

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: AUGUST 3, 2018



PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS.
Receive Announcements and Reports from Directors

- C-2) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER *MIG*
DATE: AUGUST 3, 2018



CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Administrative Items. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda.**

- D-1) WARRANTS
[RECOMMEND APPROVAL]
- D-2) APPROVE JULY 25, 2018 REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]
- D-3) ADOPT UPDATED CONFLICT OF INTEREST CODE
[RECOMMEND ADOPT RESOLUTION UPDATING DISTRICT'S CONFLICT OF INTEREST CODE]
- D-4) AUTHORIZE PURCHASE OF REPLACEMENT VACUUM TRAILER IN ACCORDANCE WITH APPROVED FY 18-19 BUDGET
[RECOMMEND AUTHORIZE STAFF TO PURCHASE VACUUM TRAILER FROM PRES TECH EQUIPMENT COMPANY AT A COST OF \$28,714]

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER



FROM: LISA BOGNUDA
FINANCE DIRECTOR



DATE: AUGUST 3, 2018

AGENDA ITEM
D-1
AUGUST 8, 2018

WARRANTS

HANDWRITTEN CHECKS
None

TOTAL COMPUTER CHECKS
\$611,458.26

VOIDS – NONE

COMPUTER GENERATED CHECKS – SEE ATTACHED



Nipomo Community Services District

Item D-1 Warrants AUGUST 8, 2018
By Payment Number

Payment Dates 08/08/2018 - 08/08/2018

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 3977				
Abalone Coast Analytical, Inc.	Lab tests	4218	08/08/2018	6,138.60
				Payment 3977 Total:
				<u>6,138.60</u>
Payment: 3978				
Alexander's Contract Services,	Meter reading	201807270872	08/08/2018	2,536.18
				Payment 3978 Total:
				<u>2,536.18</u>
Payment: 3979				
Allweather Landscape Mainte	LMD	32514	08/08/2018	325.00
				Payment 3979 Total:
				<u>325.00</u>
Payment: 3980				
American Water Works - CA-N	Certification renewal - Water	GERMAN2018	08/08/2018	55.00
				Payment 3980 Total:
				<u>55.00</u>
Payment: 3981				
AmeriPride	Uniforms	1502190602	08/08/2018	214.36
AmeriPride	Uniforms	1502194922	08/08/2018	223.73
AmeriPride	Uniforms	1502199653	08/08/2018	216.23
				Payment 3981 Total:
				<u>654.32</u>
Payment: 3982				
AT&T	Telephone	11665844	08/08/2018	214.75
AT&T	Telephone	11665842	08/08/2018	28.88
AT&T	Telephone	11665843	08/08/2018	162.56
				Payment 3982 Total:
				<u>406.19</u>
Payment: 3983				
Ayala, Sandro	Travel reimbursement - Ayala	AUG2018	08/08/2018	481.32
				Payment 3983 Total:
				<u>481.32</u>
Payment: 3984				
Bentley Systems, Inc.	WaterGEMS/SewerGEMS sub	47926484	08/08/2018	1,925.00
				Payment 3984 Total:
				<u>1,925.00</u>
Payment: 3985				
Brenntag Pacific, Inc.	Sodium hypochlorite	858316	08/08/2018	266.71
Brenntag Pacific, Inc.	Sodium hypochlorite	858317	08/08/2018	672.99
				Payment 3985 Total:
				<u>939.70</u>
Payment: 3986				
Burdine Printing	Doorhangers - customer note	36797	08/08/2018	296.10
Burdine Printing	Office supplies - envelopes	36782	08/08/2018	3,100.72
				Payment 3986 Total:
				<u>3,396.82</u>
Payment: 3987				
Cal-Coast Machinery, Inc.	Equipment repair - John Deer	488027	08/08/2018	957.50
Cal-Coast Machinery, Inc.	Lock nuts, bushings, cap scre	488169	08/08/2018	167.11
Cal-Coast Machinery, Inc.	Equipment repair - John Deer	487093	08/08/2018	278.48
				Payment 3987 Total:
				<u>1,403.09</u>
Payment: 3988				
Charter Communications	Internet - Shop and/or Office	AUG2018A	08/08/2018	214.97
Charter Communications	Internet - Shop and/or Office	AUG2018B	08/08/2018	204.97
				Payment 3988 Total:
				<u>419.94</u>
Payment: 3989				
City of Santa Maria	Water purchased 4-01-18 to 6	76549	08/08/2018	371,065.86
				Payment 3989 Total:
				<u>371,065.86</u>

