



## RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Board of Directors Special Meeting

MINUTES

September 2, 2015

5:30 p.m. Closed Session ~ 6:00 p.m. Open Session

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

President Gerald Pasek called the special meeting of the Board of Directors of Rancho Murieta Community Services District to order at 5:30 p.m. in the District meeting room, 15160 Jackson Road, Rancho Murieta. Directors present were Gerald Pasek, Betty Ferraro, Mark Pecotich, and Michael Martel. Also present were Darlene J. Gillum, General Manager; Greg Remson, Security Chief; Eric Thompson, Controller; Paul Siebensohn, Director of Field Operations; Suzanne Lindenfeld, District Secretary; and Richard Shanahan, General Counsel.

### **2. ADOPT AGENDA**

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

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

None.

### **4. BOARD ADJOURNED TO CLOSED SESSION AT 5:31 P.M. TO DISCUSS THE FOLLOWING ITEMS**

Under Government Code 54956.9(d)(2): conference with legal counsel regarding anticipated litigation - significant exposure to litigation involving one potential case.

### **5. BOARD RECONVENED TO OPEN SESSION AT 5:02 P.M. AND REPORTED THE FOLLOWING:**

Under Government Code 54956.9(d)(2): conference with legal counsel regarding anticipated litigation - significant exposure to litigation involving one potential case. Nothing to report back.

### **6. COMMENTS FROM THE PUBLIC**

Myrna Solomon, Lago Drive, commented on her concern with what the developers meant when they used the word "Ranchettes"; does that mean there will be horses on the properties?

### **7. CONSENT CALENDAR**

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

### **8. CORRESPONDENCE**

Director Pecotich suggested an official response to the correspondences from SOLOS and Mr. & Mrs. Summersett be sent. By consensus, the Board agreed.

### **9. DISCUSS AUGUST 21, 2015 DEVELOPER PRESENTATION TO THE BOARD CONCERNING THE PROPOSED RANCHO MURIETA NORTH DEVELOPMENT PROJECT**

President Pasek stated that the responses to the questions submitted by the public at the August 21, 2015 Board meeting will be posted on the District's website and will be updated as more questions come in. Ad hoc committees will be formed when needed and each one will address a

specific topic. Darlene Gillum stated that ad hoc committees are subject to Brown Act requirements. Steve Murphy suggested the District get input from Rancho Murieta Association (RMA) regarding forming any ad hoc committee.

Cheryl McElhany requested an ad hoc committee be formed to discuss using the Water Augmentation Funds for purchasing land around the reservoirs instead of drilling wells or deepening the current reservoirs. President Pasek stated that the community could get together and buy the land.

President Pasek stated the first thing would be for Richard Shanahan, District Legal Counsel, to provide a legal opinion on whether or not the District can legally use the Augmentation Funds for purchasing land.

Linda Kline commented on the developer presentation and her concern with the developers letting in so many people before the doors were opened for the public. Darlene Gillum stated that no one from the District staff was appointed to monitor who the developers let in.

Darlene explained that August 21, 2015 was the first date that everyone involved in the presentation was available. An attempt to have the meeting held at Rancho Murieta Country Club (RMCC) was made but RMCC did not have anything available on the date and time needed.

Director Martel commented on the developer presentation was to the District Board of Directors, not a town hall meeting.

Linda Kline commented on her concerns with testing being done regarding asbestos. Darlene stated that testing for asbestos is part of the CEQA process.

Director Martel commented on his personal opinion that the District was not being truthful with Brad Sample back in 2006/2007 regarding his concerns about the asbestos.

President Pasek stated that the new filtration system will remove any asbestos that may possibly be in the water. Cheryl stated that Brad Sample will disagree with that and this matter will be brought up again.

Director Pecotich thanked everyone for their input on the responses.

**10. CONSIDER APPROVAL OF AN EXTENSION OF TERM OF THE 1995 REIMBURSEMENT AGREEMENT BETWEEN RANCHO MURIETA COMMUNITY SERVICES DISTRICT AND SHF ACQUISITION CORPORATION**

Richard Shanahan, District Legal Counsel, stated that this item is being deferred to the September 16, 2015 Board meeting to allow time for review of the letter received today from Sedgwick, LLP on behalf of MAR Investment One Company, Inc.

**11. DISCUSS MIDGE FLIES AT LAGUNA JOAQUIN**

Mary Brennan commented on her concern with the midge flies this year, the normal treatments are not working, and her concern that they could spread to the other reservoirs. She suggested

dredging Laguna Joaquin. Paul Siebensohn stated that due to the drought, the heat and stagnant water, the midge fly population is worse this year. Dredging will not solve the problem as the midges will simply repopulate on the surrounding soil or sediment remaining.

Darlene Gillum stated she has reached out to UC Davis' Entomology Department to inquire if there may be any interest in using the Laguna Joaquin midge fly issue as a student research project but has received no response back. She will follow up with a letter to them.

President Pasek commented on RMA addressing this issue as it is above the water, which is their responsibility. President Pasek asked about spraying pesticide to help with the problem. Paul stated pesticides are not recommended due to environmental concerns and are not allowed per regulations.

Paul Siebensohn stated the best option may be to remove the fish population in Laguna Joaquin and replace them with mosquito fish. This is currently being done at the wastewater treatment ponds; it works well, and creates no regulatory issues. This would take outreach and buy in with the community.

Dean Byer commented on how the midge flies impact daily lives of residents, the fish don't. He also commented on how there should be only one Board over all of the community.

