

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

Meeting	Location	Date	Time
Regular	SPMUD Boardroom Zoom Meeting	January 4, 2024	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 Williams presiding at 4:30 p.m.

II. ROLL CALL OF DIRECTORS:

Present: Director Jerry Mitchell, Director Will Dickinson, Director Christy Jewell, Director James Durfee, Director 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: ASM Costan 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. SELECTION OF OFFICERS AND APPOINTMENTS TO THE TEMPORARY ADVISORY COMMITTEES AND SPWA BOARD

President Williams dissolved the existing advisory committees.

President Williams nominated the current Vice President James Durfee to succeed as the new President for 2024.

Director Williams made a motion to nominate Director Jewell to serve as Vice President, a second was made by Director Mitchell, a voice vote was taken, and the motion carried 4-0 with Director Jewell abstaining.

President Durfee created temporary advisory committees and appointed Directors to serve as follows:

Fee & Finance Committee: Director Dickinson & President Durfee
Personnel Advisory Committee: Director Dickinson & Vice President Jewell
Policy & Ordinance Advisory Committee: Vice President Jewell & Director Mitchell
Infrastructure Advisory Committee: Director Dickinson & President Durfee
Loomis 2 x 2 Committee: President Durfee & Director Williams

Rocklin 2 x 2 Committee: Director Dickinson & Director Mitchell

President Durfee appointed Director Williams as District representative to the South Placer Wastewater Authority Board of Directors with Director Dickinson serving as alternate.

VI. CONSENT ITEMS:

1. MINUTES from the December 7, 2023, Regular Meeting.
2. ACCOUNTS PAYABLE in the amount of \$3,472,016 through December 26, 2023.
3. RESOLUTION 24-01 NOTICE OF COMPLETION FOR THE SPMUD BUILDING ADDITION AND TENANT IMPROVEMENTS PROJECT.

Director Williams made a motion to approve the consent items; a second was made by Vice President Jewell; a roll call vote was taken, and the motion carried 5-0.

VII. BOARD BUSINESS

1. SEWER PARTICIPATION CHARGE ANALYSIS

GM Niederberger presented a detailed discussion on the District's sewer participation fee compared to other regional agencies. He shared information on the compliance of the District's participation fee, how the fee differs from those imposed by Cities and Counties, and the results of a regional exaction study commissioned by the City of Roseville in 2021 that compared regional permitting and development fees based on use and included Northwest Rocklin.

Director Dickinson asked if the participation fee is subject to Proposition 218, and GM Niederberger confirmed it is not. Director Dickinson also asked why the presentation shows that Placer County has a regional fee that is less than the South Placer Wastewater Authority's (SPWA) adopted fee. GM Niederberger commented that it is due to the timing of Placer County's adoption of updated fees. Director Dickinson asked where the developer-contributed system expansions and enlargements show up in the permitting and development fees shown in the Roseville study. GM Niederberger shared that the fees are included in the plan area impact fees and developer contributions row in the detailed tables. These fees are high for many of the Cities and the County and low in the City of Rocklin. Director Williams added that these fees are typically financed and accessed as Mello Roos taxes. Director Dickinson commented that these fees are not necessarily only for sewer infrastructure, and GM Niederberger shared that they could be for roads, parks, water, sewer, or any type of infrastructure.

Vice President Jewell asked how a developer would obtain an estimate of all fees due for their project. DE Huff shared that the City of Rocklin has a fee sheet; however, she does not believe that the District is included in it. Vice President Jewell expressed concern that the total fee comparison presented in the Roseville study is not being communicated to the developers in a comprehensive fee estimate. Director Williams commented that the District has been proactive in sharing fee information with the City, Town, and County. He added that fees in another jurisdiction like Roseville will seem lower due to the financing of infrastructure through development agreements that are then accessed to the property taxes with some properties having high Mello

Roos taxes that are assessed for a very long time. This is what creates the perception that the District's fees are higher.

Vice President Jewell asked if the participation fees collected are used for expansion in the area developed. GM Niederberger shared that the fees are collected for expansions of the system in the entire service area and are based on the improvements needed to fund necessary enlargements and expansions based on the anticipated buildout approved by the jurisdictions in their General Plans. The fee is set using the most recent System Evaluation and Assurance Plan (SECAP) and Capacity Fee Study. GM Niederberger added that permitting agencies have attempted to make one-stop shops for development fees; however, there have been issues with the proper collection of fees and in most jurisdictions, the developer has to go to multiple locations to pay the fees. Counties do have Business Environmental Resource Councils that can help businesses estimate project fees.

Director Mitchell shared appreciation with staff for providing this information. He suggested that the information be posted on the District website. He suggested a collaboration to complete updated permitting and development fee exaction studies.

President Durfee added that the participation fee is used only for capital expansion and enlargement and there is no discretion to use the funds for other purposes.

Director Dickinson commented that he believes the FAQs need to be condensed and rewritten for the general public. GM Niederberger shared that he wanted to provide the detailed FAQs for the board report but would display the consolidated FAQs on the District website. Director Mitchell commented that he believes all the information presented should be readily available.

2. GENERAL MANAGER GOALS FOR 2024

GM Niederberger shared his proposed goals for 2024 which include addressing the 2023 Financial Statement comment regarding unapplied credits by negotiating the restructuring of the billings for Del Oro High School and Sierra College, transferring those assets south of Highway 65 to the City of Roseville, transferring the Rogersdale assets to the County of Placer, and managing the recruitment of a new General Manager.

President Durfee asked that the GM reach out to the City Manager and Town Manager before initiating discussions with the schools.

Director Dickinson asked that the current construction projects be added to the GM Goals. GM Niederberger commented that the construction projects are on the District Engineer's 2024 Goals. Director Williams suggested that the Department Manager Goals be attached as appendices to the GM 2024 Goals.

Director Williams made a motion to approve the General Manager Goals for calendar year 2024 with the Department Manager Goals attached as appendices; a second was made by Director Mitchell; a voice vote was taken, and the motion carried 5-0.

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 that he may be out of the office for one to two weeks in February. There were no other comments on the department reports.

B. Information Items:

There will be a tour of the corporation yard building addition and tenant improvements at 4 p.m. on February 1st, prior to the board meeting.

3. Director's Comments:

Director Williams shared that he is attending an SPWA Director briefing on the scope of work and methodology for the equivalent dwelling unit (EDU) analysis. There will be an SPWA board meeting on January 25th. Director Dickinson asked to be kept informed about the project now that he is serving as alternate on the SPWA Board.

Director Mitchell shared that the Rocklin City Council has an upcoming agenda item regarding development of Highlands Parcel A and Vista Oaks and Monument Springs bridge that may impact the District. DE Huff shared that District staff is aware of the project, and the City has invited the District to participate in the kickoff meeting.

IX. CLOSED SESSION READOUT

The Board met in Closed Session at 5:19 p.m. to discuss pending litigation with the General Counsel and staff. The Board heard a report, and no action was taken. The Board adjourned the closed session at 5:38 p.m.

X. ADJOURNMENT

The President adjourned the meeting at 5:39 p.m. to the next regular meeting to be held on February 1, 2024, at 4:30 p.m.



Emilie Costan, Board Secretary