

# RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Board of Directors Meeting

MINUTES

February 19, 2014

4:00 p.m. Closed Session \* 5:00 p.m. Open Session

## **1. CALL TO ORDER/ROLL CALL**

President Gerald Pasek called the regular meeting of the Board of Directors of Rancho Murieta Community Services District to order at 4:00 p.m. in the District meeting room, 15160 Jackson Road, Rancho Murieta. Directors present were Gerald Pasek, Betty Ferraro, Paul Gumbinger and Michael Martel. Also present were Edward R. Crouse, General Manager; Darlene Gillum, Assistant General Manager; Greg Remson, Security Chief; Paul Siebensohn, Director of Field Operations; and Suzanne Lindenfeld, District Secretary. Director Belton was absent.

## **2. ADOPT AGENDA**

President Pasek suggested Agenda Item 11 and 17 be moved up to follow Agenda Item 25. **Motion/Gumbinger** to adopt the agenda with the suggested changes. **Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger, and Martel. Noes: None. Absent: Belton**

## **3. SPECIAL ANNOUNCEMENTS AND ACTIVITIES**

None.

## **4. BOARD ADJOURNED TO CLOSED SESSION AT 4:02 P.M. TO DISCUSS THE FOLLOWING ITEMS:**

*Under Government Code section 54956.8: Conference with Real Property Negotiators – Real Property APN 128-0080-067 and APN 128-0100-029. Real Property Agency Negotiator: Edward R. Crouse, General Manager. Negotiating Party: Cosumnes River Land, LLC and Rancho Murieta Properties, LLC. Under Negotiation: Price and Terms.*

*Under Government Code 54957: Public Employee Appointment: Title: District General Counsel.*

*Under Government Code 54957: Public Employee Employment: Title: General Manager.*

Director Belton arrived at 4:08 p.m.

## **5/6. BOARD RECONVENED TO OPEN SESSION AT 5:05 P.M. AND REPORTED THE FOLLOWING:**

*Under Government Code section 54956.8: Conference with Real Property Negotiators – Real Property APN 128-0080-067 and APN 128-0100-029. Real Property Agency Negotiator: Edward R. Crouse, General Manager. Negotiating Party: Cosumnes River Land, LLC and Rancho Murieta Properties, LLC. Under Negotiation: Price and Terms. Nothing to report.*

*Under Government Code 54957: Public Employee Appointment: Title: District General Counsel. Nothing to report.*

*Under Government Code 54957: Public Employee Employment: Title: General Manager. Nothing to report.*

## **7. COMMENTS FROM THE PUBLIC**

Brad Sample, Magna Court, commented on his concerns regarding the problems with the pumps on February 9, 2014. Director Martel stated he had the same concern and Paul Siebensohn addressed the issue.

## **8. CONSENT CALENDAR**

**Motion/Gumbinger** to adopt the consent calendar. **Second/Belton. Roll Call Vote: Ayes: Pasek, Belton, Ferraro, Gumbinger, and Martel. Noes: None.**

## **9. STAFF REPORTS**

Under Agenda Item 9 d, Director Pasek commented on the graph not accurately showing the water level last year.

## **10. CORRESPONDENCE**

Director Belton stated Adam Dubey feels the tiered pricing should be by person not by lot size.

## **12. APPROVE HDR PROPOSAL FOR ENGINEERING SERVICES DURING CONSTRUCTION (TAKEN OUT OF ORDER)**

Ed Crouse stated he met with both HDR and Roebbelen Construction to review the proposal. Roebbelen will be the first point of contact for any Requests for Information and shop drawing submittals and will be on site to provide daily management oversight. HDR will visit periodically to observe, not for inspection or management.

Director Gumbinger stated that he feels the proposal is excess and should be around \$150,000. By consensus, the Board agreed to table this item and have staff go back to negotiate a lower price.

## **13. RECEIVE DROUGHT UPDATE**

Paul Siebensohn gave a brief drought update. The reservoirs are currently at 77% of capacity. Director Pasek asked about the status of the Temporary Emergency Urgency Change. Paul stated that it was filed last Thursday and staff should be hearing back within 2 weeks.

Director Ferraro commented on her concern and the concern of others that Rancho Murieta Association (RMA) is taking water from Laguna Joaquin and trucking it over to water the Escuela fields. Paul Siebensohn stated that he will contact RMA.

