

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

OCTOBER 14, 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 October 14, 2015 to order at 9:00 a.m. and led the flag salute.

00:00:37

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

At Roll Call, Directors Armstrong, Gaddis, Eby and Woodson were present. Director Blair was absent.

There were no public comments.

00:00:48

C. PRESENTATIONS AND REPORTS

C-1) REPORT ON SEPTEMBER 30, 2015 SPECIAL MEETING CLOSED SESSION Announcement of actions, if any, taken in Closed Session

Michael LeBrun, General Manager, announced that the Board discussed Item I.1(a) from the September 30, 2015 Special Meeting (pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, but took no reportable action.

Mr. LeBrun also reported that the Board continued performance review of District Legal Counsel and plan to complete the review during Closed Session at today's meeting.

00:01:43

C-2) 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

- ◇ *The next Blacklake Management Association (BLMA) meeting will take place on October 20th at 2 PM in the community room.*

Director Armstrong

- ◇ *Attended the Water Resources Advisory Council (WRAC) meeting.*

00:02:12

C-3) 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.

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*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 4-0.*

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

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- SEPTEMBER 30, 2015 SPECIAL MEETING

Director Woodson requested clarification on warrants. Michael LeBrun, General Manager, responded.

There were no public comments.

*Upon the motion of Director Ed Eby and seconded, the Board unanimously approved the Consent Agenda.
Vote 4-0.*

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

E. ADMINISTRATIVE ITEMS

E-1) ESTABLISH PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR SUPPLEMENTAL WATER PROJECT JOSHUA ROAD PUMP STATION RESERVOIR

Peter Sevcik, Director of Engineering & Operations, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board.

Director Woodson requested staff make edits to the Essential Requirements section of the proposed Resolution.

There were no public comments.

*Upon the motion of Director Ed Eby and seconded, the Board unanimously adopted the Resolution as amended.
Vote 4-0.*

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

**RESOLUTION NO. 2015-1389
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING A PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR SUPPLEMENTAL WATER
PROJECT JOSHUA ROAD PUMP STATION RESERVOIR**

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00:09:31

E-2) VALVE AND MANHOLE ADJUSTMENT CONTRACT FOR SAN LUIS OBISPO COUNTY OVERLAY PROJECT

Peter Sevcik, Director of Engineering & 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 Allen Gaddis and seconded, the Board unanimously adopted the Resolution.

Vote 4-0.

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

RESOLUTION NO. 2015-1390
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AWARDING THE BID FOR VALVE AND MANHOLE ADJUSTMENT FOR COUNTY OF SAN LUIS OBISPO OVERLAY PROJECT TO CALPORTLAND CONSTRUCTION IN THE AMOUNT OF \$61,645 AND AUTHORIZING CONSTRUCTION CONTINGENCY OF \$12,000.

00:12:56

E-3) DOCUMENT HANDLING POLICY AND ELECTRONIC MAIL POLICY

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

Mike Seitz, District Legal Counsel, commented that the proposed email policy was similar to a correspondence policy and he will review further for consideration at a future Board meeting.

Director Woodson requested staff make additions to the Records Retention Policy.

There were no public comments.

Upon the motion of Director Craig Armstrong and seconded, the Board unanimously adopted the Resolution, Records Retention Policy, as amended and directed staff to bring the proposed email policy back at a future Board meeting.

Vote 4-0.

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

RESOLUTION NO. 2015-1391
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING RECORDS RETENTION POLICY.

00:34:55

E-4) ANNUAL REVIEW OF CASH RESERVES

Lisa Bognuda, Finance Director, reviewed the report as presented in the Board packet. Ms. Bognuda answered questions from the Board.

There were no public comments.

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*Upon the motion of Director Craig Armstrong and seconded, the Board unanimously accepted the staff report.
Vote 4-0.*

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

F. GENERAL MANAGER'S REPORT

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

- *The District received notice that South County Sanitary is starting a new organics diversion program.*
- *The California Special District Association (CSDA) SLO County Chapter meeting will be Friday, October 23rd at Wallace Group. Director Eby will attend.*

Mr. LeBrun answered questions from the Board.

The Board requested that a SLO County Integrated Waste Management Authority representative come speak about their new program at a future meeting.

There were no public comments.

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Woodson

- ◇ *Followed-up regarding the garbage spillover on Joshua Road. Staff will contact the garbage company.*

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH LEGAL COUNSEL RE: ANTICIPATED LITIGATION PURSUANT TO GC §54956.9(B): Heal
2. 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).
3. ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54957

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 9:59 a.m.

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

The Board came back into Open Session at 10:59 a.m.

Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1, heard a report, but took no reportable action.

Mr. Seitz also announced that the Board discussed Item I.2 (a), heard a report, but took no reportable action.

Michael LeBrun, General Manager, reported that the Board discussed and concluded the District Legal Counsel evaluation and announced Counsel is exceeding the Boards' expectations.

ADJOURN

President Armstrong adjourned the meeting at 11:02 a.m.

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

Respectfully submitted,



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

10/28/2015

Date