



**RANCHO MURIETA COMMUNITY SERVICES DISTRICT  
REGULAR BOARD MEETING MINUTES**

April 15, 2020

Call to Order/Closed Session 4:00 p.m. and Open Session 5:00 p.m.

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

President Clark called the Regular Board Meeting of the Board of Directors of Rancho Murieta Community Services District to order at 3:30 p.m. via ZOOM conference per Governor Newsom Executive Order N-29-20. Directors present were Les Clark, Randy Jenco, Linda Butler, Tim Maybee and John Merchant. Also, present were Mark Martin, General Manager; Tom Hennig, Director of Administration; Paul Siebensohn, Director of Field Operations; Jeff Werblun, Security Chief; Richard Shanahan, District General Counsel; Cindy Chao, Controller and Amelia Wilder, District Secretary.

**2. CONSIDER ADOPTION OF AGENDA**

**Motion/Clark to adopt the agenda with change in the order, moving Item #12 after Item # 9. Second/Jenco. Ayes: Clark, Jenco, Merchant, Butler, Maybee. Noes: None. Absent: None. Abstain: None.**

**3. BOARD ADJOURNED TO CLOSED SESSION AT 4:03 P.M. TO DISCUSS THE FOLLOWING ITEMS:**

*Conference with legal counsel for existing litigation (Government Code section 54956.9(d)(1)) – G. Ansari v. Rancho Murieta Community Services District.*

*Under Government Code 54957: Public Employee Performance Evaluation of the General Manager.*

**4. BOARD RECONVENED TO OPEN SESSION AT 5:00 P.M. AND REPORTED THE FOLLOWING:**

*Conference with legal counsel for existing litigation (Government Code section 54956.9(d)(1)) – G. Ansari v. Rancho Murieta Community Services District.*

Richard Shanahan, District General Counsel, reported the Board unanimously approved a settlement agreement and release of all claims with former employee Gamal Ansari that settles various termination related claims that Mr. Ansari had against the District.

*Under Government Code 54957: Public Employee Performance Evaluation of the General Manager.*

Director Clark reported that the Board unanimously agreed to move forward a draft amendment to the employment agreement number two for General Manager Mark Martin, that will be coming forward in a subsequent Board meeting for Open Session consideration.

**5. CONSENT CALENDAR**

Director Maybee commented on the public comment section of the April 7, 2020 Finance Committee Meeting Minutes, noting that as a result of citizen's comments the District had to spend resources to research the allocations made. Director Butler questioned the budgetary process, and Director Maybee clarified. Director Butler also clarified that the intent of the Communications/Technology Committee topic concerning calling Lakes Reservoirs included not just making new signs but educating the Community on the use of the water in the Reservoirs. **Motion/Clark to adopt the consent calendar. Second/Jenco. Roll Call Vote: Ayes: Clark, Jenco, Merchant, Butler, Maybee. Noes: None. Absent: None. Abstain: None.**

## 6. STAFF REPORTS

Under Agenda Item 6a, Mark Martin, General Manager, gave a brief summary of activities during the previous month, including that most Administrative Personnel are working off site and the District has purchased washable masks in response to COVID-19. He recapped the District's efforts to ease the impact of the pandemic within the Community, including suspending all lock-offs, implementing Pay Agreements, and informing residents of the District's efforts. He continued with an update on the Regional Water Authority (RWA) Water Efficiency Plan (WEP) sponsorship of rebates on Rachio Irrigation Controllers. More information is available at [www.rmcsd.com](http://www.rmcsd.com). Paul Siebensohn has signed the District on to CalWarn.org, to partner with other water agencies in their network to share staff and resources during an emergency. Mr. Martin also reported to the Board the events of the meeting with Sacramento Central Ground Authority (SCGA) and Sloughhouse Resource Conservation District GSA Boundary MOU Working Group and the District's desire to remain with SCGA. Director Maybee asked that the District prepare a report to memorialize that fact. He finished with an update on the 670 FSA. The District has met with Legal Counsel, and Economic and Planning Systems (EPS) has been engaged as the fund manager.

