

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

Meeting	Location	Date	Time
Regular	Zoom Meeting	October 7, 2021	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 Dickinson presiding at 4:33 p.m.

II. ROLL CALL OF DIRECTORS:

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

Absent: Director Jim Williams

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 Mitchell led the Pledge of Allegiance.

IV. CLOSED SESSION READOUT

The Board met in Closed Session at 4:10 p.m. to discuss the performance evaluation of the General Manager. No action was taken.

Public Comments: None

The Board adjourned the closed session at 4:18 p.m.

V. PUBLIC COMMENTS:

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

VI. CONSENT ITEMS:

1. MINUTES from the September 2, 2021 Regular Meeting.
2. ACCOUNTS PAYABLE in the amount of \$583,140 through September 28, 2021.
3. BILL OF SALE Acceptance of the Bill of Sale for Sewer Improvements within Whitney Ranch Unit 64, with an estimated value of \$2,286,323.
4. BILL OF SALE Acceptance of the Bill of Sale for Sewer Improvements within Whitney Ranch Parkway (STA 129+00 to 163+00), with an estimated value of \$345,373.

5. BILL OF SALE Acceptance of the Bill of Sale for Sewer Improvements within Whitney Ranch Unit 50, with an estimated value of \$937,284.
6. RESOLUTION 21-36 CONSTRUCTION COOPERATION AND REIMBURSEMENT AGREEMENT FOR THE CITY OF ROCKLIN SCEPTRE, CAMELOT, AND MIDAS REPAIR PROJECT

Director Murdock made a motion to approve the consent items; a second was made by Director Durfee; a roll call vote was taken, and the motion carried 4-0.

VII. BOARD BUSINESS

1. RESOLUTION 21-37 ACCEPTANCE OF THE SEWER SYSTEM MANAGEMENT PLAN (SSMP) AUDIT AND RECERTIFICATION OF THE SEWER SYSTEM MANAGEMENT PLAN (SSMP)

DS Nielsen presented on the Audit and Recertification of the Sewer System Management Plan (SSMP). The goal of the SSMP is to eliminate preventable sanitary sewer overflows (SSOs). He shared that an audit of the SSMP is required every two years. The update to the SSMP resulted in changes significant enough to require recertification. Changes include updates to overall formatting to increase usability, recent staffing changes, updated references to reflect the new Sewer Code, clarification of language to capture the evolution of work programs, the addition of links to references, and incorporation of key performance indicators.

Director Murdock made a motion to accept the 2021 Sewer System Management Plan Audit and adopt Resolution 21-37 re-certifying the South Placer Municipal Utility District Sewer System Management Plan; a second was made by Director Durfee; a roll call vote was taken, and the motion carried 4-0.

2. RESOLUTION 21-38 AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES WITH CPM (CAPITAL PROGRAM MANAGEMENT), INC. FOR THE CORPORATION YARD BUILDING PROJECT

DS Nielsen presented the proposed agreement for construction management services for the Building Corporation Yard Construction Project. He explained that the District reached out to firms recommended by the project architect, Williams and Paddon, and recommends an agreement with Capital Program Management, Inc. He shared that the firm is local, has a wealth of experience, and has numerous resources.

Director Murdock asked about the language in the staff recommendation that the agreement is subject to the final approval of the District Legal Counsel. GC brown shared that he has reviewed the standard professional services agreement; however, he would also review the agreement before it's finalized to ensure that there are no legal issues.

Director Durfee asked if Williams and Paddon's proposal included project management services on their design. DS Nielsen shared that the scope is limited. This agreement is intended to bridge the gap between design and implementation.

President Dickinson commented that the District only reached out to three firms and ended up with one valid proposal. He asked if the District believes that enough information was obtained to feel confident about the selection. DS Nielsen shared that one of the key selection criteria was a local firm that was the right size and a good fit for the size of this project. He shared that he feels confident in the group from Capital Program Management, Inc that is assigned to the District's project. President Dickinson asked if the price was in the expected range. DS Nielsen shared that the proposed price is higher than anticipated but seems reasonable for the number of hours incorporated in the proposal.

