

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

APRIL 27, 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 April 27, 2016 to order at 9:00 a.m. and led the flag salute.

00:00:33 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Directors were present.

There were no public comments.

C. PRESENTATIONS AND REPORTS

00:00:46 C-1) 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 I.1(a) from the April 13, 2016 Regular Meeting (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, heard a report from Special Counsel, but took no reportable action.

Mr. Seitz reported that the Board discussed Item I.1(b), heard a report but took no reportable action.

Mr. Seitz also reported that the Board discussed Item I.2, gave instruction, but took no reportable action.

00:01:38 C-2) 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 Woodson

- ◇ *April 25, Attended the South County Advisory Council (SCAC) meeting and reviewed data from past Manager's Report.*

Director Gaddis

- ◇ *April 20, Attended the District's Finance & Audit Committee meeting.*

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

Director Eby

- ◇ April 15, Attended the Nipomo Mesa Management Area (NMMA) Technical Group meeting.
- ◇ April 21, Attended the Local Area Formation Commission (LAFCo) meeting and, as Alternate, sat in place of the Representative. There will be no meeting in May.

C-3) 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.

*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
Directors Eby, Armstrong, Blair, Woodson, and Gaddis	None	None

00:03:03 D. CONSENT AGENDA

D-1) WARRANTS

- D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS
- APRIL 13, 2016 REGULAR MEETING

D-3) REVIEW INVESTMENT POLICY FIRST QUARTER REPORT

Director Gaddis asked questions regarding the warrants and the Accounts Payable process. Mario Iglesias, General Manager, responded.

President Armstrong directed staff to add the invoice date to future reports.

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
Directors Gaddis, Eby, Blair, Woodson, and Armstrong	None	None

00:14:56 E. ADMINISTRATIVE ITEMS

E-1) MKN & ASSOCIATES, INC. SCOPE AMENDMENT #3 FOR BLACKLAKE SEWER MASTER PLAN

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet and noted a correction to the amount listed on the Agenda.

Mr. Iglesias and Peter Sevcik, Director of Engineering & Operations, answered questions from the Board.

The following members of the public spoke:

Noel Heal, Blacklake resident, commented on Dan Hall's letter to the Board presented at the April 13th Regular Board Meeting. Mr. Heal also asked which customers would be responsible for paying for the plan. Mr. Iglesias and President Armstrong responded.

Kit Carter, Blacklake resident, introduced Blacklake Facilities Committee member, Bob True. Mr. Carter also thanked the Board and staff for considering the committee's requests. Mr. Carter expressed his support of the Master Plan.

*Upon the motion of Director Bob Blair and seconded, the Board unanimously adopted the Resolution approving Scope Amendment #3 with MKN & Associates, Inc. in the amount of \$12,450, and authorized staff to execute a Task Order.
 Vote 5-0.*

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

RESOLUTION NO. 2016-1409
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING A TASK ORDER WITH MKN & ASSOCIATES INC. FOR REVISED SCOPE AMENDMENT #3 FOR
ENGINEERING SERVICES FOR BLACKLAKE SEWER MASTER PLAN IN THE AMOUNT OF \$12,450

00:25:18 F. GENERAL MANAGER'S REPORT

Mario Iglesias, General Manager, reviewed the report as presented in the Board packet. Mr. Iglesias also reported the following:

- The District issued a Notice to Proceed for the Supplemental Water Project Joshua Road Pump Station Reservoir.*
- The District will be attending the St. Joseph Church Festival on May 1st from 9AM – 4PM.*
- NMMA Technical Group is conducting monthly meetings.*

Mr. Iglesias answered questions from the Board.

Director Gaddis asked for a summary of the last NMMA Technical Group meeting. Mr. Iglesias clarified this would be discussed in Closed Session.

There were no public comments.

00:27:03 G. COMMITTEE REPORTS

Director Gaddis reviewed the April 20, 2016 Finance & Audit Committee minutes as presented in the Board Packet.

00:28:05 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Blair

- Commented on Mads Place incident and asked about a special rate structure. Mike Seitz, District Legal Counsel, responded that rate discussions can take place during a rate study.*

Director Gaddis

- Asked if the groundwater study had been received from the County. Brad Newton, Geohydrologist, responded that it had not been received. Mr. Seitz commented that this would be discussed more in Closed Session.*

00:34:31

I. CLOSED SESSION ANNOUNCEMENTS

- 1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a) SMVWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
 - b) BENING VS. NCSO SAN LUIS OBISPO COUNTY CASE NO 14CV0069
- 2. INSTRUCTION TO NEGOTIATORS MARIO IGLESIAS, MIKE SEITZ AND LILLIAN JEWELL PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PURCHASE OF EASEMENT INTEREST IN APN 093-291-046 (OWNER: LOS PRIMOS PROPERTIES, LLC, NEGOTIATOR: VINCE MARTINEZ)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 9:35 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 10:55 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.

Mr. Seitz also reported that the Board discussed Item I.2, heard a presentation from staff, but took no reportable action.

ADJOURN

President Armstrong adjourned the meeting at 10:57 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	37 minutes
Closed Session	1 hour 20 minutes
TOTAL HOURS	1 hour 57 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board

5-11-16

 Date