Director Martel asked if RMA was doing anything to reduce their water use. Ed stated that they are by reducing irrigation to the townhomes, postponing the La Crosse field, reducing water use inside the RMA building, Stonehouse Park and Riverview Park, and cutting the hours of the spray park.

## **14. TIMED ITEM - PUBLIC HEARING TO ADOPT RESOLUTION 2014-04, A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE WATER TREATMENT PLANT EXPANSION PROJECT AND APPROVING THE PROJECT**

Ed Crouse gave a brief summary of the recommendation to adopt Resolution 2014-04. Only two (2) comment letters were received; one (1) from the Regional Board and one (1) from Caltrans, of which neither required changes to the project or IS/MND..

President Pasek opened the hearing at 5:54 p.m. and asked for public comments. No comments.

President Pasek closed the hearing at 5:55 p.m.

**Motion/Gumbinger** to adopt Resolution 2014-04, a Resolution Adopting a Mitigated Negative Declaration for the Water Treatment Plant Expansion Project and Approving the Project, authorize the filing of a Notice of Determination under the California Environmental Quality Act (CEQA), and approve the Project. **Second/Martel. Roll Call Vote: Ayes: Pasek, Belton, Ferraro, Gumbinger, and Martel. Noes: None.**

**15. ADOPT RESOLUTION 2014-03 DECLARING THE DISTRICT'S OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF TAX EXEMPT SECURITIES**

Darlene Gillum gave a brief summary of the recommendation to adopt Resolution 2014-03. In order for the District to be able to repay itself for Water Treatment Plant 1 Expansion expenditures by issuing tax exempt securities, the District must have a Resolution of Intent to Reimburse from Proceeds of Tax Exempt Securities adopted prior to expending funds that may be repaid. This resolution does not commit the District to issue any tax exempt securities.

**Motion/Martel** to adopt Resolution 2014-03, a Resolution declaring the official intent to reimburse expenditures from the proceeds of tax exempt securities. **Second/Gumbinger. Roll Call Vote: Ayes: Pasek, Belton, Ferraro, Gumbinger, and Martel. Noes: None.**

**16. APPROVE DISTRICT'S PROP 218 NOTIFICATION REGARDING TIERED PRICING**

Darlene Gillum gave a brief summary of the recommendation to approve the Prop 218 Notice for the tiered pricing. This does not commit the District to enforcing tiered pricing but does allow for the District to go forward if the Board elects to proceed with tiered pricing. The earliest the tiered pricing rates would be in effect would be the May 25, 2014 billing statements.

Adam Dubey commented on his feeling that the one size fits all tiered pricing structure is not fair and suggested a flat rate increase be charged to all customers.

**Motion/Belton** to approve the proposed tiered rate and drought surcharge pricing for implementation through the Prop 218 for implementation, effective with the May 25, 2014 billing cycle. **Second/Ferraro. Roll Call Vote: Ayes: Pasek, Belton, Ferraro, and Gumbinger. Noes: Martel.**

**18. APPROVE TITLE 22 ENGINEERING REPORT AND REPORT OF WASTE DISCHARGE, AECOM CONTRACT AMENDMENT 1 (TAKEN OUT OF ORDER)**

Ed Crouse gave a brief summary of the recommendation to approve the Contract Amendment 1. With AECOM having successfully submitted the Title 22 Engineering Report and Report of Waste Discharge (ROWD) on schedule and below budget, AECOM recommends using the remaining budget, for Regional Water Quality Control Board (Regional Board), California Department of Public Health (CDPH) and CV-SALTS permit negotiations and Rancho Murieta Country Club (RMCC) outreach.

**Motion/Gumbinger** to Approve Title 22 Engineering Report and Report of Waste Discharge, Amendment 1, allocating the remaining fee for Title 22 Engineering Report and Report of Waste Discharge to permit negotiations and Rancho Murieta Country Club outreach, in an amount not to exceed \$35,120. Funding to come from the approved existing budget from Sewer Replacement Reserves. **Second/Belton. Ayes: Pasek, Belton, Ferraro, Gumbinger, and Martel. Noes: None.**

**19. APPROVE PROPOSAL FOR MASTER RECLAMATION PERMIT CEQA**

Ed Crouse gave a brief summary of the recommendation to approve the proposal for the Master Reclamation Permit CEQA.

