Program Presentation  
Employee Wellness Program Presentation

**December 2018**

Audit Report  
GM Evaluation

**January 2019**

Selection of Officers

**February 2019**

Mid-Year Budget Update

**To:** Board of Directors  
**From:** Sam Rose, Superintendent  
**Cc:** Herb Niederberger, General Manager  
**Subject:** Field Services Department Monthly Report  
**Meeting Date:** October 4, 2018

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## Overview

This report provides the Board with an overview of Field Services operations and maintenance activities from 8/21/2018 through 9/24/2018. The work listed is not all inclusive.

### 1. Recordable Accidents/Injuries (OSHA 300)

- a. Zero (0)
  - i. 690 days without a Recordable Injury

### 2. Service Calls, Sanitary Sewer Overflows (SSOs) and Lift Station Alarm Calls

- a. Service Calls
  - i. Seventeen (17)
    - A. 12 - Customer's Responsibility
    - B. 5 - SPMUD Responsibility
    - C. 0 - Other
- b. Sanitary Sewer Overflows (SSOs)
  - i. One (1)
    - A. Fifteen (15) Days since last SSO
- c. Lift Station Calls
  - i. Zero (0)

### 3. Safety/Training/Professional Development

- a. All Field employees participated in:
  - i. Three (3) "Tailgate" safety sessions.
  - ii. Lift Station HazMat Training
  - iii. Bloodborne Pathogens & PPE

**4. Maintenance**

a. CCTV Mainline Segments	182 Segments
b. CCTV Service Laterals	273 Laterals
c. Hydro-Clean Mainline Segments	87 Segments
d. Hydro-Clean Service Laterals	39 Laterals
e. Manhole Inspections	201 Manholes
f. Manhole Cleaning	02 Manholes
g. Rodded/Cleaned Service Laterals	08 Laterals
h. Creek-Crossing Inspections	00 Crossings
i. Chemical Root Treatment (Mainline)	00 Segments
j. Chemical Root Treatment (Lateral)	00 Laterals
k. Easement Maintenance	00 Easement(s)
l. Easement Reconstruction	00 Easement
m. Vector Control (Cockroaches)	13 Manholes

**5. Construction**

a. Service Taps	01 Taps
b. Lateral Installs	01 Laterals
c. Property Line Cleanout Work	
i. Repaired	13 Cleanouts
ii. Installed	02 Cleanout
d. Mainline Repair	01 Mainline
e. Service Lateral Repair	02 Lateral
f. Service Cap-Off	00 Services
g. Manhole Rehabilitation	00 Manholes

**6. Facilities**

a. Lift Station Operations Checks	63 Operation Checks
b. Lift Station Repair	02 Repairs Performed
c. Lift Station Wet Well Cleaning	13 Wet Wells
d. Lift Station Site Maintenance	00 Sites
e. Flow Recorder Inspection	11 Sites
f. Portable Flow Rec. Installations	03 Installations
g. Corp Yard Water Facility	03 Operational Checks
h. Vehicle/Equip Maintenance	03 Work Orders
i. Vehicle/Equip Inspections	22 Work Orders
j. Corp Yard Maint. /Improvements	02 Work Orders

**7. Miscellaneous**

- a. District Maintenance Worker, Eric Orlando and Cameron Lima completed a three-day training course in Backhoe Operation and Safety.

ITEM VII.                    ASD REPORT

To:                                Board of Directors

From:                             Joanna Belanger, Administrative Services Manager

cc:                                 Herb Niederberger, General Manager

Subject:                         Administrative Services Department Monthly Report

Board Mtg. Date:             October 4, 2018

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**FY 17/18 Audit work**

The Auditing team from Munn, Urrutia & Nelson continues to work with staff to prepare the final audit for review in preparation for acceptance by the Board. The District has received the GASB report prepared by MacLeod Watts (formerly Bickmore), for inclusion in the audit document and financial report. The final Audit document is scheduled for presentation and acceptance by the Board at either the November or December 2018 Board meeting.