Item D-1 Warrants AUGUST 8, 2018

Payment Dates: 08/08/2018 - 08/08/2018

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 3990				
Coombs Service Group	Clean and inspect Biolac diffu	814	08/08/2018	19,965.00
Payment 3990 Total:				19,965.00
Payment: 3991				
Corix Water Products (US) Inc.	Romac Macro Couplings	17813018322	08/08/2018	622.05
Corix Water Products (US) Inc.	Galvanized nipples, flange	17813022825	08/08/2018	25.41
Payment 3991 Total:				647.46
Payment: 3992				
Electricraft, Inc.	Eureka Well temporary power	15323	08/08/2018	8,924.00
Payment 3992 Total:				8,924.00
Payment: 3993				
Excel Personnel Services, Inc.	Employment agency	2577473	08/08/2018	434.00
Excel Personnel Services, Inc.	Employment agency	2572422	08/08/2018	347.20
Payment 3993 Total:				781.20
Payment: 3994				
FGL Environmental	Lab tests	881872	08/08/2018	521.00
FGL Environmental	Lab tests	881908	08/08/2018	147.00
Payment 3994 Total:				668.00
Payment: 3995				
Fluid Resource Management	Maria Vista Guide Rail Assem	W16940	08/08/2018	24,435.00
Payment 3995 Total:				24,435.00
Payment: 3996				
Frontier Communications	BL phone	AUG2018	08/08/2018	53.47
Payment 3996 Total:				53.47
Payment: 3997				
GLM Landscape Management	Landscape maintenance	JUL2018	08/08/2018	380.00
Payment 3997 Total:				380.00
Payment: 3998				
Golden State Water Company	FY 17-18 Year End Reconciliati	CM1	08/08/2018	1,145.00
Payment 3998 Total:				1,145.00
Payment: 3999				
Great Western Alarm and Co	Alarm monitoring service	180702062101	08/08/2018	67.00
Great Western Alarm and Co	Alarm monitoring service	180702107101	08/08/2018	67.00
Great Western Alarm and Co	Alarm monitoring service	180700640101	08/08/2018	35.00
Payment 3999 Total:				169.00
Payment: 4000				
Hach Company	CHEMKEYS	11036176	08/08/2018	3,167.66
Payment 4000 Total:				3,167.66
Payment: 4001				
Heacock Trailers & Truck Acce	Truck accessories	4268	08/08/2018	6,446.23
Heacock Trailers & Truck Acce	Truck accessories	4269	08/08/2018	7,869.79
Payment 4001 Total:				14,316.02
Payment: 4002				
Home Depot Credit Services D	Tools, rope, shackles	JUL2018	08/08/2018	519.88
Payment 4002 Total:				519.88
Payment: 4003				
Hopkins Technical Products, I	Degassing modules	3618300735	08/08/2018	3,294.11
Payment 4003 Total:				3,294.11
Payment: 4004				
Integrated Industrial Supply, I	Solenoid repair kits	54613	08/08/2018	817.87
Integrated Industrial Supply, I	Sunscreen towelettes	54576	08/08/2018	160.82
Integrated Industrial Supply, I	Compression fittings	54403	08/08/2018	53.24
Payment 4004 Total:				1,031.93

Item D-1 Warrants AUGUST 8, 2018


Payment Dates: 08/08/2018 - 08/08/2018

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 4005				
Lee Central Coast Newspapers	Public notice - ordinance	JUL2018	08/08/2018	127.50
Payment 4005 Total:				127.50
Payment: 4006				
Miner's Ace Hardware	Supplies	JUL2018	08/08/2018	857.36
Payment 4006 Total:				857.36
Payment: 4007				
Newton Geo-Hydrology Cons	Litigation support through 07-	JUL2018	08/08/2018	8,598.28
Payment 4007 Total:				8,598.28
Payment: 4008				
Nunley & Associates, Inc.	PCIA - Tract 2558	4619	08/08/2018	190.50
Nunley & Associates, Inc.	Interconnect Concept Design -	4630	08/08/2018	709.49
Nunley & Associates, Inc.	JRPS #4	4643	08/08/2018	6,239.00
Nunley & Associates, Inc.	PCIA - Tract 2650	4644	08/08/2018	641.99
Nunley & Associates, Inc.	Interconnect Concept Design -	4625	08/08/2018	299.49
Nunley & Associates, Inc.	PCIA - Dana Elementary	4618	08/08/2018	1,851.45
Nunley & Associates, Inc.	Interconnect Concept Design -	4624	08/08/2018	96.99
Payment 4008 Total:				10,028.91
Payment: 4009				
Nu-Tech Pest Management	Pest control	0136808	08/08/2018	265.00
Nu-Tech Pest Management	Rodent control	0136666	08/08/2018	75.00
Payment 4009 Total:				340.00
Payment: 4010				
Office Depot	Office supplies	165816485001	08/08/2018	67.20
Office Depot	Office supplies	165464227001	08/08/2018	139.40
Office Depot	Office supplies	165635893001	08/08/2018	142.42
Payment 4010 Total:				349.02
Payment: 4011				
PG&E	Electricity	JUL2018	08/08/2018	59,473.57
Payment 4011 Total:				59,473.57
Payment: 4012				
Pollard Water	Dechlorination tablets	WP001279	08/08/2018	2,331.63
Payment 4012 Total:				2,331.63
Payment: 4013				
Santa Maria Sun, LLC	Conservation ads	283523	08/08/2018	396.00
Santa Maria Sun, LLC	Conservation ads	283954	08/08/2018	396.00
Payment 4013 Total:				792.00
Payment: 4014				
SGS Guadalupe	Calcium ammonium nitrate	780120846	08/08/2018	748.07
Payment 4014 Total:				748.07
Payment: 4015				
SLO County Auditor Controller	LAFCO charges FY 18-19	LAFCO18-19	08/08/2018	49,751.38
Payment 4015 Total:				49,751.38
Payment: 4016				
SLO County Environmental He	Backflow program	IN0115056	08/08/2018	1,388.40
Payment 4016 Total:				1,388.40
Payment: 4017				
SoCalGas	Heat - shop/office	JULY2018B	08/08/2018	19.52
Payment 4017 Total:				19.52
Payment: 4018				
South County Sanitary Service	Solid waste tax liens 2017-201	JUL2018	08/08/2018	806.38
Payment 4018 Total:				806.38
Payment: 4019				
Terminix Commercial	Pest control	377416629	08/08/2018	50.00
Payment 4019 Total:				50.00

