

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Board of Directors Regular Meeting

MINUTES

December 17, 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, Michael Martel and Mark Pecotich. Also present were Edward R. Crouse, Interim General Manager; Greg Remson, Security Chief; Paul Siebensohn, Director of Field Operations; Tracey Hays, Interim Controller; Suzanne Lindenfeld, District Secretary; and Richard Shanahan, General Counsel.

2. OATH OF OFFICE

The District Secretary administered the Oath of Office to Directors Paul Gumbinger, Gerald Pasek, and Mark Pecotich.

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

Under Government Code 54957.6: Conference with designated Labor Negotiator, Edward R. Crouse, Regarding Negotiations with the International Union of Operating Engineers, Local 3, AFL-CIO.

Under Government Code 54956.9(d)(1) Conference with Legal Counsel - Existing Litigation - Papas v. Rancho Murieta Community Services District, Rancho Murieta Association, Sacramento Superior Court Case Number: 34-2014-00170251.

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

Under Government Code 54957.6: Conference with designated Labor Negotiator, Edward R. Crouse, Regarding Negotiations with the International Union of Operating Engineers, Local 3, AFL-CIO. Nothing to report.

Under Government Code 54956.9(d)(1) Conference with Legal Counsel - Existing Litigation - Papas v. Rancho Murieta Community Services District, Rancho Murieta Association, Sacramento Superior Court Case Number: 34-2014-00170251. Nothing to report.

5. COMMENTS FROM THE PUBLIC

Ted Hart commented on a seminar he attended at the Bureau of Reclamation. Mr. Hart also commented on funding of the new North Gate and stated that he feels that Rancho Murieta Association (RMA) is responsible for all the costs related to the new gate.

Wayne Kuntz commented on the funding for the new North Gate and stated he agrees with Mr. Hart that RMA is responsible for costs related to the new gate not the District.

Pat Mellor, Murieta Village Board President read a letter to the Board regarding the funding for the new North Gate and that the District should poll the community to find out the residents opinions on this matter.

6. ADOPT AGENDA

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

7. SPECIAL ANNOUNCEMENTS AND ACTIVITIES

None.

Director Ferraro stated she would like to move Agenda Item 22, 23, and 24 to come after agenda Item 15.

Motion/Gumbinger to rescind his Motion to adopt the Agenda as is. **Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

Motion/Ferraro to adopt the agenda with Agenda Items 22, 23, and 24 moved to after Agenda 15. **Second/Gumbinger. Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

8. CONSIDER ADOPTION OF RESOLUTION 2014-31, RESOLUTION DECLARING THE RESULTS OF THE NOVEMBER 4, 2014 ELECTION

Motion/Martel to adopt Resolution 2014-31, a resolution declaring the results of the November 4, 2014 election. **Second/Ferraro. Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

9. CONSIDER ADOPTION OF RESOLUTION 2014-32 IN HONOR OF ROBERTA BELTON, DIRECTOR, RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Motion/Gumbinger to adopt Resolution 2014-32 in honor of Roberta Belton, Director, Rancho Murieta Community Services District. **Second/Ferraro. Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

10. PRESENTATION OF PLAQUE TO ROBERTA BELTON, DIRECTOR, RANCHO MURIETA COMMUNITY SERVICES DISTRICT

President Pasek presented Roberta Belton with an engraved plaque and invited her to share her thoughts on her term in office.

Roberta (Bobbi) Belton stated she enjoyed her eight (8) years on the Board. Bobbi thanked Suzanne Lindenfeld and Debby Bradberry for all their efforts and dedication to the District, thanked Ed Crouse for coming back as interim General Manager and Darlene Gillum for coming back as the new General Manager. Bobbi stated that if any of the Directors do not know something, be sure to ask, because "Knowledge is power".

11. CONSENT CALENDAR

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

12. STAFF REPORTS

Under Agenda Item 12 d, President Pasek asked about the status of the reservoirs. Paul Siebensohn stated that the reservoirs are about 79% full and the water quality from the river is good.

13. CORRESPONDENCE

None.

14. CONSIDER ELECTION OF BOARD OFFICERS

Director Gumbinger nominated Director Pasek for Board President. **Second/Martel.**

Director Ferraro nominated herself for Board President. The motion failed due to lack of a second.

The vote was 4-1 for Director Pasek.

Director Martel nominated Director Ferraro for Board Vice President. **Second/Gumbinger.** The vote was 5-0 for Director Ferraro.

15. COMMITTEE MEETING ASSIGNMENTS

All elected Directors had previously submitted their requests for various committee assignments. With due consideration for the requests, President Pasek made the following committee assignments:

Communication & Technology Committee:	Betty Ferraro, Mark Pecotich
Finance Committee:	Gerald Pasek, Michael Martel
Improvements Committee:	Gerald Pasek, Paul Gumbinger
Joint Security Committee:	Michael Martel, Mark Pecotich
Personnel Committee:	Paul Gumbinger, Mark Pecotich
Parks Committee:	Mark Pecotich, Michael Martel (alternate)
Security Committee:	Betty Ferraro, Michael Martel
Regional Water Authority:	Gerald Pasek

22. REVIEW NEW NORTH GATE CONSTRUCTION-RELATED TRANSITION PLAN (taken out of order)

Chief Remson gave a brief summary of the North Gate Transition Plan. Chief Remson stated that equipment from the current gate will be used at the new gate to cut down on costs. The date of completion is not definite due to rain delays in the construction. A question and answer period followed.

