

# RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Board of Directors Meeting

MINUTES

April 16, 2014

3:00 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 3:00 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. BOARD ADJOURNED TO CLOSED SESSION AT 4:03 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: Darlene Gillum, Assistant General Manager. Negotiating Party: Cosumnes River Land, LLC and Rancho Murieta Properties, LLC. Under Negotiation: Price and Terms.*

*Conference with Legal Counsel – Anticipated Litigation involving significant exposure to litigation in one (1) potential case, a March 28, 2014 personal injury and property damage claim filed by R. Papas. (Government Code Section 54956.9(d)(2)).*

## **3/4. BOARD RECONVENED TO OPEN SESSION AT 5:03 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: Darlene Gillum, Assistant General Manager. Negotiating Party: Cosumnes River Land, LLC and Rancho Murieta Properties, LLC. Under Negotiation: Price and Terms. Nothing to report.*

*Conference with Legal Counsel – Anticipated Litigation involving significant exposure to litigation in one (1) potential case, a March 28, 2014 personal injury and property damage claim filed by R. Papas. (Government Code Section 54956.9(d)(2)). Nothing to report.*

## **5. COMMENTS FROM THE PUBLIC**

Jay Schneider commented on the water rights, his feeling that Rancho Murieta is not in a drought, and that a new report is out stating that the drought is not as bad as originally said and that rain is in the horizon.

Phil Neff commented on Lake Guadalupe being filled. President Pasek stated that he had give Mr. Neff's name, number and concerns to Rancho Murieta Association (RMA) and asked them to contact Mr. Neff regarding his concerns.

## **6. ADOPT AGENDA**

**Motion/Gumbinger** to adopt the agenda. **Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

## **7. SPECIAL ANNOUNCEMENTS AND ACTIVITIES**

None.

## **8. CONSENT CALENDAR**

Under Agenda Item 8b2, Director Ferraro asked about the easements for the augmentation wells. Paul Siebensohn stated that the District has received the temporary easements but will not go forward with the permanent easements until the well locations have been decided.

Under Agenda Item 8c, Director Ferraro asked about the SMUD billing. Darlene Gillum stated that the billing includes the use of the two (2) large pumps.

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

## **9. STAFF REPORTS**

No discussion.

## **10. CORRESPONDENCE**

Carl Gaither commented on his letter regarding the concerns he has regarding RMA's spray park. President Pasek stated that RMA will not be using any additional water and he has forwarded Mr. Gaither's letter to RMA to respond. Director Martel stated that at this time, the District cannot tell anyone how to use their water, other than not to waste it.

## **11. APPROVE CONTRACT FROM BARTKIEWICZ, KRONICK & SHANAHAN A PROFESSIONAL LAW CORPORATION, FOR DISTRICT COUNSEL LEGAL SERVICES**

President Pasek introduced the District's new legal counsel, Richard Shanahan.

**Motion/Gumbinger** to approve the contract with Bartkiewicz, Kronick & Shanahan, A Professional Law Corporation, to provide legal services as the District's General Legal Counsel. **Second/Ferraro**. **Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

## **12. CONSIDER ACTION ON MARCH 28, 2014 PERSONAL INJURY AND PROPERTY DAMAGE CLAIM FILED BY R. PAPAS**

**Motion/Gumbinger** to reject the claim, direct the General Manager to send a claim rejection letter to the claimant and refer the claim to Golden State Risk Management Authority. **Second/Martel**. **Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

## **13. RECEIVE DROUGHT UPDATE**

Paul Siebensohn gave a brief update on the drought. The reservoirs are currently full; there has been an 8.84% reduction in total potable water consumption YTD through March 2014 compared to 2013. Paul stated that water conservation should become a way of life for everyone.

President Pasek stated that he feels the District should move to a Stage 1 Water Alert.

Ted Hart commented on the 1977 drought and the need for residents to stop putting in lawns.

