

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN
GENERAL MANAGER

DATE: SEPTEMBER 20, 2012



COMMITTEE REPORTS

ITEM

Review Committee meeting minutes.

BACKGROUND

The following meetings were held for which meeting minutes are being provided:

- • SEPTEMBER 5, 2012 SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE MEETING MINUTES
- • SEPTEMBER 10, 2012 WATER RESOURCES POLICY COMMITTEE MEETING MINUTES
- • SEPTEMBER 20, 2012 PERSONNEL COMMITTEE MEETING MINUTES

RECOMMENDATION

It is recommended that your Honorable Board discuss the meeting minutes as appropriate.

ATTACHMENTS

- A. Supplemental Water Evaluation Committee Meeting Minutes
- B. Water Resources Policy Committee Meeting Minutes
- C. Personnel Committee Minutes

SEPTEMBER 26, 2012

ITEM G

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Wednesday, September 5, 2012

1:30 P.M.

SPECIAL MEETING MINUTES **SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE**

APPOINTED COMMITTEE MEMBERS

MICHAEL K. NUNLEY, CHAIRMAN (NON-VOTING)
PETER V. SEVCIK, VICE CHAIRMAN (NON-VOTING)
CRAIG ARMSTRONG (VOTING)
DAN GARSON (VOTING)
DENNIS GRAUE (VOTING)
KATHIE MATSUYAMA (VOTING)
ROBERT MILLER (VOTING)
DAVE WATSON (VOTING)
DAN WOODSON (VOTING)

PRINCIPAL STAFF

MICHAEL S. LEBRUN, GENERAL MANAGER
LISA BOGNUDA, ASST GM/FINANCE DIRECTOR

MEETING LOCATION - District Board Room
148 S. Wilson Street, Nipomo, California

1. CALL TO ORDER, FLAG SALUTE AND ROLL CALL

Chairman Nunley called the Special Meeting of September 5, 2012, to order at 1:30 p.m. and led the flag salute. At roll call, all committee members were present except member Matsuyama who joined the meeting during the discussion of Item 2.

2. REVIEW COMMITTEE PURPOSE, GOALS, AND PROCESS

Chairman Nunley introduced the item and gave an overview of the purpose, goals, and process as described in the Bylaws. There was no public comment.

Member Watson asked Vice Chair Sevcik to describe the "TBD AFY Phased Pipeline" identified in the Committee Bylaws as one of the projects to be evaluated. Mr. Sevcik stated that it was a modification of the Supplemental Water Project that would deliver a lower initial flow during the first project phase and allow less initial investment.

Member Graue asked the District to review Committee members' protection against liability. General Manager LeBrun said he would talk to District Counsel and respond to the Committee.

3. INTRODUCTIONS BY COMMITTEE MEMBERS

All committee members gave a brief introduction of themselves and described their backgrounds. There was no public comment.

4. PRESENTATION OF COMMITTEE BYLAWS

Chairman Nunley provided an overview of the Committee Bylaws, and particularly those sections not addressed in Item 2 above.

Member Miller asked if ranking and discussion of all alternatives by subcommittees or working groups would be brought back to the full Committee. Chairman Nunley said it would.

5. **PRESENTATION OF BROWN ACT AND DISCUSSION OF COMMUNICATION
PROTOCOL FOR COMMITTEE MEMBERS**

General Manager LeBrun provided an overview of the Brown Act and discussed the communication protocol to be followed by Committee members. Working subcommittees will be established with no more than 3 members so that a majority (4 of 7) Committee members is not meeting without public notification and involvement. No emails or written correspondence should be directed from Committee members to all the other Committee members. However, emails or written correspondence can be directed to the non-voting Committee members. Mr. LeBrun advised Committee members to include SWAEC in the subject line of their emails to protect their other personal emails against possible public records requests in the future.

Member Watson asked if any special disclosures or filings would be required by Committee members. Mr. LeBrun stated he would ask District Counsel.

Public Comment:

Ed Eby, Nipomo CSD Board of Directors, asked the General Manager to look into any punitive issues if Committee members inadvertently violate the Brown Act.

Bill Kengel, Nipomo resident, said he had applied to the Committee and asked to stay in touch with the Committee. He asked if talking to each Committee member would violate the Brown Act. Mr. LeBrun responded that it would not violate the Brown Act.

6. **PRESENTATION OF THE HISTORY OF NIPOMO CSD SUPPLEMENTAL WATER
PROJECTS**

Chairman Nunley presented a brief overview of prior Nipomo CSD supplemental water studies and major project milestones. Members discussed the range and type of alternatives that could be brought back to the Committee for consideration. Member Garson asked if the committee will select the alternatives to be evaluated, and whether projects such as reuse of petroleum refinery water could be reconsidered even though they had been previously evaluated. Chairman Nunley noted they could all be reconsidered. Member Matsuyama asked if new alternatives, beyond those previously reviewed, could be evaluated and Chairman Nunley answered they could. Member Matsuyama also requested clarification as to whether the Committee will be bringing back alternatives in addition to those in the Bylaws and the Chairman responded that they would.