President Pasek stated that Richard Shanahan, District General Counsel, is working on a lease agreement between the District and RMA regarding the new gate.

Director Ferraro commented on her feeling that the District should not be spending any money towards the new gate, that the MBA that the RMA signed in 2001 states that RMA is solely responsible for the new gate and all aspects of the gate and that there is no agreement between the District and RMA regarding who is responsible for maintaining the equipment.

Director Gumbinger stated that when the MBA was signed, the population of the community was much smaller and the gate needs were much less. Director Gumbinger stated that he feels the District should give the gates to RMA to operate and maintain.

Director Martel stated that he agrees with some of what Director Ferraro is saying but that the District will be reimbursed for any money spent from the Developers. Ed Crouse stated that with the current Security Replacement Reserve Account funding of \$47,000 a year, it will only take three (3) years to repay.

Steve Murphy commented on his concerns regarding the expectations of the project and that there needs to be an agreement on the contract specs and the infrastructure needs. Ed Crouse stated that that has already been done and that the Building Department and the Fire Department have also signed off on the plans.

23. CONSIDER APPROVING BID FOR NEW SECURITY SURVEILLANCE CAMERA SYSTEM

Chief Remson gave a brief summary of the recommendation to approve the bid from Watchdogs Surveillance to provide and install surveillance cameras, license plate reader cameras and intercoms at the new North Gate.

Director Ferraro asked why Murieta Village was denied cameras when cameras are being provided for other areas in the community. Director Martel stated that they have not been denied cameras; the goal is to have cameras through-out the community but that they are not at that point yet.

Motion/Martel to approve the bid from Watchdogs Surveillance for \$50,278.76, plus a 5% contingency, to provide and install surveillance cameras, license plate reader (LPR) cameras and intercoms at the new North gate. Funding to come from Security Replacement Reserves and/or internal inter-fund borrowing from Capital Improvement Fees. **Second/Gumbinger. Ayes: Pasek, Gumbinger, Martel, Pecotich. Noes: Ferraro.**

24. CONSIDER APPROVING BID FOR GATE OPERATORS AND BARCODE READERS FOR THE NEW NORTH GATE

Chief Remson gave a brief summary of the recommendation to approve the bid from A & D Automatic Gate & Access for gate operators and barcode readers for the new North Gate.

Wayne Kuntz stated that the lease agreement should indicate that RMA is responsible for repairs and maintenance of the equipment.

Motion/Martel to approve the bid from A & D Automatic Gate & Access for \$96,460.00, plus a 5% contingency, to provide and install six (6) Magnetics Barrier Toll RCS1241 gate operators and down loops, three (3) new BAI 440 barcode readers and remove and reinstall two (2) present North Gate barcode readers at the new North Gate. Funding to come from Security Replacement Reserves and/or internal inter-fund borrowing from Capital Improvement Fees. **Second/Gumbinger. Ayes: Pasek, Gumbinger, Martel, Pecotich. Noes: Ferraro.**

The Board took a break at 7:08 p.m. and reconvened at 7:15 p.m.

16. CONSIDER ADOPTION OF REVISED JOB DESCRIPTIONS

Motion/Gumbinger to adopt the revised General Manager, District Controller, and Accounting Supervisor job descriptions. **Second/Ferraro. Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

17. CONSIDER ADOPTION OF EMPLOYEE PERFORMANCE AND INCENTIVE PLAN

Ed Crouse gave a brief summary of the recommendation to adopt the Performance and Incentive Plan. To qualify for an incentive bonus, the specific goals and time line shall be documented in advance of the start of the performance period/project. President Pasek stated that he encouraged staff to develop this program.

Director Pecotich suggested that the plan should include the option to award employees hours instead of money. By consensus, the Board agreed.

Motion/Gumbinger to adopt the Performance and Incentive Plan with the time off with pay alternative. **Second/Ferraro. Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

18. CONSIDER EXTENDING TERM OF EDWARD R. CROUSE'S EMPLOYMENT AS INTERIM GENERAL MANAGER TO JANUARY 2, 2015

Motion/Gumbinger to extend the term of Edward R. Crouse's employment as Interim General Manager to January 2, 2015. **Second/Martel. Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

19. CONSIDER APPROVING NBS GOVERNMENT FINANCE GROUP PROPOSAL FOR COMMUNITY FACILITIES DISTRICT NO. 2014-1 ADMINISTRATIVE SERVICES

Ed Crouse gave a brief summary of the recommendation to approve the proposal from NBS Government Finance Group for administrative services related to Community Facilities District No. 2014-1.

Director Pecotich stated that the community is still unclear on the CFD and suggested more outreach be done.

