

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

SEPTEMBER 14, 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 September 14, 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.

There were no public comments.

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

00:00:42 E-1) CONSIDER GRANT REQUEST FROM NIPOMO CHAMBER OF COMMERCE IN THE AMOUNT OF \$1,980 FOR SOLID WASTE REMOVAL

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet and introduced Richard Malvarose from the Chamber.

Richard Malvarose, Chamber member, presented the proposal and answered questions from the Board. Mr. Malvarose also commented that the Chamber submitted an application to Cal Trans for the addition of NCSD's logo to the Adopt-a-Highway sign on Hwy 101.

There were no public comments.

Upon the motion of Director Dan Woodson and seconded, the Board unanimously approved the grant request and directed staff to execute a Grant Agreement for a not to exceed amount of \$2,000.

Vote 5-0.

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

President Armstrong announced that the Board would return to Item C-1.

00:05:54 C. PRESENTATIONS AND REPORTS

C-1) SAN LUIS OBISPO COUNTY SELF-HELP LOCAL TRANSPORTATION INVESTMENT PLAN

Mario Iglesias, General Manager, introduced Rob De Carli, SLO Counsel of Governments Executive Director.

Mr. De Carli distributed a flyer to the Board (available for review at the District office) and gave a presentation regarding SLO County's Transportation Investment Plan. Mr. De Carli answered questions from the Board.

Mr. De Carli commented that the issue will show up as Measure J on November's ballot and needs a 2/3 vote in order to move forward.

There were no public comments.

00:40:30 C-2) DIRECTOR OF ENGINEERING AND OPERATIONS SUMMARY OF ACTIVITIES – JOSHUA ROAD PUMP STATION CONSTRUCTION

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.

00:43:03 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 Woodson

- ◇ *Announced that the County would be completing a road overlay project on Tefft Street in 2017 and the District should prepare manholes.*
- ◇ *September 12, Attended the South County Advisory Council (SCAC) Land Use meeting*

Director Gaddis

- ◇ *September 6, Attended the District Officer's meeting.*
- ◇ *September 7, Attended the Regional Water Management Group (RWMG) meeting.*

Director Eby

- ◇ *August 24, Attended the Dana Adobe groundbreaking ceremony.*
- ◇ *September 7, Attended the Nipomo Rotary Club meeting where District General Manager, Mario Iglesias, gave a presentation on the Supplemental Water Project.*
- ◇ *September 8, Attended the Department of Water Resources (DWR) Drought Seminar in San Luis Obispo.*
- ◇ *Announced that the next Local Area Formation Commission (LAFCO) meeting is September 15th and they will be discussing the new water district is North County.*

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

00:47:48 D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE AUGUST 10, REGULAR BOARD MEETING MINUTES
- D-3) AUTHORIZE TASK ORDER WITH TESCO CONTROLS, INC. FOR SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM MAINTENANCE AND SUPPORT
- D-4) ACCEPT OFFER OF WATER AND SEWER IMPROVEMENTS AND EASEMENTS FOR TRACT 2734
- D-5) BLACKLAKE WASTEWATER RECLAMATION FACILITY HEADWORKS REHABILITATION PROJECT AUTHORIZATION TO BID

Director Gaddis requested clarification on warrants. Mario Iglesias, General Manager, responded. Director Gaddis commented that staff may want to go to bid for IT Services and requested more information on the maintenance portion of the Tyler Technologies contract.

Director Armstrong requested clarification on the Blacklake Headworks Project and whether staff had worked with the Blacklake Facilities Group. Mr. Iglesias responded that staff has and will continue to coordinate with the Group.

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, Blair, Eby, Woodson, Armstrong	None	None

RESOLUTION NO. 2016-1424
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING A TASK ORDER FOR SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM MAINTENANCE AND SUPPORT WITH TESCO CONTROLS INC.

