

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

JANUARY 13, 2016 AT 9:00 A.M.

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

CRAIG ARMSTRONG, **PRESIDENT**
DAN ALLEN GADDIS, **VICE PRESIDENT**
BOB BLAIR, **DIRECTOR**
ED EBY, **DIRECTOR**
DAN WOODSON, **DIRECTOR**

PRINCIPAL STAFF

MARIO IGLESIAS, **GENERAL MANAGER**
LISA BOGNUDA, **FINANCE DIRECTOR**
MICHAEL W. SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**
JESSICA MATSON, **BOARD CLERK**

Mission Statement: The Nipomo Community Services District's mission is to provide its customers with reliable, quality, and cost-effective services now and in the future.

00:00:00 A. CALL TO ORDER AND FLAG SALUTE

President Armstrong called the Regular Meeting of January 13, 2016 to order at 9:00 a.m. and led the flag salute.

00:00:34 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Directors were present.

President Armstrong welcomed new District General Manager, Mario Iglesias.

There were no public comments.

00:00:44 C. PRESENTATIONS AND REPORTS

C-1) CONSERVATION POSTER CONTEST AWARDS

Jessica Matson, Public Information Director, reviewed the report as presented in the Board Packet.

President Armstrong presented awards to participants of the District's conservation poster contest.

3rd and 4th grade students and teachers from Dorothea Lange Elementary and Nipomo Elementary were recognized.

5th and 6th grade students and teachers from Nipomo Elementary and Dana Elementary were recognized.

President Armstrong announced that Item E-1 would be heard next.

00:07:10 E-1) CONSIDER GRANT REQUEST FROM NIPOMO CHAMBER OF COMMERCE IN THE AMOUNT OF \$35,000 FOR SOLID WASTE REMOVAL IN NIPOMO COMMUNITY COMMON AREAS

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet and introduced Nipomo Chamber of Commerce Executive Director, Amber Wilson. Ms. Wilson answered questions from the Board.

There were no public comments.

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Upon the motion of Director Bob Blair and seconded, the Board unanimously awarded the Nipomo Chamber of Commerce a grant in the amount of \$35,000 for solid waste removal. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Blair, Gaddis, Eby, Woodson, and Armstrong	None	None

President Armstrong announced that the Board would return to Item C-2.

00:12:45 C-2) REPORT ON PREVIOUS MEETING CLOSED SESSION

Announcement of actions, if any, taken during Closed Session at previous Board Meeting

Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1.1(a) from the December 9, 2015 Regular Meeting (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, heard a report but took no reportable action.

Mr. Seitz reported that the Board discussed Item 1.1(b) (HEAL VS. NCSD), heard a report but took no reportable action.

Mr. Seitz also announced that the Board discussed Item 2, interviewed two candidates, and selected a new District General Manager.

00:13:38 C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.

Receive Announcements and Reports from Directors

Director Eby

- ◇ *January 8, Attended the Blacklake Town Hall meeting with Supervisor Compton where they gave an update on the Rossi project.*
- ◇ *January 12, Attended the Board of Supervisors meeting where the Rossi project was discussed and the Supervisors accepted his application for processing.*
- ◇ *December 12, Attended the NMMA (Nipomo Mesa Management Area) meeting. The next meeting will be held on January 22nd at NCSD.*

Director Gaddis

- ◇ *December 18, Attended the Special Meeting where they approved the General Manager contract.*
- ◇ *January 4, Attended the NCSD Board Officer meeting.*
- ◇ *January 6, Attended the SLO RWMG (Regional Water Management Group) meeting where they discussed pending IRWM (Integrated Regional Waste Management) projects. The next meeting will take place on February 3rd.*

C-4) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE and FILE PRESENTATIONS AND REPORTS

There were no public comments.

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*Upon the motion of Director Ed Eby and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Eby, Gaddis, Blair, Woodson, and Armstrong</i>	<i>None</i>	<i>None</i>

00:20:11

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- DECEMBER 9, 2015 REGULAR MEETING

D-3) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- DECEMBER 18, 2015 SPECIAL MEETING

D-4) APPROVE CONTRACT APPOINTING MARIO IGLESIAS AS DISTRICT GENERAL MANAGER

There were no public comments.

*Upon the motion of Director Dan Allen Gaddis and seconded, the Board unanimously approved the Consent Items.
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Gaddis, Eby, Blair, Woodson, and Armstrong</i>	<i>None</i>	<i>None</i>

00:20:47

E. ADMINISTRATIVE ITEMS

ITEM E-1 WAS HEARD EARLIER IN THE MEETING

President Armstrong announced that Item E-4 would be heard next.

