

# RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Regular Board of Directors Meeting

MINUTES

April 18, 2007

4:00 p.m. – Closed Session

5:00 p.m. - Open Session

OATH OF OFFICE: Ed Crouse, District Secretary, administered the Oath of Office to appointed Director Jerry Pasek.

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

President Wayne Kuntz called the regular meeting of the Board of Directors of Rancho Murieta Community Services District to order at 4:01 p.m. in the District meeting room, 15160 Jackson Road, Rancho Murieta. Directors present were Wayne Kuntz, Dick Taylor, Bobbi Belton, Bob Kjome, and Jerry Pasek. Also present were Ed Crouse, General Manager; Les Tyler, Director of Administration; Greg Remson, Security Chief; Paul Siebensohn, Treatment Plant Supervisor; and Suzanne Lindenfeld, Recording Secretary.

## **2. EMPLOYEE PROMOTIONS – CERTIFICATIONS**

None.

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

*Under Government Code 54956 (a):* Conference with Legal Counsel – Existing Litigation – Cease and Desist Order.

*Under Government Code 54956.9 (a)* Conference with Legal Counsel – Administrative Civil Liability Complaint No. R5-2007-0503 from California Regional Water Quality Control Board.

*Under Government Code 54956.8:* Real Property Negotiations – Real Property APN 128-0080-067; APN 128-0080-068; APN 128-0080-069; APN 128-0080-76; and APN 128-0100-029. Real Property Negotiator: Edward R. Crouse, General Manager.

*Under Government Code 54947:* Public Employee Performance Evaluation: General Manager.

## **4/5. BOARD RECONVENED TO OPEN SESSION AT 5:03 P.M. AND REPORTED THE FOLLOWING:**

*Under Government Code 54956 (a):* Conference with Legal Counsel – Existing Litigation – Cease and Desist Order. Received update from Legal Counsel and General Manager. No action taken.

*Under Government Code 54956.9 (a)* Conference with Legal Counsel – Administrative Civil Liability Complaint No. R5-2007-0503 from California Regional Water Quality Control Board. Received update. No Action taken.

*Under Government Code 54956.8:* Real Property Negotiations – Real Property APN 128-0080-067; APN 128-0080-068; APN 128-0080-069; APN 128-0080-76; and APN 128-0100-029. Real Property Negotiator: Edward R. Crouse, General Manager. Received update from Real Property Negotiator and Attorney. No action taken.

## **6. ADOPT AGENDA**

**Motion/Taylor** to adopt the agenda. **Second/Belton. Ayes: Kuntz, Taylor, Belton, Kjome, Pasek.**

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

Jack Cooper, 6982 Carreta Lane, acknowledged and commended the excellent work by CSD staff on the last Pipeline publication, specifically the article on the Security Department. Mr. Cooper stated that Chief Remson is very cooperative and goes way beyond what is in the contract between Rancho Murieta Association (RMA) and CSD.

Don Sams, lot 3127, commented on Chief Remson being pro-active. Mr. Sams commented on one of the CSD Directors, at the Finance Committee meeting, laid five of the News and Review on the Committee table, referencing them as toilet tissue. Mr. Sams stated that he hopes this type of behavior does not gain root.

## **8. CONSENT CALENDAR**

Under Agenda Item 8b6, under Cease and Desist Order Activities, Director Taylor asked the status of the Memorandum of Understanding (MOU) between RMCC and RMA regarding construction and access to Bass Lake. Ed Crouse stated that the last report from RMCC is that the MOU is at RMA's attorney for final editing and has not been signed yet.

Under Agenda Item 8b4, Director Belton asked about the postponing of the renewal of the contract with The Murieta Group. Ed Crouse stated that an RFP will be sent out May, brought it to the Communications Committee in June/July, and then to the Board for approval. The goal is to have a contract by July 1 or as close to that date as possible.

**Motion/Kjome** to accept the Consent Calendar. **Second/Belton Roll Call Vote: Ayes: Kuntz, Taylor, Belton, Kjome, Pasek.**

## **9. STAFF REPORTS**

Under Agenda item 9a, under Water, Director Taylor asked how the batter boards influence the maximum level to which the reservoirs can be legally raised. Ed Crouse stated that the batter boards raise the spillway by two feet to help offset evaporation losses. Two feet is the amount the Division of Water Rights approved in 1990.

Director Taylor asked what RMA uses the water we give them through the CIA ditch. Ed Crouse stated that the water from the CIA ditch is used for common area landscaping.