Under Agenda Item 4b, Tom Hennig, Director of Administration, updated the Board on the status of the District's finances, noting that we have zero water lock offs and we are prepared to enter into Pay Agreements with residents who may be financially affected by the Coronavirus Pandemic. He fielded questions from the Board concerning reserve funds and consulting companies the District is currently engaged with. He continued with an update on the Prop 218 notice that was sent to residents and the District's receipt of four protest letters to date. Mr. Hennig also informed the Board that per guidelines of the Families First Coronavirus Response Act, the District has placed 80 hours of sick leave in employees sick leave accounts in the event that the employee meets the criteria defined therein. The estimated cost to the District could be between \$10,000 and \$20,000.

Under Agenda Item 4c, Chief Werblun gave a brief overview of the operations updates and incidents of note, stating that the Customer Service Training has been postponed. Director Butler commented on the lack of social distancing by some residents and spoke about thefts at the mini-storage and airport.

Under Agenda Item 4d, Paul Siebensohn, Director of Field Operations, gave a brief summary of the utilities update, including an update that water usage was up in February and March due the lack of rain, and that we have resumed pumping to fill the Reservoirs now that stop-logs have been installed in the reservoir spillways. He discussed RMA's comments about drainage into the Reservoirs from the Rancho Murieta North development. Coastland will provide comments to the County clarifying this. Director Merchant clarified inquired about if the Rancho Murieta North Infrastructure Master Plan from 2003 has been submitted to the County and the prohibited drainage into the Reservoirs was discussed. Paul commented, yes it was mentioned in the letter submitted by Coastland, confirmed by Laurie Loaiza of Coastland. The update continued with a discussion of the signs being placed at Murieta Gardens Highway 16 without District review and being done so "at risk" to the developer, and the potential impacts to the CIA Ditch. The discussion turned to Staff being asked to track time spent on Developer projects that are happening without prior District approval so that time can be charged back to the Developer. Director Clark asked that we consider closer coordination with the County to ensure that plans are being review and accepted by the District.

Mr. Siebensohn continued with two updates to the Packet: 1. In the Murieta Gardens II Infrastructure, there is a manhole on lot 66 which the District needs access to. 2. The Effluent Pumps for the Water Plant have been manufactured and are waiting to be shipped.

## **7. CONSIDER CONFERENCE/EDUCATION OPPORTUNITIES**

No Updates

## **8. EMPLOYEE ANNOUNCEMENTS, PROMOTIONS, COMMENDATIONS, AND KUDOS**

General Manager Mark Martin commented that Staff has done a great job during the Coronavirus pandemic.

## **9. REVIEW APRIL 2020 BOARD/COMMITTEE MEETING DATES/TIMES**

Director Maybee will not be able to attend the Finance Committee Meeting May 5, 2020.

## **10. COST ALLOCATION PLAN REPORT AND PRESENTATION**

Tom Hennig introduced Terry Madsen from ClearSource Financial Consultants, whose firm prepared a Cost Allocation Plan for the District. Mr. Madsen presented the findings from his study detailing the breakdown of Administrative costs to each of the following departments: Water; Sewer; Drainage; Solid Waste and Security. This prompted a discussion by the Board and community members. The findings of the report will be discussed further at Finance Committee. Mr. Shanahan noted that the Drainage and Security programs are not subject to the same cost allocations as they are special taxes and not a charge for services. Resident Richard Gehrs asked for clarification on the methodology of the allocations. Mr. Madsen used a method for the costs of the efforts expended to run each of the departments.

## **11. CORRESPONDENCE**

Mark Martin reviewed a letter from Murieta Village resident Richard Gehrs expressing concerns about Security costs and how they are allocated. This brought about public comment from Mr. Gehrs. Dick Shanahan reviewed these concerns and determined that General Funds are to be used at the discretion of the District. Mr. Gehrs commented on his concerns that General Funds were being used to fund RMA's private gates.

Mr. Martin continued with his review of a Prop 218 protest letter received from Jerry Pasek.

