

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

OCTOBER 26, 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 October 26, 2016 to order at 9:00 a.m. and led the flag salute.

00:00:40 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Directors were present.

The following members of the public spoke:

David Masheyekan, NCSO Customer and Developer, commented on a remodel of his business, Rexall Drugs, and would like to be added to a future Agenda to discuss an Intent-to-Serve application. Director Armstrong directed staff to contact Mr. Masheyekan for placement of his issue on a future Board Agenda.

Jan Sanderwood, NCSO customer and Real Estate Agent, commented on the Board's declaration of Stage IV water shortage conditions and the consequences that could come should they enforce Stage IV actions. Ms. Sanderwood also commented that she would like the Board to consider a variance for the Masheyekan project.

Noel Heal, NCSO Customer, commented that he would like to see the tier breakdown back on the utility bill. Mario Iglesias, General Manager, responded that the District is working towards resolving this issue.

Courtney Taylor, Land Use Consultant for Mr. Masheyekan, thanked the Board for considering the project on a future Agenda.

Eileen Getsoff, NCSO Customer, commented on potential Stage IV water shortage actions. Ms. Getsoff also asked about current project statuses throughout Nipomo. Mr. Iglesias and Director Armstrong responded regarding Board review of water shortage conditions at a January meeting.

00:15:17 C. PRESENTATIONS AND REPORTS

C-1) ADVANCED METERING INFRASTRUCTURE PRESENTATION

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet and introduced the presenters from Sensus Metering and WaterSmart.

Bill Boyd, Sensus Metering, gave a presentation on their automatic meter reading (AMI) system and its benefits to the District and customers. Mr. Boyd answered questions from the Board.

Director Blair asked if District staff will be responsible for changing out current meters to the new meters. Mr. Iglesias confirmed that District staff would be responsible for the change-outs.

Brett Foreman, WaterSmart Software, distributed copies of the presentation (available for review at the District office) and gave a presentation on AMI software and a demonstration of the customer portal. Mr. Foreman answered questions from the Board.

01:10:19 C-2) DIRECTOR OF ENGINEERING AND OPERATIONS SUMMARY OF ACTIVITIES – MONTHLY REPORT; JOSHUA ROAD PUMP STATION CONSTRUCTION

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board Packet. Mr. Sevcik reported that the Project is half way through the contract and on schedule for completion in January.

Mr. Sevcik answered questions from the Board.

Director Woodson requested a full copy of the September progress report.

01:14:22 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

- ◇ *October 5, Attended a presentation on water depth and quality measuring techniques.*
- ◇ *October 10-13, Attended the California Special District Association (CSDA) annual conference where he attended a tour of the Carlsbad Desalination Plant, and breakout sessions on the Public Records Act and website compliance.*
- ◇ *October 20, Attended the Local Area Formation Commission (LAFCO) meeting where they allowed formation of the Shandon San Juan Water District and are initiating the 218 vote for funding.*
- ◇ *October 21, Attended a tour of the Joshua Road Pump Station Reservoir.*
- ◇ *October 21, Attended the Nipomo Mesa Management Area (NMMA) Technical Group meeting.*
- ◇ *October 26-28, Will be attending the California LAFCO conference in Santa Barbara.*

Director Gaddis

- ◇ *October 5, Attended a presentation on water depth and quality measuring techniques at the SLO Veterans' Memorial Building.*
- ◇ *October 5, Attended the Water Resources Advisory Council (WRAC) meeting.*
- ◇ *October 17, Attended the Finance & Audit Committee meeting.*
- ◇ *October 21, Attended a tour of the Joshua Road Pump Station Reservoir.*
- ◇ *October 10-13, Attended the CSDA annual conference where he attended a tour of the desalination plant and breakout sessions regarding executive recruitment, stormwater management, the Brown Act, Public Records Act, and use of drones.*

Director Blair

- ◇ *October 10-13, Attended the CSDA annual conference where he attended many of the tours and sessions as the other Directors.*