Under Drainage, Director Taylor asked about the Board reviewing the revised Stormwater Management Plan before it is submitted to the Regional Board. Ed Crouse stated that the Improvements Committee reviewed it about a year ago. The change made is the original Stormwater Management Plan had overflows from Bass Lake covered under illicit wastewater discharges.

Under Engineering, Director Taylor asked what the RMCC is proposing in their diversion project. Ed Crouse stated that this item would be covered in Agenda Item 15, Receive Cease and Desist Order Update.

Director Taylor asked what the tentative groundwater well test results are to date. Ed Crouse stated that the results are varied; they have no consistency to them. When completed, the statistical analysis will provide the better picture.

Under Agenda item 9a, Director Pasek asked about the early delivery process of water to RMCC. Ed Crouse stated that HSe went back and looked at Regional Board correspondence and it states either April 15 or 2 feet of freeboard.

Under Agenda Item 9b, Director Belton asked about the Reserve Fund Balances. Les Tyler stated the amount in the report is where the District is as of March 31. Director Belton asked if the additional

\$68,700 CDO related money or for items for which we had reserved. Les Tyler stated that some of the money was for major projects, not CDO related.

Director Pasek stated that a listing of unanticipated items would be helpful in the financial reports.

Under Agenda Item 9c, Director Belton asked about the outcome of the marijuana-smoking ordinance at Presidents meeting and the speeding issue. Ed Crouse stated that on the speeding issue, Security is performing selected enforcement at locations, using RMA's radar trailers to educate the drivers about their speed and to educate RMA of the extent of speeding on certain stretches of roadway in Rancho Murieta. No change in speeding enforcement by RMA or CSD is anticipated.

For the marijuana ordinance, the consensus was that the issue with marijuana at the gazebo was an isolated incident so there are no additional efforts planned. After speaking with Chief Remson, with RMA and our own Security Officers, there have not been any additional instances of any concern over marijuana smoking or use in a public place, it was decided that there was no need to pursue an ordinance. Director Belton stated that she was uncomfortable with a group of three individuals collectively make a decision for 18 other Board members. Director Belton asked if the problem was fixed. Ed Crouse stated that when there is a marijuana problem, we have ways we handle it and solve the problem. President Kuntz stated that the situation has been addressed; Security is continuing to monitor it, and they are checking different areas and have not found it happening elsewhere.

Under Agenda Item 9d, under Drainage, Director Taylor asked what basins are in terms of our infrastructure. Paul Siebehsohn stated that basins catch the stormwater runoff and collect sediment.

Director Pasek asked how much water has been diverted from the river to Calero so far. Ed Crouse estimated about 1500 to 1700 acre feet.

#### **10. CORRESPONDENCE**

Director Taylor stated that he tried to contact Lynn Scholla on three different occasions but was unsuccessful. Director Taylor stated that the information she received was incorrect.

Director Belton asked the status of the audit for this year. Ed Crouse stated that he would add that under the Director Comment/Suggestion section of the agenda.

#### **11. RECEIVE 2006 DIVERSION REPORT – Presentation by Jack Fiori, California Waste Recovery Systems**

Jack Fiori, California Waste Recovery Systems, gave a presentation regarding the 2006 Diversion Report for Rancho Murieta. The items covered in the report included the consolidated tons collected in Rancho Murieta: 2,033 tons of solid waste; 788 tons of recyclables; and 971 tons of yard and garden. Other topics included average annual pounds per household for 2006, average pounds collected per household per week, annual tons of recyclables collected, landfill diversion results, landfill diversion shortfall explanations, and landfill diversion shortfall strategies. A question and answer period followed.

#### **12. APPROVE CALIFORNIA WASTE RECOVERY SYSTEMS CONTRACT AMENDMENT**

Les Tyler gave a brief summary of the recommendation to approve the California Waste Recovery Systems (CWRS) contract amendment. The amended contract revises and updates the Contractor Collection Service Rates and the Refuse Rate index. Other changes include changes related to household hazardous waste and e-waste, and the definition of Large Items and Exempt Waste. For the 2007-08 fiscal year, the costs for CWRS will increase by approximately 5.2%. Steve Rudolph, Legal Counsel, has reviewed the contract.