**FOG compliance/outreach event – Hot Chili Cool Cars – September 15, 2018**

The District had an outreach booth for the Hot Chili Cool Cars event, held at Quarry Park, Rocklin on September 15, 2018. The event was well attended, and District staff working the event met many customers to convey outreach regarding Non-Dispersible items not to be flushed as well as Fats Oils and Grease and their impact on the Sewer System. Future events include the Day Before Thanksgiving parade in Loomis and Elementary School tours of the District site.

**Commercial & Residential Account Review**

Administrative Services continue to audit both Residential and Commercial Accounts within the District with the assistance of Inspection services in TSD. Notifications and updated bills continue to be sent upon review with any necessary adjustments per Policy 3160 – Utility Billing Reconciliation & Payment Policy. Of recent note, there are a number of local subdivisions with homes having Accessory Dwelling Units (ADU), per the District Sewer Code these types of properties are charged an additional EDU service charge for monthly services. Additional Connection Fees are not charged based upon the changes to California law in early January 2018.

**Student Intern Position**

The District continues to recruit for the position of Student Intern.

ITEM VII. TSD REPORT

To: Board of Directors  
From: Eric Nielsen, District Engineer  
Cc: Herb Niederberger, General Manager  
Subject: Technical Services Department Monthly Report  
Board Date: October 4, 2018

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**Loomis Diversion Trunkline Project**

The construction of sewer access roads on the Tulip LLC property are completed and punch-lists for the final items in those areas will be completed in October. Paving of a majority of Dias Lane is being completed the first week of October. The only remaining sewer to be installed is the portion in Brace Road. Controlled blasting operations concluded on September 26<sup>th</sup> and pipeline installation is underway. Brace Road will be closed to through-traffic 24-hours a day for the duration of the blasting and pipe installation operations. Only local residents will be allowed through the closed portion of Brace Road to access their properties.

**Foothill Trunk Sewer Replacement Project**

The District's consultants completed the collection and analysis of geo-refraction surveys to determine the potential presence of hard rock along the entire pipeline alignment. The information is being incorporated into the construction contract documents to allow for improved planning by potential contractors and better defining the methods of payment.

The U.S. Army Corps of Engineers (Corps) is currently reviewed the Historic Properties Treatment Plan and is preparing a memorandum of agreement for the project, which outlines the requirements for dealing with sensitive cultural resources. Staff plans to put the project out to bid in late 2018 and awarding the construction project in early 2019 for construction in 2019.

**FOG (Fats, Oils, and Grease) Program**

District staff commenced with the inspection of food service establishments (FSEs) in September. Visits by the District's FOG inspector include inspections of the establishment/kitchen and/or the grease removal device for compliance with the District's Sewer Code. Issues identified during inspections are being addressed in accordance with the enforcement procedures defined in the Sewer Code.

Additionally, District staff is investigating an inspection/compliance tracking database tool and its interface with Lucity to improve the efficiency and effectiveness of inspection efforts.

## Corporation Yard Perimeter Wall Replacement

The existing concrete masonry perimeter wall along Springview Drive needs to be replaced to address its deteriorated condition and to improve the security of the corporation yard. The plan includes replacing the existing masonry wall with a wrought iron fence with curved pickets, screened by fence backing and landscaping. The City of Rocklin provided comment on the initial submittal and staff is working to incorporate those comments into the construction documents for approval.

## Lucity

Staff is working to leverage the existing capabilities of the District’s computer maintenance management system (i.e., Lucity) to support various workflows. Development plan review and new construction inspection have been implemented and are in use. The tracking of FOG inspections and the review of tenant improvements are in the process of implementation into Lucity.

Two District employees presented at Lucity’s Annual Conference & Training in September on the District’s use of Lucity Web, Lucity Mobile, and the District’s integration of Lucity with its mapping/GIS data. Both presentations were well received. Staff also received valuable information to improve the District’s use of Lucity.

## Asset Management Program

The District Engineer attended a seminar on asset management in preparation of the request for proposals (RFP) for the District’s Asset Management Master Plan. The RFP is planned to be released this fall to consultants for assistance with developing a consistent plan for delivering the value that our customers expect from the District’s assets.

## Department Performance Indicators

The following charts depict the efforts and performance of the department in three areas of work as of September 25th. Additional charts may be added in the future for other areas of work in the department.



