



**SPMUD BOARD OF DIRECTORS  
REGULAR MEETING: 4:30 PM  
November 3, 2022**

Zoom Meeting: 1 (669) 900-9128  
Meeting ID: 895 1284 6074

The District's regular Board meeting is held on the first Thursday of every month. This notice and agenda are posted on the District's website ([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.

Pursuant to the Governor's Executive Order N-29-20, issued March 17, 2020, and SPMUD Resolution 22-37, the November 3, 2022 meeting of the SPMUD Board of Directors will be held via teleconference using Zoom Meeting 1 (669) 900-9128, <https://us02web.zoom.us/j/89512846074>. Public comments can be emailed to [ecostan@spmud.ca.gov](mailto:ecostan@spmud.ca.gov) from the time the agenda is posted until the matter is heard at the meeting. Comments should be kept to 250 words or less.

**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 James Durfee	Ward 4
Vice President James Williams	Ward 5

**III. PLEDGE OF ALLEGIANCE**

**IV. PUBLIC COMMENTS**

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

Public comments can be emailed to [ecostan@spmud.ca.gov](mailto:ecostan@spmud.ca.gov) from the time the agenda is posted until the matter is heard at the meeting. Comments should be kept to 250 words or less.

**V. CONSENT ITEMS**

[pg 4 to 31]

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: (Roll Call Vote)

*Motion to approve the consent items for the November 3, 2022 meeting.*

1. MINUTES from the October 6, 2022 Regular Meeting. [pg 4 to 10]
2. ACCOUNTS PAYABLE in the amount of \$2,922,753 through October 25, 2022. [pg 11 to 13]
3. QUARTERLY INVESTMENT REPORT in the total amount of \$74,968,706 [pg 14 to 16] through September 30, 2022.
4. ANNUAL INVESTMENT REPORT for the fiscal year ended June 30, 2022. [pg 17 to 20]
5. RESOLUTION 22-40 RECOGNIZING PLACER COUNTY SUPERVISOR ROBERT WEYGANT UPON HIS RETIREMENT [pg 21]
6. RESOLUTION 22-41 AUTHORIZING THE PURCHASE OF A LEAD WORKER VEHICLE [pg 22 to 24]
7. RESOLUTION 22-42. DECLARING AND RE-RATIFYING THE STATE OF EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS DUE TO THE COVID-19 EMERGENCY [pg 25 to 31]

## 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. RESOLUTION 22-43 PERFORMANCE MERIT PROGRAM 2021 – 2022 [pg 32 to 50]

Staff will provide an update to the Board of Directors on the District's performance merit program.

Action Requested: Roll Call Vote

**Staff recommends that the Board of Directors adopt Resolution 22-43, authorizing the payout to District employees per the Employee MOU in the amount of \$42,681 and approving the Performance Elements/Goals for the 2022/23 Performance Merit Program.**

## VII. REPORTS

[pg 51 to 63]

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 the public. No decisions are to be made on these issues.

1. Legal Counsel (A. Brown)
2. General Manager (H. Niederberger)
  - 1) ASD, FSD & 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.

**IX. CLOSED SESSION**

PUBLIC EMPLOYMENT – General Manager Performance Evaluation  
(Per Subdivision (a) of Government Code Section 54957)

**X. CLOSED SESSION READOUT**

**XI. ADJOURNMENT**

If there is no other Board business the President will adjourn the meeting to its next regular meeting on **December 1, 2022, at 4:30 p.m.**

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

<b>Meeting</b>	<b>Location</b>	<b>Date</b>	<b>Time</b>
Regular	Zoom Meeting	October 6, 2022	4:30 p.m.

**I. CALL MEETING TO ORDER:** The Regular Meeting of the South Placer Municipal Utility District Board of Directors was called to order with Vice President Williams presiding at 4:30 p.m. using Zoom Meeting.

**II. ROLL CALL OF DIRECTORS:**

Present: Director John Murdock, Director James Durfee, Director Will Dickinson, Vice President Jim Williams  
President Jerry Mitchell joined the meeting at 5:39 p.m.

Absent: None

Vacant: None

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

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

**IV. PUBLIC COMMENTS:**

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

**V. TELECONFERENCING**

**1. RESOLUTION 22-37 DECLARING AND RE-RATIFYING THE STATE OF EMERGENCY AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS DUE TO THE COVID-19 EMERGENCY**

GM Niederberger introduced the item to continue authorizing remote teleconference meetings due to the COVID-19 Emergency. He shared that new legislation was recently signed, AB 2449 which permanently extends the provisions under AB361 and lessens the requirements for a board member to attend a meeting remotely. He shared that staff would provide more information on the legislation at a future meeting.

Director Dickinson made a motion to adopt Resolution 22-37 Declaring and Re-ratifying the State of Emergency and Authorizing Remote Teleconference Meetings of the Board of Directors from

October 6, 2022 through November 5, 2022 due to the COVID-19 Emergency; a second was made by Director Durfee; a roll vote was taken, and the motion carried 4-0.

**VI. CONSENT ITEMS:**

1. MINUTES from the September 1, 2022 Regular Meeting.
2. MINUTES from the September 20, 2022 Special Meeting.
3. ACCOUNTS PAYABLE in the amount of \$903,885 through September 27, 2022.
4. BILL OF SALE Acceptance of the Bill of Sale for the West Oaks Townhomes Sewer Improvements, with an estimated value of \$261,903.
5. RESOLUTION 22-38 AUTHORIZING THE GENERAL MANAGER TO PURCHASE A VEHICLE UP TO THE BUDGET AMOUNT OF \$86,000.

ASM Costan shared that the September 1, 2022 Board Minutes were revised from the original agenda packet to update the Roll Call of Directors and provide additional detail on the discussion regarding the true-up invoices received from the City of Roseville.

Director Durfee made a motion to approve the consent items with the proposed revisions to the September 1<sup>st</sup> Board Minutes; a second was made by Director Murdock; a roll call vote was taken, and the motion carried 4-0.

**VII. BOARD BUSINESS**

**1. ATHERTON SEWER TRUNK UPGRADE**

GM Niederberger presented an update on the Atherton Sewer Trunk Upgrade Project located in the Northwest Rocklin Annexation Area. The project requires the existing Atherton Sewer Trunk to be replaced, as the existing pipeline has been identified as a hydraulic bottleneck. The City of Rocklin created a funding zone in 2014 to pay for the future upgrade project. The design portion of the project was scheduled to begin when 1,900 EDUs had connected to the line with construction beginning at 2,400 EDUs. There are currently 2,493 EDUs connected to the existing Atherton Sewer Trunk. The City is in the process of securing right-of-entry agreements from adjacent property owners. The District authorized a Temporary Sewer Connection and Use Agreement during construction at the September 1, 2022 board meeting. Failsafe precautions have been put into place to prevent a sanitary sewer overflow during construction. Finally, GM Niederberger shared that a pre-construction meeting occurred yesterday, and the construction is anticipated to take 6-8 weeks.

DE Huff added that the City of Rocklin has provided comments that would change the terms of the Temporary Sewer Connection and Use Agreement adopted by the Board on September 1<sup>st</sup>. The project will require that the contractor utilize the new pipe prior to acceptance. GC Brown shared that he has been in contact with the Rocklin City Attorney, and it does appear that they will be able to reach accommodations on the proposed terms. He does not believe that the agreement will need to come back before the Board.

Director Murdock asked about potential problems that the contractor may experience during construction. DE Huff shared that there is a change to the pipe alignment which may cause the contractor to encounter rock. The revised location centers the pipe in the access road. There is flexibility to shift the alignment back if needed. DE Huff commented that there are also provisions in the contract to address issues with groundwater if it is encountered. She also shared that the District recently received the preliminary bypass plan. Rain-for-Rent is the sub-contractor who will be completing the bypass work. They are an experienced firm, and the bypass plan contains redundancies to reduce potential impacts.

Director Dickinson commented that a rain event that occurs when the soils are saturated has the potential to have a more significant impact than a large rain event that occurs earlier in the season, and the project is close to a creek. He shared that he wants to ensure there are backup plans ready if the project doesn't proceed exactly as planned and that all available safety precautions are in place. He thanked staff for the tour of the project site.

Director Durfee commented that the City of Rocklin has criticized the District in the past for its connection fee; however, the City of Rocklin's development impact fee for this project was significantly less than the amount needed to fund the project thereby requiring the use of City general fund dollars.

**2. RESOLUTION 22-39 AUTHORIZING THE ADOPTION OF A FORMALIZED RETIREE HEALTH REIMBURSEMENT ARRANGEMENT (RHRA) PLAN DOCUMENT**

GM Niederberger gave a presentation on the history of the District's Other Post-Employment Benefit (OPEB) which refers to the retiree medical premiums paid by the District directly to retirees. He shared information about the District's California Employee Retiree Benefit Trust (CERBT) a Section 115 Trust that can be used to fund a Retiree Health Reimbursement Arrangement (RHRA). GM Niederberger shared that the District went through a comprehensive Pension and Payroll audit. As a result of that audit, the District has been advised by its Special Legal Counsel to immediately adopt an RHRA with a third-party plan administrator to assist the District with the RHRA documentation, recordkeeping, claims processing, and compliance.

Special Counsel Jeff Chang presented his findings regarding the tax treatment of the District's retiree health reimbursement. He shared that Retiree Health Reimbursement Arrangements (RHRAs) are subject to two sets of rules, IRS publication 2002-45, and the plan documentation rules for IRS Section 105 Plans. He commented that it is clear to him that the District staff has been operating an RHRA on a functional basis; however, the District has not adopted a stand-alone integrated plan document. This has led American Fidelity, auditors, and other consultants to raise concerns about the tax treatment of the retiree reimbursement payments. He recommended that the District adopt a formalized RHRA managed by a third-party administrator to make the arrangement more integrated and ensure the proper viewing of the tax treatment of the benefit.

Director Murdock inquired as to how quickly the plan document needs to be adopted. Special Counsel Chang advised that the plan document be adopted as soon as administratively feasible.

Director Dickinson asked for confirmation that this recommendation eliminates the need to address past documentation and that the District has been in compliance but needs to document it better. Special Counsel Chang shared his advice and opinion that the District has been operating in a way that meets the requirements of the IRS notice governing RHRAs. He shared that there is legal precedence that multiple documents such as MOUs and employee manuals can be used to establish a plan document; however, it is not ideal on a go-forward basis because there is not a single integrated document to reference.

Vice President Williams thanked Special Counsel and shared that Mr. Chang is one of the premier experts in the State on this type of law. Vice President Williams shared that the intent through this whole process was to bring in outside people to review our practices and documentation, and the recommendations that have come out of that have been made by experts in those areas and not by staff.

District Retiree Charles Clark provided public comment regarding the RHRA. He thanked the Board for their quick action on this item as it was a serious concern for the retirees. He commented that the presentation from the Special Counsel was clear and concise. He shared that he and other staff at the time put together the reimbursement as best they could, following CalPERS instructions. He commented that his staff ran a minimalist shop and believed that this benefit was straightforward enough that it could be managed in-house. He shared that he has concerns about the General Manager's participation in developing the plan document and recommended that it be developed by General Counsel.

ASM Costan read eComments from Mr. Clark into the record. The comments included a request to revise the Board Resolution to have the District's Legal Counsel be the drafter of the "Retiree Health Reimbursement Arrangement" document and have someone from the Employee Association and/or retirees' group be allowed to have input.

Director Dickinson commented in response to the request from Mr. Clark, that the General Manager will continue to be advised by Counsel throughout the entire process. He commented that he has been working on this issue through his role on the Personnel Advisory Committee where he has received updates about the issue and finding a resolution. He shared that it has been a difficult question to find a resolution to. He apologized if employees or retirees have felt like or perceived there may be retribution of some kind. He shared that he does not perceive that there has been retribution of any kind and does not believe that there will be in the future. He commented that the Board and Management want to come to a resolution that works and is to the benefit of the retirees and employees. He stated that he does not see a need to modify the Resolution.

General Counsel Brown shared that he has been working with Special Counsel Chang regarding this matter, including reviewing the Resolution before the Board and the evaluation of how we have arrived at the current recommendation. GC Brown shared his full support for the recommendation.

Director Murdock echoed Director Dickinson's comments. He shared that the Board has been working with management to find a solution to this problem. This problem has been buried in

emails and files going back to 2012, and this action resolves the matter. He commented that the Board is here to address employee concerns and provide support. He shared his confidence in the District staff, management, legal counsel, and Board of Directors.

Director Durfee concurred with the comments made by Director Dickinson and Director Murdock.

Vice President Williams commented that the Board has always tried to do the right thing in its agreements with employees. He shared that he does not believe that there has ever been a diversion from that path. He shared that he has not seen where any action taken was done to endanger the benefits that have been approved for employees or retirees; to the contrary, management and the Board have been trying to make sure that everything is documented to protect the benefits. He commented that in the past, the District has not always gotten all the documentation right, due to being a very frugal Board and trying to keep expenses down. He commented that there are times when clarity is lacking, and this is one of those times. This action clarifies the benefits and keeps them safe from challenges. This should provide assurance. Vice President Williams shared that the Board's first loyalty is to the customers. He commented that the District is the best managed collection system in the State, and the Board wants to keep it that way. He reiterated his confidence that our management staff is doing a good job. He shared that he does not believe that there are any ulterior motives, and that management has a sincere interest in making sure that the District has good sound agreements in place that will withstand legal challenges and evolving statutory requirements.

Director Dickinson made a motion to adopt Resolution 22-39 Authorizing the Adoption of a Formalized Retiree Health Reimbursement Arrangement (RHRA) Plan Document; a second was made by Director Murdock; a roll call vote was taken, and the motion carried 4-0.

### **3. PG&E LEGACY CROSS BORE PROGRAM / DISTRICT ACCESS PERMITS**

GM Niederberger introduced the item. DE Huff shared that the Board requested additional information at the September board meeting on the PG&E Cross Bore Program and the District's Access Permits. She shared that the staff report on this item provides a history of the issues. Staff is requesting that the Board provide feedback on the letter to PG&E and authorize the Board President to sign the letter.

Director Murdock asked how long the PG&E Cross Bore Program has been in place. DE Huff responded that the program has been in place for several years and has been impacting District customers for approximately the last three years. Staff has been monitoring the access and working to implement a permitting process since that time. Director Murdock inquired as to what necessitates PG&E access. DE Huff shared that PG&E lacks records prior to 2010. PG&E is determining if projects were constructed via cross bore or open trench. If the project was constructed via cross bore, they are going back to determine if there has been any impact to other utilities. The District is pushing back on the areas where this work is required as many of the areas were constructed after 2010.



Director Dickinson asked if PG& E is utilizing the District's permit process. De Huff responded that they have attempted to submit applications; however, those applications have not been deemed complete to date. Staff has not received any follow-up submittals. No access permits have been issued. Director Dickinson asked if staff believes that PG&E is completing the work without a permit. DE Huff shared that she believes that when PG&E sees that they must justify the access that they are determining that the access is not justifiable.

Director Dickinson commented that in talking to constituents there are concerns that the crews do not have good identification or marked vehicles. This should be addressed in the communications with PG&E. He also recommended language to ensure that PG&E must use the District's permit process. DE Huff shared that item 3 of the PG&E letter covers the poor identification of PG&E's contractors. She shared that the District's fine schedule will address the consequences of not obtaining an access permit. Director Dickinson shared that the District may need to send a follow-up letter if there are future issues with PG&E accessing District facilities without a permit.

Director Murdock asked how the District can stop PG&E from accessing our facilities and inquired as to whether the letter should have stronger language. GM Niederberger asked DE Huff for more detail on the persons to whom the letter is addressed. DE Huff shared that the letter is being addressed to two individuals that are one level down from the CEO. DE Huff also suggested an article on this topic in the District's newsletter.

Director Dickinson shared his support for sending the letter as drafted and following up if necessary.

Director Murdock made a motion to authorize the President of the Board of Directors to sign the PG&E Cross Bore Program Letter; a second was made by Director Dickinson; a roll call vote was taken, and the motion carried 4-0.

## **VIII. REPORTS**

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

General Counsel Brown had no report for this meeting.

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

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

GM Niederberger shared changes to the GM Report. The Policy and Ordinance Committee meeting has been rescheduled which will mean that the introduction of proposed Ordinance 22-03 and the board policy revisions will be moved to December. GM Niederberger also shared that he will be out of the office until October 24<sup>th</sup>.

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

**3. Director's Comments:**

Director Dickinson thanked staff for working through some important issues and bringing them to finality at tonight's meeting. Director Murdock also thanked staff for their work to obtain answers for the Board. Vice President Williams commented that he wants the General Manager and Administrative Services Manager to know that they have the Board's confidence. He commented that it has always been the Board's intent to do right by the employees, in some cases to the point where it has made him nervous. However, it is important because the Board wants this to be the best District and needs employees that feel like they are part of the team. He shared his hope that we can put this behind us and move forward.