E-4) LOCAL AREA FORMATION COMMISSION SPECIAL DISTRICT SEAT NOMINATION AND BALLOTING

Mario Iglesias, General Manager, reviewed the report as presented in the Board packet.

President Armstrong nominated Director Ed Eby for the LAFCO (Local Area Formation Committee) special district seat.

The Board recommended President Craig Armstrong as the Voting Delegate to attend the Annual Meeting on February 19th.

There were no public comments.

Upon the motion of Director Craig Armstrong and seconded, the Board unanimously nominated Director Ed Eby for the LAFCO special district seat and designated Director Craig Armstrong as the Voting Delegate.

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Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Gaddis, Eby, Blair, and Woodson	None	None

00:23:07

E-5) RATIFY 2016 BOARD COMMITTEE ASSIGNMENTS

Mario Iglesias, General Manager, reviewed the report as presented in the Board packet.

President Armstrong commented that all assignments are the same as in 2015.

There were no public comments.

Upon the motion of Director Ed Eby and seconded, the Board unanimously approved the 2016 Board Committee Assignments.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Eby, Gaddis, Blair, Woodson, and Armstrong	None	None

00:23:53

E-6) RESOLUTION DETERMINING NEED FOR EXCEPTION TO THE CALPERS 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE SECTIONS 7522.56 AND 21224

Mario Iglesias, General Manager, reviewed the report as presented in the Board packet.

There were no public comments.

Upon the motion of Director Dan Allen Gaddis and seconded, the Board unanimously approved the Resolution.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Eby, Blair, Woodson, and Armstrong	None	None

RESOLUTION NO. 2016-1399
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING AN EXCEPTION TO THE CALPERS 180-DAY WAIT PERIOD PURSUANT TO GOVERNMENT CODE
SECTIONS 7522.56 AND 21224

00:25:37

F. GENERAL MANAGER'S REPORT

Mario Iglesias, General Manager, introduced former General Manager and Project Assistant, Michael LeBrun.

Mr. LeBrun reviewed the report as presented in the Board packet. Mr. LeBrun also reported the following:

- *District overall pumping decreased by 33% in December.*
- *There was a minor vehicle accident and damages are expected to be repaired in-house.*
- *A summary of the 2015 Public Information Program is in the Board Packet.*

Mr. LeBrun answered questions from the Board.

There were no public comments.

President Armstrong announced that the Board would return to Item E-3.

00:37:38

E-3) APPROVE NEWTON GEO-HYDROLOGY 2016 CONSULTING SERVICES CONTRACT SCOPE AND BUDGET

Mario Iglesias, General Manager, reviewed the report as presented in the Board packet.

Michael LeBrun, Project Assistant and former General Manager, answered questions from the Board.

There were no public comments.

Upon the motion of Director Dan Allen Gaddis and seconded, the Board unanimously approved the Scope and \$90,000 budget for Newton Geo-Hydrology Consulting Services. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Eby, Blair, Woodson, and Armstrong	None	None

G. COMMITTEE REPORTS

None.

00:41:31

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby

- *Requested that the Board re-visit the Intent-to-Serve (ITS) Policy at its next Regular Meeting including:*
 - *How the District will handle expiration dates on ITS letters*
 - *If the District will make an exception to the ITS moratorium if an applicant's project could save water*
 - *What the action should be for ITS letters that have already expired*

President Armstrong announced that the Board would return to Item E-2 at 10:00 AM.

00:47:00

E-2) RECEIVE FALL 2015 GROUNDWATER INDEX REPORT BY BRAD NEWTON, PH.D, PG

Mario Iglesias, General Manager, introduced Dr. Brad Newton of Newton Geo-Hydrology Consulting Services.

Dr. Newton gave a presentation of the Fall Groundwater Index Report for the Nipomo Mesa area and answered questions from the Board.

There were no public comments.

Upon the motion of Director Bob Blair and seconded, the Board unanimously agreed to receive and file the Report. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Blair, Gaddis, Eby, Woodson, and Armstrong	None	None

President Armstrong announced that the Board would return to Item I.

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01:49:57

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL AND SPECIAL COUNSEL
RE: PENDING LITIGATION PURSUANT TO GC §54956.9

- a) SMWWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- b) HEAL VS. NCSO (SAN LUIS OBISPO COUNTY CASE NO CV 15-0539)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 11:10 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 11:40 a.m.

Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1(a) and 1(b), heard a report, but took no reportable action.

ADJOURN

President Armstrong adjourned the meeting at 11:41 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	2 hours 11 minutes
Closed Session	30 minutes
TOTAL HOURS	2 hour 41 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board

1-27-16

 Date