

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

Meeting	Location	Date	Time
Regular	Zoom Meeting	November 3, 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 President Mitchell presiding at 4:30 p.m. using Zoom Meeting.

II. ROLL CALL OF DIRECTORS:

Present: President Jerry Mitchell, Director John Murdock, Director James Durfee, Director Will Dickinson, Vice President Jim Williams

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: President Mitchell 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. CONSENT ITEMS:

1. MINUTES from the October 6, 2022 Regular Meeting.
2. ACCOUNTS PAYABLE in the amount of \$2,922,753 through October 25, 2022.
3. QUARTERLY INVESTMENT REPORT in the total amount of \$74,968,706 through September 30, 2022.
4. ANNUAL INVESTMENT REPORT for the fiscal year ended June 30, 2022.
5. RESOLUTION 22-40 RECOGNIZING PLACER COUNTY SUPERVISOR ROBERT WEYGANT UPON HIS RETIREMENT.
6. RESOLUTION 22-41 AUTHORIZING THE PURCHASE OF A LEAD WORKER VEHICLE.
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

Vice President Williams made a request to pull item #5 off the consent calendar. He shared that he had the honor of serving with Supervisor Weygant and commended him for serving in a position that at times is a difficult one. He commented that Supervisor Weygant has served in this role with grace, and all District Board Members would like to have their name on the resolution recognizing him.

GM Niederberger provided clarification on consent item #7, sharing that Senate Bill 2449 was signed into law. The new law will go into effect in January 2023 and revises the language contained in the Brown Act pertaining to teleconferencing requirements for board members. Additionally, the Governor has declared that the State of Emergency under Executive Order N-25-20 will end on February 28, 2023. The action will revoke the temporary emergency powers granted to the District General Manager.

Vice President Williams made a motion to approve the consent items with the proposed revision to add all Board of Directors to the signature block of Resolution 22-40; a second was made by Director Durfee; a roll call vote was taken, and the motion carried 5-0.

VI. BOARD BUSINESS

1. RESOLUTION 22-43 PERFORMANCE MERIT PROGRAM 2021-2022

DS Nielsen gave an overview of the results from the last Performance Merit Program year as well as the new ranges and goals for the upcoming program year. The program, which is in its fifth year, allows District employees to receive an incentive for exceptional performance.

Vice President Williams commented that some of the goals don't appear to be stretch goals but appear to be for standard performance. DS Nielsen shared that the focus has been to strike the right balance between quality and quantity. Vice President Williams commented that the program has improved performance; however, it is intended to be a bonus for exceptional work. If some of the goals are set higher than the average then there is no incentive, and it should be reflected in the regular compensation. He commented that the District may want to look for other areas to achieve improvement in future years. DS Nielsen commented that it is nice to be able to recognize staff in some of the areas that they are consistently doing great work in, but there are goals that the District may want to look at adjusting the metrics for to ensure that the measurements being tracked reflect the goals of the District and the work being performed by the employees.

Director Dickinson asked what the average salary range is for the employees that receive the bonus. DS Nielsen commented that the bonus is for all employees except for management. Director Dickinson commented that for an employee who makes sixty-thousand dollars a year the bonus is a three percent increase in their compensation. He asked if this is being taken into consideration when determining the right salary levels for District staff. He shared that it would be helpful for the Board to receive a breakdown of the cost of all benefits so that the full compensation can be analyzed. GM Niederberger shared that staff is preparing a Request for Proposals (RFP) for a Classification and Compensation Study. The study will contain all of these components and the Board will receive it prior to negotiations.

President Mitchell asked staff to consider adding additional ASD goals. DS Nielsen shared that the Digital Document Uploads goal was added last year to capture some of the work performed by ASD in the incentive program. President Mitchell asked for additional ASD goals to be considered.

Director Murdock made a motion to 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; a second was made by Director Dickinson; a roll call vote was taken, and the motion carried 5-0.

VII. 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 changes included sharing that DS Nielsen attended the Rocklin Chamber of Commerce Government Relations Committee on October 5th with the General Manager. He shared that there will be a Special Meeting on November 17, 2022 to award the SCADA Design Agreement and that the January SPMUD Board meeting will be moved to January 12, 2023.

Director Dickinson commented that a review of the District reserve requirements was also discussed at the October 27, 2022 Fee & Finance Advisory Committee meeting.

Director Murdock congratulated TSD employee Curtis Little for completing the District's Master's Program.

Director Dickinson asked staff how many restaurants there are in the City of Rocklin and how often each restaurant is inspected. DE Huff shared that each establishment is inspected every two to three years. She shared that staff has also shifted focus to performing inspections on schools and other FOG generating establishments that haven't had inspections performed for some time. President Mitchell asked if restaurants are aware in advance that they will have an inspection. DE Huff shared that it varies depending on whether the grease control device is exterior to the building. If it is exterior to the building the restaurant is generally not notified so that the most accurate read of the grease control device can be obtained during normal operations. If the grease device is internal to the building, enforcement is involved, or the device needs to be pumped out to view the internal components then the inspection is scheduled.

Director Dickinson asked for an update on the Atherton Trunk bypass operation. DE Huff shared that as of this afternoon, the bypass is offline with all of the flow restored to the pipe and tested. The project was a success with no Sanitary Sewer Overflows (SSOs) or other issues.

B. Information Items: No additional items.

3. Director's Comments:

Director Durfee thanked staff for a productive Policy and Ordinance Advisory Committee meeting.

Director Dickinson shared that he saw an allegation that the District is holding up the completion of the Rocklin trail system and not providing access to right-of-ways. He asked the General Manager to speak to this allegation as everyone on the Board is very supportive of trails. GM Niederberger shared that the District adopted a Joint Use of District Easements and Access Roads Policy in 2016. The policy has been routinely provided to the City of Rocklin, the Town of Loomis, and Placer County. He shared that he is only aware of two projects being under consideration right now. The first is the bridge project connecting the Sunset Whitney Recreation Area to Johnson Springview Park. The project will be part of our high-risk facility replacement program. The second is a trail system behind CalFit. GM Niederberger shared that one issue that seems to be a concern is the requirement in our policy that the District be indemnified of issues resulting from the added use to District easement roads. GC Brown shared that he has not been involved in any discussion regarding modifying this provision.

Vice President Williams shared that the Board has always been one hundred percent behind expanding the trail systems. Director Dickinson asked if the District has any arrangements with the City of Rocklin where they have signed the indemnification. GM Niederberger shared that there are currently no joint-use agreements. The District continues to be involved and has agreed to pave much of our right of way, but the City has been reluctant to engage in the joint-use. Director Dickinson suggested that this be a topic in a Rocklin 2x2 meeting. He shared that the District may need to communicate more frequently. President Mitchell commented that the Rocklin Parks and Recreation Commission approved designated trail areas a few years ago and the General Manager reached out during that process to highlight the opportunity for joint use. He commented that the City's focus has been on the work in the Sunset Whitney Recreation Area which has been very good, and that the City did a good job on the Atherton Trunk Project.

VIII. CLOSED SESSION READOUT

The Board met in Closed Session at 5:15 p.m. to hear a report from District General Counsel and the Independent Consultant. No action was taken.

The Board adjourned the closed session at 6:25 p.m.

IX. ADJOURNMENT

The President adjourned the meeting at 6:28 p.m. to the next regular meeting to be held on December 1, 2022, at 4:30 p.m.



Emilie Costan, Board Secretary