GC Brown shared that the Board will only be going into closed session regarding the evaluation of the General Manager. The other closed session item on the agenda will not be discussed.

**IX. CLOSED SESSION READOUT**

The Board met in Closed Session at 5:39 p.m. to hear a report from District General Counsel regarding the discussion of the General Manager's Performance Evaluation and no action was taken.

The Board adjourned the closed session at 5:48 p.m.

**X. ADJOURNMENT**

The President adjourned the meeting at 5:50 p.m. to the next regular meeting to be held on November 3, 2022, at 4:30 p.m.



Emilie Costan, Board Secretary

Item 5.2



South Placer Municipal Utility District, CA

# Check Report

By Check Number

Date Range: 09/28/2022 - 10/25/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP Bank-AP Bank</b>						
1007	Advanced Integrated Pest	10/06/2022	Regular	0.00	110.00	15396
248	AT&T	10/06/2022	Regular	0.00	297.52	15397
1663	Buckmaster Office Solutions	10/06/2022	Regular	0.00	70.44	15398
1652	Cintas Corporation	10/06/2022	Regular	0.00	1,064.57	15399
1068	City of Roseville	10/06/2022	Regular	0.00	2,619,870.48	15400
1080	CWEA (Main)	10/06/2022	Regular	0.00	105.00	15401
1087	Dawson Oil Co.	10/06/2022	Regular	0.00	5,694.61	15402
1699	ECS Imaging Inc.	10/06/2022	Regular	0.00	5,140.00	15403
1105	Eric Nielsen	10/06/2022	Regular	0.00	836.99	15404
1686	Jan Pro	10/06/2022	Regular	0.00	887.00	15405
1564	Jensen Landscape Services, LLC	10/06/2022	Regular	0.00	931.00	15406
1163	Joe Gonzalez Trucking, LLC.	10/06/2022	Regular	0.00	2,349.26	15407
1817	Matt Harmon	10/06/2022	Regular	0.00	237.04	15408
1757	McClatchy Shared Services LLC	10/06/2022	Regular	0.00	820.20	15409
1764	Network Design Associates, Inc.	10/06/2022	Regular	0.00	816.00	15410
1218	PCWA	10/06/2022	Regular	0.00	2,450.18	15411
1221	PG&E	10/06/2022	Regular	0.00	2,206.73	15412
1656	SmartCover Systems	10/06/2022	Regular	0.00	6,034.00	15413
1685	Streamline	10/06/2022	Regular	0.00	400.00	15414
1306	Superior Equipment Repair	10/06/2022	Regular	0.00	289.84	15415
1325	Tyler Technologies, Inc.	10/06/2022	Regular	0.00	9,038.75	15416
1327	US Bank Corporate Payment	10/11/2022	Regular	0.00	18,522.26	15417
	**Void**	10/11/2022	Regular	0.00	0.00	15418
	**Void**	10/11/2022	Regular	0.00	0.00	15419
	**Void**	10/11/2022	Regular	0.00	0.00	15420
	**Void**	10/11/2022	Regular	0.00	0.00	15421
1561	19six Architects	10/13/2022	Regular	0.00	5,141.50	15422
1021	ARC	10/13/2022	Regular	0.00	110.65	15423
248	AT&T	10/13/2022	Regular	0.00	9.53	15424
1022	AT&T CalNet	10/13/2022	Regular	0.00	368.52	15425
1759	Bender Rosenthal Inc.	10/13/2022	Regular	0.00	724.90	15426
1768	Capital Program Management Inc.	10/13/2022	Regular	0.00	10,019.00	15427
1652	Cintas Corporation	10/13/2022	Regular	0.00	503.82	15428
1509	Crystal Communications	10/13/2022	Regular	0.00	311.64	15429
1080	CWEA (Main)	10/13/2022	Regular	0.00	3,837.96	15430
1086	Dataprose	10/13/2022	Regular	0.00	1,876.80	15431
1666	Great America Financial Services	10/13/2022	Regular	0.00	452.99	15432
1139	Hill Rivkins Brown & Associates	10/13/2022	Regular	0.00	12,280.00	15433
1812	IB Consulting LLC	10/13/2022	Regular	0.00	18,300.00	15434
1599	MUN CPA's	10/13/2022	Regular	0.00	10,500.00	15435
1764	Network Design Associates, Inc.	10/13/2022	Regular	0.00	525.00	15436
1815	Pace Supply Corp	10/13/2022	Regular	0.00	8,236.80	15437
1218	PCWA	10/13/2022	Regular	0.00	376.13	15438
1221	PG&E	10/13/2022	Regular	0.00	6,654.05	15439
1651	Profile Display, Inc	10/13/2022	Regular	0.00	444.00	15440
1333	SPOK, Inc.	10/13/2022	Regular	0.00	27.75	15441
1338	Verizon Wireless	10/13/2022	Regular	0.00	1,114.99	15442
1015	American Fidelity Assurance	09/30/2022	Bank Draft	0.00	499.56	DFT0007663
1586	Principal Life Insurance Company	09/30/2022	Bank Draft	0.00	305.87	DFT0007664
1230	Pers (EFT)	09/30/2022	Bank Draft	0.00	5,983.04	DFT0007665
1230	Pers (EFT)	09/30/2022	Bank Draft	0.00	29,654.31	DFT0007666
1230	Pers (EFT)	09/30/2022	Bank Draft	0.00	10,886.52	DFT0007667
1230	Pers (EFT)	09/30/2022	Bank Draft	0.00	153.53	DFT0007668
1230	Pers (EFT)	09/30/2022	Bank Draft	0.00	4,172.00	DFT0007669

Check Report

Date Range: 09/28/2022 - 10/25/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
1230	Pers (EFT)	09/30/2022	Bank Draft	0.00	109.82	DFT0007670
1045	Cal Pers 457 Plan (EFT)	09/30/2022	Bank Draft	0.00	750.00	DFT0007671
1135	Empower (EFT)	09/30/2022	Bank Draft	0.00	325.00	DFT0007672
1135	Empower (EFT)	09/30/2022	Bank Draft	0.00	8,017.52	DFT0007673
1135	Empower (EFT)	09/30/2022	Bank Draft	0.00	483.29	DFT0007674
1042	CA State Disbursement (EF	09/30/2022	Bank Draft	0.00	187.83	DFT0007675
1229	Pers (EFT)	09/30/2022	Bank Draft	0.00	49.13	DFT0007676
1229	Pers (EFT)	09/30/2022	Bank Draft	0.00	971.48	DFT0007677
1229	Pers (EFT)	09/30/2022	Bank Draft	0.00	1,703.72	DFT0007678
1229	Pers (EFT)	09/30/2022	Bank Draft	0.00	1,986.26	DFT0007679
1229	Pers (EFT)	09/30/2022	Bank Draft	0.00	2,928.32	DFT0007680
1229	Pers (EFT)	09/30/2022	Bank Draft	0.00	3,947.54	DFT0007681
1229	Pers (EFT)	09/30/2022	Bank Draft	0.00	4,368.61	DFT0007682
1149	Internal Revenue Service	09/30/2022	Bank Draft	0.00	11,904.58	DFT0007683
1098	EDD (EFT)	09/30/2022	Bank Draft	0.00	4,107.59	DFT0007684
1098	EDD (EFT)	09/30/2022	Bank Draft	0.00	1,056.06	DFT0007685
1149	Internal Revenue Service	09/30/2022	Bank Draft	0.00	3,031.68	DFT0007686
1149	Internal Revenue Service	09/30/2022	Bank Draft	0.00	9,257.48	DFT0007687
1015	American Fidelity Assurance	10/10/2022	Bank Draft	0.00	-25.00	DFT0007688
1149	Internal Revenue Service	10/10/2022	Bank Draft	0.00	3.10	DFT0007691
1098	EDD (EFT)	10/10/2022	Bank Draft	0.00	2.20	DFT0007692
1098	EDD (EFT)	10/10/2022	Bank Draft	0.00	0.27	DFT0007693
1149	Internal Revenue Service	10/10/2022	Bank Draft	0.00	0.72	DFT0007694
1149	Internal Revenue Service	10/10/2022	Bank Draft	0.00	5.50	DFT0007695
1045	Cal Pers 457 Plan (EFT)	10/14/2022	Bank Draft	0.00	750.00	DFT0007696
1135	Empower (EFT)	10/14/2022	Bank Draft	0.00	325.00	DFT0007697
1135	Empower (EFT)	10/14/2022	Bank Draft	0.00	8,017.52	DFT0007698
1135	Empower (EFT)	10/14/2022	Bank Draft	0.00	483.29	DFT0007699
1042	CA State Disbursement (EF	10/14/2022	Bank Draft	0.00	187.83	DFT0007700
1015	American Fidelity Assurance	10/14/2022	Bank Draft	0.00	333.33	DFT0007701
1015	American Fidelity Assurance	10/14/2022	Bank Draft	0.00	260.40	DFT0007702
1229	Pers (EFT)	10/14/2022	Bank Draft	0.00	49.13	DFT0007703
1229	Pers (EFT)	10/14/2022	Bank Draft	0.00	971.48	DFT0007704
1229	Pers (EFT)	10/14/2022	Bank Draft	0.00	1,703.73	DFT0007705
1229	Pers (EFT)	10/14/2022	Bank Draft	0.00	1,986.26	DFT0007706
1229	Pers (EFT)	10/14/2022	Bank Draft	0.00	2,928.32	DFT0007707
1229	Pers (EFT)	10/14/2022	Bank Draft	0.00	4,055.14	DFT0007708
1229	Pers (EFT)	10/14/2022	Bank Draft	0.00	4,487.70	DFT0007709
1149	Internal Revenue Service	10/14/2022	Bank Draft	0.00	11,964.38	DFT0007710
1098	EDD (EFT)	10/14/2022	Bank Draft	0.00	4,018.01	DFT0007711
1098	EDD (EFT)	10/14/2022	Bank Draft	0.00	1,061.36	DFT0007712
1149	Internal Revenue Service	10/14/2022	Bank Draft	0.00	3,113.22	DFT0007713
1149	Internal Revenue Service	10/14/2022	Bank Draft	0.00	9,241.98	DFT0007714

Bank Code AP Bank Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	62	43	0.00	2,759,987.90
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	0.00
Bank Drafts	50	50	0.00	162,765.61
EFT's	0	0	0.00	0.00
	<b>112</b>	<b>97</b>	<b>0.00</b>	<b>2,922,753.51</b>

### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	62	43	0.00	2,759,987.90
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	0.00
Bank Drafts	50	50	0.00	162,765.61
EFT's	0	0	0.00	0.00
	<b>112</b>	<b>97</b>	<b>0.00</b>	<b>2,922,753.51</b>

### Fund Summary

Fund	Name	Period	Amount
100	GENERAL FUND	9/2022	106,840.74
100	GENERAL FUND	10/2022	2,815,912.77
			<b>2,922,753.51</b>

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT  
STAFF REPORT**

**To:** Board of Directors

**From:** Emilie Costan, Administrative Services Manager

**Cc:** Herb Niederberger, General Manager

**Subject:** 3rd Quarter Investment Report (July 1, 2022 through September 30, 2022)

**Board Date:** November 3, 2022

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**Overview**

In accordance with Section 53646 of the California Government Code, this report provides the Board with a quarterly investment report.

The investments held by the District on September 30, 2022 are shown in Attachment 1 and totaled \$74.97 million. The portfolio is in compliance with the Board's adopted Policy #3120 regarding District investments and has the ability to meet the next six months of cash flow requirements. As of September 30, 2022, the District's investment portfolio had an average quarterly rate of return of negative 0.15 percent.

**Recommendation**

Staff recommends that the Board of Directors receive and file the 3rd Quarter Investment Report.

**Strategic Plan Priorities**

This action is consistent with SPMUD Strategic Plan Priorities:

- Prepare for the future and foreseeable emergencies
- Provide exceptional value for the cost of sewer service

**Related District Ordinances and Policies**

This action is in conjunction with the following District Policies:

- Policy 3120 – Investment of District Funds

**Fiscal Impact**

There is no direct fiscal impact associated with the preparation of this report.

Attachments:

1. 3<sup>rd</sup> Quarter Investment Report
2. Allocation by Fund, Allocation by Investment Type, and Historical Performance

**SPMUD BOARD INVESTMENT REPORT**

**INVESTMENT REPORTING PERIOD: July 1, 2022 - September 30, 2022**

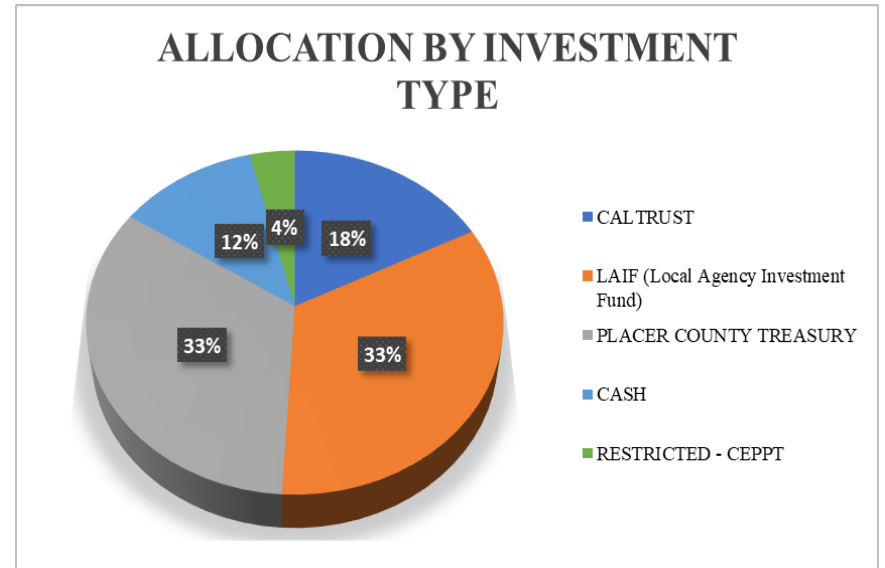
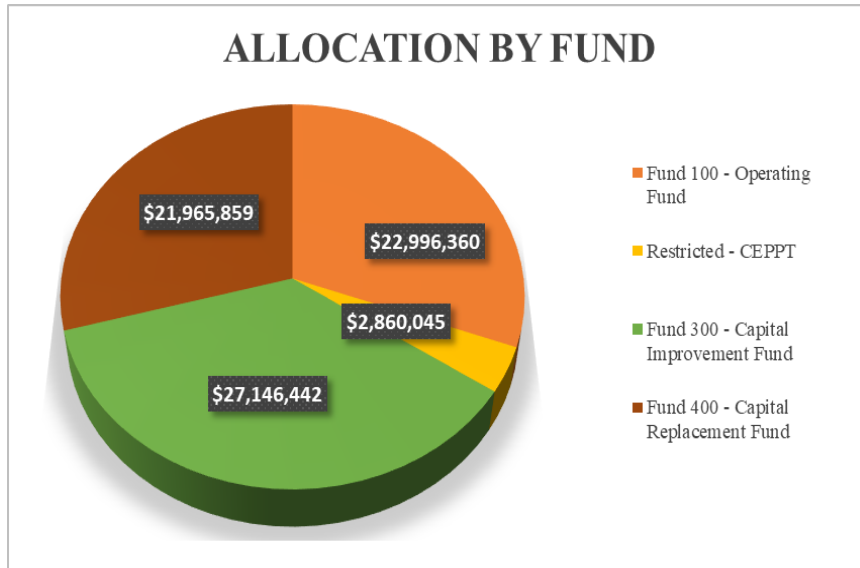
**MEETING DATE: November 3, 2022**

<b>Investment</b>	<b>Account Balance Prior Year Jul 21 - Sept 21</b>	<b>Account Balance Previous Quarter Apr 22 - Jun 22</b>	<b>Market Value Jul 22 - Sept 22</b>	<b>Quarterly Rate of Return</b>	<b>% of Portfolio</b>
<b>CALTRUST - Short Term</b>	\$ 4,334,488	\$ 4,303,219	\$ 4,314,820	0.27%	6%
<b>CALTRUST - Medium Term</b>	\$ 19,565,133	\$ 8,901,196	\$ 8,772,886	-1.44%	12%
<b>PLACER COUNTY TREASURY</b>	\$ 16,955,523	\$ 25,003,615	\$ 25,050,629	0.19%	33%
<b>LAIF (Local Agency Investment Fund)</b>	\$ 19,909,925	\$ 24,978,939	\$ 25,063,936	0.34%	33%
<b>WELLS FARGO - Money Market</b>	\$ 2,350,112	\$ -	\$ -		0%
<b>CASH</b>	\$ 3,927,019	\$ 11,193,862	\$ 8,906,390	0.35%	12%
<b>RESTRICTED - CEPPT</b>	\$ 3,425,562	\$ 3,006,901	\$ 2,860,045	-5.59%	4%
<b>TOTAL/AVERAGE</b>	<b>\$ 70,467,762</b>	<b>\$ 77,387,732</b>	<b>\$ 74,968,706</b>	<b>-0.15%</b>	<b>100%</b>

**QUARTERLY TRANSFERS**

CalTRUST: None  
 LAIF: None  
 PLACER COUNTY: None

Attachment 2 – Allocation by Fund, Allocation by Investment Type, and Historical Performance



The District collected \$3.48M in connection fee revenue in Fiscal Year 21/22 that will be transferred from the Fund 100 Cash Account to Fund 300 once the audited financial statements are received.