Nipomo Community Services District
**REGULAR MEETING
 MINUTES**

Director Woodson

- ◇ October 10-13, Attended the CSDA annual conference where he attended many of the tours and sessions as the other Directors. He also enjoyed visiting the many vendors at the conference.
- ◇ October 21, Attended a tour of the Joshua Road Pump Station Reservoir.
- ◇ October 24, Attended the South County Advisory Council (SCAC) 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 Dan Allen Gaddis 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 Gaddis, Eby, Blair, Woodson, and Armstrong	None	None

01:30:00

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE SEPTEMBER 28, REGULAR BOARD MEETING MINUTES
- D-3) REVIEW INVESTMENT POLICY THIRD QUARTER REPORT
- D-4) AUTHORIZE STAFF TO CIRCULATE REQUEST FOR PROPOSAL FOR NIPOMO PALMS LIFT STATION REHABILITATION PROJECT

Director Armstrong pulled Item D-2 for separate consideration.

There were no public comments.

ITEMS D-1, D-3, and D-4

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

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

ITEM D-2

*Upon the motion of Director Ed Eby and seconded, the Board approved the Item. Director Blair was not qualified to vote.
 Vote 4-0.*

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

01:31:08 E. ADMINISTRATIVE ITEMS

E-1) AWARD CONTRACT FOR WATER RATE STUDY

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

There were no public comments.

Upon the motion of Director Dan Woodson and seconded, the Board unanimously agreed to award the Water Rate Study Contract to Tuckfield and Associates in the amount of \$57,792. Vote 5-0.

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

01:40:29 E-2) AUTHORIZE PUMP #3 CHANGE ORDER FOR JOSHUA ROAD PUMP STATION RESERVOIR

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 Dan Woodson and seconded, the Board unanimously approved a Change Order with Pacific Hydrotech Corporation in the amount of \$234,196. Vote 5-0.

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

RESOLUTION NO. 2016-1427
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING A CHANGE ORDER TO PACIFIC HYDROTECH CORPORATION IN THE AMOUNT OF \$234,196 FOR THE SUPPLEMENTAL WATER PROJECT JOSHUA ROAD PUMP STATION RESERVOIR AND AMENDING FY 2016/17 BUDGET

01:46:46 E-3) REVIEW SOCIAL MEDIA POLICY

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet. Mr. Iglesias and Jessica Matson, Public Information Director, answered questions from the Board.

Director Eby commented that he was concerned about the District having social media at first, but is pleased with how staff handle the account and the benefit to the community.

Director Armstrong directed staff to place a review of the policy on the Board Agenda as Needed. An annual review is not required.

01:49:32 F. GENERAL MANAGER'S REPORT

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

Mr. Iglesias also reported the following:

- *The District's groundwater pumping is reaching its current targets.*

Director Eby asked if the District will be receiving well readings soon. Mr. Iglesias responded that the Board should hear a presentation from the Geohydrologist in December. There were no public comments.

G. COMMITTEE REPORTS

None.

01:55:04 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Armstrong

- Requested a list of active Intent-to-Serve (ITS) Letters before the January 11th meeting.

01:55:33 I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a) SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
2. CONDUCT STEP 2 OF THE ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL 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)
4. CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIM PURSUANT TO SECTION 54956.92:
Claim: Eugene Kaye
Agency: NCSD

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 11:06 a.m.

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

The Board came back into Open Session at 12:10 PM.

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 District Legal Counsel annual performance evaluation.

Mr. Seitz reported that the Board discussed Item 3, was advised by legal counsel that the item will be placed on existing litigation since no proposal has been received from the property owner.

Nipomo Community Services District
REGULAR MEETING
MINUTES

Counsel is now in the process of filing a lawsuit.

Mr. Seitz also reported that the Board discussed Item 4, and with a 5-0 vote, approved the claimant's liability claim in the amount of \$920.00.

ADJOURN

President Armstrong adjourned the meeting at 12:12 PM.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	2 hours 8 minutes
Closed Session	1 hour 4 minutes
TOTAL HOURS	3 hours 12 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board

_____ Date