Item D-1 Warrants AUGUST 8, 2018

Payment Dates: 08/08/2018 - 08/08/2018

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount	
Payment: 4020						
Underground Service Alert of	Service alerts subscription	18070622	08/08/2018		924.54	
					Payment 4020 Total:	924.54
Payment: 4021						
UPS Store #6031	Package handling	8699	08/08/2018		22.00	
					Payment 4021 Total:	22.00
Payment: 4022						
US Bank National Association	Operating supplies	JUL2018D	08/08/2018		185.78	
US Bank National Association	Office misc.	JUL2018B	08/08/2018		84.96	
US Bank National Association	Travel and meals	JUL2018A	08/08/2018		85.63	
US Bank National Association	Training materials	JUL2018E	08/08/2018		160.50	
US Bank National Association	Storage unit	JUL2018C	08/08/2018		149.00	
					Payment 4022 Total:	665.87
Payment: 4023						
USA Bluebook	Manhole net	630961	08/08/2018		18.22	
USA Bluebook	Ammonia tests, oxygen stand	619311	08/08/2018		306.78	
USA Bluebook	IntelliCAL pH electrodes	635622	08/08/2018		531.23	
USA Bluebook	Replacement tray, car charger	635517	08/08/2018		443.12	
USA Bluebook	Hack COD vials, chlorine reag	634128	08/08/2018		472.73	
USA Bluebook	Stenner variable speed pump,	630904	08/08/2018		919.86	
USA Bluebook	Pump oil, CVC bushings, threa	627682	08/08/2018		326.66	
					Payment 4023 Total:	3,018.60
Payment: 4024						
Waste Connections	Waste collection - Olde Towne	6149990	08/08/2018		218.69	
Waste Connections	Waste collection - Southland	6150408	08/08/2018		195.56	
Waste Connections	Waste collection - Office	6148977	08/08/2018		41.23	
					Payment 4024 Total:	455.48
Payment: 4025						
Water Environment Federatio	Membership renewal - Sevcik	JUL2018	08/08/2018		320.00	
					Payment 4025 Total:	320.00
Payment: 4026						
Woodlands Mutual Water Co	FY 17-18 Year End Reconciliati	CM1	08/08/2018		1,145.00	
					Payment 4026 Total:	1,145.00

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER 
DATE: AUGUST 3, 2018

AGENDA ITEM
D-2
AUGUST 8, 2018

**APPROVE JULY 25, 2018
REGULAR BOARD MEETING MINUTES**

ITEM

Approve action minutes from previous Board meetings. [RECOMMEND APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board Meeting action.

RECOMMENDATION

Approve Minutes

ATTACHMENT

- A. July 25, 2018 draft Regular Board Meeting Minutes

AUGUST 8, 2018

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

DRAFT REGULAR MINUTES

JULY 25, 2018 AT 9:00 A.M.

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

BOARD of DIRECTORS

ED EBY, **PRESIDENT**
DAN ALLEN GADDIS, **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.**

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 Eby called the Regular Meeting of July 25, 2018, to order at 9:00 a.m. and led the flag salute.

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

At Roll Call, all Directors were present.

There was no public comment.

00:1:54

C. PRESENTATIONS AND REPORTS

C-1) 2018 SECOND QUARTER ENGINEER'S REPORT – DIRECTOR OF ENGINEERING AND OPERATIONS REPORT ON DISTRICT PROJECTS SYSTEM-WIDE [RECOMMEND RECEIVE AND FILE]

Peter Sevcik, Director of Engineering and Operations, presented the second quarter Engineer's Report and answered questions from the Board.

There was no public comment.

C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.

Director Woodson

- July 18, attended Citizens Transportation Advisory Council meeting.
- July 23, attended SCAC meeting.

Director Blair

- July 15, attended the South County Chamber of Commerce luncheon.

Director Gaddis

- July 17, attended Board Officer's meeting.
- July 19, attended the Finance and Audit Committee meeting.
- July 20, attended the NMMA meeting.

Director Eby

- July 17, attended Board Officer's meeting.

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

- July 19, attended LAFCO meeting.
- July 20, attended NMMA meeting
- July 24, attended briefing with Rob Rossi regarding latest Blacklake plan.

There was no public comment.

Upon the motion of Director 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, Blair, Woodson, Gaddis, and Eby	None	None

0:22:55

D. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE JULY 11, 2018, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]

D-3) REVIEW INVESTMENT POLICY – SECOND QUARTER REPORT [RECOMMEND ACCEPT
AND FILE REPORT]

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board unanimously approved the Consent Agenda.

Vote 5-0.

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

0:24:30

E. ADMINISTRATIVE ITEMS

E-1) CONDUCT ANNUAL REVIEW OF THE NIPOMO COMMUNITY SERVICES DISTRICT'S WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN (WSRMP) [RECOMMEND REVIEW AND DISCUSS WSRMP AND DIRECT STAFF]

Mario Iglesias, General Manager, presented the item. The Board asked questions of Staff.

Noel Heal, NCSD customer, asked if the District knows how much water others are pumping.

President Eby formed an Ad Hoc Committee of Director Armstrong and himself.

After discussion, the Board unanimously agreed to direct Staff to review the following and provide options before the Ad Hoc Committee meets:

1. WSRMP, adopted by Resolution 2014-1335, is four years old and was established before the importation of supplemental water. WSRMP should be reviewed for possible revision.
2. Measure effect of importation of supplemental water on the Key Well Index.
3. Projected Groundwater and Supplemental Water Project water supply demand and use through year 2025.

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

- 4. Provide options to revising the WSRMP. List advantages and disadvantages of each option such as keeping WSRMP as is, propose new service connection scheme if importation of supplemental water increases above current deliveries and the effect on the aquifer, propose accelerating supplemental water delivery schedule to accelerate new service connections .
- 5. Consider Financial Plan - effect on water rates for each option, assuming increased importation of water and how to build infrastructure needed for additional importation.
- 6. Develop a metric to evaluate the effectiveness of each option – existing and proposed – in the WSRMP and demonstrate each option’s effect on the groundwater supply in terms of positive, negative, or neutral impacts.

The Board President reopened public comment.

Pattea Torrence, a resident within the District boundaries, asked if existing homes would have priority over new construction.

Noel Heal, NCS D customer, asked if more supplemental water is available for purchase from the City of Santa Maria.