RESOLUTION NO. 2016-1425
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING WATER AND SEWER IMPROVEMENTS AND EASEMENTS FOR TRACT 2734

E. ADMINISTRATIVE ITEMS

ITEM E-1 WAS HEARD EARLIER IN THE MEETING

00:53:39 E-2) AUTHORIZE REQUEST FOR WATER FUND RATE STUDY

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet. Mr. Iglesias answered questions from the Board.

Director Eby asked how the Capistrano court case regarding tier rates affects the District. Mike Seitz, District Legal Counsel, commented that rates have to be tied to cost of service and believes the District is in compliance.

Director Gaddis commented that the District should continue to use Tuckfield & Associates due to his experience with the District and the Supplemental Water Project.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

Director Woodson asked for clarification on the requirement to go to bid. Mr. Seitz commented that the District is not required to go to bid for this service.

Director Blair commented that the District should go to bid to evaluate other proposals.

There were no public comments.

*Upon the motion of Director Dan Allen Gaddis and seconded, the Board agreed to send the Request for Proposal (RFP) to Tuckfield & Associates only.
Vote 4-1.*

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

01:07:18

E-3) SUPPLEMENTAL WATER PROJECT FUTURE PHASING

Mike Nunley, MKN & Associates, gave a presentation on future phasing for the Supplemental Water Project.

The Board discussed the Project. Mr. Nunley and Peter Sevcik, Director of Engineering & Operations, answered questions from the Board.

Mr. Nunley pointed out that the phasing plan will see a cost reduction of \$3.5Million from the original Project estimate.

Mario Iglesias, General Manager, commented that staff will come back before the Board with a funding plan for the final phases of the Project.

01:31:04

F. GENERAL MANAGER'S REPORT

Mario Iglesias, General Manager, reviewed the report and tables as presented in the Board packet. Mr. Iglesias answered questions from the Board.

Mr. Iglesias also reported the following:

- *In August the District saw a groundwater pumping reduction of 48%*
- *Creek Cleanup Day is Saturday, September 17th*
- *South County Sanitary's Fall Cleanup Week is September 19th – 23rd*

- *Peter Sevcik, Director of Engineering & Operations, will be hosting a tour of the Supplemental Water Project Joshua Road Pump Station Reservoir for the American Society of Civil Engineers (ASCE) on September 15th*
- *He will be attending the Sustainable Groundwater Management Act (SGMA) meeting in Arroyo Grande on September 14th*

Director Eby asked if other Nipomo purveyors are reducing their pumping by 50%. Mr. Iglesias responded that the purveyors are promoting conservation through outreach and he is meeting with them September 15th.

There were no public comments.

G. COMMITTEE REPORTS

None.

01:44:41 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Blair

- Will be absent for the September 28th Regular Board meeting

Director Gaddis

- Will make a request in Closed Session for following meeting Closed Sessions

Director Eby

- Asked if the October 12th meeting will be cancelled since members of the Board will be attending the California Special Districts Association (CSDA) conference

Director Armstrong

- Recommended that the October 12th Regular Board meeting be cancelled
- Recommended Board members submit any questions on Agenda items to the General Manager prior to the Board meeting so he can gather information and reply to the questions during the meeting

01:47:12 I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a) SMWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
2. Complete 6-MONTH PERFORMANCE REVIEW OF DISTRICT GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54957
3. 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 10:48 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), heard a report, but took no reportable action.

Mr. Seitz reported that the Board discussed and concluded the General Manager evaluation giving an overall evaluation of 1.25 on a scale of 1 to 5 with a score of 1.0 being "Outstanding" and a score of 5.0 being "Unsatisfactory".

Nipomo Community Services District
REGULAR MEETING
MINUTES

Mr. Seitz also reported that the Board discussed Item 3, gave direction, but took no reportable action.

ADJOURN

President Armstrong adjourned the meeting at 11:42 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 50 minutes
Closed Session	52 minutes
TOTAL HOURS	2 hours 42 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board



 Date