## **12. CONSIDER APPROVAL OF THE 2016 WATERSMART - TITLE XVI WATER RECLAMATION PROPOSAL FOR PROFESSIONAL SERVICES**

Paul Siebensohn gave a brief summary of the recommendation to approve the proposal from AECOM to pursue grant funding from the US Bureau of Reclamation's WaterSMART: Title XVI Water Reclamation and Reuse Program Funding (Tile XVI) as a potential source to supplement the implementation of the District's recycled water service program.

Tom Guinn, from AECOM, stated that the grants provide 25% matching grant funds for quality recycled water project. Since the District received grant money for the Feasibility Study, the Bureau of Reclamation stated they have a vested interest in the District. Tom stated he feels there is a 75% chance of the District receiving funds.

Director Martel commented on how this item was voted down last month and he feels he does not have enough information at this time to vote for it.

**Motion/Pecotich** to approve proposal from AECOM to provide professional services for the 2016 WaterSMART - Title XV1 Water Reclamation Funding, in an amount not to exceed \$24,084. Funding to come from Water Supply Augmentation Reserves. **Second/Pasek. Ayes: Pasek, Ferraro, Pecotich. Noes: Martel. Absent: None. Abstain: None.**

## **13. CONSIDER APPROVAL OF RECYCLED WATER PROGRAM IMPLEMENTATION PROPOSAL**

Paul Siebensohn gave a brief summary of the recommendation to approve the proposal from AECOM for development of a recycled water program implementation plan. Tom Guinn, from AECOM, stated that he and Paul have been meeting with the developers on a regular basis to determine needed recycled water use for wastewater disposal needs.

Director Martel stated that since there was no committee meetings this month, he has not had enough time to review the item. Director Martel asked when the Board packet was sent out to the Directors. Suzanne stated it was sent out Friday afternoon.

President Pasek stated that this Special Board meeting is in place of the committee meetings so the entire Board can have input and ask questions about any of the items on the agenda.

Director Ferraro suggested this item be continued to the September 16, 2015 Board meeting to allow the Board more time to review the item.

**Motion/Pecotich** to approve proposal from AECOM for development of a recycled water program implementation plan, in an amount not to exceed \$52,889, which includes a 5% contingency. Funding for Tasks 1, 2, 4, and 5, in the amount of \$42,638, to come from Sewer Reserves and Task 3, in the amount of \$10,251, to come from Developer Facility Extension funds. **Second/Pasek. Ayes: Pasek, Pecotich. Noes: Ferraro, Martel. Absent: None. Abstain: None.**

This item will be deferred to the September 16, 2015 Board meeting.

#### **14. CONSIDER APPROVAL OF PAYMENT MADE TO TNT INDUSTRIAL CONTRACTORS FOR ADDITIONAL COSTS OF DRAIN VALVE INSTALLATION**

**Motion/Martel** to approve payment of the additional invoices paid to TNT Industrial Contractors, Inc., related to the Chesbro Reservoir Drain Valve Replacement Project, in an amount not to exceed \$7,097.22. Funding to come from Water Replacement Reserves. **Second/Pecotich. Ayes: Pasek, Ferraro, Martel, Pecotich. Noes: None. Absent: None. Abstain: None.**

#### **15. RECEIVE UPDATE CONCERNING PROPOSED SOLAR POWER PURCHASE AGREEMENT**

Darlene Gillum stated that she and Richard Shanahan have reviewed the draft Purchase Agreement and provided comments back to Michael Carpol. The goal is to have the final agreement to the Board at the September 16, 2015 Board meeting for review and approval.

Director Ferraro commented on her concerns with SolarCity due to their many lawsuits in Arizona regarding residential leases. Richard Shanahan stated that the District is not entering into a lease but a purchase agreement. SolarCity will be responsible for the maintenance of their equipment.

#### **16. RECEIVE TEMPORARY WATER FILTRATION DECOMMISSIONING UPDATE**

Paul Siebensohn gave a brief update on the temporary water filtration decommissioning. The temporary filtration system is scheduled to go offline September 11, 2015. Once offline, the electrical contractor can conduct the necessary work on the electrical. Decommissioning leaves the District with the sole capacity of Plant #2, rated at a nominal capacity of 2 million gallons per day.

#### **17. REVIEW MEETING DATES AND TIMES**

Director Pecotich stated that a Parks Committee meeting has been scheduled for September 8, 2015. Darlene Gillum stated that a Security ad hoc committee meeting has been scheduled for September 3, 2015.



## **18. COMMENTS FROM THE PUBLIC**

Chief Remson commented on the fatality car accident and reminded everyone to wear seatbelts and pay attention to the road.

Eric Thompson stated that the audit is going well.

Director Martel commented on wanting to applaud Chief Remson on the savings on gas by having staff not leave vehicles running when they are not in them and his concern that patrol needs to be increased in the evenings to better catch, stop, and prevent vandalism in the community.

John Sullivan stated that on September 9, 2014, activity at the hotel site will begin at 4:00 a.m. Coffee and donuts will be available.

President Pasek commented on the need to not quibble over little things and to take into account the reward when contemplating the risk.

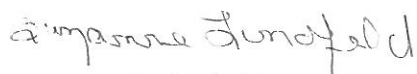
Director Ferraro commented on staff working on the pipes and that someone put a cone out without CSD written on it.

Director Pecotich asked about the candidates for the Director position. Darlene stated that two (2) letters of interest have been received so far.

## **19. ADJOURNMENT**

**Motion/Ferraro** to adjourn at 8:12 p.m. **Second/Pecotich. Ayes: Pasek, Ferraro, Martel, Pecotich. Noes: None. Absent: None. Abstain: None.**

Respectfully submitted,



Suzanne Lindenfeld  
District Secretary