**Motion/Kjome** to approve the amended contract between Rancho Murieta Community Services District and California Waste Recovery Systems for solid waste collection and disposal.  
**Second/Taylor. Ayes: Kuntz, Taylor, Belton, Kjome, Pasek.**

### **13. REVIEW ANNUAL INVESTMENT POLICY**

Les Tyler gave a brief summary of the recommendation to approve Investment Policy 2007-01 and to approve the Finance Committee's recommendation to move additional reserve funds from LAIF to CAMP investment program. The changes to the policy were to make the policy in compliance with Government Code Section 53601. A discussion followed.

**Motion/Belton** to approve Investment Policy 2007-01. This revised policy supersedes Investment Policy 2006-01. **Second/Pasek. Ayes: Kuntz, Taylor, Belton, Kjome, Pasek.**

### **14. APPROVE HDR'S PROPOSAL TO ASSIST WITH CONSERVATION PRICING IMPLEMENTATION**

Ed Crouse gave a brief summary of the recommendation to approve the proposal from HDR to assist with conservation pricing implementation. Several workshops will be held. The goal is to implement the program in 2008/09. A discussion followed.

**Motion/Pasek** to approve the proposal from HDR to assist with conservation pricing implementation, in an amount not to exceed \$33,328. Funding to come from Capital Connection Fees.  
**Second/Belton. Ayes: Kuntz, Taylor, Belton, Kjome, Pasek.**

### **15. RECEIVE CEASE AND DESIST ORDER UPDATE**

Ed Crouse stated that CSD is continuing the monthly groundwater monitoring. Staff received a draft of the first quarterly report, which is a summary of the results. This fall, the 10-month monitoring period will be completed and a Title 23 statistical analysis will be completed and submitted to the Regional Board by January 2008.

CSD held a briefing of the status of the Expansion and Financing Plan. Staff is working on a schedule for additional workshops. HSe is making progress on evaluating elements of the alternatives. Sacramento County has been contacted regarding the outfall from the Boys Ranch.

Rancho Murieta Country Club (RMCC) is moving forward with their Bass Lake diversion plan revisions. Because the detention basin is being re-located, there will be some engineering re-design, new surveys, change in pipe location, and a more accurate wetland delineation. RMCC's goal is to submit the plan by the end of May and submit the Initial Study/Negative Declaration to Sacramento County by the end of May, which will start the CEQA process. RMCC hopes to have their permits in place so they can start construction late July or early August. The Regional Board is processing their low threat discharge NPDES permit.

Don Sams asked if there were any freeboard regulations on our raw water reservoir lakes. Ed Crouse stated no. Mr. Sams then asked which lake does not use batter boards traditionally. Ed Crouse stated Chesbro but we installed them this year. Mr. Sams asked about CDO expenses, is the fine included. Ed Crouse stated that since the fine has not been paid, it is not included. Mr. Sams asked if the money spent on the CSPA lawsuit is included. Les Tyler stated that the CSPA lawsuit was included in last year's expenditures.

### **16. ELECTION OF OFFICE NO. 6 SPECIAL DISTRICT SPECIAL DISTRICT COMMISSIONER AND ALTERNATE SPECIAL DISTRICT COMMISSIONER TO SACRAMENTO LAFCO**

President Kuntz gave a brief summary of the nominees for a Special District Commissioner and Alternate Special District Commissioner to Sacramento Local Agency Formation Commission. A short discussion followed.

**Motion/Kjome** to elect Chuck Rose as Special District Commissioner to the Sacramento Local Agency Formation Commission. **Second/Pasek. Ayes: Kuntz, Taylor, Kjome, Pasek. Abstain: Belton.**

**Motion/Kjome** to elect Wayne Kuntz as Alternate Special District Commissioner to the Sacramento Local Agency Formation Commission. **Second/Pasek. Ayes: Kuntz, Taylor, Belton, Kjome, Pasek.**

**17. REVIEW OF THE PROPOSED 2007/2008 BUDGET**

Director Kjome asked if the audit has been completed. Les Tyler stated that staff has received three of the four draft reports: 2006-07 Draft Financial Statement Audit, 2006-07 Community Facilities District No. 1 Basic Finance Statement and the 2006-07 Improvements District No. 1 Financial Statement.

Les Tyler provided an in-depth budget presentation, which included a review of the Budget Summary, Capital Projects, and Current Projects. Individual budgets were then discussed, followed by a question and answer period.

**18. APPROVE EMPLOYEE LEAVE WITHOUT PAY**

Chief Remson gave a brief summary of the recommendation to approve an employee's request for a leave of absence without pay. A discussion followed.