Public Comment:

Bill Kengel, Nipomo resident, said he had an alternative that had not been considered previously. He asked how to incorporate them. Chairman Nunley asked Mr. Kengel to provide his information and the Chairman would determine how to get it to the Committee. (Following the meeting, the General Manager directed Mr. Kengel to bring the information to the next Committee meeting.)

Margaret Lange, Nipomo resident, asked if all previously-reviewed alternatives (including those that had not been considered preferred alternatives) are on the table. Chairman Nunley responded that they were.

7. **DISCUSSION OF ASSIGNMENTS FOR NEXT MEETING**

The Committee discussed the assignment for next meeting: Each member would develop a list of alternatives to be evaluated by the Committee. An initial limit of 4 alternatives was presented in the Staff Report for this Item.

Various members discussed a preference to expand the list of alternatives beyond 4 per member. Member Miller asked how alternatives would be analyzed if they had not been

considered before and original analytical work would be required. Chairman Nunley responded that it would depend on the alternative and what original work would be required to properly analyze it. General Manager LeBrun referred the Committee back to the Bylaws for guiding the analytical approach, and stated that many alternatives had been reviewed in the past and significant information is available for many alternatives.

Member Graue asked how to bring back reference documents to the Committee for use in the evaluation, other than those listed in the Bylaws. Chairman Nunley suggested the members bring the documents to the meetings for review and discussion by the Committee prior to incorporating them as approved reference materials. Chairman Nunley noted that any documents could be used for identifying alternatives – not just the documents identified in the Bylaws. The documents referenced in the Bylaws can be considered reliable information sources for performing the actual evaluation.

Member Woodson asked about grant issues associated with the current project. General Manager LeBrun noted the District had received a \$2.3M grant from the Proposition 84 Integrated Regional Water Management Plan program for the Supplemental Water Project, and the District was working with the County to determine impact of project changes on the ability of the District to use that grant. The Committee will not be responsible for considering the grant funding or timeline in their analysis.

Member Watson asked if resource documents for the phased Supplemental Water Project and the technical reports for the Nipomo Mesa Management Area, Santa Maria Valley technical group, and Northern Cities Management Area could be provided. General Manager LeBrun stated that access would be provided through the District's website.

Member Watson suggested that the list of alternatives not be limited, and noted that he would like the Committee to look at connecting the Five Cities distribution system(s) to Nipomo as an alternative. The Committee discussed expanding the list of alternatives beyond 4 per member and inviting the public to bring alternatives as well.

Public Comment:

Tom Rinn, Arroyo Grande area resident, asked if target dates had been established for completing the analysis. Chairman Nunley said they had not, and timing would depend on the number of alternatives and type of alternatives, but the Committee would move as quickly as possible.

Bill Kengel, Nipomo resident, asked how the working subcommittees would be formed to perform the analysis so the different disciplines would work together (financial, engineering, environmental, etc.) Chairman Nunley stated that it was the intention of the Board of Directors that the Committee would have balanced teams reviewing each alternative – all disciplines should be represented in these working groups to the extent possible.

Greg Nester, Nipomo resident, suggested the Committee and Board of Directors look at different methods to finance the project. He noted that he serves on the San Luis Obispo County Water Resources Advisory Committee and that many agencies are competing for the County's share of the Proposition 84 grant money, including Nipomo's grant for the Supplemental Water Project. In his opinion, the grant money could be unavailable by next month.

Margaret Lange, Nipomo resident, asked if it would be possible to combine alternatives to create projects. Chairman Nunley replied that any projects that meet the goals and constraints could qualify even if there are multiple components.

The Committee voted to direct the Committee members to review prior supplemental water studies, the Northern Cities Management Area technical reports, Santa Maria Valley technical reports, and phased Supplemental Water Project report; and develop a list of supplemental water alternatives for discussion at the next Committee meeting, prior to establishing the list of alternatives to be evaluated by the Committee.

8. SET NEXT WATER RESOURCES POLICY COMMITTEE MEETING

The Committee tentatively set Monday September 24, 1:30 PM, as next meeting.

9. ADJOURN

Chairman Nunley adjourned the meeting at 3:13 PM.

SEPTEMBER 26, 2012

ITEM G

ATTACHMENT B

NIPOMO COMMUNITY SERVICES DISTRICT

MONDAY, SEPTEMBER 10, 2012

10:00 A.M.