Approximately \$2.5M in depreciation expense will be transferred from the Fund 100 Cash Account to Fund 400 once the audited financial statements are received.

<b>Historical Performance</b>					
	3 months	6 months	1 year*	3 year*	5 year*
CalTRUST Short Term	0.27%	0.15%	-0.45%	0.61%	1.25%
CalTRUST Medium Term	-1.44%	-2.30%	-4.92%	-0.40%	0.69%
Placer County	0.19%	0.30%	0.41%	0.68%	1.15%
LAIF	0.34%	0.51%	0.62%	0.85%	1.31%
CEPPT	-5.59%	-14.52%	-16.51%	-	-

\*Annualized



**SOUTH PLACER MUNICIPAL UTILITY DISTRICT  
STAFF REPORT**

**To:** Board of Directors

**From:** Emilie Costan, Administrative Services Manager

**Cc:** Herb Niederberger, General Manager  
Carie Huff, District Engineer  
Eric Nielsen, Superintendent

**Subject:** Annual Investment Report for the Fiscal Year Ended June 30, 2022

**Meeting Date:** November 3, 2022

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**Overview**

The South Placer Municipal Utility District (District) generally operates in accordance with the Municipal Utilities District Act of California, codified in Public Utilities Code §11501, et seq. Public Utilities Code §12871 allows the District to invest surplus money in its treasury and the Government Code, primarily §53601 and related subsections, authorizes the type of investment vehicles allowed in a California local agency’s portfolio. The investment vehicles emphasize the preservation of capital and conservative investments, and the District is not permitted to purchase an investment that is not specifically authorized by law and within the scope of investments designated by the District’s Board of Directors.

On December 3, 2015, the Board of Directors adopted Resolution 15-27 which reflected that *Policy 3120 – Investment of District Funds* was adopted in its entirety and included in the District Policy Handbook. In February 2016, the District adopted a strategy for the investment of District funds which was revised with Resolution 18-15 in June 2018. One of the ways the District managed its exposure to interest rate risk was by purchasing a combination of short and long-term investments and timing cash flows from maturities so that a portion of the portfolio was maturing or coming close to maturity evenly over time as necessary to provide the cash flow and liquidity needed for District operations. Per the revised Resolution 18-15, as Fixed Income Securities being held in the Long-Term Portfolio matured, rather than reinvesting them into other Fixed Income Securities, the proceeds were distributed evenly among the Cal Trust Medium Term Holdings, the Local Agency Investing Fund, and the Placer County Treasury. On January 7, 2021, the Board adopted Resolution 21-01, Updating the Strategy for the Investment of District Funds, to allow the District to move the remaining Fixed Income Securities to CalTRUST Short Term, CalTRUST Medium Term, Placer County Treasury, and the Local Agency Investment Fund (LAIF) as they mature depending on market conditions and quarterly performance. As of June 30, 2022, all Fixed Income Securities had matured with all funds transferred to other investment vehicles by the end of October 2021.

During the last fiscal year, investments experienced both gains and losses. Record low interest rates coupled with frequent market volatility and high inflation continued to reduce investment earnings to historic lows and are beginning to draw down District Reserves. The overall balance

of the District's investment portfolio, less unrestricted deposits in financial instructions (cash) and the restricted CalPERS CEPP Trust, increased by \$4,107,627 (6.9%) from the prior year.

**Recommendation**

Staff recommends that the Board of Directors receive and file the Annual Investment Report.

**Strategic Plan Priorities**

This action is consistent with SPMUD Strategic Plan Priorities:

- Prepare for the future and foreseeable emergencies
- Provide exceptional value for the cost of sewer service

**Related District Ordinances and Policies**

This action is in conjunction with the following District Policies:

- Policy 3120 – Investment of District Funds
- Policy 3130 – District Reserve Policy

**Fiscal Impact**

There is no direct fiscal impact associated with the preparation of this report.

Attachments:

- Table 1 – Balance of Investments
- Table 2 – Fund Balances
- Table 3 – Short-Term and Long-Term Portfolio Breakdown
- Table 4 – Percentage of Portfolio Compared to Maximum Allowance

**Table 1 – Balance of Investments**

<b>Investment</b>	<b>Balance 06/30/22</b>	<b>Balance 06/30/21</b>
Local Agency Investment Fund (LAIF)	\$ 24,978,939	\$ 15,898,497
CaTRUST Investments	13,204,415	23,882,582
Placer County Treasury's Investment Pool	25,003,615	16,946,764
Wells Fargo Money Market	-	2,348,457
	<u>\$ 63,186,969</u>	<u>\$ 59,076,300</u>
Unrestricted Deposits in Financial Institutions	\$ 11,193,862	\$ 6,300,850
	<u>\$ 74,380,831</u>	<u>\$ 65,377,150</u>
CalPERS CEPPT - Restricted	\$ 3,006,901	\$ 3,440,903
<b>TOTAL</b>	<b><u>\$ 77,387,732</u></b>	<b><u>\$ 68,818,053</u></b>

**Table 2 – Fund Balances**

<b>Fund</b>	<b>Balance 06/30/22</b>	<b>Balance 06/30/21</b>
Fund 100 - General Fund	\$ 25,280,772	\$ 16,786,026
Fund 300 - Capital Improvement Fund	27,140,321	26,878,885
Fund 400 - Capital Replacement Fund	21,959,738	21,712,239
	<u>\$ 74,380,831</u>	<u>\$ 65,377,150</u>
Restricted - CEPPT	\$ 3,006,901	\$ 3,440,903
<b>TOTAL</b>	<b><u>\$ 77,387,732</u></b>	<b><u>\$ 68,818,053</u></b>

**Table 3 – Short-Term and Long-Term Portfolio Breakdown****Short-Term Portfolio**

Unrestricted Deposits in Financial Institutions	\$ 11,193,862
Local Agency Investment Fund (LAIF)	24,978,939
CalTRUST Short-Term Investment Fund	4,303,219
Placer County Treasury's Investment Pool	25,003,615
	<u>\$ 65,479,635</u>

**Long-Term Portfolio**

CalTRUST Medium-Term Investment Fund	8,901,196
	<u>\$ 8,901,196</u>

**Restricted**

CalPERS CEPP Trust	\$ 3,006,901
	<u>\$ 77,387,732</u>

**Table 4 – Percentage of Portfolio Compared to Maximum Allowance**

<b>Investment Type</b>	<b>% of Portfolio on 06/30/22</b>	<b>Maximum Amount of Portfolio</b>
Local Agency Investment Fund (LAIF)	34%	75%
Placer County Treasurer's Pool	34%	75%
Investment Trust of CA (CalTRUST)	18%	75%
Bank Savings Account	15%	75%
Federal Agencies	0%	25%
Commercial Paper	0%	15%
Negotiable Certificates of Deposits	0%	20%
Repurchase Agreements	0%	20%
U.S. Treasury Obligations	0%	Unlimited
All other investments allowed by GC §53601	0%	20%

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT  
RESOLUTION NO. 22-40  
RECOGNIZING PLACER COUNTY SUPERVISOR  
ROBERT WEYGANT UPON HIS RETIREMENT**

WHEREAS, Mr. Robert M. Weygandt is retiring after twenty-eight years of outstanding service as a County Supervisor of Placer County, District Two; and

WHEREAS, Robert has been a devoted friend to the South Placer Municipal Utility District, not only from his service on the Board of Supervisors and the South Placer Wastewater Authority, but also in his prior roles as a County Planning Commissioner and his leadership on the County's Economic Development Board; and

WHEREAS, the District has greatly benefitted from Robert's knowledge, leadership, experience, dedication, honesty, mentorship, and humility; and

WHEREAS, Robert exemplifies the District's core values - integrity, stewardship, service, and quality; and

WHEREAS, after twenty-eight years of committed service, Robert is retiring from County Service on December 31, 2022,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF SOUTH PLACER MUNICIPAL UTILITY DISTRICT:

That this Board does hereby extend to Robert M. Weygandt our sincere appreciation for his dedicated service to Placer County and the South Placer Municipal Utility District,

PASSED AND ADOPTED at a regular meeting of the Board of Directors of South Placer Municipal Utility District this 3<sup>rd</sup> day of November 2022, by unanimous vote:

Signed:

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

Attest: \_\_\_\_\_  
Emilie Costan, Board Secretary

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT  
STAFF REPORT**

**To:** Board of Directors  
**From:** Eric Nielsen, Superintendent  
**Cc:** Herb Niederberger, General Manager  
**Subject:** Resolution 22-41 Authorizing the Purchase of a Lead Worker Vehicle  
**Meeting Date:** November 3, 2022

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**Overview**

The Field Services Department (FSD) maintains a fleet of vehicles to assist in carrying out the District's tasks and efforts to provide the high level of service customers expect. FSD maintains a vehicle replacement schedule that plans for the replacement of all vehicles based on an assumed service life with the goal of balancing expenditures from year to year. The vehicle proposed to be replaced is a medium duty truck used by one of the Lead Workers. It was scheduled to be replaced last year, but the purchase was deferred one year because the condition of the vehicle allowed for it and the deferment helped balance vehicle expenditures between the two years. It is time to replace this vehicle.

District staff typically utilizes the statewide commodity contracts administered by the State of California, Department of General Services, Procurement Division to purchase a cab and chassis, which is outfitted per specifications developed by staff. Typically, a purchasing window will open, the District will obtain pricing information, staff will request authorization for purchase, and a purchase order will be created before the window closes. Due to supply chain issues, the period of time that purchasing windows are open through these contracts is very small. This change has required staff to request authorization before the window opens so that a purchase can be made if it is within the budgeted amount.

Staff is requesting that the Board authorize the General Manager to purchase a Lead Worker vehicle, in compliance with the District's Purchasing Policy 3150, within the budgeted amount of \$60,000. This will allow staff to solicit quotes for a Lead Worker vehicle and execute a purchase order to secure the vehicle for future District use.

**Recommendation**

Staff recommends that the Board of Directors adopt Resolution 22-41, Authorizing the General Manager to execute the purchase of a fully outfitted Lead Worker vehicle up to the budgeted amount of \$60,000.

### **Strategic Plan Priorities**

This action is consistent with the following Strategic Plan Priorities and Work Plans:

- Maintain an excellent regulatory compliance record
  - Reduce Sanitary Sewer Overflows (SSOs)
- Prepare for the future and foreseeable emergencies
- Provide exceptional value for the cost of sewer service

### **Related District Ordinances and Policies**

This action complies with the following District Policy

Policy No. 3150 – Purchasing Policy

### **Fiscal Impact**

The budgeted amount for the Lead Worker vehicle is \$60,000.

### **Attachments**

1. Resolution 22-41 Authorizing the Purchase of a Lead Worker Vehicle

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

**RESOLUTION NO. 22-41**

**A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE A PURCHASE ORDER FOR THE REPLACEMENT OF A LEAD WORKER VEHICLE**

WHEREAS, the District requires a Lead Worker Vehicle to provide the level of service promised to its customers; and

WHEREAS, the Board of Directors has approved a budget item in the current budget for Vehicle Purchases which includes the purchase of a Lead Worker Vehicle; and

WHEREAS, per District Policy No. 3150 - Purchasing, the purchase amount exceeds the General Manager's authorized purchasing authority and must be approved by the Board of Directors.

NOW, THEREFORE BE IT RESOLVED, by the Board of Directors of the South Placer Municipal Utility District that the General Manager is granted the authority to execute the purchase of a Lead Worker Vehicle and Equipment not to exceed \$60,000.

PASSED AND ADOPTED at a Regular Meeting of the South Placer Municipal Utility District Board of Directors at Rocklin, CA this 3<sup>rd</sup> day of November 2022.

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

Attest: \_\_\_\_\_  
Emilie Costan, Board Secretary



**SOUTH PLACER MUNICIPAL UTILITY DISTRICT  
STAFF REPORT**

**To:** Board of Directors

**From:** Herb Niederberger, General Manager

**Cc:** Emilie Costan, Administrative Services Manager  
Carie Huff, District Engineer  
Eric Nielsen, Superintendent

**Subject:** Resolution 22-42, Declaring and Re-ratifying the State of Emergency and Authorizing Remote Teleconference Meetings of the Board of Directors due to the COVID-19 Emergency

**Meeting Date:** November 3, 2022

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**Overview**

All meetings of the District's Board of Directors are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's Board of Directors conduct their business. The Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions.

Required conditions are: that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and it is further required that state or local officials have imposed or recommended measures to promote social distancing, or the legislative body meeting in person would present imminent risks to the health and safety of attendees.

Such conditions continue to exist in the District, specifically, the State of Emergency declared by the Governor with Executive Order N-25-20 on March 4, 2020, due to the COVID-19 pandemic. Guidance from the State of California has been adopted by the Placer County Health Department which recommends or mandates social distancing and face coverings in certain settings to prevent the spread of COVID-19.

In compliance with Executive Order N-25-20, since April 2020, the District has implemented virtual meeting protocols which comply with the requirements of paragraph (2) of subdivision (e) of section 54953, by providing for public participation through online meeting attendance and the opportunity to provide comment during a Board meeting both verbally and via email.

A provision of AB361 requires that the Board of Directors Declare and Re-ratify the State of Emergency and Authorize continuing Remote Teleconference Meetings of the Board of Directors every 30 days. Resolution 22-37 adopted on October 6, 2022, provided authorization from that day through November 5, 2022. To continue remote teleconference meetings, the Board must adopt a subsequent resolution. Resolution 22-37 provides coverage for remote meetings through December 3, 2022.

On September 13, 2022, California Governor Gavin Newsom signed into law Assembly Bill 2449, marking the latest adjustment to the open meeting provisions contained in the Brown Act. The new amendments to the Brown Act go into effect on January 1, 2023 and provides complex alternative teleconference procedures to allow members of a legislative body to participate remotely, This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction.

Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. This bill imposes prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

In addition, on October 17, 2022, Governor Newsom announced that the COVID-19 State of Emergency under Executive Order N-25-20 will end on February 28, 2023. This announcement effectively ends the COVID-19 State of Emergency declared by the Board of Directors in Resolution 20-11, adopted April 2, 2022, and terminates the emergency powers granted to the General Manager for use during the pandemic.

### **Recommendation**

Staff requests the Board of Directors:

1. Adopt Resolution 22-42 Declaring and Re-ratifying the State of Emergency and Authorizing Remote Teleconference Meetings of the Board of Directors from November 3, 2022, through December 3, 2022, due to the COVID-19 Emergency.

### **Related District Ordinances and Policies**

- Resolution 20-11: COVID-19 Declaration of Emergency and Temporary Authorization of Increased Authority of the General Manager
- Resolution 22-37: Declaring and Re-ratifying the State of Emergency and Authorizing Remote Teleconference Meetings of the Board of Directors due to the COVID-19 Emergency through November 5, 2022

**Strategic Plan Priorities**

This action is consistent with the following Strategic Plan Priorities:

- Leverage existing and applicable technologies to improve efficiencies

**Fiscal Impact**

There is no fiscal impact to the District resulting directly from this action.

