

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

| <b>Meeting</b> | <b>Location</b> | <b>Date</b>    | <b>Time</b> |
|----------------|-----------------|----------------|-------------|
| Regular        | District Office | August 6, 2015 | 4:30 p.m.   |

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

**II. ROLL CALL OF DIRECTORS:**

Present: Will Dickinson, Vic Markey, John Murdock, Jim Williams, Jerry Mitchell  
Absent: None  
Vacant: None

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

Others: Marc Mondell

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

**IV. CONSENT ITEMS:**

1. Minutes from the July 2, 2015 Regular Board Meeting.
2. Accounts Payable in the amount of \$885,145.21 through July 29, 2015.
3. Monthly Investment Report in the total amount of \$46,472,436.11, through July 30, 2015.
4. Bill of Sale Acceptance of the Bill of Sale for Sewer Improvements within the West Oaks Unit 1 Subdivision.
5. Item 5 was removed from Consent for further discussion  
Second Reading & Adoption of Ordinance No. 15-01 establishing requirements for Credit Reimbursement Agreements - The Credit Reimbursement Ordinance provides a mechanism for developers/sub-dividers to obtain credits in lieu of payment of sewer participation charges for the construction of major facilities, and/or seek reimbursement for the costs of construction.
6. Second Reading & Adoption of Ordinance No. 15-02 amending Sewer Participation Charges  
Participation charges will increase to \$3750/EDU by April 1, 2017, with increases every 12 months commencing October 1, 2015. Future adjustments to the charge will be in alignment with the Engineering News Record Construction Cost Index.

Director Dickinson made a motion to approve all other items on the consent calendar except for item five which was removed for further discussion by Director Williams; a second was made by Director Mitchell, the motion carried 5-0.

Director Williams addressed item five, Ordinance No. 15-01, and asked for a correction in Section 3.04 – Participation Charge Credit, he asked for a correction to the notation at the end of the paragraph to change the text from Section 3 to Section 4. Director Williams made a motion to approve item five with the correction; a second was made by Director Dickinson, the motion carried 5-0.

**V. PUBLIC COMMENTS:**

President Murdock opened the Public Comments, hearing none the public comments were closed.

**VI. BOARD BUSINESS:**

**1. Consideration of Ordinance No. 15-03 – Public Hearing and 1st Reading of an Ordinance for the issuance of Easement & Right of Way Encroachment Permits.**

General Manager Niederberger presented Ordinance No. 15-03, demonstrating an example of a home where a pool has been constructed over the Districts Sewer facilities and a City owned Storm drain. GM Niederberger explained the type of instances where the District may issue an easement or right of way encroachment permit. He explained that this Ordinance provides the District a way to remedy certain situations. General Counsel Brown stated that the District is trying to be a good neighbor and balance any necessary measures to assist in being proactive before further problems occur. Further discussion followed with regards to other homes or structures which may have been constructed over District easements and facilities. Director Mitchell asked if there are County maps or overlays which may assist in identifying them. Director Dickinson asked if the MOU with the City of Rocklin is progressing, stating that it will continue the open line of communications with the City to avoid these types of situations.

A motion was made by Director Williams to waive the full reading of the Ordinance; a second was made by Director Mitchell, the motion carried 5-0.

The Public Hearing was opened to receive comments regarding the proposed Ordinance. City of Rocklin Community Development Director Mark Mondell introduced himself to the Board, and asked the Board to consider leaving room for flexibility for the development process or discretionary abilities for unique circumstances as they may come up. Further deliberation ensued regarding potential situations which may allow the issuance of an easement or right of way permit. GM Niederberger stated that each case would be reviewed on an individual basis with the assistance of General Counsel's review. General Counsel Brown stated that this Ordinance provides guidelines for staff and the Board to follow. Director Mitchell asked if staff could be directed to prepare a summary of specific situations that the District is currently aware of. President Murdock asked for a report to be provided by the end of the year in December 2015. General Counsel Brown stated he will work with staff to set up a procedure for how to handle this type of situations. A Motion was made by Director Dickinson to introduce the Ordinance for the next scheduled board meeting; a second was made by Director Williams, the motion carried 5-0.

**2. Hold a Workshop to discuss the District Policy Handbook**

General Manager Niederberger introduced the District Policy Handbook, results from the Districts need for consistency and transparency. He stated that several goals within the Strategic Plan identified the need for specific policies for investments and reserves etc. He reported that the Policy and Ordinance Committee had worked with staff to review each of the policies within the handbook. Existing policies will be replaced by the adoption of the Policy Handbook. A review of the chapter content was provided, Series 1000 - General Policies, Series 2000 – Personnel Policies, Series 3000 – Operations Policies, Series 4000 – Board of Directors Policies, Series 5000 – Board Meeting Policies. Each Policy series and specific policies were reviewed. Directors provided comments and content or revision changes.

**VII. REPORTS:**

**1. District Legal Counsel (A. Brown):** General Counsel Brown provided a memorandum to the Board regarding the use of personal email accounts, and pending cases in the Supreme Court. He recommended that it is the best practice to have that division between personal emails and District emails. GM Niederberger stated that the preference is for Board members to utilize District issued email accounts to communicate with District staff and for all District business. Director Mitchell asked if an internal communications policy could be added to the Policy Handbook in the future.

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

**A. ASD, FSD & TSD Reports:** General Manager Niederberger reported that the District would be participating with the City of Rocklin Design Guidelines for future residential and commercial projects.

**B. Information Items:** No further information was reported.

**3. Directors Comments:** No further Director comments were received.

**VIII. ADJOURNMENT**

The meeting was adjourned at 6:15 p.m. to the next regularly scheduled meeting on September 3, 2015 at 4:30 p.m.



Joanna Belanger, Board Secretary