James Cabarra, Agent for property owner of 806 Honey Grove, suggested the Board consider a lottery system.

Staff agreed it should take no longer than six weeks to accumulate the information requested to provide to the Ad Hoc Committee.

President Eby adjourned the regular meeting.

0:58:38

NCS D PUBLIC FACILITIES CORPORATION ANNUAL MEETING

President Eby adjourned to the NCS D Public Facilities Corporation Annual Meeting.

ROLL CALL

At roll call, all Board members were present.

A. APPROVE MINUTES OF THE JULY 26, 2017 MEETING

There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board unanimously approved the minutes of July 26, 2017.

Vote 5-0.

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

President Eby adjourned to NCS D Regular Board Meeting.

01:09:41

F. MANAGER’S REPORT

Mario Iglesias, General Manager, presented the report as presented in the Board packet.

Noel Heal, NCS D customer, asked about the status of Rossi project based on briefing

meeting held the previous day.

G. COMMITTEE REPORTS

01:09:41

The Finance and Audit Committee met to consider Fund 300. The committee will meet again to review additional information and then make a recommendation to the Board of Directors.

There were no public comments.

H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS

None.

There were no public comments.

I. CLOSED SESSION

01:08:38

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

SMVWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND A LITIGATION PURSUANT TO GC §54956.9 ALL CONSOLIDATED CASES)

2. CONDUCT STEP 1 OF 2 - ANNUAL PERFORMANCE REVIEW OF DISTRICT GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54957

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Eby adjourned to Closed Session at 10:08 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

Whitney McDonald, District Legal Counsel, announced that the Board discussed Items 1 and 2. The Board took no reportable action.

There were no public comments.

ADJOURN

President Eby adjourned the meeting at 10:50

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 08 minutes
Closed Session	0 hour 42 minutes
TOTAL HOURS	1 hour 50 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER



FROM: WHITNEY McDONALD
DISTRICT COUNSEL

DATE: AUGUST 2, 2018

AGENDA ITEM

D-3

AUGUST 8, 2018

ADOPT UPDATED CONFLICT OF INTEREST CODE

ITEM

Adopt a Resolution adopting an updated Conflict of Interest Code [RECOMMEND ADOPT RESOLUTION UPDATING DISTRICT'S CONFLICT OF INTEREST CODE]

BACKGROUND

The Political Reform Act requires that the Nipomo Community Services District (District) adopt a Conflict of Interest Code, which then must be reviewed biennially. The District last reviewed and readopted its Conflict of Interest Code in 2016 and it is due for another review this year. Amendments to the Conflict of Interest Code are typically required if any of the following questions are answered in the affirmative:

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

While the answers to these questions are likely, no, at this time, District Counsel is recommending that the District's Conflict of Interest Code be updated to reflect the most recent conflict of interest code language approved by the Fair Political Practices Commission (FPPC). Recommended updates to the Conflict of Interest Code would also modify the reporting category descriptions in order to track the definitions included in the FPPC's adopted regulations. The updates would also clarify potential reporting exemptions for certain District consultants, which current FPPC regulations allow.

The District is required to submit a report to the San Luis Obispo County Clerk-Recorder by October 1, 2018, indicating whether the District's Conflict of Interest Code requires revisions (see attached). If the attached Resolution Adopting an Updated Conflict of Interest Code is approved, the District General Manager will provide the Resolution, along with the required form, to the County Clerk-Recorder before the October 1, 2018 deadline.

FISCAL IMPACT

The proposed updated Conflict of Interest Code will not create additional fiscal impacts to the District.

STRATEGIC PLAN

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

6.A. ACTIVITIES FOR COMPLETION

A.1. Periodically review, update and reaffirm District policies and procedures.

RECOMMENDATION

It is recommended that your Board, by motion and roll call vote, approve Resolution 2018-XXXX of the Board of Directors of the Nipomo Community Services District Adopting an Updated Conflict of Interest Code.

ATTACHMENTS

- A. Resolution No. 2018-XXXX, Resolution of the Board of Directors of the Nipomo Community Services District Adopting an Updated Conflict of Interest Code
- B. 2018 Local Agency Biennial Notice
- C. Resolution No. 2016-1423, Resolution of the Board of Directors of the Nipomo Community Services District Verifying its Biennial Review and Re-Adoption of its Conflict of Interest Code

AUGUST 8, 2018

ITEM D-3

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2018-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING AN UPDATED CONFLICT OF INTEREST CODE**

WHEREAS, the Nipomo Community Services District (herein "District") is a local governmental agency formed and authorized to provide services within its jurisdiction, pursuant to Section 61000 et seq. of the California Government Code;

WHEREAS, the Political Reform Act, Government Code Sections 81000, et seq., requires the District to adopt a Conflict of Interest Code;

WHEREAS, the Fair Political Practices Commission has adopted a standard model Conflict of Interest Code, codified at 2 California Code of Regulations Section 18730, which can be incorporated by reference as the District's Conflict of Interest Code;

WHEREAS, the District Board of Directors, by prior Resolution 2016-1423, adopted Regulation 18730 by reference as the District's Conflict of Interest Code; and

WHEREAS, the District Board of Directors has reviewed its Conflict of Interest Code and recommends that a new Conflict of Interest Code be adopted, as shown in Exhibit "A" hereto and its Appendix.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District does hereby resolve, declare, determine and order as follows:

1. The District adopts its Conflict of Interest Code attached as Exhibit "A" to this Resolution, including the Appendix attached thereto which designates District officers and employees that are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest and designates disclosure categories for its designated officers, employees, and consultants.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
CONFLICTS:

The foregoing resolution is hereby passed, approved and adopted by the Board of Directors of the Nipomo Community Services District this 8th day of August, 2018.