Attachments:

- Resolution 22-42 Declaring and Re-ratifying the State of Emergency and Authorizing Remote Teleconference Meetings of the Board of Directors from November 3, 2022, through December 3, 2022, due to the COVID-19 Emergency

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

**RESOLUTION NO. 22-42**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SOUTH PLACER MUNICIPAL UTILITY DISTRICT PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ON MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE BOARD OF DIRECTORS OF THE SOUTH PLACER MUNICIPAL UTILITY DISTRICT FOR THE PERIOD OF NOVEMBER 3, 2022, TO DECEMBER 3, 2022, PURSUANT TO BROWN ACT PROVISIONS.**

WHEREAS, the South Placer Municipal Utility District (the “District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District’s Board of Directors are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District’s Board of Directors conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution 22-37 on October 6, 2022, finding that the requisite conditions exist for the District's Board of Directors to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions continue to persist in the District, specifically, the State of Emergency declared by the Governor on March 4, 2020, due to the COVID-19 pandemic; and

WHEREAS, the Board of Directors does hereby find that COVID-19 pandemic has caused, and will continue to cause, conditions dangerous to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the Board of Directors of the District shall continue to conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the District has implemented virtual meeting protocols which comply with the requirements of paragraph (2) of subdivision (e) of section 54953, by providing for public participation through online meeting attendance and the opportunity to provide comment during the Board meeting both verbally or via email.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SOUTH PLACER MUNICIPAL UTILITY DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

**Section 1. Recitals.** The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

**Section 2. Affirmation that Local Emergency Persists.** The Board of Directors hereby considers the conditions of the state of emergency in the District and proclaims that a local emergency persists throughout the District, and COVID-19 has caused, and will continue to cause, an unreasonable risk of harm to the safety of persons within the District that are likely to be beyond the control of the services, personnel, equipment, and facilities of the District.

**Section 3. Re-ratification of Governor’s Proclamation of a State of Emergency.** The Board hereby ratifies the Governor of the State of California’s Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

**Section 4. Remote Teleconference Meetings.** The General Manager and Board of Directors are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

**Section 5. Effective Date of Resolution.** This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 3, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors of the District may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Board of Directors of the South Placer Municipal Utility District this 3rd day of November, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Gerald P. Mitchell, President of the Board of Directors

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

Emilie Costan, Board Secretary

**SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

**STAFF REPORT**

**To:** Board of Directors  
**From:** Eric Nielsen, Superintendent  
**Cc:** Herb Niederberger, General Manager  
**Subject:** Performance Merit Program 2021-2022  
**Meeting Date:** November 3, 2022

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**Overview**

On May 4, 2017, the Board of Directors adopted Resolution 17-13, adopting a Memorandum of Understanding (MOU) with District Employees. Among the elements in the MOU was a Performance Merit Pay (PMP) Program for Employees covered under the Employee Association as an award for meeting or exceeding performance goals. The goals are not for “normal” performance. They are to recognize extraordinary performance. The annual goals are not static from one year to another and can be expected to be adjusted each year. On June 4, 2020, the Board of Directors adopted Resolution 20-16, adopting a Memorandum of Understanding with District Employees which continued and modified the PMP program for Employees.

The annual budget for payouts, if any, and goals are established at the sole discretion of the Board of Directors. The payouts for the 2021/22 PMP program are included in the adopted FY 2022/23 Budget.

The fifth year of the Performance Merit Program was completed on September 30, 2022 and 66.5% of the Performance Element Goals were achieved. Per Resolution 20-16, the Board allocated a payout for this program at \$3,000 per employee. The PMP Program applies to all non-management, full-time employees. An employee must have worked in excess of 90 workdays in the PMP year to participate in the achieved payout. Payouts are pro-rated based on the percentage of workdays worked. Given these criteria, there are twenty-three (23) eligible employees. The total payout to eligible employees is \$42,681.

Attachment 1 includes: (1) Performance Elements/Goals and Results since inception of the PMP Program, (2) 2021/22 Actual Performance Results, and (3) the recommended values for 2022/23 Performance Elements and Goals.

The recommended Performance Elements and Goals for the 2022/23 PMP (Exhibit A of attached Resolution 21-43) are the same as last year with one slight modification. The recommended goals for each element were established by the District Superintendent, with input from management, and are based on historic data, the results from the first four years of the program, and the work planned for the upcoming year.



**Recommendation**

Staff recommends that the Board of Directors:

- 1) Authorize the payout to the Employees per the MOU of \$42,681; and
- 2) Approve the Performance Elements and Goals (Exhibit A) for the 2022/23 Performance Merit Program.

**Strategic Plan Goals**

This action is consistent with SPMUD Strategic Plan Priorities:

- Maintain an excellent regulatory compliance record
  - Reduce Sanitary Sewer Overflows (SSOs)
- Prepare for the future and foreseeable emergencies
- Provide exceptional value for the cost of sewer service

**Related District Ordinances and Policies**

Resolution 17-13 – Memorandum Understanding with District Employees

Resolution 20-16 – Adopting and MOU with District Employees

**Fiscal Impact**

The proposed payout of \$42,681 is within the FY2022/23 budgeted amount. Staff intends to budget for this program in FY2023/24, subject to the approval of the Board.

**Attachments**

- Attachment 1 – Results of PMP Program 2021/2022 and Justifications for Recommended Elements and Goals for PMP Program 2022/2023
- Attachment 2 – Resolution 22-43 Performance Merit Pay Program
  - Exhibit A – Elements and Goals for PMP Program 2022/2023

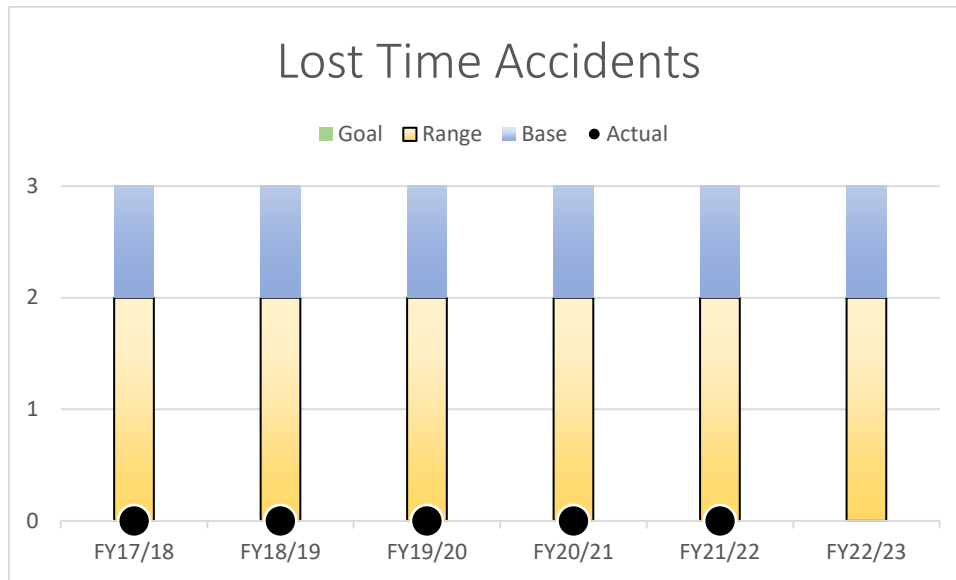
ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**Objectives of the PMP Program**

- Define a baseline of “normal” performance for important District tasks.
- Set goals to define exceptional performance for these tasks and recognize extraordinary performance.
- Use the goals to monitor performance from year to year to encourage sustainable high performance.

**1. Safety Incidents -** The number of incidents that result in work time lost due to a work-related incident.

	<b>BASE</b>	<b>GOAL</b>	<b>Actual</b>
2017/2018	2	0	0
2018/2019	2	0	0
2019/2020	2	0	0
2020/2021	2	0	0
2021/2022	2	0	0
2022/2023	<b>2</b>	<b>0</b>	



Justification for Base and Goal

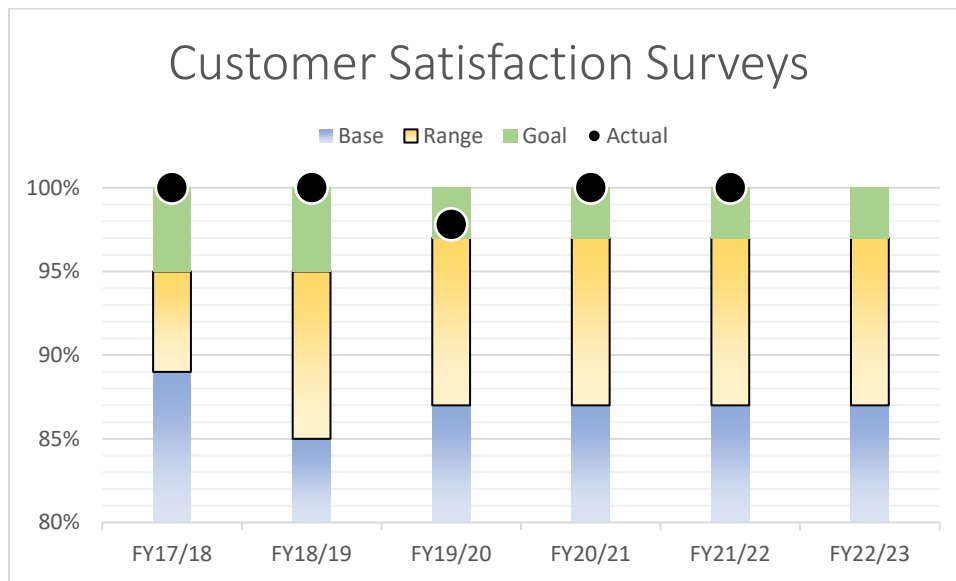
Recommend no change to Base and Goal.

There were no Lost-Time Safety Incidents for the term of the program. The last incident was 8/30/2016 (1,857 days). This is a high standard. The Base and Goal are recommended to remain the same for 2022/2023.

ATTACHMENT 1  
Results of PMP Program 2021/2022 and  
Justifications for Recommended Elements and Goals for PMP Program 2022/2023

2. **Customer Satisfaction Surveys** - An ongoing survey of all SPMUD customers that call in for service or are contacted by SPMUD employees during the execution of duties. The overall satisfaction rating must be above “Neutral”.

	<b>BASE</b>	<b>GOAL</b>	<b>Actual</b>
2017/2018	89%	95%	100%
2018/2019	85%	95%	100%
2019/2020	87%	97%	97.8%
2020/2021	87%	97%	100%
2021/2022	87%	97%	100%
2022/2023	<b>87%</b>	<b>97%</b>	



- Two surveys are provided to customers
  - One to rate responses to customer service calls
  - One to rate performance of crew performing repairs on resident’s property
- 32 surveys returned (12 more than last year)
  - 32 surveys indicated an overall satisfaction rating of “Extremely Satisfied”
- Each survey asks customer to rate four aspects of the service provided (e.g., communication, professionalism, timeliness, overall response)
  - 128 of 128 (100%) of the survey ratings were marked at the highest rating (i.e., “Extremely Satisfied”)

Justification for Base and Goal

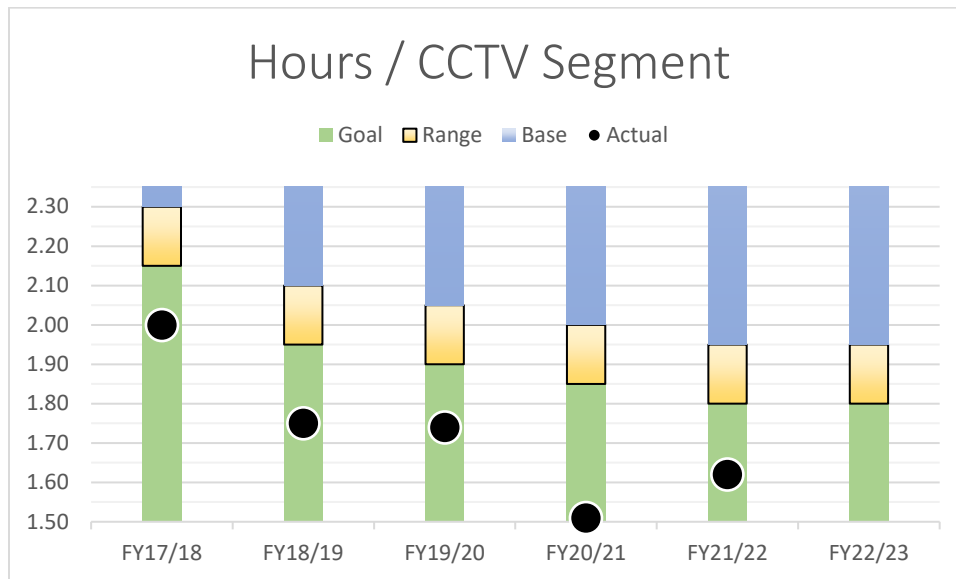
Recommend no change to Base and Goal.

With one exception, Customer Satisfaction ratings have been “extremely satisfied” for five years.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

3. **Hours/CCTV Inspection** - Total hours coded to CCTV Inspection (Gravity Mainlines) divided by the number of mainline pipe segments (structure-to-structure) CCTV inspected.

	<b>BASE/Hrs</b>	<b>GOAL/Hrs</b>	<b>ACTUAL/Hrs</b>
2017/2018	2.30	2.15	2.00
2018/2019	2.10	1.95	1.75
2019/2020	2.05	1.90	1.74
2020/2021	2.00	1.85	1.51
2021/2022	1.95	1.80	1.62
2022/2023	<b>1.95</b>	<b>1.80</b>	



Justification for Base and Goal

CCTV inspections are a vital component of the FSD work programs. All gravity mains in the system are planned to be CCTV-inspected every four years. The results of this program drive the cleaning program, chemical root treatment program, CIPP lining program, and repair program. Because the CCTV program is methodically implemented, maintenance zone by maintenance zone, this work can be accomplished very efficiently. On average, a two-person crew took 48 minutes to inspect each mainline during this reporting period.

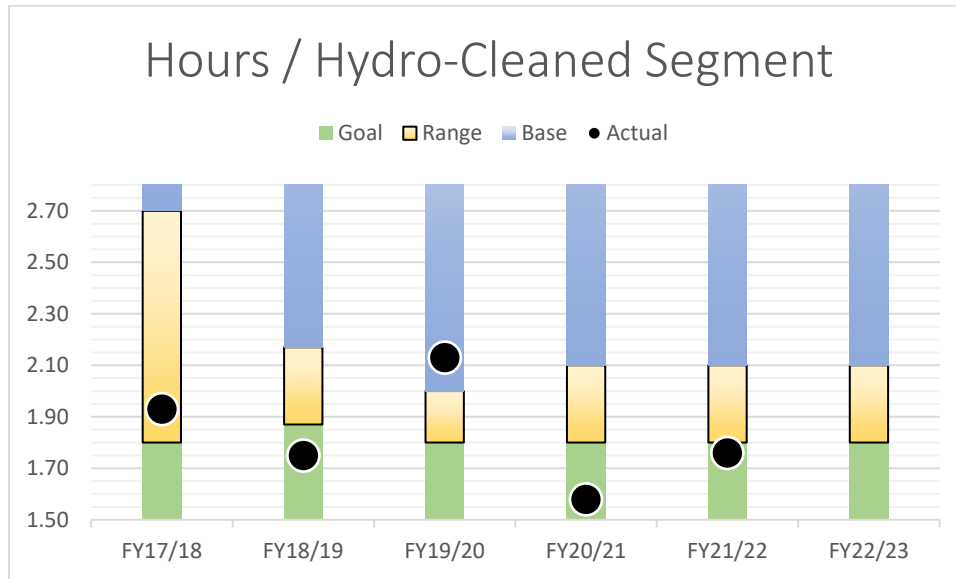
The CCTV crews have sustained exceptional efficiency in performing the task of CCTV inspections. This is a testament to the communication, planning, implementation, and diligence of all the employees that are engaged in CCTV inspection.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**4. Hours/Pipe Segments Hydro-Cleaned** Total hours coded to Hydro-Cleaning (Gravity Mainlines) divided by the number of mainline pipe segments (structure-to-structure) cleaned.

	<b>BASE/Hrs</b>	<b>GOAL/Hrs</b>	<b>ACTUAL/Hrs</b>
2017/2018	2.70	1.80	1.93
2018/2019	2.17	1.87	1.75
2019/2020	2.00	1.80	2.13
2020/2021	2.10	1.80	1.58
2021/2022	2.10	1.80	1.76
2022/2023	<b>2.10</b>	<b>1.80</b>	



Justification for Base and Goal

Cleaning mainlines is driven by the inspection results from CCTV inspections. This means that the cleaning crew is only cleaning lines that need to be cleaned. It also means that there is additional “windshield” time traveling from mainline to mainline. We believe that this is a more efficient way to clean the system because time is not spent cleaning a “clean” mainline. However, this is a “less efficient” method of cleaning mainlines as measured by hours per line segment cleaned compared to a crew that cleans sewer all day long.