**Motion/Gumbinger** to approve the proposal from AECOM for CEQA compliance for the new Master Reclamation Permit, in an amount not to exceed \$88,258.00. Funding to come from Sewer Replacement Reserves. **Second/Martel. Ayes: Pasek, Belton, Ferraro, Gumbinger, and Martel. Noes: None.**

**20. APPROVE PROPOSAL FOR UPDATING DISTRICT STANDARD CONSTRUCTION SPECIFICATIONS**

Ed Crouse gave a brief summary of the recommendation to approve the proposal to update the District's Standard Construction Specifications, dated May 1, 1993, to reflect Sacramento County's most current standards as well as other requirements recommended by District staff.

**Motion/Gumbinger** to approve the proposal from AECOM for updating the District's Standard Construction Specifications (May 1, 1993) in an amount not to exceed \$61,930. Funding to come from Water, Sewer and Drainage Operating Budgets. **Second/Belton. Ayes: Pasek, Belton, Ferraro, Gumbinger, and Martel. Noes: None.**

**21. APPROVE PROPOSAL FOR QUARTERLY AND ANNUAL GROUNDWATER MONITORING REPORTS AND SERVICES**

Paul Siebensohn gave a brief summary of the recommendation to approve the proposal for quarterly and annual groundwater monitoring reports and services.

**Motion/Gumbinger** to approve the proposal from The Westmark Group for quarterly and annual groundwater monitoring reports and services in an amount not to exceed \$14,850.00. Funding to come from the Sewer Operating Budget. **Second/Ferraro. Ayes: Pasek, Belton, Ferraro, Gumbinger, Martel. Noes: None.**

Director Belton left at 6:52 p.m.

**22. APPROVE PROPOSAL FROM DUNN ENVIRONMENTAL, INC., FOR PRODUCTION WELL CONSTRUCTION PLANS AND SPECIFICATIONS**

Paul Siebensohn gave a brief summary of the recommendation to approve the proposal for well production and construction plans and specifications.

**Motion/Gumbinger** to approve the proposal from Dunn Environmental, Inc., for production well construction, in an amount not to exceed \$135,507. Funding to come from Water Supply

Augmentation Reserves. **Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

The Board took a break at 6:56 p.m. and returned at 7:03 p.m.

**23. APPROVE THE PROPOSED CASH FOR GRASS REBATE PROGRAM**

Ed Crouse gave a brief summary of the recommendation to approve the Cash for Grass Rebate Program but to delay implementation. After a discussion, the Board, by consensus, agreed to table this item.

Director Martel asked that staff contact RMA to review and comment on the program.

**24. ADOPT RESOLUTION 2014-02, CALLING THE GENERAL DISTRICT ELECTION**

Suzanne Lindenfeld gave a brief summary of the recommendation to adopt Resolution 2014-02.

**Motion/Martel** to adopt Resolution 2014-02, a resolution calling the General District Election for the purpose of electing three (3) Directors to the Rancho Murieta Community Services District's Board of Directors. **Second/Ferraro. ROLL CALL VOTE: Ayes: Pasek, Ferraro, Gumbinger and Martel. Noes: None. Absent: Belton.**

**25. APPROVE ADDITIONAL COSTS FOR MAIN LIFT NORTH PROJECT**

**a. Additional Inspection Costs - Bay Area Coating Consultant Services, Inc.**

Paul Siebensohn gave a brief summary of the recommendation to approve payment of the additional inspection fees for the Main Lift North Project.

**Motion/Ferraro** to approve payment of the invoices from Bay Area Coating Consultant Services, Inc., for additional inspection costs for Main Lift North Project, in an amount not to exceed \$12,530. Funding to come from Sewer Replacement Reserves, CIP #12-04-2. **Second/Martel. Ayes: Pasek, Ferraro, Gumbinger and Martel. Noes: None. Absent: Belton.**

**b. Additional Repair Costs - Sholl Construction Company, Inc.**

Paul Siebensohn gave a brief summary of the recommendation to approve payment of the additional repair costs for the Main Lift North Project.