Ed Eby
President, Board of Directors

ATTEST:

APPROVED AS TO FORM:

Mario E. Iglesias
General Manager and Secretary to the Board

Whitney G. McDonald
District Legal Counsel

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2018-XXXX

EXHIBIT "A"

CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Nipomo Community Services District (District)

Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). All statements will be retained by the District.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2018 – XXXX

APPENDIX TO EXHIBIT “A”
(cont.)

NIPOMO COMMUNITY SERVICES DISTRICT
CONFLICT OF INTEREST CODE

DESIGNATED OFFICERS AND EMPLOYEES
WITH DISCLOSURE CATEGORIES

I. DESIGNATED POSITIONS

The persons occupying the positions listed below are hereby considered designated officers and employees and are deemed to make, or participate in the making of, decisions, which may have a material effect on a financial interest.

DESIGNATED POSITION	ASSIGNED DISCLOSURE CATEGORIES
Members of the Board of Directors	1
General Manager	1
District Legal Counsel	1
Assistant General Manager/Finance Director	1
Director of Engineering and Operations	1
Consultants*	2
New Positions	2

The District has determined that all the positions listed above manage public investments within the meaning of Government Code Section 87200 and California Code of Regulations title 2, Section 18720, and those persons holding these positions must file statements of economic interest (FPPC Form 700) pursuant to the state Political Reform Act.

* **Consultants.** “Consultant” has the same meaning as set forth in California Code of Regulations, Title 2, Section 18700.3.

II. DISCLOSURE CATEGORIES

Subject to the definitions set forth in the Political Reform Act and its applicable regulations:

Category 1. All persons in this disclosure category shall disclose the following:

- a) All reportable investments.
- b) All reportable interests in real property.
- c) All reportable income and loans.
- d) All reportable business positions in business entities.
- e) All reportable gifts, travel payments, advances, and reimbursements.

Category 2. All persons in this disclosure category shall disclose everything listed under Category 1, subject to the following limitation:

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2018 – XXXX

APPENDIX TO EXHIBIT “A”
(cont.)

- a) The General Manager may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008.)

AUGUST 8, 2018

ITEM D-3

ATTACHMENT B

2018 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2018**, or by the date specified by your agency, if earlier, to:

San Luis Obispo County Clerk-Recorder, 1055 Monterey St., Ste D120, San Luis Obispo, CA 93408

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

AUGUST 8, 2018

ITEM D-3

ATTACHMENT C

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2016-1423**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT VERIFYING
ITS BIENNIAL REVIEW AND RE-ADOPTION
OF ITS CONFLICT OF INTEREST CODE**

WHEREAS, the Nipomo Community Services District (herein "District") is a local governmental agency formed and authorized to provide services within its jurisdiction, pursuant to Section 61000 et seq. of the California Government Code; and

WHEREAS, the District Board of Directors, by prior Resolution, adopted Regulation 18730 by reference as the District's Conflict of Interest Code; and

WHEREAS, the District Board of Directors reviewed its Conflict of Interest Code attached hereto as Exhibit "A" and "B" on August 10, 2016.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District does hereby resolve, declare, determine and order as follows:

1. The District re-adopts its Conflict of Interest Code by incorporating Regulation 18730, as amended from time to time, by reference, Exhibit "A" to this Resolution.
2. The District re-adopts Exhibit "B" to this Resolution to:
 - a. Designate officers and employees that are deemed to make, or participate in the making of, decisions, which may have a material effect on a financial interest.
 - b. Designate disclosure categories for its designated officers, employees and consultants.

On the motion of Director Gaddis, seconded by Director Eby, and on the following roll call vote, to wit:


AYES: Directors Gaddis, Eby, Woodson, Blair and Armstrong
NOES: None
ABSENT: None
CONFLICTS: None

The foregoing resolution is hereby passed, approved and adopted by the Board of Directors of the Nipomo Community Services District this 10th day of August, 2016.



Craig Armstrong
President, Board of Directors

ATTEST:



Mario E. Iglesias
General Manager and Secretary to the Board

APPROVED AS TO FORM:



Michael S. Seitz
District Legal Counsel

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

CONFLICT OF INTEREST CODE

(Regulations of the Fair Political Practices Commission, Title 2, Division 6, California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

- (a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of Article 2 of Chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.
- (b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This Code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this Code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this Code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

- (A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

- (B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Section 87200; and
- (C) The filing officer is the same for both agencies. ¹

Such persons are covered by this Code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code. ²

(5) Section 5. Statements of Economic Interests: Time of Filing.

- (A) Initial Statements. All designated employees employed by the agency on the effective date of this Code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this Code. Thereafter, each person already in a position when it is designated by an amendment to this Code shall file an initial statement within 30 days after the effective date of the amendment.
- (B) Assuming Office Statements. All persons assuming designated positions after the effective date of this Code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.
- (C) Annual Statements. All designated employees shall file statements no later than April 1st. If a person reports for military service as defined in the service member's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.
- (D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

- (1) File a written resignation with the appointing power; and
- (2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements.

Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported⁴, the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

- (E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

- (A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$460.

- (A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f) and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

- (A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.
- (B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f) and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f) and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.

3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.

2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:

a. The date the loan was made.

b. The date the last payment of \$100 or more was made on the loan.

c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.

2. A loan that would otherwise not be a gift as defined in this title.

3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.

4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

- (A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;
- (B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;
- (C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
- (D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
- (E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$460 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of Section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

- (A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
- (B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "A"

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this Code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5, or from the attorney for his or her agency, provided that nothing in this Section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This Code has the force and effect of law. Designated employees violating any provision of this Code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this Code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423**

EXHIBIT "A"

of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "B"

NIPOMO COMMUNITY SERVICES DISTRICT
CONFLICT OF INTEREST CODE

DESIGNATED OFFICERS AND EMPLOYEES
WITH DISCLOSURE CATEGORIES

I. DESIGNATED POSITIONS

The persons occupying the positions listed below are hereby considered designated officers and employees and are deemed to make, or participate in the making of, decisions, which may have a material effect on a financial interest.

