

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MINUTES

**FEBRUARY 8, 2017 AT 9:00 A.M.**

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

### **BOARD of DIRECTORS**

DAN ALLEN GADDIS, **PRESIDENT**  
ED EBY, **VICE PRESIDENT**  
BOB BLAIR, **DIRECTOR**  
CRAIG ARMSTRONG, **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 Gaddis called the Regular Meeting of February 8, 2017 to order at 9:00 a.m. and led the flag salute.*

**00:00:32** 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

**00:00:40** C-1) SUMMARY OF 2016 CUSTOMER SATISFACTION SURVEY RESULTS

*Mario Iglesias, General Manager, gave a presentation on results from the District's 2016 Customer Satisfaction Survey.*

*Mr. Iglesias commented that the survey respondent level was limited to 2% of the customers and therefore insufficient to consider the survey results as a good representation of the community's views. Mr. Iglesias suggested that the results were sufficient to build on and share with the community in hopes of generating interest for future planned surveys.*

*Director Armstrong commented on the drought rates response and the current court case with the City of Capistrano regarding tiered rates. Mike Seitz, District Legal Counsel, commented that the case is still open and that the District would have to go through a Proposition 218 rate hearing process.*

*Mr. Iglesias and Jessica Matson, Public Information Director, answered questions from the Board.*

*Director Blair suggested the next survey be sent out as a bill stuffer so customers can return it to the District with their payment.*

*There were no public comments.*

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00:25:25

- C-2) DIRECTOR OF ENGINEERING AND OPERATIONS SUMMARY OF ACTIVITIES – MONTHLY REPORT; JOSHUA ROAD PUMP STATION CONSTRUCTION

*Peter Sevcik, Director of Engineering & Operations, reviewed the report as presented in the Board Packet. The project is still scheduled to be completed at the end of April 2017.*

*Mr. Sevcik answered questions from the Board.*

00:39:06

- 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 Armstrong

- February 1, Attended the Water Resources Advisory Council (WRAC) meeting

Director Eby

- January 27, Attended the California Special District Association (CSDA) annual meeting
- January 30, Attended the NCSD Board Officer's meeting
- January 30, Attended the NCSD Ad-Hoc Committee meeting regarding General Counsel
- February 1, Attended the Water Resources Advisory Council (WRAC) meeting
- February 3, Attended the Finance & Audit Committee meeting as a silent participant
- February 6, Attended the Administration Committee meeting as a silent participant

Director Woodson

- January 27, Attended the California Special District Association (CSDA) annual meeting
- The road paving schedule has been modified and he can provide a copy, if interested.

Director Blair

- January 27, Attended the California Special District Association (CSDA) annual meeting
- February 6, Attended the Administration Committee meeting where they discussed monthly billing and changes to the organizational structure

Director Gaddis

- January 27, Attended the California Special District Association (CSDA) annual meeting
- January 30, Attended the NCSD Officer's meeting
- February 1, Attended the Regional Water Management Group (RWMG) meeting
- February 3, Attended the Finance & Audit Committee meeting

- 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.*

*Upon the motion of Director Craig Armstrong 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 Armstrong, Eby, Blair, Woodson, and Gaddis	None	None

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00:42:50

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE JANUARY 25, REGULAR BOARD MEETING MINUTES
- D-3) ACCEPT SECOND QUARTER FISCAL YEAR 2017 QUARTERLY FINANCIAL REPORT

*There were no public comments.*

*Upon the motion of Director Ed Eby and seconded, the Board unanimously approved the consent Agenda.  
Vote 5-0.*

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

E. ADMINISTRATIVE ITEMS

00:43:19

- E-1) AUTHORIZE TASK ORDER FOR SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM QUAD TANK CHLORINE ANALYZERS

*Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board Packet. Mr. Sevcik answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Craig Armstrong and seconded, the Board unanimously approved the Resolution authorizing staff to execute a Task Order in the amount of \$32,350 with Tesco Controls Inc. and Change Order Contingency in the amount of \$5,000.  
Vote 5-0.*

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

**RESOLUTION NO. 2017-1432**  
**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING A TASK ORDER FOR THE SUPERVISORY CONTROL AND DATA ACQUISITION QUAD TANK CHLORINE ANALYZERS WITH TESCO CONTROLS INC.**

00:48:21

- E-2) AUTHORIZE CONTRACT FOR ENGINEERING SERVICES FOR THE NIPOMO PALMS LIFT STATION REHABILITATION PROJECT WITH CANNON CORPORATION

*Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board Packet and commented on the Request for Proposal (RFP) process.*

*Mr. Sevcik answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Craig Armstrong and seconded, the Board approved a contract with Cannon Corporation in the amount of \$83,496 for Engineering Services.  
 Vote 5-0.*

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

**00:51:33 F. MANAGER'S REPORT**

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

*Mr. Iglesias also reported the following:*

- *The District reached its 50% pumping reduction goal. In January the District saw a 69% reduction in pumping and a 51.3% reduction for the July 2016-January 2017 period.*
- *He has been attending meetings with the County on the formation of a Groundwater Sustainability Agency (GSA) and indicated that the District is not interested in taking the lead. He will bring a letter to the County stating NCSD's position to the Board for approval.*
- *Reviewed the committee meeting schedule and commented that the Facilities and Water Resources Committee meeting will be rescheduled after February 21<sup>st</sup>.*

*Mr. Iglesias answered questions from the Board.*

*There were no public comments.*

**01:04:33 G. COMMITTEE REPORTS**

*Director Armstrong reported that the Finance & Audit Committee met on February 3<sup>rd</sup> and suggested minor wording changes to the Debt Management Policy. Director Armstrong also reported that the Committee discussed possible changes to the Town Sewer rate stabilization fund and that General Manager Iglesias will review the proposed changes with our finance consultants.*

*Director Blair reported that the Administration Committee met on February 6<sup>th</sup> and requested staff bring more information back to the Committee at its next meeting.*

**01:05:33 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS**

Director Woodson

- *Requested clarification on the W-4. Staff responded.*

**01:06:25 I. CLOSED SESSION ANNOUNCEMENTS**

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

- a) SMWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- b) BENING VS. NCSD SAN LUIS OBISPO COUNTY CASE NO 14CV0069
- c) 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)

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2. PERSONNEL MATTER: AD HOC COMMITTEE REPORT – GENERAL COUNSEL  
PROPOSAL REVIEW AND RECOMMENDATION PURSUANT TO  
GOVERNMENT CODE SECTION 54957

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

K. ADJOURN TO CLOSED SESSION

*President Gaddis adjourned to closed session at 10:08 a.m.*

L. OPEN SESSION  
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

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

*Mario Iglesias, General Manager, announced that the Board discussed Item I.1(a), 1(b), and 1(c), heard a report, but took no reportable action.*

*Mr. Iglesias also announced that the Board discussed Item 2, heard a report from the Ad Hoc Committee and approved the Committee's recommendation. The Board directed the General Manager to negotiate a contract with Richards, Watson and Gershon (RWG) for general counsel services and to retain current general counsel, Mike Seitz, until the February 22<sup>nd</sup> Regular Board meeting.*

ADJOURN

*President Gaddis adjourned the meeting at 10:56 AM.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 9 minutes
Closed Session	47 minutes
TOTAL HOURS	1 hour 56 minutes

Respectfully submitted,

  
Mario Iglesias, General Manager and Secretary to the Board

2-23-17  
Date