

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

Meeting	Location	Date	Time
Regular	Zoom Meeting	December 3, 2020	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 4:31 p.m.

II. ROLL CALL OF DIRECTORS:

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

Absent: None

Vacant: Ward 4

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 Murdock led the Pledge of Allegiance.

IV. CONSENT ITEMS:

1. MINUTES from the November 5, 2020 Regular Meeting.
2. ACCOUNTS PAYABLE in the amount of \$627,490 through November 23, 2020.
3. ACCEPTANCE OF THE PARTICIPATION CHARGE REPORT FOR FISCAL YEAR 19/20.
4. COVID-19 PANDEMIC UPDATE.

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

V. PUBLIC COMMENTS:

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

VI. BOARD BUSINESS

1. **RESOLUTION #20-35 GENERAL MANAGER EMPLOYMENT AGREEMENT**

Vice President Dickinson shared that only minor changes were made from the General Manager's previous employment agreement. This item was discussed thoroughly in closed session and with the Personnel Advisory Committee.

Director Mitchell made a motion to approve Resolution 20-35 Authorizing the Board President to sign the General Manager's employment agreement; a second was made by Director Williams; a roll call vote was taken, and the motion carried 4-0.

2. RESOLUTION #20-36 COMMENDING VICTOR MARKEY, WARD 4 BOARD DIRECTOR FOR HIS YEARS OF SERVICE TO THE DISTRICT

GM Niederberger shared that he would be bringing Victor Markey the signed Resolution along with a plaque honoring his service to the District. President Murdock thanked Vic for his service.

Director Williams made a motion to approve Resolution 20-36 Commending Victor Markey for his years of service to the District; a second was made by Director Mitchell; a roll call vote was taken, and the motion carried 4-0.

3. FISCAL YEAR 19/20 AUDIT REPORT ACCEPTANCE

Justin Williams with Munn, Urrutia & Nelson Certified Public Accountants LLP presented on the Fiscal Year 19/20 Audit Report. Mr. Williams shared that this year's audit included a review of internal controls that may have been impacted due to the Coronavirus. The audit found that the District maintained proper internal controls during the lockdowns. The District received an Unmodified or "clean" Audit Opinion. There were no compliance exceptions, no material weaknesses, and no significant deficiencies. The audit resulted in 1 audit adjustment and 2 management letter comment.

Vice President Dickinson asked for clarification on the timing of the SCIP disbursements which were not taken until Fiscal Year 20/21 when they were used for the Foothill Trunk Project. He also asked about the wording for the Rocklin Phase 3 reimbursement payment on page 16 and requested that the language on page 18 regarding the SPWA debt obligation ratio be updated to show that the coverage ratio is only required if the rate stabilization fund cannot cover the debt service. Vice President Dickinson also commented that Statistical Table 8 *Placer County Largest Employers* shows that Placer County had 2,400 employees in 2009 but is not listed as an employer in the 2020 table. GM Niederberger shared that these figures are taken straight from the Sacramento Business Journal. Vice President Dickinson recommended verifying the data or using a different source in future audits.

Vice President Dickinson made a motion to receive and file the FY19/20 Audit Report; a second was made by Director Williams; a roll call vote was taken, and the motion carried 4-0.

4. RESOLUTION #20-37 AUTHORIZATION TO EXECUTE CHANGE ORDER #23 TO THE CONTRACT FOR THE FOOTHILL TRUNK SEWER REPLACEMENT PROJECT

GM Niederberger introduced the change order on the Foothill Trunk Project to plant six trees for a cost of \$5,100. President Murdock asked for the size of the trees. DE Huff shared that the trees are large 24-gallon trees that are at least eight foot tall and two inches in diameter at breast height.

Vice President Dickinson asked if this is an existing bid item that the District is adding quantity to, and DE Huff confirmed that to be true.

Vice President Dickinson made a motion to approve Resolution 20-37 Authorizing the General Manager to execute Change Order #23 to the Foothill Trunk Sewer Replacement Project construction contract; a second was made by Director Mitchell; a roll call vote was taken, and the motion carried 4-0.

VII. REPORTS

1. District General Counsel (A. Brown):

General Counsel Brown shared that his report is included as subsection C in the General Manager's monthly report. Items include wrapping up outstanding Foothill Trunk issues, the Amended and Restated SPWA Agreement, and the ongoing railroad management issue. GC Brown shared that he has also been reviewing the latest COVID-19 regulations including the new Cal OSHA guidelines.

2. General Manager (H. Niederberger):

A. ASD, FSD & TSD Reports:

GM Niederberger shared that the District is working on a COVID-19 Prevention Plan (CPP) in response to the new Cal OSHA guidelines. The CCP will be a companion to the Pandemic Illness and Continuity of Operations Plan adopted in April. Additionally, the District is preparing for the Governor's new Stay at Home Order which is anticipated to go into effect next week.

Director Mitchell asked if COVID-19 will impact the timeline of the HQ and Corp Yard Improvements. DS Nielsen shared that the District is working on the bid package but is still waiting for building department approval. The project is continuing to move forward, but a project timeline has not been committed to. An Architectural Review Committee meeting will be scheduled to discuss this further.

B. Information Items: No additional items.

3. Director's Comments:

President Murdock thanked everyone for the exciting year and shared that he looks forward to next year and working with the new Board president.

VIII. ADDITIONAL PUBLIC COMMENTS

President Murdock re-opened the meeting for public comments. ASM Costan confirmed that no eComments were received. Hearing no other comments, the public comments session was closed.

IX. ADJOURNMENT

The President adjourned the meeting at 5:12 p.m. to the next regular meeting to be held on January 7, 2021 at 4:30 p.m.

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A handwritten signature in blue ink that reads "Emilie Costan". The signature is written in a cursive, flowing style.

Emilie Costan, Board Secretary