DESIGNATED POSITION	ASSIGNED DISCLOSURE CATEGORIES
Members of the Board of Directors	1,2,3
General Manager	1,2,3
District Legal Counsel	1,2,3
Assistant General Manager/Finance Director	1,2,3
Director of Engineering and Operations	1,2,3
Certain Contract Consultants	1,2,3

The District has determined that all the positions listed above manage public investments within the meaning of Government Code Section 87200 and California Code of Regulations title 2, Section 18720, and those persons holding these positions must file statements of economic interest (FPPC Form 700) pursuant to the state Political Reform Act.

II. DISCLOSURE CATEGORIES

Category 1: All persons in this disclosure category shall disclose all interests in real property located in the District or within two miles of the District's boundaries. This disclosure is not applicable to the person's principal residence or real property interests with a fair market value of less than \$2,000.

Category 2: All persons in this disclosure category shall disclose all investments in business entities and business positions in business entities that have an interest in real property in the District, or that have done business with the District during the year prior to the date of the person's disclosure statement, or that are likely to do business with District during the year subsequent to the date of the person's disclosure statement. This disclosure category is not applicable to investments with a fair market value of less than \$2,000.


Category 3: All persons in this disclosure category shall disclose all sources of personal and business entity income from entities that provide services, materials, machinery equipment, or supplies of the

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2016 – 1423

EXHIBIT "B"

type utilized by the District or that are located within the District, including gifts, loans and travel payments. This disclosure category is not applicable to income received from the District.

Consultants. "Consultant" means an individual who, pursuant to a contract with the District, either: (A) Makes a governmental decision whether to (1) approve a rate, rule, or regulation; (2) adopt or enforce a law; (3) issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement; (4) authorize the District to enter into, modify, or renew a contract provided it is the type of contract that requires District approval; (5) grant District approval to a contract that requires District approval and to which the District is a party, or to the specifications for such a contract; (6) grant District approval to a plan, design, report, study, or similar item; or (7) adopt or grant District approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; or (B) Serves in a staff capacity with the District and in that capacity participates in making a governmental decision as defined in California Code of Regulations, Title 2, Section 18702.2 or performs the same or substantially all the same duties for the District that would otherwise be performed by an individual holding a position specified in the District's Conflict of Interest Code. (California Code of Regulations, Title 2, Section 18701(a)(2).)

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: AUGUST 1, 2018

**AGENDA ITEM
D-4
AUGUST 8, 2018**

**AUTHORIZE PURCHASE OF REPLACEMENT VACUUM TRAILER IN
ACCORDANCE WITH APPROVED FY 18-19 BUDGET**

ITEM

Authorize purchase of replacement vacuum trailer in accordance with approved FY 18-19 Budget [RECOMMEND AUTHORIZE STAFF TO PURCHASE VACUUM TRAILER FROM PRES TECH EQUIPMENT COMPANY AT A COST OF \$28,714].

BACKGROUND

The District's FY 2018-2019 budget allocated funding for the purchase of a replacement vacuum trailer. The District's existing vacuum trailer was manufactured in 2000 and is worn out. The vacuum trailer is used to clean out valve boxes and meter boxes.

District staff solicited quotes for similarly equipped vacuum trailers with at least a 200 gallon debris tank from several manufacturers and received quotes as follows:

Vendor	Total Cost	Debris Tank Size	Comment
Pres Tech	\$28,714	220 gallon	Meets requirements
Ditch Witch	\$44,930	500 gallon	Meets requirements
E.H. Wachs	\$18,871	90 gallon	Does not meet requirements
Pres Tech	\$24,137	100 gallon	Does not meet requirements
Ditch Witch	\$27,777	150 gallon	Does not meet requirements

The Pres Tech Equipment Company quote in the amount of \$28,714 for the vacuum trailer with a 220 gallon debris tank is the lowest quote that meets the District's requirements.

FISCAL IMPACT


Funding in the amount of \$29,000 was allocated in the FY 2018-2019 District budget for the purchase of a replacement vacuum trailer.

RECOMMENDATION

Staff recommends that the Board, by motion and roll call vote, authorize staff to purchase a vacuum trailer from Pres Tech Equipment Company in the amount of \$28,714.

ATTACHMENTS

None.

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF ENGINEERING
AND OPERATIONS
DATE: AUGUST 1, 2018



**APN 091-325-022 FIRE SERVICE REQUEST
SANDYDALE DRIVE AND NORTH FRONTAGE ROAD, NIPOMO**

ITEM

Consider request for a private fire service only Intent-to-Serve Letter for a proposed RV storage facility on APN 091-325-022 on the corner of Sandydale Drive and North Frontage Road, Nipomo [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

On July 3, 2018, the Nipomo Community Services District (District) received an application for a private fire service for APN 091-325-022, on the corner of Sandydale Drive and North Frontage Road, in Nipomo. Howard and Pepper, Inc., the applicant, is requesting a private fire service connection for a RV trailer storage lot. The applicant is represented by Dennis Schmidt, Granite Ridge Development Consultants. The fire service is necessary in order for the project to comply with CAL FIRE requirements. The application is attached to the staff report as Attachment A.

The project location does not currently receive water service from the District and no water service is requested at this time, only fire service. Thus, the request does not conflict with the current Stage IV District Water Shortage Response and Management Plan implementation requirements.

The applicant estimates a 6-inch fire service connection will be required. The applicant will be required to construct the fire service connection in compliance with current District standards. An analysis of the District's existing water distribution system's ability to meet the project demands will be conducted as part of the project review process.