**Motion/Ferraro** to go to a Stage 1 Water Alert, effective May 1, 2014. **Second/Martel. Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

Darlene Gillum stated that going to Stage 1 eliminates the need for tiered pricing at this time.

Adam Dubey commented that the one size fits all tiered pricing structure is not fair and suggested a flat rate or the usage amount be based on per square foot instead of lot size. Mr. Dubey thanked the Board for their service to the community.

Director Martel stated he is against tiered pricing and suggested penalizing water wasters. Director Gumbinger agreed.

#### **14. PUBLIC HEARING - CONSIDER PROPOSED TIERED PRICING RATES**

Darlene Gillum gave a brief summary of the proposed tiered pricing structure and drought surcharges for water use for both residential and commercial.

President Pasek opened the public hearing at 6:21 p.m.

Sheri Barile asked when the Stage 1 Water Alert would go into effect. Darlene Gillum stated May 1, 2014.

Steve Murphy commented that he feels there should be an ending date/time frame for when the Stage 1 Water Alert will be in effect.

John Sullivan commented on his feeling that the formula used for the tiered pricing is unfair and will cause a hardship on the Equine Center.

President Pasek closed the public hearing at 6:42 p.m.

Director Gumbinger stated that tiered pricing is a moot point now that the District is going to a Stage 1 Water Alert.

The Ordinance was tabled due to lack of a motion. President Pasek requested staff review the formula.

The Board took a break at 6:48 p.m. and reconvened at 6:55 p.m.

#### **15. PUBLIC HEARING - TO ADOPT RESOLUTION 2014-07, A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION FOR GROUNDWATER WELL AUGMENTATION PROJECT AND APPROVING THE PROJECT**

Paul Siebensohn gave a summary of the recommendation to adopt Resolution 2014-07, a resolution adopting a mitigated negative Declaration for the Groundwater Well Augmentation Project and approving the project.

Director Gumbinger commented on the need to secure the well areas.

Director Ferraro asked who would be hiring the biologist if one is needed. Dave Beauchamp, Atkins, stated that the District would do the hiring.

Director Martel commented on his concern with the costs for the wells. Ed Crouse stated the District is receiving a grant for partial payment of the project and that the developers pay an augmentation fee per lot which goes towards the project. The wells will only be used during extreme drought conditions.

Jay Schneider requested this item be carried over to next month to allow him time to comment. By consensus, the Board agreed to carry the item over to the May 21, 2014 District Board meeting.

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

Paul Siebensohn gave a brief update on the Water Treatment Plant Expansion Project. Darlene Gillum stated staff is working with GE and the other bidders to extend their bid proposals. Contracts can be awarded once the Financing and Services Agreement is signed.

John Sullivan stated that GE has agreed to extend their bid proposal to the end of April.

**17. ADOPT DISTRICT POLICY 2014-01, DISTRICT INVESTMENT POLICY**

Darlene Gillum gave a brief summary of the recommendation to adopt District Policy 2014-01.

**Motion/Martel** to adopt District Policy 2014-01, District Investment Policy. This policy supersedes District Policy 2010-04. **Second/Gumbinger. Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

**18. RECEIVE SUMMARY REPORT OF COSTS TO DATE FOR THE MAIN LIFT NORTH PROJECT**

Paul Siebensohn gave a brief summary of the costs, to date, for the Main Lift North Project. Negotiations are continuing with the general contractor on the Project.

**19. APPROVE CHESBRO RESERVOIR DRAIN VALVE REPLACEMENT PROPOSALS**

Paul Siebensohn gave a brief summary of the recommendation to approve the proposal for replacement of Chesbro Reservoir drain valve.

**Motion/ Gumbinger** to approve the proposal from Groeniger/Ferguson Water Works, Inc., in an amount not to exceed \$6,562.08 for spool, coupling, gaskets, and bolt kits necessary to complete the installation. Funding to come from Water Replacement Reserves.