He continued with a letter received from John Seigal, who coordinates voting at the District offices and thanked the District for its participation.

## **12. COMMENTS FROM THE PUBLIC**

None.

## **13. REVIEW SECURITY'S ANNUAL REPORT**

Chief Werblun presented the Board with the 2019 Annual Security Report, detailing the breadth of services provided by Security, including events attended by the Security Department, goals and accomplishments, gate operations, patrol operations, calls for service, crime complaints, observe and report citations, non-arch rules complaints/admonishments, the Safety Center, and the ability for residents to update their guests online. A question and answer period followed.

## **14. REVIEW CAL-WASTE REQUEST FOR DISTRICT SUPPORT OF PROPOSED STATE EMERGENCY FUNDING RELATED TO COVID-19 FINANCIAL IMPACTS TO SOLID WASTE RECOVERY COMPANIES**

Mr. Martin reviewed the request by Cal-Waste for the District to write a letter voicing our support for Cal-Waste asking for funding to cover employee wages and benefits for a year, when there is no determination of how long they will remain impacted, and there is no legislation currently in place. The Board discussed this

issue and instructed Staff to compose a letter that gives general support for reimbursement related to the level of impact.

#### **15. CONSIDER ADOPTION OF RESOLUTION R2020-02, ACCEPTING TWO GRANTS OF EASEMENT FROM MURIETA MARKETPLACE, LLC**

Laurie Loaiza, Coastland Engineering, gave a brief overview of the Easements. These are utilities easements located in the parking lot of Murieta Marketplace, and contain specific language stating, *“The District will not restore or replace in kind any other improvement, structure, or features located in the District easements area that needs to be cut or removed to access the underground facility, including but not limited to: concrete curb, landscaping, irrigation, decorative paving, concrete pavement, walls, fences, signs etc. The District is additionally not responsible for any damages or costs associated with any adjacent business interruption or loss of use or access due to the need to access District facilities.”* **Motion/Jenco to adopt Resolution R2020-02 accepting two Grant Easements from Murieta Marketplace, LLC. Second/Clark. Roll Call Vote: Ayes: Clark, Jenco, Butler, Merchant, Maybee. Noes: None. Absent: None. Abstain: None.**

#### **16. CONSIDER APPROVAL OF 6B SEWER LIFT STATION PLC REPLACEMENT**

Paul Siebensohn gave a brief update on the age of the 6B Sewer Lift Station and its need for PLC and backpan replacement due to numerous problems. It was not identified as a Capital Replacement Project, and the District used a single source bid allowable by District Code, returning to Tesco, the company that originally installed the equipment in 1991, as they are well qualified and poised to quickly replace the equipment. **Motion/Clark to approve bid from Tesco Controls, Inc. in an amount not to exceed \$22,825 plus a 15% contingency for \$26,248.75 for the replacement of 6B Sewer Lift Station Programable Logic Controller. Funding to come from Sewer Replacement Reserves. Second/Jenco. Roll Call Vote: Ayes: Clark, Jenco, Butler, Merchant, Maybee. Noes: None. Absent: None. Abstain: None.**

#### **17. CONSIDER APPROVAL OF WEST DAF ELECTRICAL PANEL REPLACEMENT**

Paul Siebensohn discussed the need to replace the West Dissolved Air Flootation System (DAF) Electrical Panel due to its age and non-standard work done on it in the past. This was not on the Capital Replacement Plan (CRP), and Director Clark asked for a more comprehensive CRP. **Motion/Jenco to approve the bid from Telstar Instruments for the replacement of West DAF Electrical Panel in an amount not to exceed \$78,258 plus a 15% contingency for a total of \$89,996.70. Funding to come from Sewer Capital Replacement Reserves. Second/Clark. Roll Call Vote: Ayes: Clark, Jenco, Butler, Merchant, Maybee. Noes: None. Absent: None. Abstain: None.**