FISCAL IMPACT

District fire capacity fees are based on the connection size. Fire service capacity charges are equal to 12.5% of the District's Water Capacity Charge. The estimated capacity charge for the project is \$44,230 based on the current District fee schedule and a 6-inch fire service connection. Once the project is completed and accepted by the District, a bimonthly fire protection charge will apply. The bimonthly charge is currently \$71.71 for a 6-inch connection.

The applicant will also be required to enter into a Plan Check and Inspection Agreement with the District and pay a deposit to cover all of the District's administrative, engineering and legal costs incurred while processing the project.

RECOMMENDATION

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for fire service only for the project with the following conditions:

PROJECT SPECIFIC CONDITIONS

- No domestic water service or irrigation water service will be provided by the District.
- Private fire service shall be designed and certified by a California registered civil engineer in accordance with District Ordinance Code 3.04.140.B.
- Applicant shall install a single six (6) inch fire service and backflow assembly for the project.
- CAL FIRE of SLO County must approve the fire service plans prior to District approval.

STANDARD CONDITIONS

- Enter into a Plan Check and Inspection Agreement and provide a deposit to cover all District costs to process project.
- Pay all appropriate District fees associated with this project.
- Fire service connection fees will be based on size of required water service.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed project consistent with the County project conditions of approval.
- Any easements required for improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private fire service shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name prior to issuance of Will-Serve letter.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the connection to District facilities is completed and accepted by the District from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (PDF) which includes engineer, developer, and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - Summary of all improvement costs

- The District will begin fire service upon the District's acceptance of improvements to be dedicated to the District and the final payment of all charges and fees owed to the District.
- This letter is void if project is other than a fire service for a RV storage lot.
- Intent-to-Serve letters shall automatically terminate three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

ATTACHMENTS

- A. Application

AUGUST 8, 2018

ITEM E-1

ATTACHMENT A



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:

RECEIVED

JUL 03 2018

NIPOMO COMMUNITY
SERVICES DISTRICT

INTENT-TO-SERVE APPLICATION

1. This is an application for: _____ Sewer and Water Service Water Service Only
2. SLO County Planning Department/Tract or Development No.: _____ DRC 2016-00068
3. Project location: _____ North Frontage Road and Sandydale Drive
4. Assessor's Parcel Number (APN) of lot(s) to be served: _____ 095-325-022
5. Owner Name: _____ Howard and Pepper, Inc
6. Mailing Address: _____ 215 North Frontage Road, Nipomo, CA 93444
7. Email: _____
8. Phone: _____ 805 929-8095 FAX: _____ Unknown
9. Agent's Information (Architect or Engineer):
 Name: _____ Granite Ridge Development Consultants
 Address: _____ 8679 Santa Rosa Road, Atascadero, CA 93422
 Email: _____ dennis@graniteridgegroup.com
 Phone: _____ 805 835-3582 FAX: _____ 805 461-0851

10. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

11. Total Number of Dwelling Units NA Number of Low Income Units NA

12. Does this project require a sub-division? Yes No
If yes, number of new lots created NA

13. Site Plan:

For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

Note: NCS D only provides one domestic meter per Assessor Parcel Number

14. RESIDENTIAL SERVICE

Single Family Residential (SFR)

Number of APN's created		Number of SFR to be built	
-------------------------	--	---------------------------	--

Multi-Family Residential (MFR)

Number of APN's created			
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

15. Commercial Projects Service Demand Estimates:

Commercial and Mixed Use Request is for the installation of a private 6" water line to be used solely for emergency purposes only. No meter for domestic use requested.

Number of APN's created			
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect.

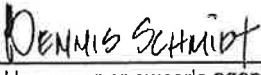
Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule on Page 4

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 03 July 2018 Signed 
 (Must be signed by owner or owner's agent)

Print Name Dennis Schmidt, Agent

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

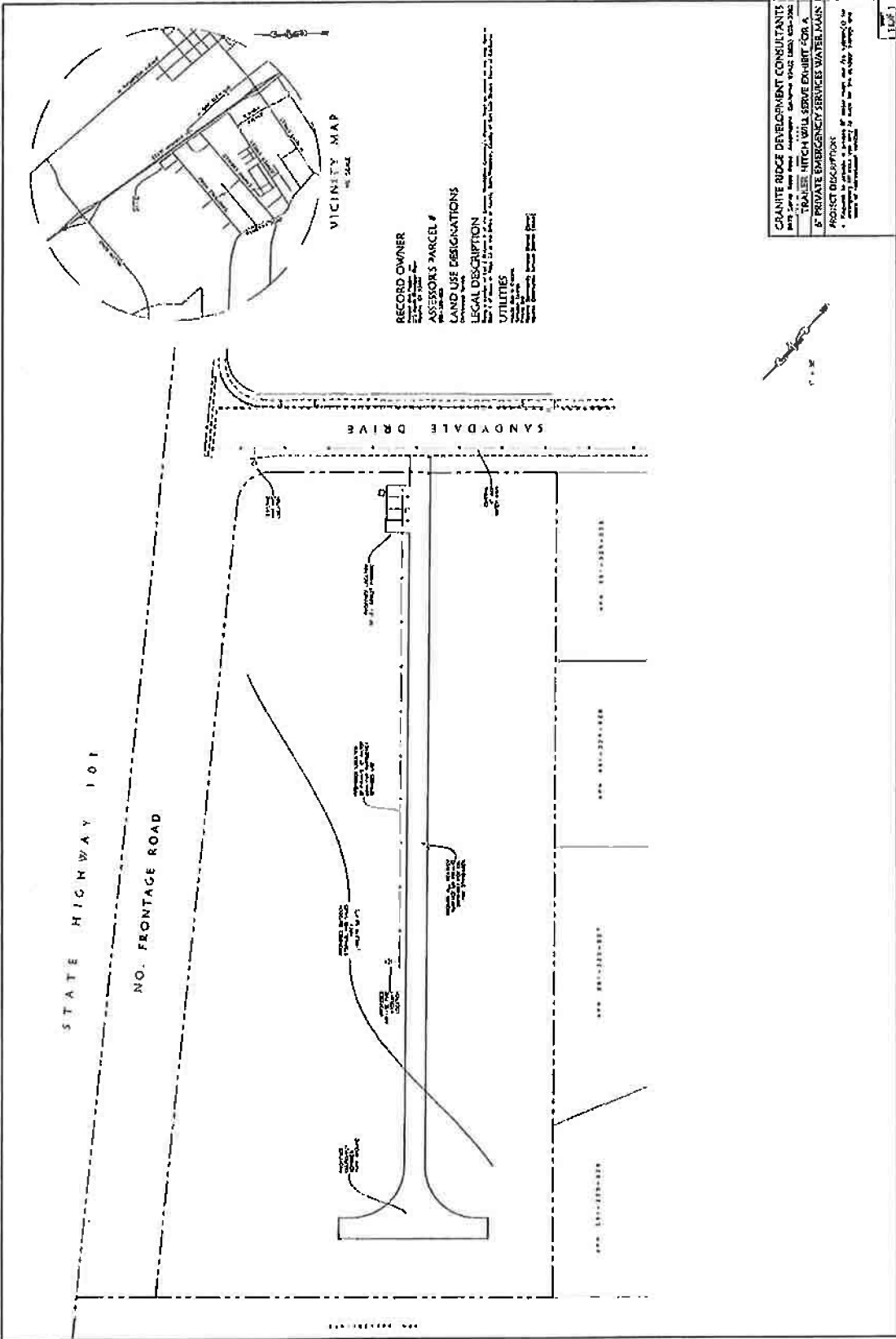
Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Commercial – all non-residential and mixed-use projects.