Approve the proposal from TNT Industrial Contractors, Inc., in an amount not to exceed \$4,848, for valve installation services. Funding to come from Water Replacement Reserves.

Approve the proposal from United Rentals, Inc., in an amount not to exceed \$400.32 for equipment rental. Funding to come from Water Replacement Reserves.

Approve proposal from T & T Valve and Instrument, Inc., in an amount not to exceed \$8,102, for the replacement valve. Funding to come from Water Replacement Reserves.

Total cost for the project is not to exceed \$19,912.40. **Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

## **20. APPROVE AUGMENTATION WELL TELEMTRY DESIGN PROPOSAL**

Paul Siebensohn gave a brief summary of the recommendation to approve the proposal from Dunn Environmental for the augmentation well telemetry design. Director Gumbinger stated he is opposed to approving the proposal as he feels the cost is too high. Director Ferraro agreed.

Paul Siebensohn stated that the work has already been done. Director Martel commented on reserve money expenditures needing Board approval. President Pasek stated that staff had been given Board direction to expedite the well project.

**Motion/Martel** to approve the proposal from Dunn Environmental/NV5, Inc., for the augmentation well telemetry design, in an amount not to exceed \$9,154. Funding to come from Water Supply Augmentation Reserves. **Second/Pasek. Ayes: Martel, Pasek. Noes: Gumbinger, Ferraro. Absent: Belton. Motion not passed due to lack of majority vote.**

Darlene stated that since the amount is under the General Manager's spending limit, the invoice will be paid from the Operating Budget instead of Reserves.

## **21. REVIEW AND SELECT CONFERENCE/EDUCATION OPPORTUNITIES**

**a. Motion/Martel** for Paul Siebensohn to attend the California Rural Water Association Expo in Lake Tahoe, Nevada. **Second/Pasek. Ayes: Pasek, Ferraro, Gumbinger, and Martel. Noes: None. Absent: Belton.**

## **22. REVIEW MEETING DATES/TIMES**

Director Martel stated that Director Belton requested the Security meeting be changed to April 24, 2014. Director Martel agrees to the change.

## **23. COMMENTS/SUGGESTIONS-BOARD MEMBERS AND STAFF**

Chief Remson gave a brief summary of the ISC West Security Convention and Show. Items looked at included: various cameras, fence alarms, license plate readers, gate operators and intercoms.

Director Martel stated that the ad hoc Security Committee met Tuesday to discuss the security surveillance camera plan for the community. The Committee will be meeting with all the stake holders to find out where, if they purchased their own cameras, they would place them. Director Martel commented that the District is not funding cameras for the community.

Director Martel stated he will be meeting with Darlene to discuss his budget concerns.

Paul Siebensohn stated the District's Conservation Fair on April 12, 2014 went well with about 75 people in attendance. Staff has received compliments on what a good job everyone did.

Director Martel commented on the need for the community to continue to do the voluntary reduction of water use.

Director Gumbinger stated the Conservation Fair was very well done. Paul Siebensohn will be making a presentation to the Kiwanis Club on May 1, 2014.

Director Ferraro gave a brief summary of the presentation Paul Siebensohn did at the Women's Club lunch. Over 100 women were in attendance and the presentation was well enjoyed.

Ed Crouse gave a brief summary of the April Presidents' meeting. Items discussed include the new north gate schedule, water usage, upcoming Rancho Murieta Country Club events, and the Conservation Fair.

Ed thanked Darlene Gillum, Paul Siebensohn, Travis Bohannon, and James Colas for their participation in the Conservation Fair.

Ed will be on vacation the last week in May.

President Pasek stated that RMA is researching starting a Chamber of Commerce in Rancho Murieta.

**24. ADJOURNMENT**

**Motion/Gumbinger** to adjourn at 7:52 p.m. **Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger, Martel. Noes: None. Absent: Belton.**

Respectfully submitted,



Suzanne Lindenzfeld  
District Secretary