

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

APRIL 22, 2015, AT 9:00 A.M.

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

BOARD of DIRECTORS

CRAIG ARMSTRONG, **PRESIDENT**
DAN GADDIS, **VICE PRESIDENT**
BOB BLAIR, **DIRECTOR**
ED EBY, **DIRECTOR**
DAN WOODSON, **DIRECTOR**

PRINCIPAL STAFF

MICHAEL S. LEBRUN, **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 22, 2015 to order at 9:00 a.m. and led the flag salute.

00:00:35 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Directors were present.

There were no public comments.

00:00:46 C. PRESENTATIONS AND REPORTS

C-1) DISTRICT DIRECTOR OF ENGINEERING AND OPERATIONS SUMMARY OF ACTIVITIES

Peter Sevcik, Director of Engineering & Operations, reviewed the report as presented in the Board packet. Mr. Sevcik commented that the Nipomo Supplemental Water Project (NSWP) Blosser Road Watermain was completed in March. NSWP Phase I is still on schedule to be complete in June.

Mr. Sevcik answered questions from the Board.

00:09:34 C-2) REPORT ON APRIL 8, 2015 REGULAR MEETING CLOSED SESSION
Announcement of actions, if any, taken in Closed Session

Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1(a) from the April 8, 2015 Regular Meeting (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, but took no reportable action.

00:09:58 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

- ◇ *Toured the NSWP Pump Station site at Joshua Road with Director Gaddis*
- ◇ *April 13, Attended the Nipomo Mesa Management Area Technical Group (NMMA TG) meeting at Wallace Group*
- ◇ *April 21, Watched the Pismo Beach City Council's meeting online where they discussed reclaimed water*

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Director Gaddis

- ◇ April 15, Attended Finance & Audit Committee meeting

Director Blair

- ◇ April 21, Attended the Pismo Beach City Council's meeting

Director Armstrong

- ◇ April 13, Attended the Nipomo Moca Management Area Technical Group (NMMA TG) meeting at Wallace Group

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 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, Gaddis, Blair, Woodson, and Armstrong	None	None

D. CONSENT AGENDA

00:13:20

D-1) WARRANTS

D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- APRIL 8, 2015 REGULAR MEETING

D-3) APPROVE CHANGES TO WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN

D-4) APPROVE PURCHASE OF SEWER BYPASS PUMP

D-5) ACCEPT SUPPLEMENTAL WATER PROJECT PHASE 1 BLOSSER ROAD WATER MAIN

Director Eby requested to pull Item D-3 for separate consideration.

Directors Eby and Gaddis requested clarification on warrants. Michael LeBrun, General Manager, and Peter Sevcik, Director of Engineering and Operations responded.

Director Eby requested clarification on the sewer bypass pump. Mr. Sevcik responded.

ITEMS D-1, D-2, D-4 and D-5

There were no public comments.

*Upon the motion of Director Dan A. Gaddis and seconded, the Board unanimously approved Items D-1, D-2, D-4 and D-5.
Vote 5-0.*

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

RESOLUTION NO. 2015-1373
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING PURCHASE OF SEWER BYPASS PUMP FROM GODWIN PUMPS IN THE AMOUNT OF \$36,291

00:16:06

ITEM D-3

Director Eby questioned the wording in the Water Shortage Response and Management Plan and suggested striking the words "any such" from the Plan.

The Board discussed and agreed.

There were no public comments.

Upon the motion of Director Ed Eby and seconded, the Board unanimously approved Item D-3 as amended.

Vote 5-0.

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

RESOLUTION NO. 2015-1374
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT REVISING
DISTRICT WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN PURSUANT TO WATER CODE § 375

E. ADMINISTRATIVE ITEMS

NONE.

00:21:23

F. GENERAL MANAGER'S REPORT

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

- *Director Gaddis will not be able to attend the June 24th Regular meeting. The Board discussed and determined there were no other conflicts with that date thus establishing a quorum.*
- *The Santa Barbara County Special District Association is hosting a dinner on April 27th regarding cloud seeding. Directors Eby and Blair will attend.*
- *District staff are closely following the court case regarding tiered rates.*

Director Woodson requested to see a bar chart for supplemental water accounting in the Manager's Report.

Mr. LeBrun answered questions from the Board.

There were no public comments.

00:37:13

G. COMMITTEE REPORTS

There were no comments on the committee meeting minutes included in the Board Packet.

00:37:23

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Woodson

- *Has received questions from the public and asked staff why the District is still issuing Intent-to-Serve letters. Mike Seitz, District Legal Counsel, responded regarding the District's legal commitment. Mr. Seitz will send Director Woodson the Water Code Sections.*

Director Eby

- *Requested to see how the District reports water consumption to the State.*

00:48:24

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).*

00:48:44

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 9:48 a.m.

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

The Board came back into Open Session at 10:45 a.m.

Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1(a) and gave staff direction, but took no reportable action.

ADJOURN

President Armstrong adjourned the meeting at 10:46 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	49 minutes
Closed Session	57 minutes
TOTAL HOURS	1 hour 46 minutes

Respectfully submitted,

Michael S. LeBrun

Michael S. LeBrun, General Manager and Secretary to the Board

5/12/15
Date