#### **18. CONSIDER APPROVAL OF ADDITIONAL FUNDING TO DOMINICHELLI & ASSOCIATES FOR DAM EMERGENCY ACTION PLANS**

Mr. Siebensohn updated the Board on the changing regulations around Dam Inundation Mapping and Emergency Service Plan Requirements. The District had awarded a contract for the preparation these plans to Dominichelli and Associates in 2018. With the additional requirements that are now in place, the required work for Dominichelli and Associates has increased, and they are requesting additional funds to cover their costs. **Motion/Clark to approve \$12,573 to Dominichelli and Associates to cover the increased costs of preparation of Dam Inundation and Emergency Action Plans. Funding to come ¼ from Sewer Replacements Reserves and ¾ from Water Replacement Reserves. Second/Jenco. Roll Call Vote: Ayes: Clark, Jenco, Butler, Merchant, Maybee. Noes: None. Absent: None. Abstain: None.**

## 19. RECEIVE LAFCO MUNICIPAL SERVICES REVIEW (MSR)

Mark Martin gave a review of the role of LAFCo relating to CSD. A discussion followed regarding the Parks Plan in place with the District, and while the CSD has a function in Parks in the Community it has not been exercised and is unfunded. Director Merchant commented that he would like to keep this power.

## 20. PROPOSED AD HOC COMMITTEE FOR RESERVOIR SIGNAGE

Paul Siebensohn provided a brief review of the discussions in the Communication/Technology Committee regarding the signage at the reservoirs noting them as being lakes. The committee would like to inform the Community of the highest use and ultimate purpose of the water in the Reservoirs, which is for the use of the Community for drinking, and that these facilities need to be preserved and protected. Directors Butler and Merchant, who sit on this Committee would like a more comprehensive educational approach to the water, to update signs, and to coordinate those efforts with other organizations in Rancho Murieta. **Motion/Merchant to form an ad hoc committee to further investigate better ways to protect our water supplies. Second/Butler. Roll Call Vote: Ayes: Clark, Jenco, Butler, Merchant, Maybee. Noes: None. Absent: None. Abstain: None.**

## 21. CONSIDER INTRODUCTION OF ORDINANCE O2020-01 AMENDING DISTRICT CODE CHAPTER 21 (SECURITY SERVICES) REGARDING UPDATES AND REVISIONS TO VARIOUS PROVISIONS

Chief Werblun gave a detailed summary of the events leading to the need to amend the wording of the Code. The Security Committee has discussed this and recommended it be heard by the Board. While the Agenda shows this to be the Adoption of this Ordinance, review by the Districts Legal Counsel found that this item must be Introduced at one meeting and Adopted at a subsequent meeting. **Motion/Clark to introduce Ordinance O2020-01 amending District Code Chapter 21 (Security Services) regarding updates and revisions to various provisions. Second/Butler Roll Call Vote: Ayes: Clark, Jenco, Butler, Merchant, Maybee. Noes: None. Absent: None. Abstain: None.**

## 22. DISCUSS POTENTIAL APPROACHES TO COVID-19 FINANCIAL RELIEF TO RATEPAYERS VIA PROPOSED FISCAL YEAR 2020-21 BUDGET ADJUSTMENTS

General Manager Mark Martin introduced the idea, presented to him by Director Merchant, for the District to provide relief to ratepayers with an abeyance of repayment of \$6.00 monthly reserve contribution to the Water Treatment Plant. Director Merchant led the discussion of the Board around replacing reserves, and the impact this would have on this year's Budget and the potential actual relief a savings of \$6.00 a month would be to residents. A robust discussion followed, and the Board decided to move this item to the Finance Committee for further review.

## 23. DIRECTOR COMMENTS/SUGGESTIONS

Director Maybee thanked Staff for all of their efforts.

Mark Martin announced that he has informed the Board of his plans to retire in mid-July 2020.

## 24. ADJOURNMENT

**Motion/Clark to adjourn at 10:02 p.m. Second/Maybee. Ayes: Clark, Jenco, Butler, Merchant, Maybee. Noes: None. Absent: None. Abstain: None.**

Respectfully submitted,

Amelia Wilder  
District Secretary