**Motion/Gumbinger** to approve payment of invoice from Sholl Construction Company, Inc. for additional repair costs for the Main Lift North Project, in an amount not to exceed \$4,689. Funding to come from Sewer Replacement Reserves, CIP#12-04-2. **Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger and Martel. Noes: None. Absent: Belton.**

**11. RECEIVE WATER TREATMENT PLANT EXPANSION PROJECT UPDATE**

Ed Crouse gave a brief update on the Water Treatment Plant Project. The Initial Study/Mitigated Negative Declaration (IS/MND) was sent to the state Clearinghouse in early January. Only two (2) form letter type responses were received of which neither required any changes to the project or IS/MND.

The project bid opening was extended to February 21, 2014, to allow the contractors more time to bid. A Special Board meeting is scheduled for February 28 to award contracts.

Final compilation of the GE contract documents is complete and waiting for signatures, following award of the trade contracts.

**17. SECURITY DEPARTMENT ANNUAL REPORT - PRESENTATION BY GREG REMSON, SECURITY CHIEF**

Chief Remson gave his annual presentation of the Security Department for 2013. The items covered in the presentation include: gate operations, patrol operations, calls for service, patrol time, and the James L. Noller Safety Center. A question and answer period followed.

**26. RECEIVE UPDATE ON AIRPORT PROPERTIES**

Ed Crouse gave a brief update on the airport properties. They are still pursuing building permits from Sacramento County for the hangar project. Staff completed a review of the onsite utility plan and approved it in January. Staff has determined the costs for unauthorized water and sewer use. After reviewing the water and sewer codes, it was determined the misdemeanor fines are beyond the District's authority to assess. Jonathan Hobbs, District General Counsel, stated that to file misdemeanor charges it must go through the District Attorney's Office.

It was also discovered that the airport is exempt from the water supply augmentation fee, since it was in use at the time the fee was enacted. Staff will track their water use over time to see if they exceed their estimated allocation when the augmentation fee was enacted.

President Pasek requested staff review the District Codes and include changes in the fees and charges with the budget process.

**27. RECEIVE UPDATE ON REPLACEMENT RESERVE STUDY**

Ed Crouse gave a brief report back on the research for having a replacement reserve study completed for the District. Costs can be \$75, 000 or more, based on the District's infrastructure. President Pasek directed staff to proceed with the Request for Proposal.

**28. REVIEW AND SELECT CONFERENCE/EDUCATION OPPORTUNITIES**

Director Gumbinger submitted the certificates he received from the California Special Districts Association How to be an Effective Board Member conference in January, 2014. Director Gumbinger suggested the District look at reviewing and updating the District's mission statement and the strategic plan.

**29. MEETING DATES/TIMES**

The Improvements Committee meeting is changed to February 27, 2014 to accommodate President Pasek's schedule.

Director Gumbinger stated he will miss the March 19, 2014 Board meeting.

The Board will be holding a Special Board meeting on March 28, 2014 to conduct interviews for the District's new general counsel.

**30. COMMENTS/SUGGESTIONS – BOARD MEMBERS AND STAFF**

Darlene Gillum stated that staff attended the RMCC Golf Expo. Staff will be holding a drought fair on April 12, 2014 from 9:00 a.m. to 11:00 a.m. at RMA.

Chief Remson stated that RMA will be holding a town hall meeting on Thursday regarding the new North Gate.

Director Martel asked about the status of the Mello-Roos. Darlene Gillum stated that she received a notice from the County stating that they had made an error in the balance remaining in the Mello-Roos. There is only \$35,000.

Director Gumbinger thanked Paul Siebensohn for getting the fire hydrant painted correctly.

President Pasek stated that RMCC has stated that there is too much salt in the reclaimed water and asked Paul Siebensohn to talk to them regarding this issue.

Ed Crouse gave a brief summary of the items discussed at the last President's meeting: the new North Gate, update on the Stage 2 water mandates, diversion update, and RMCC's upcoming events.

Ed thanked Darlene Gillum, Chief Remson and Travis Bohannon for attending the RMCC Golf Expo.

**31. ADJOURNMENT**

**Motion/Gumbinger** to adjourn at 8:18 p.m. **Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

Respectfully submitted,



Suzanne Lindenfeld  
District Secretary