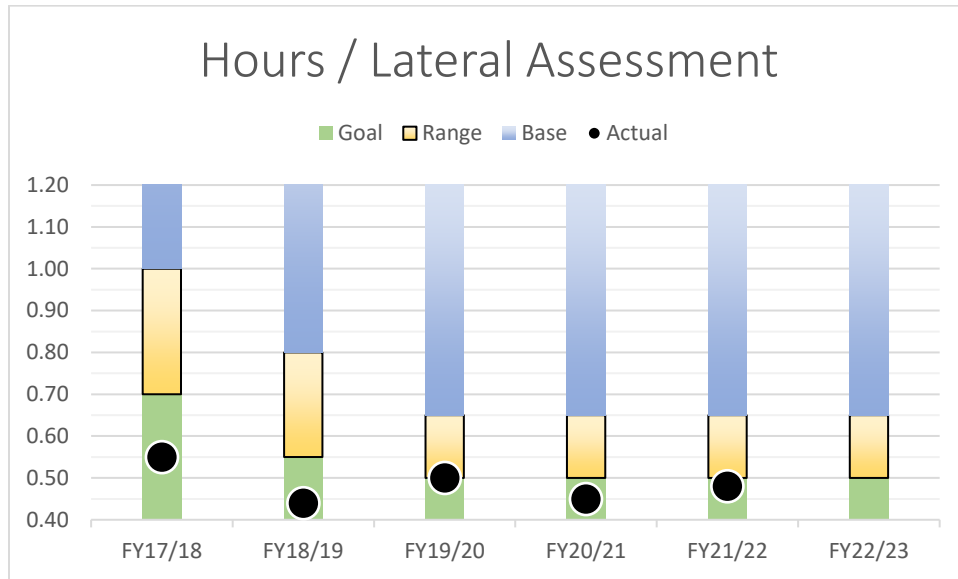
Two years ago we discovered that a procedure was adding “windshield” time when the cleaning crew was called upon to respond to urgent findings from CCTV inspections. This procedure has been reviewed, updated, and training provided to all parties involved. This has improved the efficiency of the cleaning crew.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**5. Hours/Lower Lateral Assessment** - Total hours coded to Lower Lateral Program divided by the number of Lower Laterals assessed.

	<b>BASE/Hrs</b>	<b>GOAL/Hrs</b>	<b>ACTUAL/Hrs</b>
2017/2018	1.00	0.70	0.55
2018/2019	0.80	0.55	0.44
2019/2020	0.65	0.50	0.50
2020/2021	0.65	0.50	0.45
2021/2022	0.65	0.50	0.48
2022/2023	<b>0.65</b>	<b>0.50</b>	



Justification for Base and Goal

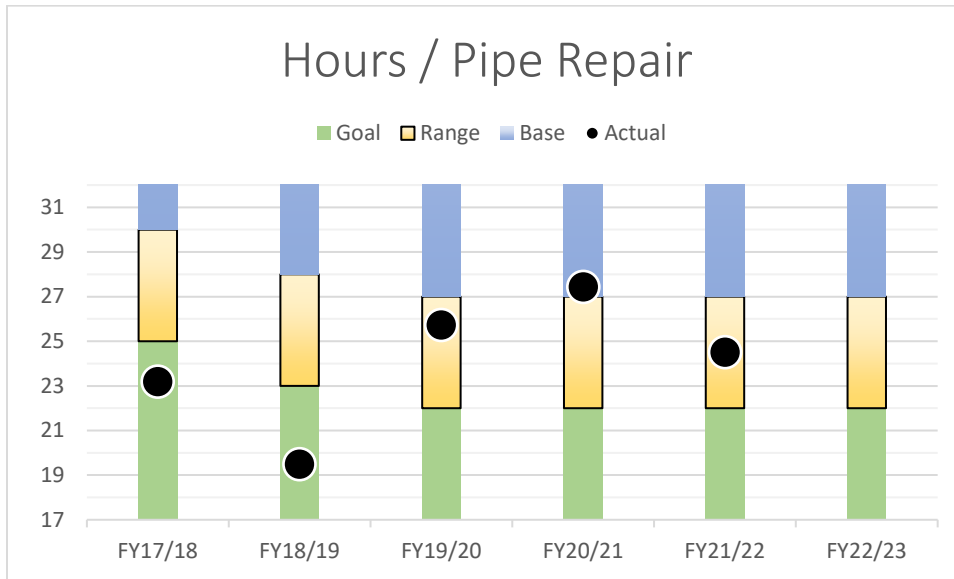
The lower lateral program has been in place since July 2017. As a new program and without historical data, it was initially difficult to set a Base considered as “normal” performance. Over the last three years the crews have performed exceptionally, and we have a better collective understanding of expected performance. The Base and Goal for this element are recommended to remain the same.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**6. Hours/Pipe Repair** - Total hours coded to Pipe Repair, both mainlines and laterals and by either the excavation or trenchless methods divided by the number of pipe repairs completed.

	<b>BASE/Hrs</b>	<b>GOAL/Hrs</b>	<b>ACTUAL/Hrs</b>
2017/2018	30	25	23.2
2018/2019	28	23	19.5
2019/2020	27	22	25.7
2020/2021	27	22	27.4
2021/2022	27	22	24.5
2022/2023	<b>27</b>	<b>22</b>	



Justification for Base and Goal

This category includes both lateral and mainline pipes and includes excavation and trenchless repairs. Each trenchless repair is similar in difficulty and time required to complete. On the other hand, no two excavation repairs are the same. Depth, utility conflicts, traffic, and surface conditions are examples of variables that affect time spent to complete excavation repairs.

In recent years, the Construction crew began utilizing the Hydro-Excavation equipment that is installed on both Hydro-Vac Trucks. In comparison to the traditional backhoe excavation method, it is a fast and efficient way to excavate when circumstances allow for it.

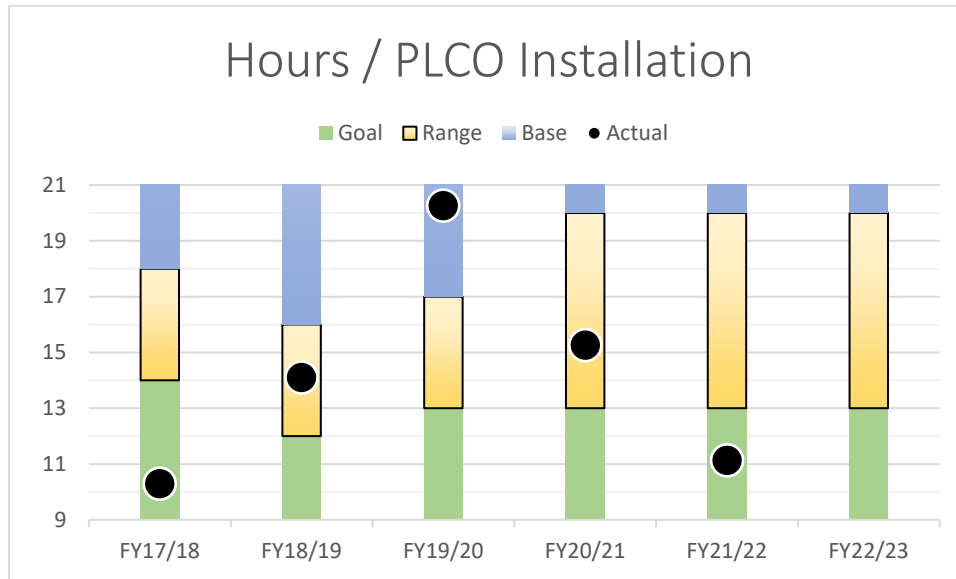
The Base and Goal for this element represent a good, targeted range for performance and are recommended to remain the same.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**7. Hours/PLCO Installation** - Total hours coded to PLCO (Property Line Clean Out) Installation divided by the number of PLCO's installed.

	<b>BASE/Hrs</b>	<b>GOAL/Hrs</b>	<b>ACTUAL/Hrs</b>
2017/2018	18	14	10.30
2018/2019	16	12	14.10
2019/2020	17	13	20.27
2020/2021	20	13	15.26
2021/2022	20	13	11.13
2022/2023	<b>20</b>	<b>13</b>	



Justification for Base and Goal

PLCO installations are like excavation repairs, no two are alike, and all require excavation to complete. The Hydro-Excavation method has proven to be a very efficient method, especially when the excavation is deep. In addition, there is far less impact on customer's yards.

Working on private property has its challenges. Procedures were changed to require a positive response from the resident prior to performing work to improve communication. Procedures were also changed to require all related time spent preparing for and executing the installation of a PLCO be coded the same. Additionally, there only a few hundred laterals left in the District without PLCOs. There is a reason that these laterals have not had PLCOs installed yet. They are the more/most difficult situations (e.g., deep, difficult access, congested utilities). These "difficult" PLCOs require additional time.

The efficiency of PLCO installations improved during this last year due to efforts to streamline processes. The Base and Goal for this element represent a good, targeted range for performance and are recommended to remain the same.

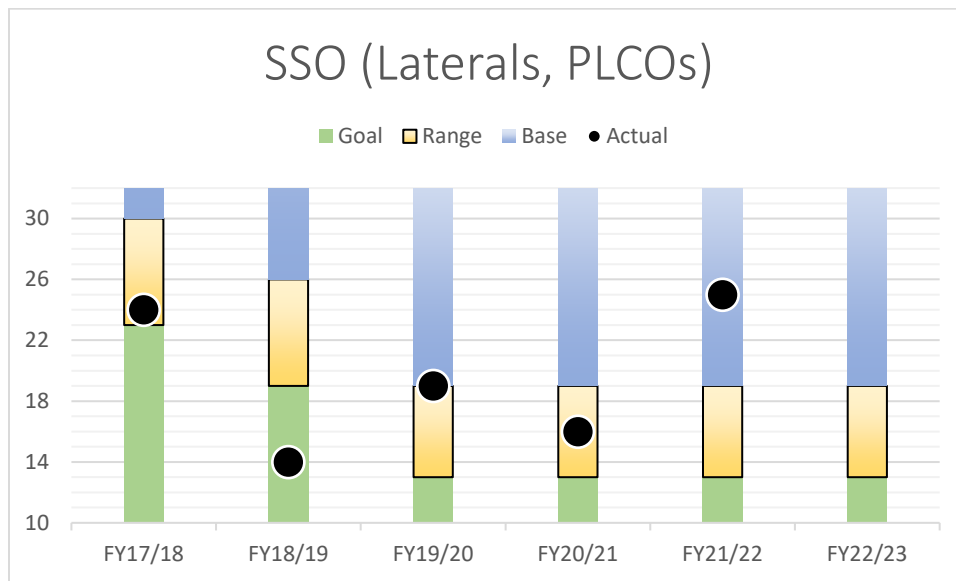
Recommend no change to Base and Goal.



ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

8. **SSO's Lower Laterals** - The number of sanitary sewer overflow (SSOs) as defined by the State Water Resources Control Board where the cause is in the lower lateral.

	<b>BASE/Hrs</b>	<b>GOAL/Hrs</b>	<b>ACTUAL/Hrs</b>
2017/2018	30	23	24
2018/2019	26	19	14
2019/2020	19	13	19
2020/2021	19	13	16
2021/2022	19	13	25
2022/2023	<b>19</b>	<b>13</b>	



Justification for Base and Goal

The District assumed ownership of lower laterals in March 2017. Staff has focused attention on the laterals most likely to cause problems, but there is an unpredictability to lateral spills. The intent of all the work we do related to lower laterals is to reduce SSOs. The District maintains approximately 24,700 laterals. Twenty-three SSO's represents 0.09% of all laterals.

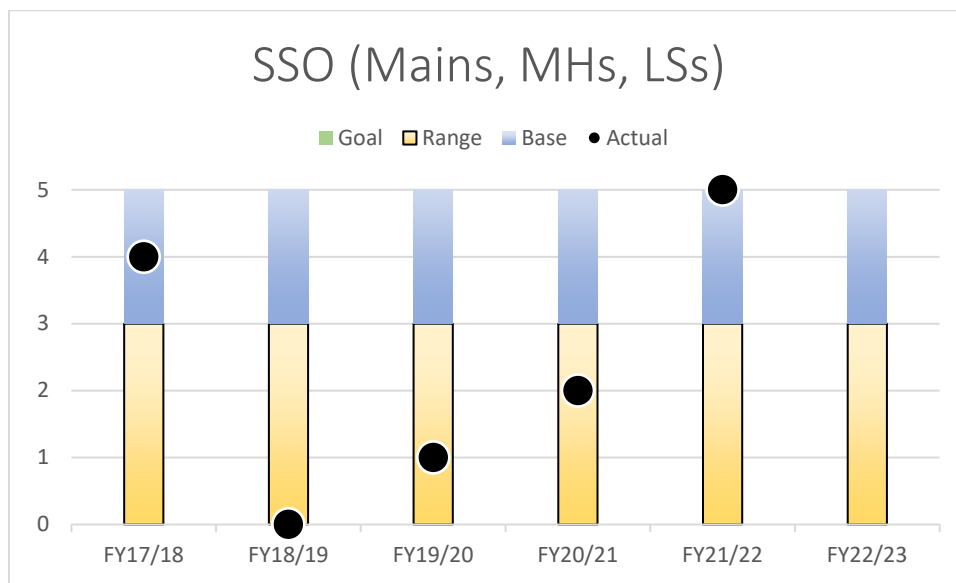
The Base and Goal for this element align with the SSO reduction goals established in the District's SSMP and SSMP audits. No change is recommended.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

9. **SSO's All Other** (This is the number of sanitary sewer overflow (SSO's) as defined by the State Water Resources Control Board where the cause is in the mainline pipe, force main pipe, manhole, lift station or flow recorder flume)

	<b>BASE</b>	<b>GOAL</b>	<b>Actual</b>
2017/2018	3	0	4
2018/2019	3	0	0
2019/2020	3	0	1
2020/2021	3	0	2
2021/2022	3	0	5
2022/2023	<b>3</b>	<b>0</b>	



Justification for Base and Goal

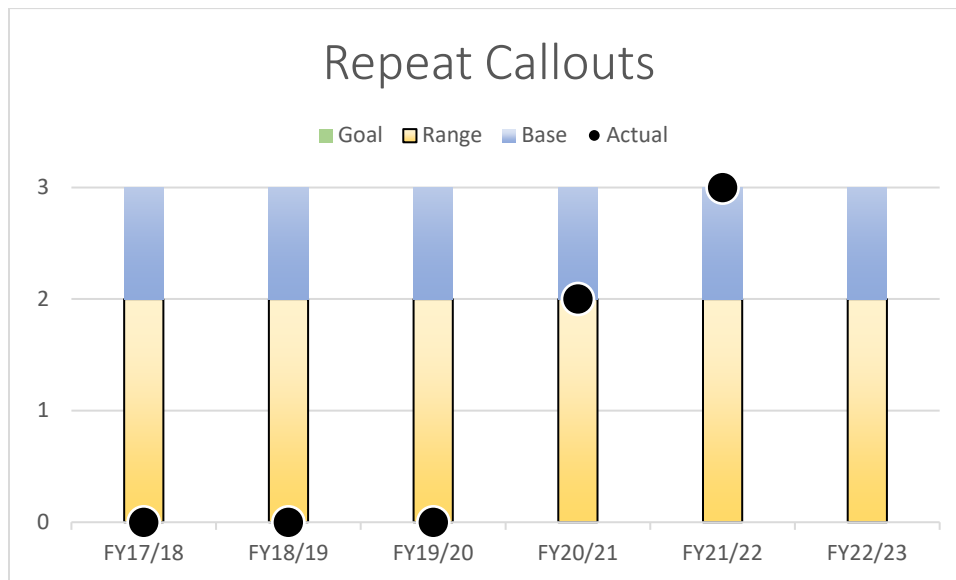
The Base and Goal for this element align with the SSO reduction goals established in the District's SSMP and SSMP audits. No change is recommended.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**10. Repeat Callouts** (customer service call to provide service on a lower lateral when SPMUD crews have previously been requested to responded to the location for the same issue. It is expected that once the District is aware of a problem it will mitigate the problem until a permanent resolution to the problem has been implemented)

	BASE	GOAL	Actual
2017/2018	2	0	0
2017/2018	2	0	0
2019/2020	2	0	0
2020/2021	2	0	2
2021/2022	2	0	3
2022/2023	2	0	



Justification for Base and Goal

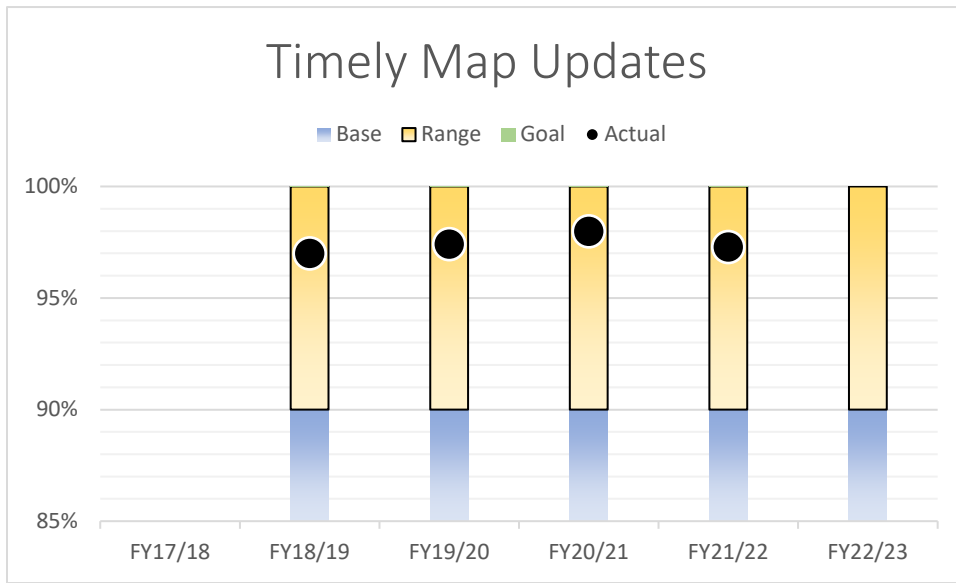
This element serves as a quality control measure. We believe once we are aware of a problem, we should be able to mitigate it until the problem can be resolved. The Base and Goal are recommended to remain the same.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**11. Map Updates** – The goal is to complete a System Map Update request within 21 calendar days. Field staff submits a request, via the Lucity Work Request program, which begins the process. The task is complete when the electronic updates have been completed and the paper maps have been delivered to FSD.