**Motion/Belton** to approve Gate Officer Eric DuTemple's request for a Leave of Absence Without Pay (LWOP), not to exceed six weeks leave without pay following the exhaustion of employee's accrued sick leave and vacation hours. **Second/Kuntz. Ayes: Kuntz, Taylor, Belton, Kjome, Pasek.**

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

President Kuntz will be attending the CSDA Special District Legislative Days, May 14 and 15, 2007 in Sacramento. Director Belton cancelled.

Director Belton stated she would like to attend the CSDA Annual Conference October 1 – 4, 2007 in Monterey.

Director Taylor is considering attending the Special District Administration conference in Anaheim on May 24 and 25, 2007.

**20. SET MEETING DATES/TIMES FOR THE FOLLOWING COMMITTEES:**

Security	(Kuntz/Belton)	May 1, 2007	(8:30 a.m.)
Finance	(Taylor/Belton)	May 1, 2007	(9:30 a.m.)
Personnel	(Belton/Kjome)	May 2, 2007	(8:30 a.m.)
Improvements	(Kuntz/Kjome)	May 2, 2007	(9:30 a.m.)
Com. & Tech.	(Kuntz/Taylor)	May 2, 2007	(10:30 a.m.)
Joint Security	(Kuntz/Belton)	July 16, 2007	(8:30 a.m.) RMA

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

Director Taylor commented on the skateboard park issue. After a discussion, the Board agreed by consensus to have staff send a letter to the Parks Committee requesting a meeting be scheduled to address the skateboard park and to request an accounting of the Parks Committee funds.

Director Belton requested that the Board review the District Code at the next Board meeting. Specifically, the terms of office for President and Vice-President, the duties of the President, no mention of the President attending a Presidents meeting, and authorities previous Boards built into the District Code.

Director Belton stated that she is not in agreement with doing away with the Joint Security Committee meetings, as was discussed at the Presidents meeting.

Director Pasek asked staff to provide a monthly projection on wastewater storage levels.

President Kuntz reported on the International Security Conference he and Chief Remson attended last month. There was a lot of new information regarding wireless programs, information on automatic, unmanned gates, breakaway gate arms, and closed circuit camera systems.

Ed Crouse gave a brief report back from the Presidents meeting:

- Discussed extending bar code use to include vendors. RMA thought it was a good idea to pursue and will be forming an ad hoc committee to review issuing bar codes to vendors.
- Discussed dissolving the Joint Security Committee. Both RMA and CSD agreed to bring it to their Boards in May for discussion.
- Discussed issues raised at the Joint Security Committee meeting: the Gazebo ,the marijuana use and the speeding. Consensus was that appropriate enforcement mechanisms are in place and no further action is necessary other than to monitor and respond.
- Received an update from RMCC on the Bass Lake MOU between RMA and RMCC.
- Discussed meeting with RMCC to discuss recycled water use in the future.
- Discussed developing a Plan B for the bridge access on the south, in case we do not get a path through Riverview.
- Notified RMCC that Jerry Pasek was appointed to the CSD Board of Directors and will be asking Jerry to resign immediately from RMCC Board.
- Discussed the skateboard park and the need to have it go through the Parks Committee.
- Informed RMCC and RMA that Ed Crouse will be taking 2 weeks vacation starting April 23 and provided them with a contact.

President Kuntz stated that since Mr. Pasek is taking Mr. White's position, he will be assigned to the committees that Mr. White was on: Personnel, Communications & Technology and Joint Security.

**BOARD ADJOURNED TO CLOSED SESSION at 9:10 P.M. TO DISCUSS THE FOLLOWING ITEMS:**

*Under Government Code 54947: Public Employee Performance Evaluation: General Manager.*

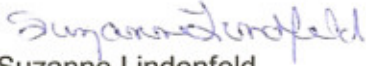
**BOARD RECONVENED TO OPEN SESSION AT 9:53 P.M. AND REPORTED THE FOLLOWING:**

*Under Government Code 54947: Public Employee Performance Evaluation: General Manager. The Board reviewed the evaluation process with Debby Bradberry. The Board agreed on deadlines for turning in the evaluations.*

**22. ADJOURNMENT**

**Motion/Kjome to adjourn at 9:57 p.m. Second/Belton. Ayes: Kuntz, Taylor, Belton, Kjome, Pasek.**

Respectfully submitted,



Suzanne Lindenfeld  
Recording Secretary



Edward R. Crouse  
District Secretary