Motion/Ferraro to approve the proposal from NBS Government Finance Group for work relating to the administration of the District's Mello-Roos Community Facilities District No. 2014-1, at the compensation rates as outlined in Exhibit B. Funding to come from Community Facilities District No. 2014-1 Annual Operating Account. **Second/Pecotich. Roll Call Vote: Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

20. CONSIDER APPROVING DUMP TRUCK PURCHASE

Paul Siebensohn gave a summary of the recommendation to approve the proposal from Harrold Ford for the purchase of a new dump truck.

Director Martel suggested staff look into sharing the dump truck with RMA. Director Gumbinger suggested having community vehicles that all community entities can share.

Motion/Gumbinger to waive the advertisement requirements of District Code, Chapter 4, Section 5.03 and approve the proposal from Harrold Ford for the purchase of a new dump truck, in an amount not to exceed \$55,163.27. Funding to come from Replacement Reserves.

Ed Crouse stated that funding should actually come 50% from Sewer Replacement Reserves and 50% from Water Replacement Reserves.

Director Gumbinger amended his motion to waive the advertisement requirements of District Code, Chapter 4, Section 5.03 and approve the proposal from Harrold Ford for the purchase of a new dump truck, in an amount not to exceed \$55,163.27. Funding to come 50% from Sewer Replacement Reserves and 50% from Water Replacement Reserves. **Second/Pecotich. Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.**

21. DISCUSS DISTRICT PAYING FOR WATER LINE REPLACEMENT IN CONNECTION WITH NORTH GATE CONSTRUCTION PROJECT

Director Martel stated that he feels the District should pay a portion of the cost for the water line replacement in connection with the North Gate Construction Project.

Director Gumbinger stated that if the contractor had verified the location and type of pipe as they should have, it would have been included in the bid. President Pasek stated that RMA is infringing on the District's easement.

Motion/Martel for the District to reimburse Rancho Murieta Association \$5,000 towards the cost of the water line replacement in connection with the North Gate Construction Project. **Second/Gumbinger.**

Director Ferraro asked where the funds would come from. Ed Crouse stated they would come from the Water Replacement Reserves.

Ayes: Gumbinger, Martel, Pecotich. Noes: Pasek, Ferraro.

25. RECEIVE WATER TREATMENT PLANT EXPANSION PROJECT UPDATE

Paul Siebensohn gave a brief update on the Water Treatment Plant Expansion Project. Work completed includes: 24" raw water piping up to entrance gate; 12" filtration piping around Plant #2; drying bed extension; sewer force main and conduit from Water Plant to Clementia Circle; demolition of Plant #1 filter and sedimentation basins; form, rebar, and pouring of chlorine contact chamber extension; forming of floor above contact chamber extension; electrical conduit from SMUD power source to back of Plant #1; transformer pad; salvaging of requested Plant #1 equipment; south side fence posts; rip-rap slop protection along drainage channel; site grading and concrete pad for future bulk chemical tanks; placement of future chemical trench box.

An updated overall project schedule was provided December 1, 2014 showing that the project is on track for commissioning of the plant in May of 2015.

Ed Crouse stated that the District just received an invoice from SMUD in the amount of \$25,000 for the new transformer which the District has paid.

Ed stated that the first quarterly meeting with Rancho Murieta Properties is scheduled for December 22, 2014. Directors Gumbinger and Martel will be attending.

26. RECEIVE WATER CONSERVATION UPDATE

Paul Siebensohn gave a brief update on water conservation in the community. Water treatment plant production for November was down to 8.21% vs. the past five (5) year average and 24.7% vs. October of last year.

27. CONSIDER CONFERENCE/EDUCATION OPPORTUNITIES

No comments.

28. REVIEW MEETING DATES/TIMES

Suzanne will get with the Directors to find out what days and times they are available.

20. COMMENTS/SUGGESTIONS

Director Pasek asked if the WTP Operating Fund had been started yet. Tracey Hays said yes.

Director Pasek commented on the need for Patrol Officers to use their body cameras and that there should be some type of consequence if something happens and they did not turn it on.

Paul Siebensohn commented on future outreach the District will be doing to meet the required guidelines related to our sewer system and MS4 permits.

Director Gumbinger asked that the Personnel Committee review the cell phone use policy as he would like to be able to make entries into his calendar during meetings when needed.

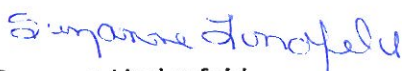
Director Ferraro reiterated why she voted no on Agenda Item 23 and 24. Her feeling is that the District should not be paying for any of the new North Gate as it is RMA's sole responsibility, per the MBA.

Ed Crouse stated that the District will be reimbursing the Bureau of Reclamation \$10,000 for funds not used for the Title 16 Grant. Ed welcomed Mark Pecotich to the Board and commended the Board for hiring Darlene Gillum as the new General Manager.

30. ADJOURNMENT

Motion/Martel to adjourn at 8:40 p.m. Second/Ferraro. Ayes: Pasek, Ferraro, Gumbinger, Martel, Pecotich. Noes: None.

Respectfully submitted,


Suzanne Lindenfeld
District Secretary