	BASE	GOAL	Actual
2018/2019	90%	100%	97.0%
2019/2020	90%	100%	97.4%
2020/2021	90%	100%	98.0%
2021/2022	90%	100%	97.3%
2022/2023	<b>90%</b>	<b>100%</b>	



Justification for Base and Goal

Maintaining up-to-date maps of the District’s collection system is a critical tool that supports a majority of all the District’s work programs and is a requirement of the SSMP. The District’s investment in technology allows needed changes to be documented, the changes to be reviewed and made, and the updated maps to be distributed to all users in less than a month. The process of updating maps is a collaborative effort between the Field Services and Technical Services Departments. Map Change Request procedures have been established and training has been provided. These efforts along with consistent efforts of District staff will help maintain a high level of performance in this element.

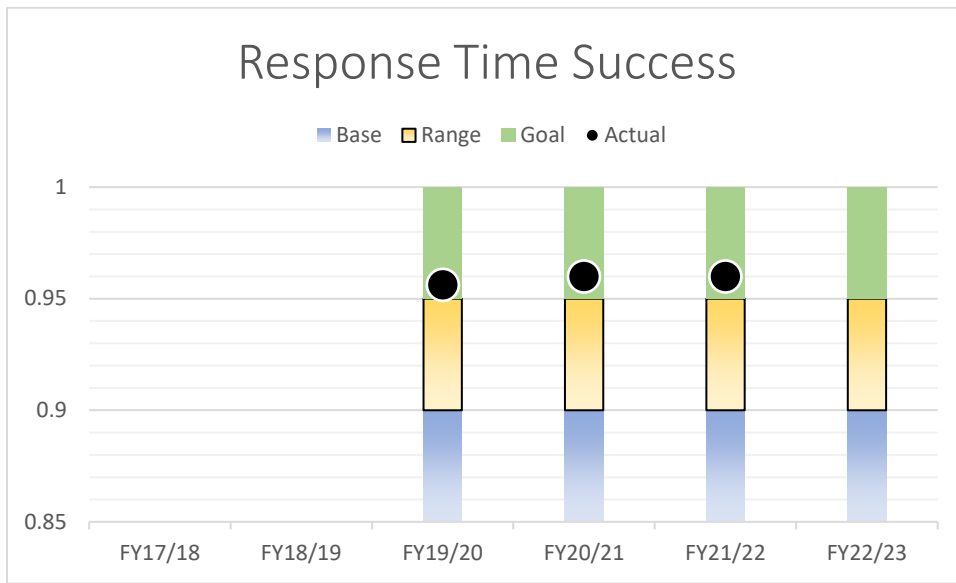
Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**12. Customer Service Response Time Success Rate** – The goal is to maintain a 95% success rate of the following response time targets:

- (1) During Business Hours: 30 minutes from receipt of call to curbside, and
- (2) After Business Hours: 60 minutes from receipt of call to curbside.

	BASE	GOAL	Actual
2019/2020	90%	95%	95.6%
2020/2021	90%	95%	96.0%
2021/2022	90%	95%	96.0%
2022/2023	<b>90%</b>	<b>95%</b>	



Justification for Base and Goal

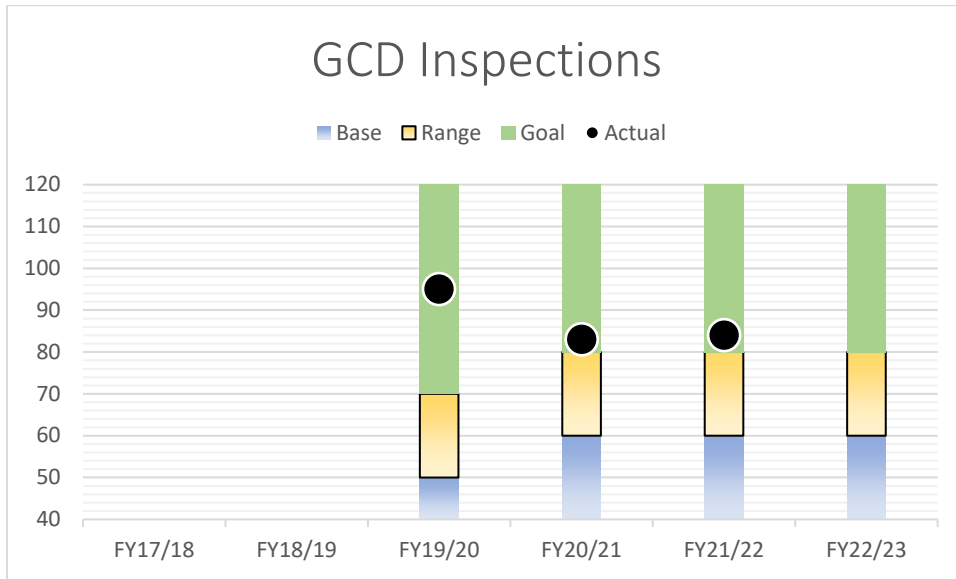
The Base and Goal represent the desired level of performance for this element and no change is recommended for next year.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**13. FOG Grease Interceptor Inspections** – The Technical Services Department (TSD) has made great strides in the implementation of the Commercial FOG program. All Food Service Establishments (FSEs) are permitted and routine inspections are being performed.

	BASE	GOAL	Actual
2019/2020	50	70	95
2020/2021	60	80	120
2021/2022	60	80	84
2022/2023	<b>60</b>	<b>80</b>	



Justification for Base and Goal

Inspecting grease control devices (GCDs) on a regular basis is the best way to ensure compliance with the District’s FOG ordinance and collect valuable information related to potential impact of FOG from various uses on the District’s collection system.

The Base and Goal are recommended to remain the same. This high level of performance supports the implementation and enforcement of the District’s FOG Program.

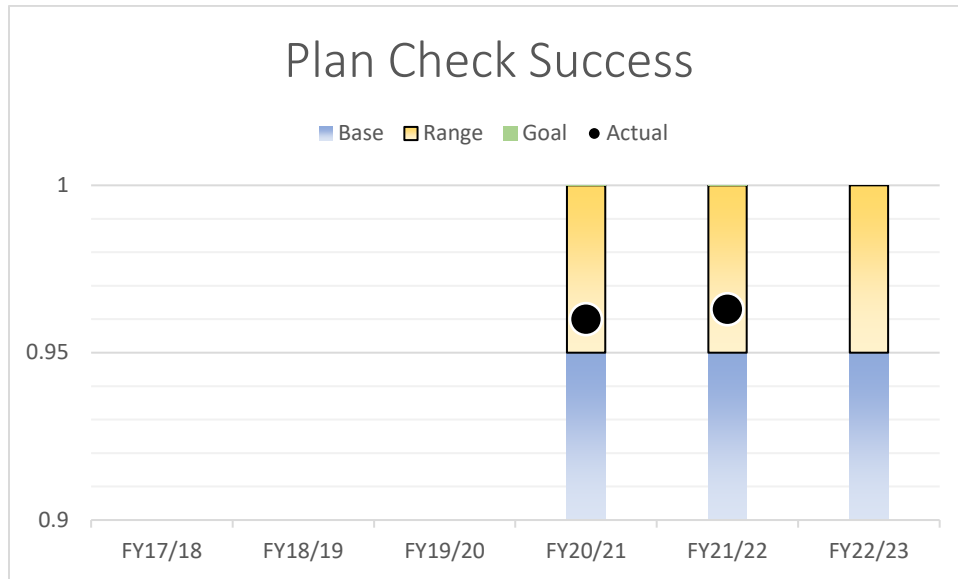
Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**14. Plan Review Success Rate** – The goal is to maintain a 95% success rate of the following plan review targets:

- (1) First Review: 20 business days from complete submittal, and
- (2) Subsequent Reviews: 10 business days from complete submittal.

	BASE	GOAL	Actual
2020/2021	95%	100%	96.0%
2021/2022	95%	100%	96.3%
2022/2023	<b>95%</b>	<b>100%</b>	



Justification for Base and Goal

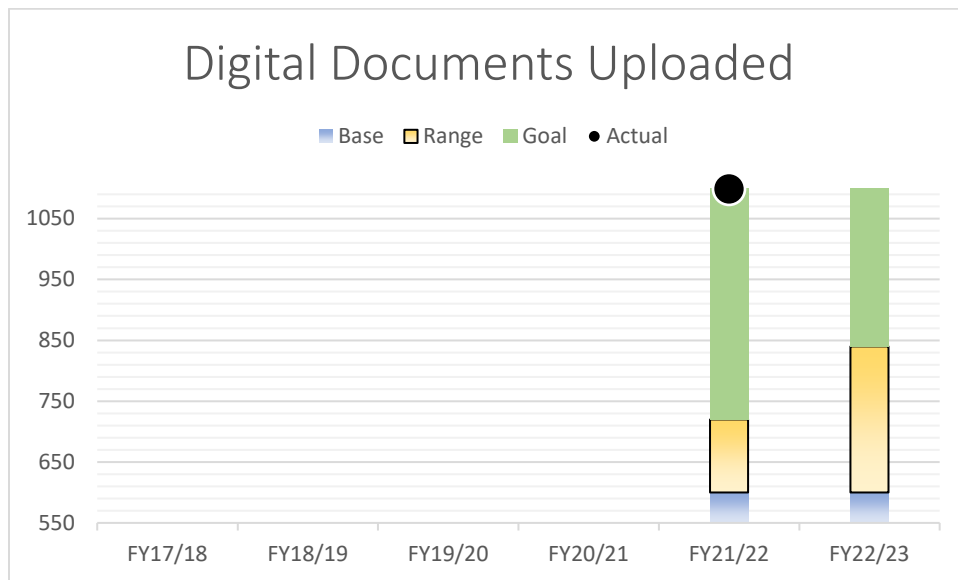
The Technical Services Department has been tracking and reporting on the ability to successfully perform plan reviews within a self-imposed timeframe to provide a timely response to the entities that submit plans for District review and/or approval. The Base and Goal for this element are recommended to be set on the measurements that have been used for many years to track performance.

Recommend no change to Base and Goal.

ATTACHMENT 1  
 Results of PMP Program 2021/2022 and  
 Justifications for Recommended Elements and Goals for PMP Program 2022/2023

**15. Digital Documents Uploaded to the Records Management System** – The Administrative Services Department (ASD) maintains the District’s records management system. Documents are uploaded and stored digitally in the District’s records management system (i.e., Laserfische). This allows staff to be able to quickly search through documents based on the attributes of the document or text within the document. This records management system also protects documents from damage and loss because the electronic files are backed-up. Historical documents and newly created/acquired documents are converted to a digital format over time.

	BASE	GOAL	Actual
2021/2022	600	720	1099
2021/2022	<b>600</b>	<b>840</b>	



Justification for Base and Goal

The Base for this element is set assuming that an average of 50 documents will be prepared and uploaded to the records management system each month.

The Goal for this element was set assuming that an average of 60 documents would be uploaded each month. The actual number of documents uploaded into the records management system this last year exceeded that expectation.

We recommend increasing the Goal to 840, which assumes that an average of 70 documents will be uploaded each month.



**SOUTH PLACER MUNICIPAL UTILITY DISTRICT**

**RESOLUTION NO. 22-43**

**PERFORMANCE MERIT PAY PROGRAM**

WHEREAS, the South Placer Municipal Utility District Board of Directors (Board) adopted Resolution 17-13 implementing a Memorandum of Understanding (MOU) with District Employees, and

WHEREAS, the MOU established a Performance Merit Pay (PMP) Program for Employees covered under the Employee Association as an award for meeting or exceeding performance goals, and

WHEREAS, the Board adopted Resolution 20-16 implementing the current MOU which continued the PMP Program, and

WHEREAS, the Employees met or exceeded the Base and Goal values set for various PMP Program Elements, and

WHEREAS, the Superintendent has proposed the Elements and Goals for the PMP Program Year 2022/2023.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the South Placer Municipal Utility District as follows:

1. Authorize the payout to District Employees per the Employee MOU in the total amount of \$42,681, and
2. Approve the Performance Elements and Goals (Exhibit A) for the 2022/2023 Performance Merit Pay Program.

PASSED AND ADOPTED at a Regular Meeting of the South Placer Municipal Utility District Board of Directors at Rocklin, CA this 3<sup>rd</sup> day of November 2022.

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

Attest: \_\_\_\_\_  
Emilie Costan, Board Secretary

**EXHIBIT A**  
**Elements and Goals for PMP Program 2022/2023**

<b><u>Performance Element</u></b>	<b><u>Base</u></b>	<b><u>Goal</u></b>	<b><u>Spread</u></b>	<b><u>Actual</u></b>	<b><u>% of Goal</u></b>	<b><u>Weight</u></b>	<b><u>Value</u></b>
1. Safety (Incidents of Work Lost/Yr) <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	2	0	2			0.08	
2. Customer Satisfaction (surveys) <i>(Actual - Base / Spread = % of Goal x Weight = Value)</i>	87%	97%	10			0.07	
3. Manhours/CCTV Pipe Segments Inspected <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	1.95	1.80	0.15			0.07	
4. Manhours/Pipe Segments Hydro-Cleaned <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	2.10	1.80	0.30			0.07	
5. Manhours/Lower Lateral Assessment <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	0.65	0.50	0.15			0.07	
6. Manhour/Pipe Repair <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	27	22	5			0.07	
7. Manhours/PLCO Install <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	20	13	7			0.07	
8. SSO's Lower Laterals/PLCO's <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	19	13	7			0.10	
9. SSO's Other (GM, FM, MH, LS) <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	3	0	3			0.10	
10. Repeat Callouts <i>(Base - Actual / Spread = % of Goal x Weight = Value)</i>	2	0	2			0.05	
11. Map Updates <i>(Actual - Base / Spread = % of Goal x Weight = Value)</i>	90%	100%	10			0.05	
12. Cust Serv Response Time Success Rate <i>(Actual - Base / Spread = % of Goal x Weight = Value)</i>	90%	95%	5			0.05	
13. FOG Grease Interceptor Inspections <i>(Actual - Base / Spread = % of Goal x Weight = Value)</i>	60	80	30			0.05	
14. Plan Check Success Rate <i>(Actual - Base / Spread = % of Goal x Weight = Value)</i>	95%	100%	5			0.05	
15. Digital Documents Uploaded <i>(Actual - Base / Spread = % of Goal x Weight = Value)</i>	600	840	240			0.05	

Item 7.2

**GENERAL MANAGER REPORT**

To: Board of Directors

From: Herb Niederberger, GM

Date: November 3, 2022

Subject: General Manager Monthly Activity Report – October 2022

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**1) DEPARTMENT REPORTS**

Attached are the monthly status reports for the Board’s information:

- A. Administrative Services Department,
- B. Field Services Department, and
- C. Technical Services Department.

