

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

NOVEMBER 8, 2017 AT 9:00 A.M.

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

BOARD of DIRECTORS

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

PRINCIPAL STAFF

MARIO IGLESIAS, GENERAL MANAGER
LISA BOGNUDA, FINANCE DIRECTOR
WHITNEY MCDONALD, 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 Gaddis called the Regular Meeting of November 8, 2017 to order at 9:00 a.m. and led the flag salute.

00:00:28 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Directors were present.

There were no public comments.

C. PRESENTATIONS AND REPORTS

00:00:39 C-1) 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 30, Attended the District Board Officer's meeting.
- November 1, Attended the Blacklake Sewer Master Plan Ad Hoc Committee Meeting.

Director Armstrong

- November 1, Attended the Water Resources Advisory Council (WRAC) Meeting.

Director Gaddis

- October 30, Attended the District Board Officer's meeting.

C-2) 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 Craig Armstrong 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 Armstrong, Eby, Woodson, Blair, and Gaddis	None	None

PRESIDENT GADDIS ANNOUNCED THAT ITEM E-1 WOULD BE HEARD NEXT

00:01:47

E-1) FINANCIAL AUDIT REPORT FOR FISCAL YEAR 2016-2017

Mario Iglesias, General Manager, introduced Terry Shea, CPA with Rogers, Anderson, Malody & Scott, LLP (RAMS).

Mr. Shea presented the Fiscal Year 2016-2017 financial audit and commended District staff for good accounting practices. Mr. Shea reported that the District had no corrected mistakes and the financial position of the District is in line with generally accepted accounting principles. Mr. Shea answered questions from the Board.

*Upon the motion of Director Craig Armstrong and seconded, the Board unanimously agreed to receive and file the 2016-2017 Audit Report.
 Vote 5-0.*

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

PRESIDENT GADDIS ANNOUNCED THAT THE BOARD WOULD RETURN TO ITEM D.

00:16:33

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE OCTOBER 25, REGULAR BOARD MEETING MINUTES

D-3) ANNUAL REVIEW OF CASH RESERVES IN ACCORDANCE WITH RESERVE POLICY

D-4) ACCEPT 2017 UTILITY ADJUSTMENT PROJECT

D-5) AUTHORIZE GENERAL MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO OBTAIN PERMITS ASSOCIATED WITH THE EUREKA WELL REPLACEMENT PROJECT, INCLUDING A GUARANTEE AND AGREEMENT TO INDEMNIFY THE COUNTY OF SAN LUIS OBISPO

Director Eby requested clarification on Item D-3. Lisa Bognuda, Finance Director, responded and gave the history of the Town Sewer Sinking Fund.

Ms. Bognuda commented on the Blacklake Street Lighting Fund and that staff will be bringing a recommendation to the Board at a future meeting. Ms. Bognuda answered questions from the Board.

Director Eby directed staff to research Blacklake lighting options for possible savings.

Director Gaddis requested that Item D-1 be pulled for separate consideration.

ITEMS D-2, D-3, D-4, and D-5

There were no public comments.

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Upon the motion of Director Ed Eby and seconded, the Board unanimously approved Items D-2, D-3, D-4, and D-5.
Vote 5-0.

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

ITEM D-1

Director Gaddis requested clarification of warrant #3033, a payment to the Nipomo Chamber of Commerce for the Adopt-a-Highway program and requested to hold the payment until further review of the grant program at a future Board meeting.

Director Gaddis made a motion to approve all warrants in Item D-1 except #3033.

Mario Iglesias, General Manager, commented on changes to Chamber leadership and accounting procedures the District has put in place to ensure the vendor is paid for the Adopt-a-Highway program.

Director Gaddis requested guidance from Whitney McDonald, District Legal Counsel. Ms. McDonald suggested making the payment in consideration of the current Agreement with the Nipomo Chamber of Commerce and bringing the matter to a future Board meeting for further discussion.

Director Gaddis requested the matter be placed on the December 13th Regular Board meeting Agenda and would like a full accounting of the grant programs from the Nipomo Chamber of Commerce.

There were no public comments.

Upon the motion of Director Craig Armstrong and seconded, the Board unanimously approved Item D-1.
Vote 5-0.

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

E. ADMINISTRATIVE ITEMS

ITEM E-1 WAS HEARD EARLIER IN THE MEETING

E-2) AUTHORIZE TASK ORDER FOR SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM SERVER REPLACEMENT PROJECT

Mario Iglesias, General Manager, introduced the item. 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.

00:42:39

*Upon the motion of Director Craig Armstrong and seconded, the Board unanimously adopted the Resolution.
 Vote 5-0.*

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

RESOLUTION 2017-1463
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING A TASK ORDER FOR THE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM SERVER
REPLACEMENT PROJECT WITH TESCO CONTROLS INC.

00:50:09

F. MANAGER'S REPORT

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

- *The District did not reach the 50% reduction in groundwater pumping target in October due to warmer than usual temperatures and customer demand, but is above the 50% target year-to-date.*
- *Received a letter from South County Sanitary Service regarding a scheduled rate increase. Director Armstrong requested the matter be placed on the December 13th Board agenda for discussion.*

Mr. Iglesias answered questions from the Board.

Director Eby asked about the status of the Miller Park Intent-to-Serve (ITS) letter. Peter Sevcik, Director of Engineering and Operations, responded that it has expired.

There were no public comments.

01:00:06

G. COMMITTEE REPORTS

Director Eby reported that the Blacklake Sewer Master Plan Ad Hoc Committee met on November 1st to discuss next steps. Blacklake representatives requested the District give a presentation to the Blacklake community during a town hall meeting.

01:03:00

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Gaddis

- *Requested the Nipomo Chamber of Commerce grant program matter be placed on the December 13th Board meeting agenda.*

Director Woodson

- *Asked the Board and staff to consider joining the weather underground network.*

Director Blair

- *Commented on the recent audit report, District's financial health, and moratorium on new service connections.*

01:06:12

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9

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- a) SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
 - b) NCSD VS. LOS PRIMOS PROPERTIES LLC, SAN LUIS OBISPO COUNTY CASE NO. 16CV0512
 - c) BENING COMPANY, LLC V. NCSD, CALIFORNIA COURT OF APPEAL, SECOND DISTRICT, CASE NO. B286035
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov't Code §54956.8)

PROPERTY: 793 GUADALUPE ROAD, NIPOMO CALIFORNIA, APN 090-192-052
 AGENCY NEGOTIATOR: MARIO IGLESIAS
 NEGOTIATING PARTIES: NIPOMO COMMUNITY SERVICES DISTRICT,
 JAMES AMBURGEY, AND SYLVIA AMBURGEY
 UNDER NEGOTIATION: PRICE AND TERMS OF PAYMENT

01:07:13

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Gaddis adjourned to closed session at 10:08 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 10:38 a.m.

Whitney McDonald, District Legal Counsel, announced that the Board discussed Item I.1(a), 1(b), 1(c) and I.2, but took no reportable action.

ADJOURN

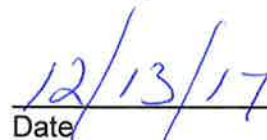
President Gaddis adjourned the meeting at 10:39 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 9 minutes
Closed Session	30 minutes
TOTAL HOURS	1 hour 39 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board



 Date