

BOARD MINUTES
SOUTH PLACER MUNICIPAL UTILITY DISTRICT

Meeting	Location	Date	Time
Regular	District Office	October 4, 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: Robert O'Brien – 4265 Diaz Lane
Devon Perona – 5850 Brace Road

Director Murdock arrived at 5:03 p.m.

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

IV. CONSENT ITEMS:

1. MINUTES from the September 6, 2018 Board meeting.
2. ACCOUNTS PAYABLE in the amount of \$661,982.22 through September 25, 2018.
3. MONTHLY INVESTMENT REPORT in the total amount of \$52,556,417 through September 25, 2018.
4. BILL OF SALE FOR SEWER IMPROVEMENTS WITHIN WHITNEY RANCH UNIT 52A located in Rocklin – valued at \$638,715.
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.
6. ADOPTION OF RESOLUTION #18-28 AUTHORIZING THE GENERAL MANAGER TO EXECUTE AGREEMENTS WHICH ASSIGN THE ROCKLIN 60 – PHASE I & II SEWER 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 requests that the District assign these agreements to the new owner, Chris Vrame.

President Mitchell introduced the consent calendar. Hearing no comments, it was brought for a vote. Director Williams made a motion to approve all items on the consent calendar; a second was made by Director Dickinson, the motion carried 4-0.

V. PUBLIC COMMENTS:

President Mitchell opened the Public comments. Resident Robert O'Brien from 4265 Diaz Lane addressed the Board regarding the roadway on Diaz Lane. He described the current situation of the roadway, where the Districts contractor for the Loomis Diversion Project has been working. He stated that the work to the road has

created a safety issue, particularly for fire vehicles should they need to come down the roadway which is 12 feet wide with sloping shoulders. President Mitchell asked what Mr. O'Brien was asking of the District. Mr. O'Brien stated the road had 150 years of compaction and should have been paved at a minimum of 20 ft wide for a roadway with 20 homes. President Mitchell asked for staff's perception on the matter. DE Nielsen replied that the road is in the process of being restored to its existing state, further stating that paving on Diaz Lane was at 50% of completion. He said that the design replaced the trenching areas as well as the roadway. He indicated that he has spoken with the Fire District who are aware of the project, as well as the Town of Loomis who approved the roadway. Director Williams asked staff if they have been working with the Town of Loomis to bring the roadway to better than the existing road. Resident Robert O'Brien stated that the District should be bringing the road up to standard with this project. He said that the contractor had trenched an area of 6 ft, and that water had filled up his driveway for a period of over 4 months.

Director Williams clarified that this is a private road and asked how long it had been in place – the resident indicated it had been there for over 150 years. President Mitchell stated that the plans for the road had been submitted to the Town of Loomis for approval ahead of the project, and that they have approved the roadway as well as the sewer line project. The District couldn't widen the road without the Town's approval. Director Markey asked Legal Counsel if the District holds any liability. Legal Counsel Brown stated that the District has complied with the Town of Loomis requirements, as well as improving the private roadway to a condition better than before the project began.

Hearing no other comments, the public comments session was closed.

VI. BOARD BUSINESS

1. FY 18/19 BUDGET ADJUSTMENT REQUEST – VEHICLE REPLACEMENT

Superintendent Rose introduced the budget adjustment request, he reported that the increase to the Capital Budget request was for the replacement of a vehicle which unexpectedly failed. The 2011 Ford Escape was deemed surplus in September and is being replaced with a hybrid vehicle at a cost of approximately \$32,000.

Director Williams made a motion to approve the Budget Adjustment request to increase the FY 18/19 Capital Budget from \$1,685,200 to \$1,717,200; a second was made by Director Markey, the motion carried 4-0.

VII. REPORTS:

1. District General Counsel (A. Brown): General Counsel Brown reported that a Final Stipulation Settlement Judgement for the eminent domain case with Dean Dickson had been reached. He said the resolution had been reached within the Board's authority and under the original offer amount. He stated that the agreement serves as the Conveyance of Easement. The Restraining Order will remain in place until next year.

2. General Manager (H. Niederberger): GM Niederberger reported that he had been invited to speak at a Rocklin Rotary meeting in the upcoming month. He asked the board for their availability in October, in the event it was necessary to hold a Special Meeting to discuss a change order for the Loomis Diversion Project. Director Dickinson asked GM Niederberger what his takeaways from the CSDA Annual Conference were – GM Niederberger stated that he had learned information regarding new laws related to ADA accessible webpages, which staff will be reviewing when selecting a contractor to update the Districts website. Also covered during the conference was cyber-security and Social Media presence for Special Districts. GM Niederberger also relayed to the Board that he would be out of the office on October 22 and 23, 2018.

A. ASD, FSD & TSD Reports:

B. Information Items: No additional items were reported.

3. Directors Comments: Director Dickinson stated that a meeting of the Personnel Committee was scheduled for October 5, 2018. Director Murdock, who had arrived after the Public Comment session of the meeting, followed up regarding the content of the email from Mr. O'Brien, he asked for a brief discussion regarding what he had missed from the Public Comments session.

ADDITIONAL PUBLIC COMMENT

Before the adjournment of the meeting there was a request from resident Devon Perona, residing at 5850 Brace Road to address the Board regarding his property. Mr. Perona had arrived late to the meeting after the Public Comments item. He explained his situation for the home he recently purchased. The home's septic has failed, and the County is requiring him to connect to public sewer. He explained that he had spoken with staff regarding his situation and stated that the cost was prohibitive, asking if there were any waivers the board could offer. President Mitchell responded that the Board could not act upon items not on the Agenda. He stated that Mr. Perona should work with staff who can lay out options relating to Deferred Participation Agreements in line with District Policies.

VIII. ADJOURNMENT

The President adjourned the meeting at 5:15pm. to its next regular meeting to be held on November 1, 2018 at 4:30 p.m.



Joanna Belanger, Board Secretary