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

**2) INFORMATION ITEMS**

- A. On October 4, 2022, the General Manager, along with District Engineer, Carie Huff, District Superintendent Eric Nielsen, and Administrative Services Manager, Emilie Costan, participated in a Microsoft Teams meeting with IB Consulting, to perform a 2<sup>nd</sup> walk through of the Financial Plan and review the Cost of Service as part of the Rate and Fee Study.
- B. On October 5, 2022, the General Manager attended the Rocklin Chamber of Commerce Government Relations Committee to hear a presentation by newly elected Placer County Sheriff, Wayne Woo providing an update on law enforcement throughout the County.
- C. On October 6, 2022, the General Manager, District Engineer, Carie Huff, and District Superintendent, Eric Nielsen, participated in a Microsoft Teams meeting with South Placer Wastewater Authority partners to hear updates on: 1) the Dry Creek and Pleasant Grove Plant Capacity Study; 2) the Pleasant Grove Expansion Project; 3) SRF loan update; 4) a new project upgrading the Pleasant Grove Electrical System; 5) Placer Ranch Force Mains; and 6) the SPWA Capacity Fee Study.
- D. On October 7, 2022, the General Manager met with Christy Jewell, a candidate for District Director for Ward 3, to update the candidate on District issues and challenges.
- E. The General Manager was out of the office on October 3, and October 7 through 21, 2022.
- F. Advisory Committee Meetings:
  - i. On October 27, 2022 the General Manager and the Administrative Services Manager meet with the Fee & Finance Advisory Committee to discuss the following: 1). CalPERS Employee & Employer Contributions beginning July 1, 2023; 2). CERBT & CEPPT Performance; 3). Increasing the Low-Income

Lifeline (LIL) Monthly Reduction Amount; 4). Moving Funds to the Five Star Money Market Account; 5). Preliminary Findings from the Rate and Cost of Service Study.

There were no other advisory committee meetings conducted in October.

**3) PURCHASE ORDERS/CONTRACTS INITIATED UNDER GENERAL MANAGER AUTHORITY**

<b>PO Req#</b>	<b>Date</b>	<b>Vendor</b>	<b>Description</b>	<b>Amount</b>
294	09/29/2022	ECS Imaging	Annual Laserfiche Renewal	\$5,140

**4) LONG RANGE AGENDA**

**December 2022 (Remote due to Corp Yard Addition)**

- Closed Session – GM Employee Evaluation
- Resolution; Teleconferencing
- Revisions to the Substance Abuse, GM Delegation, & Investment Policies
- Introduce Ordinance 22-03 Changes to the District Sewer Code pertaining to ADUs, FOG, Reimbursements
- Award SCADA Design
- Sierra Gateway Quitclaim
- Resolution of Necessity for Sewer Easement Acquisition: Saunders Avenue Loomis
- Final Audit and Consolidated Annual Financial Report
- Participation Charge Report for FY 2021-22

**January 2023**

- Oaths of Office
- Selection of Officers
- Presidential Appointments to Advisory Committees
- 2nd Reading of Ordinance 22-03
- Approve GM 2023 Goals

ITEM VII. ASD REPORT

To: Board of Directors  
From: Emilie Costan, Administrative Services Manager  
cc: Herb Niederberger, General Manager  
Subject: Administrative Services Department Monthly Report  
Board Date: November 3, 2022

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**Fiscal Year 21/22 Audit Work**

Administrative Services Staff is continuing to work with the Auditors from Munn, Urrutia, & Nelson on the Fiscal Year 21/22 Audit. The final Audit document is calendared for presentation and acceptance by the Board at the December 1, 2022 Board meeting.

**Fall/Winter Newsletter**

The Administrative Services Manager worked with the Department Managers to prepare the Fall/Winter newsletter. The newsletter will be included in the November, December, and January billings.

**Banking Transition**

The US Bank accounts were closed in October completing the final step in the banking transition. Five Star Bank offers a Money Market Account with rates competitive to or exceeding LAIF and the Placer County Treasury. Staff met with the Fee & Finance Committee on October 27<sup>th</sup> to discuss investing a portion of the District's funds in the Five Star Money Market account.

**Unclaimed Property**

In January 2022, letters were sent to 143 account holders with balances that have been unclaimed for more than 3 years. In October, Administrative Service staff sent 38 accounts to the State Controller's Office as unclaimed property with a total outstanding unclaimed balance of \$1,462.19.

**Recruitments**

Administrative Services staff is currently assisting with the recruitment of a Maintenance Worker I and an Administrative Services Assistant.

**Payroll and Pension Audit**

The ASM has been continuing to wrap up outstanding items from the Pension and Payroll Audit. The Retiree Health Reimbursement Arrangement (RHRA) with American Fidelity Assurance has been signed. The first retiree medical payment distributions through American Fidelity are expected to occur on December 1, 2022.

**CSDA Training**

On October 12<sup>th</sup> and October 13<sup>th</sup>, the Administrative Services Manager attended a CSDA Live Webinar Event: HR Boot Camp for Special Districts.

**October Monthly Investment Transactions per GC \$53607**

**DEPOSITS, TRANSFERS, OR WITHDRAWALS**

CalTRUST: None  
LAIF: None  
Placer County: None

ITEM VII. FSD REPORT

**To:** Board of Directors  
**From:** Eric Nielsen, Superintendent  
**Cc:** Herb Niederberger, General Manager  
**Subject:** Field Services Department Monthly Report  
**Meeting Date:** November 3, 2022

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**Department Overview**

This section provides the Board an update on the news and major tasks from the Field Services Department (FSD).

**1. Training/Break Room Addition, Locker Room, and Lobby Improvements**

- a. Construction on the first phase is well underway. Weatherproofing (roofing and stucco) of the addition is underway. The reconfiguration of the lobby space has been completed and the contractor is now working on the finishes.
- b. The second phase of the project, which includes the tenant improvements to the maintenance building is scheduled to begin in January 2023.
- c. The current schedule shows reaching substantial completion by July 2023.

**2. SCADA Update**

- a. A request for proposals (RFP) for professional engineering services to design improvements to the Supervisory Control and Data Acquisition (SCADA) system was issued. Staff reviewed proposals and conducted interviews of potential firms. Carollo Engineers ranked the highest after this process and a professional engineering services agreement will be presented to the Board for approval.

**3. Staffing**

- a. Interviews for a Maintenance Worker I position were held on October 17 and 18, 2022.

**4. Leadership Rocklin**

- a. The District Superintendent is participating in the Leadership Rocklin Program facilitated by the Rocklin Chamber of Commerce. The third session on arts, entertainment, and tourism was held on October 20, 2022.

## Reporting

This section provides the Board an overview of the Field Services Department operations and maintenance activities through 9/30/2022. The work listed is not all inclusive.

### 1. Lost Time Accidents/Injuries (OSHA 300)

- a. Zero (0)
  - i. 2222 days without a Lost Time Accident/Injury

### 2. Safety/Training/Professional Development

- a. Field Services employees participated in training for the following:
  - i. Bloodborne Pathogens/PPE
  - ii. Asbestos Cement Pipe 2-hour Refresher
  - iii. Lifting and Rigging
  - iv. Skin Protection
  - v. Hearing Protection

### 3. Customer Service Calls

- a. Response Time Goals over the Last 12 Months

	Goal	Average	Success Rate
During Business Hours	< 30 minutes	17 min	98%
During Non-Business Hours	< 60 minutes	46 min	

### Service Calls - September

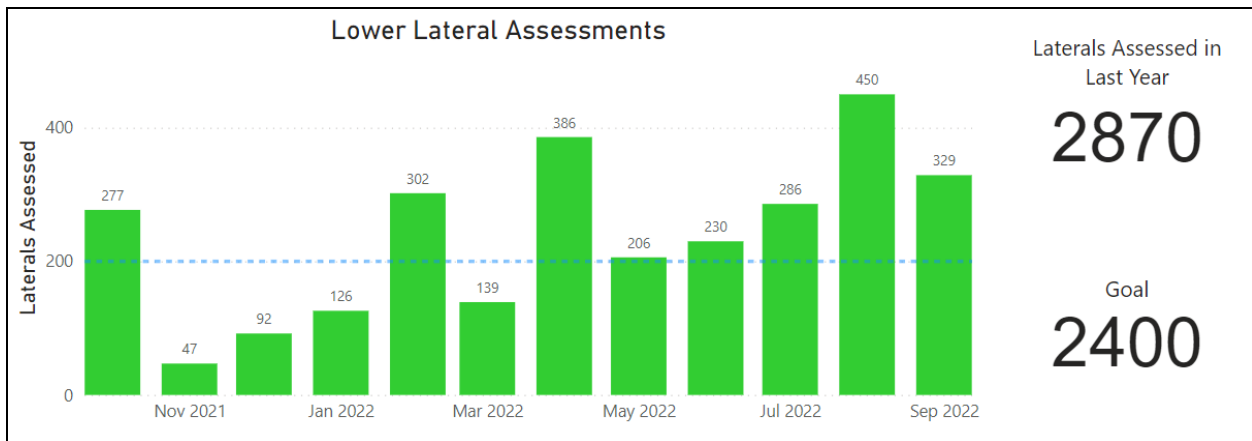
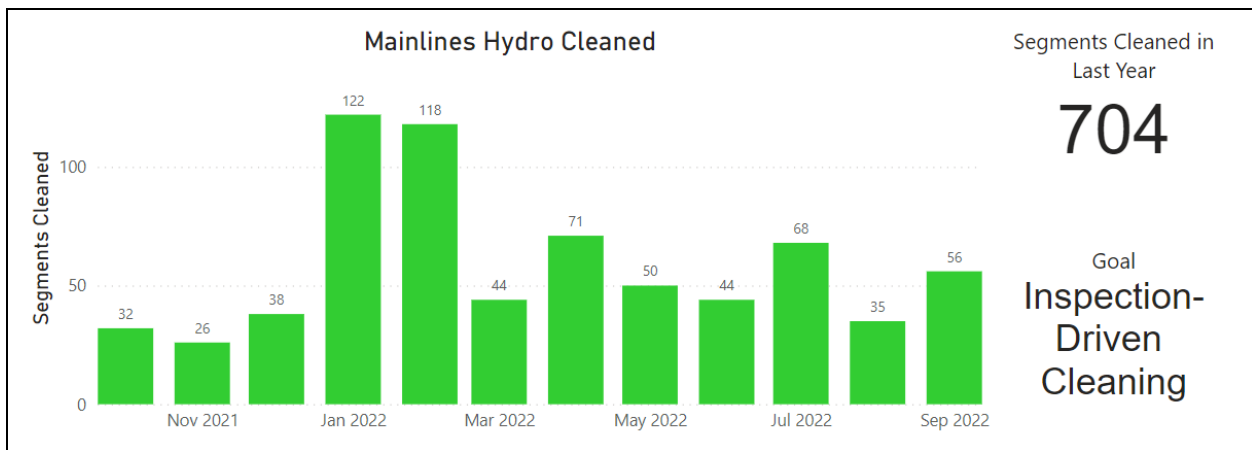
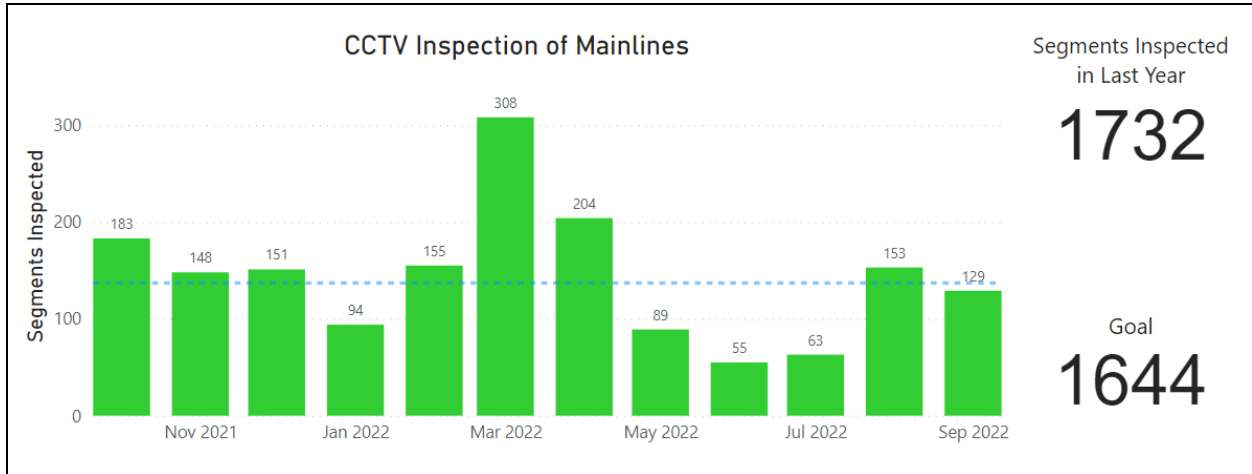
Responsibility	SSO	Stoppage	Odor	Alarm	PLSD	Vermin	Misc
SPMUD Responsibility	2	1		2			1
Owner Responsibility		1	1		6		
N/A			1				
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>6</b>		<b>1</b>

Total Service Calls

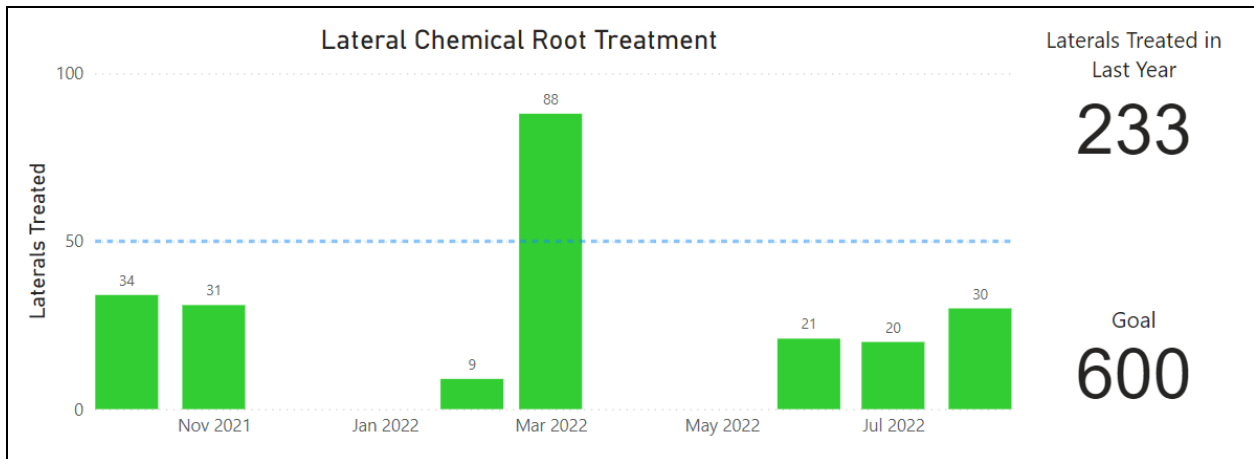
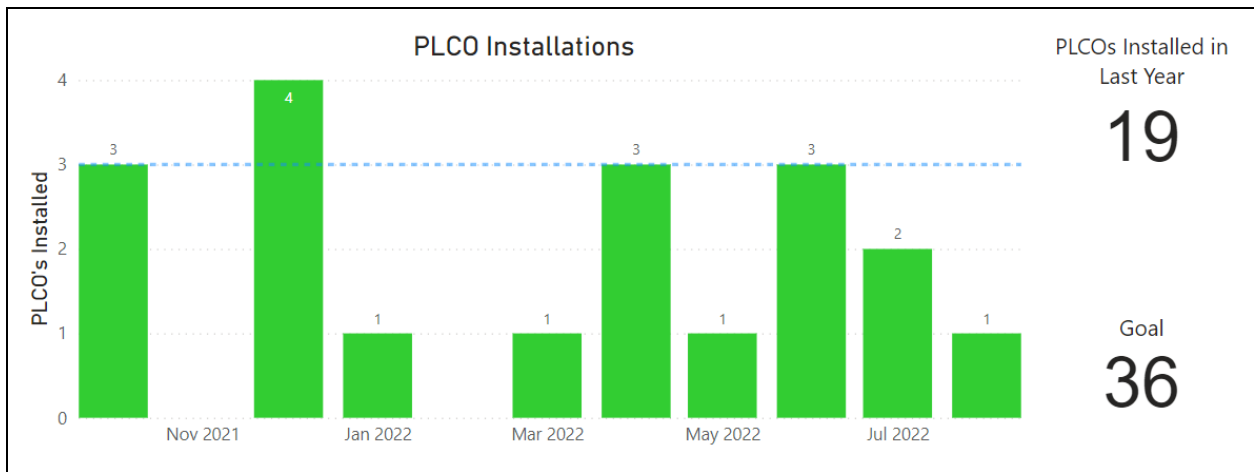
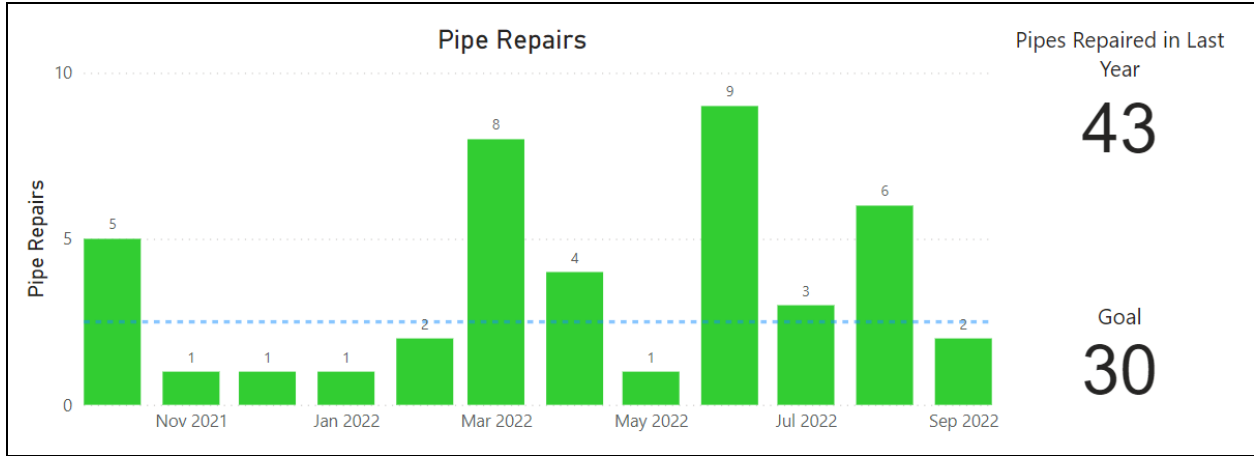
**15**