SPECIAL MEETING MINUTES

WATER RESOURCES POLICY COMMITTEE

COMMITTEE MEMBERS

ED EBY, CHAIRMAN
MIKE WINN, MEMBER

PRINCIPAL STAFF

MICHAEL S. LEBRUN, GENERAL MANAGER
LISA BOGNUDA, ASST GM/FINANCE DIRECTOR
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DISTRICT ENGINEER

**MEETING LOCATION - District Board Room
148 S. Wilson Street, Nipomo, California**

1. CALL TO ORDER, FLAG SALUTE AND ROLL CALL

Chairman Eby called the Special Meeting of September 10, 2012, to order at 10 a.m. and led the flag salute. At roll call, both committee members were present.

2. CONSIDER AECOM CONTRACT AMENDMENT IN AMOUNT OF \$219,691 FOR SUPPLEMENTAL WATER PROJECT PHASE 1 FINAL DESIGN AND CONSIDER REVISED PROJECT SCHEDULE AND REVIEW FUNDING SOURCES

General Manager Michael LeBrun introduced the item and District Engineer Peter Sevcik reviewed the staff report. The Committee members asked questions and clarified that the actual change in budget authorization was \$89,976. Chairman Eby affirmed that property taxes would not be required to pay for the phased intertie project and directed staff to investigate Zero Coupon Bonds or similar funding mechanisms that would delay payment until supplemental water deliveries were made available.

Committee members discussed concerns over losing the \$2.3M grant that is part of SLO County's Integrated Regional Water Management Program and directed staff to keep County staff informed of progress on the phased pipeline design and schedule.

Committee members reviewed the schedule for phased design and noted that award of bid to build the phased project is currently scheduled for the end of April 2013. Committee directed staff to brief the citizens' Evaluation Committee on the timeline for a phased project and encourage the Evaluation Committee to work diligently to complete their evaluation early in 2013.

Public Comment:

Mr. Sam Scarborough, NCS D resident encouraged the Committee to move ahead with the phased project.

Committee Direction to Staff:

Committee unanimously recommended this item be taken to the Board of Directors for consideration and approval.

Committee recommended that award of project bid be delayed until after the Evaluation Committee made its final report to the Board.

3. RECEIVE UPDATE ON SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE

General Manager summarized the formation of and first meeting of the citizens' Evaluation Committee. The Committee members discussed the topic.

There was no public comment

Committee Direction to Staff:

Continue to keep the Policy Committee and Board informed on Evaluation Committee progress.

4. SET NEXT WATER RESOURCES POLICY COMMITTEE MEETING

The Committee did not set a next meeting.

5. ADJOURN

Chairman Eby adjourned the meeting at 10:47 AM.

SEPTEMBER 26, 2012

ITEM G

ATTACHMENT C

NIPOMO COMMUNITY SERVICES DISTRICT

THURSDAY, SEPTEMBER 20, 2012

9:00 A.M.

SPECIAL MEETING MINUTES

PERSONNEL COMMITTEE

1. CALL TO ORDER, FLAG SALUTE AND ROLL CALL

Chairman Vierheilig called the meeting to order at 9:02 a.m. Chairman Vierheilig and Director Gaddis were in attendance along with staff members Michael LeBrun, Lisa Bognuda and Tina Grietens. There were no members of the public present.

3. CONSIDER UPDATES AND CHANGES TO PERSONNEL POLICIES AND PROCEDURES TO REVISE THE JOB DESCRIPTION FOR UTILITY OPERATOR/WATER QUALITY TECHNICIAN INCLUDING REVISION OF THE SALARY RANGE FOR THE POSITION

The Committee took Item 3 out of order. Michael LeBrun, General Manager, presented the Item 3 and answered questions from the Committee. Upon motion of Director Vierheilig and seconded by Director Gaddis, the Committee unanimously agreed to direct Staff to present this item to the Board of Directors.

2. CONSIDER UPDATES AND CHANGES TO PERSONNEL POLICIES AND PROCEDURES TO ESTABLISH A JOB DESCRIPTION AND SALARY RANGE FOR ASSISTANT ENGINEER

Michael LeBrun, General Manager, presented Item 2 and answered questions from the Committee. The Committee suggested changes to the job description and requested that Staff provide salary comparisons of Assistant Engineers/Entry Level Engineers from other local agencies such as the City of San Luis Obispo, County of San Luis Obispo, City of Santa Maria, Cal Poly San Luis Obispo, and any other available comparable local agencies. Staff will accumulate the data and present it at the next Personnel Committee meeting to be held on Tuesday, October 2 at 9:00 a.m.

4. ADJOURN –The meeting was adjourned at 10:10 a.m.