Director Murdock asked if there are any provisions for an incentive if the project is completed on time. DS Nielsen shared that this agreement does not have those provisions and they would more likely be included in the construction contract. Director Murdock also asked if there is an escape clause if the District runs into an issue with the services. DS Nielsen shared that the agreement is for time and materials and does include a termination clause.

Director Durfee asked what percentage of the design and construction cost the agreement is. DS Nielsen shared that is five percent of the estimated construction cost.

Vice President Mitchell made a motion to adopt Resolution 21-38 Authorizing the General Manager to execute an agreement for construction management services with Capital Program Management, Inc, (CPM) for the Corporation Yard Building Project; a second was made by Director Murdock; a roll call vote was taken, and the motion carried 4-0.

3. RESOLUTION 21-39 PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR ON MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE PERIOD OF OCTOBER 7, 2021 TO NOVEMBER 6, 2021 PURSUANT TO BROWN ACT PROVISIONS

GM Niederberger presented the item to continue authorizing remote teleconference meetings. The item was originally discussed at the September 30, 2021, special board meeting and will continue to be included in the board packet as long as the board wishes to continue meeting remotely.

Director Mitchell commented that a 30-day provision versus a 31-day provision created a need to have special meetings which take staff time and board member time. GM Niederberger shared that the 30-day requirement creates an issue for smaller districts. A long-term schedule of special meetings will be discussed and reviewed in December.

Director Durfee made a motion to adopt Resolution 21-39 Declaring and re-ratifying the State of Emergency and authorizing remote teleconference meetings of the Board of Directors due to the COVID-19 Emergency; a second was made by Director Murdock; a roll call vote was taken, and the motion carried 4-0.

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:

Vice President Mitchell asked about the RPM model mentioned in the GM report. DS Nielsen shared that it is a financial model used by the City of Roseville to project future costs for rehabilitation needs. President Dickinson asked if there was any other pertinent information that came from the SPWA meeting. GM Niederberger shared that he learned of future fee credits that will be applied to the District and that SPWA will be working on a connection fee nexus study. Vice President Mitchell asked if the outcome of the RPM model is documented and distributed. GM Niederberger shared that the City of Roseville provides the District will a five-year projection and the associated allocation between the partners.

President Dickinson asked about the meeting with the Building Industry Association (BIA). GM Niederberger shared that staff was able to thank the BIA for their review and comments which will help improve future reports. There was also a discussion about regional funding opportunities through SPWA. He shared that one of the BIA's main concerns is multi-family rates. Staff was able to explain that any changes to the rate structure would have to be completed regionally through SPWA. Vice President Mitchell commented that hopefully state funds will be distributed in a way that provides for affordable housing.

Director Murdock asked about COVID-19 funding through the Special District COVID Fund. ASM Costan shared that the District's application was submitted with eligible expenses of approximately \$190,000. She shared that the District may have all or a portion of these expenses reimbursed depending on the expenses submitted by other special districts. GM Niederberger added that the fund is one-hundred million dollars and in order to receive reimbursement, a special district could not have applied for or received funding from other programs.

B. Information Items: No additional items.

3. Director's Comments:

Vice President Mitchell complimented DS Nielsen and the crew on the number of days without a loss time incident. He also shared that he received a few compliments from constituents on the corporation yard fence.

President Dickinson shared that there were some sound issues with the hybrid in-person/zoom meeting that staff will need to address prior to another hybrid meeting.

IV. CLOSED SESSION READOUT

The Board met in Closed Session at 5:19 p.m. to hear a report from District General Counsel and staff. No action was taken.

Public Comments: The ASM read a closed session eComment from District retiree Henry Lorton.

The Board adjourned the closed session at 5:45 p.m.

VIII. ADDITIONAL PUBLIC COMMENTS

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

IX. ADJOURNMENT

The President adjourned the meeting at 5:49 p.m. to the next regular meeting to be held on November 4, 2021, at 4:30 p.m.



Emilie Costan, Board Secretary