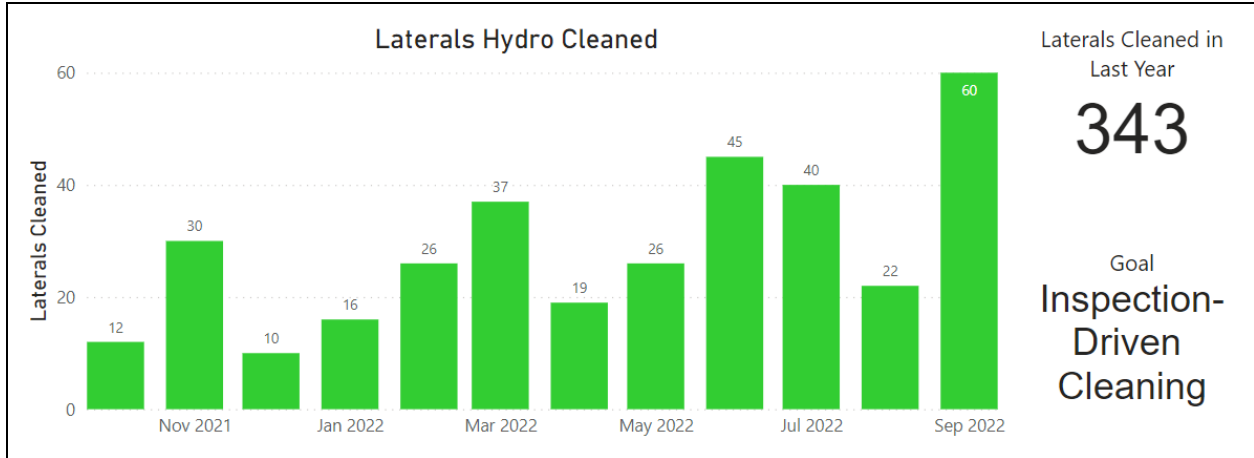
#### 4. Production

a. The information provided below is not inclusive of all work completed.









ITEM VII.                    TSD REPORT

To:                                Board of Directors  
From:                             Carie Huff, District Engineer  
Cc:                                Herb Niederberger, General Manager  
Subject:                         Technical Services Department Monthly Report  
Board Date:                     November 3, 2022

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**TSD Updates**

- Congratulations to Curtis Little, Engineering Technician, for completing the District’s Master’s Program in October. The Master's Program was adopted as part of the 2020 Employee Memorandum of Understanding and is a (voluntary) incentive program intended to be a succession planning/employee development tool that helps the employee to develop knowledge, skills and abilities that the District views as desirable for promotable positions. An employee must complete a minimum of ten accomplishments and demonstrate ability and/or knowledge, as determined by the Department Manager, in order to achieve the Master status. Possession of a college degree (Associate's or Bachelor's) reduces the number of required accomplishments to eight.

Since Curtis holds a Bachelor of Arts degree in Geography, successful completion of the Master’s Program required eight accomplishments. Curtis attained an intermediate level of skill in various computer programs including Crystal Reports, Sharepoint, and Innovyze software. In addition, Curtis was instrumental in implementing the commercial auditing and tracking work program. Curtis also completed the Leadership Challenge Workshop and wrote an article for the District’s newsletter. He is also actively involved in the Employee Engagement Committee and has attended numerous District board meetings. Curtis will receive a monetary award for completing the Master’s Program.

- TSD is coordinating warranty work with Garney Pacific, Inc. on access road repairs behind Corona Circle. Based on the condition of the GrassPave 2 surface treatment, it is anticipated that there will be a cooperative project to address a permanent solution to the access road.
- Construction of the City of Rocklin’s Pacific Street and Rocklin Road Roundabout project is nearing completion. The District’s existing facilities were abandoned in early October. Testing of the sewer system will occur in the coming weeks. The District is currently reviewing change orders submitted by the contractor and they will be presented at a future board meeting. Construction is still anticipated to be complete by early 2023.
- TSD began the second year of commercial audits after the complete overhaul of the Commercial Tracking Program last year. To date, the inspectors have completed two of four audit areas and have found minimal changes from last year. The audit process is more

efficient now because inspectors only need to focus on determining which businesses have changed from the previous year.

### **Northwest Rocklin Sewer Annexation Construction Project (formerly known as Atherton Trunk)**

Lafleur Excavating was issued a Notice to Proceed on October 14<sup>th</sup> and they began potholing, clearing and grubbing. As of October 25<sup>th</sup>, the bypass is online and operational. The bypass operations include redundancy and emergency measures. There is a primary and backup pump on site, and each pump can independently accommodate up to 4 MGD (million gallons per day). Peak flows are trending around 2.25 MGD, well within the operating range of each pump. The City of Rocklin approved the Temporary Sewer Use and Connection Agreement, so the District is requiring a temporary connection from the existing system to the new system at the end of every shift as an emergency measure. In addition, there is a flow meter upstream that will provide an alarm should the manhole experience a surcharge. Excavation for the pipeline removal and replacement will begin October 26<sup>th</sup>. Atherton Road will be closed from October 25<sup>th</sup> to facilitate construction for the duration of the project. Easement acquisition is still in process and the City of Rocklin anticipates finalization of the Gap easement on October 25<sup>th</sup>. The project is currently anticipated to conclude by the end of November.

### **Newcastle Fire Station Deferred Remedial Action and Reimbursement Agreement Update**

The District entered into a Deferred Remedial Action and Reimbursement Agreement with Newcastle Fire District due to damage to the District's sewer main from grading operations during Phase 1 of the Newcastle Fire Station project. Since Phase II of the Newcastle Fire Station project would eliminate the damaged stretch of sewer pipe, the District agreed to defer the repair for two years or until the sewer improvements included in Phase II of the project were completed. The agreement stipulated that the repair be completed by July 1, 2022. In addition, the District opted to participate towards the cost of construction for up to one third of the cost of the public sewer improvements within Old State Highway up to \$100,000 (Fund 100).

The sewer improvements are substantially complete, and the existing damaged sewer line has been abandoned, thereby meeting the obligations of the Deferred Remedial Action and Reimbursement Agreement. Newcastle Fire District submitted the information necessary for the District to initiate reimbursement of \$78,192 once all administrative items are submitted and deemed acceptable.

### **Easement Acquisition**

The District has for some time been in negotiation to acquire a 10-foot-wide sewer easement from the property owner on Saunders Avenue in Loomis and issued a last, best, and final offer. District staff is prepared to present a Resolution of Necessity for consideration at the December 1, 2022, board meeting.

### **Local Agency Formation Commission (LAFCO)**

Burrell Consulting Group is in the process of generating geographic descriptions of the properties served through out-of-area service agreements to be included in the annexation application to LAFCO. Additional information will be provided at a future board meeting as the application to LAFCO is refined. In addition, the District has been notified that LAFCO will be conducting a Municipal Service Review (MSR), to assess the ability of the District to effectively and efficiently provide services to residents and customers. The last MSR of the District was conducted in 2010 in conjunction with the District's acquisition of the Newcastle Sanitary District

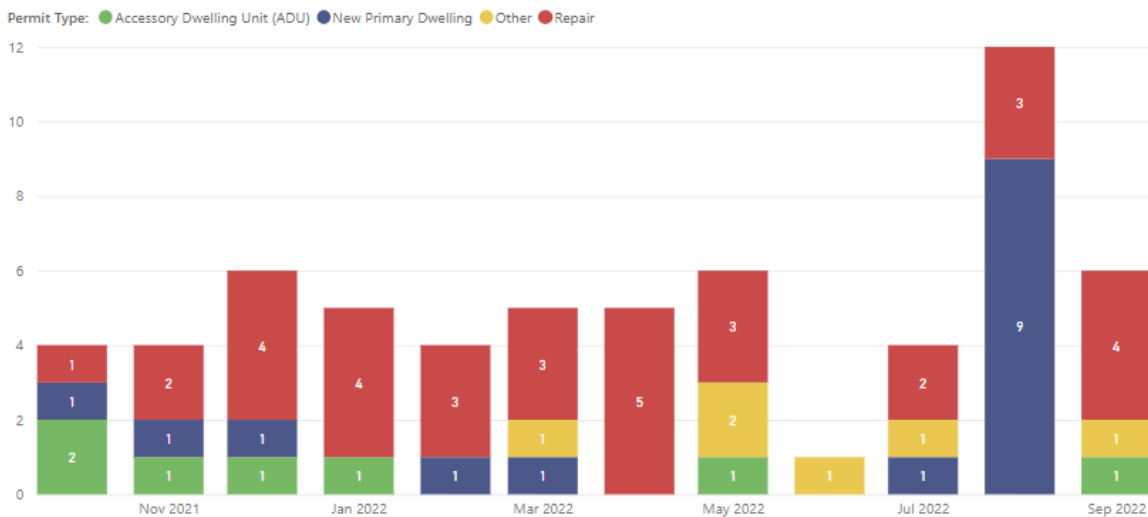
## FOG Program

The District’s FOG Inspector completed eighty-four (84) grease control inspections between October 2021 to September 2022. These inspections resulted in six Warning of Non-Compliance enforcements with repairs required to meet District Standards for mitigating FOG discharge into the public sewer system. All six grease control devices have been repaired and inspected to meet District Standards. Of the facility inspections completed by the FOG Inspector, three resulted in Warning of Non-Compliance enforcements that required new high efficiency hydro-mechanical grease control devices installed at each location. The District’s tenant improvement process also resulted in two new hydro-mechanical grease control device installations in September (Boba Lane and Das Flipperhaus in Rocklin). Twenty new grease control devices have been installed in the District since 2019.

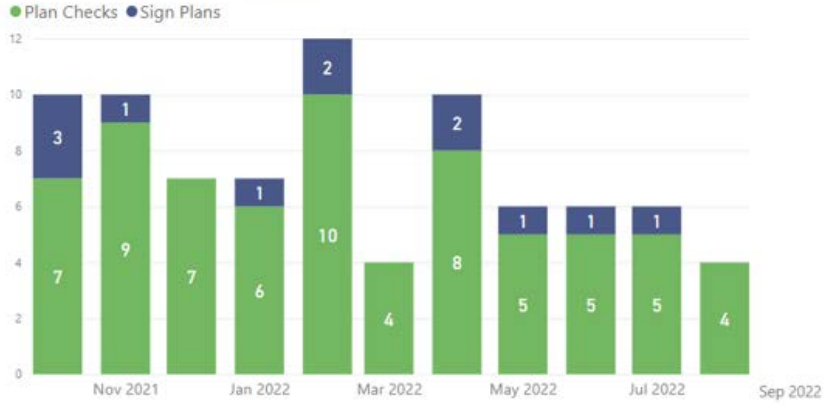
## Department Performance Indicators

The following charts depict the efforts and performance of the department in the following areas of work as of September 30, 2022. The charts are being created in a new reporting tool that directly connects to the District’s data, improving the timeliness of reporting efforts and leveraging the District’s investment in technology. There is a new chart this month that reflects Sewer Permits issued for the month. Additional charts may be added in the future for other areas of work in the department.

Sewer Permits - Completed - Monthly Totals



Plan Checks Completed - Monthly Totals



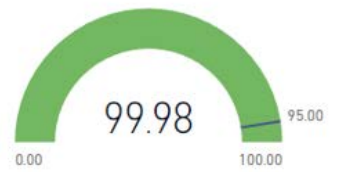
% "In Time" Plan Checks



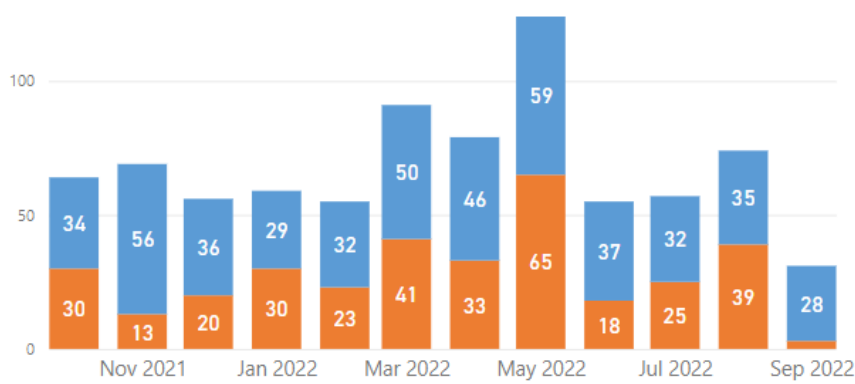
811 Responses - Monthly Totals



% "In Time" Responses



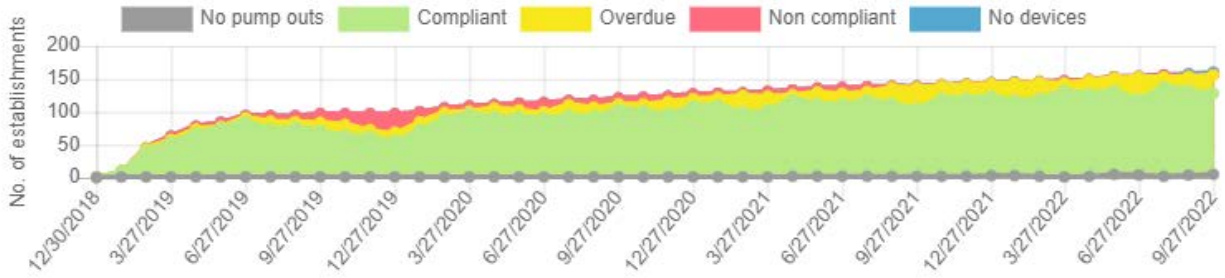
Rough Inspections (orange) / Final Inspections (blue)



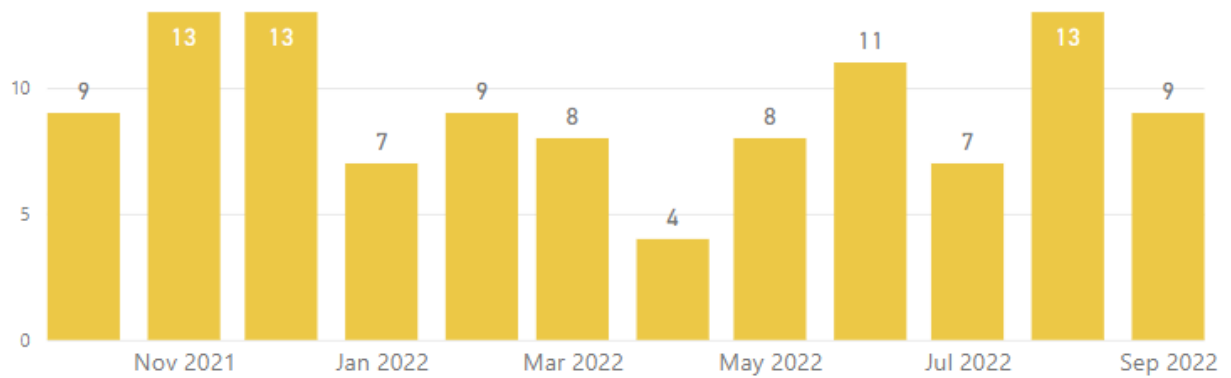
% "In Time" Inspections



## FOG Compliance History



## FOG Pickups - Monthly Totals



## Grease Interceptor Inspections