APPLICATION FEES AND CHARGES
Effective July 1, 2018

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,196.96
Residential 4-20 units	\$1,644.14
Residential > 20 units	\$1,935.77
Commercial <1 acre	\$1,644.14
Commercial 1-3 acres	\$1,935.77
Commercial > 3 acres	\$2,674.55
Mixed Use with less than 4 Dwelling Units	\$1,935.77
Mixed Use with four or more Dwelling Units	\$2,674.55
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

**Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.



CRANITE RIDGE DEVELOPMENT CONSULTANTS
 10000 10th Street, Suite 100
 Denver, CO 80231
 Phone: 303.751.1000
 Fax: 303.751.1001
 Website: www.craniteridge.com

**TRAILER: HITCH WILL SERVE EXHIBIT FOR A
 PRIVATE EMERGENCY SERVICES WATER MAIN**

PROJECT DESCRIPTION:
 • Provide a water main for the proposed trailer hitch
 • Provide a water main for the proposed trailer hitch
 • Provide a water main for the proposed trailer hitch

DATE: 10/1/2014
SCALE: 1" = 10'

RECORD OWNER
 [Name]
 [Address]
 [City, State, Zip]

ASSESSOR'S PARCEL #
 [Parcel Number]

LAND USE DESIGNATIONS
 [Designation]

LEGAL DESCRIPTION
 [Description]

UTILITIES
 [Utility Information]

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER

DATE: AUGUST 3, 2018

**AGENDA ITEM
F
AUGUST 8, 2018**

GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- *Period covered by this report is July 21, 2018 through August 4, 2018.*

DISTRICT BUSINESS

Administrative

The District encourages residents to provide reports of any observed water waste. The District keeps an accounting of leak adjustments as a measure of non-revenue water lost to leaks. The July data will be provided the first meeting in August.

Office Activities

	Jun-18	Jul-Jun 2018
Reports of water waste followed up on	1	3
Leak Adjustments	1	24
Leak Adjustment Amount	\$115	\$7,037

Water Resources

Table 1. Total Production (AF)

	July-18	Jul 18 - Jun 19
Groundwater Production	127.5	127.5
Supplemental Water Imported	<u>85.0</u>	<u>85.0</u>
Total Production	<u>212.5</u>	<u>212.5</u>

NCSD imported 85 AF of water over the 31 day period in July averaging 620 gallons per minute for a daily total of 893,346 gallons per day. For fiscal year 2018-19 [July-2018 through June-2019] the District must import 800 AF of supplemental water. The District's total production, including groundwater wells and imported water from measured at the Joshua Road Pump Station, registered 212.5 acre feet of water for the current fiscal year.

Table 2. FY 2018 Total Demand To-date Compared to 2013

	July-18	Jul - Jun 19
Total Production (AF) for FY 2018-19	212.5	212.5
Total Production (AF) for 2013	<u>282.4</u>	<u>282.4</u>
Reduction	69.9	69.9
Percentage Reduction	24.8%	24.8%

On the previous page, Table 2 compares the District’s total water production for the month of July and the fiscal year (July 2017 through June 2018) year-end total against those same periods for 2013 (pre-drought production). 2013 is the year the Department of Water Resources (“DWR”) designated as the pre-drought production year. The pre-drought production data is included in the monthly water production report and compared to current usage, all of which is submitted by water purveyors statewide to DWR’s office. For July 2018, the community’s water conservation effort reached approximately 25% compared to July 2013. The District’s year-end conservation effort for fiscal year 2019 will continue to be monitored despite the Governors removal of mandatory conservation requirements.

NCSD GW Reduction

The District’s purveyor customers, Golden State Water Company and Woodlands Mutual Water Company, each claim 16.66% (cumulatively 33.33%) of the imported water NCSD brings onto the basin through the NSWP. Of the 800 AF minimum imported water from the CSM, 266.6 AF will be credited to these two purveyor customers. The credited amount must be added to the District’s groundwater pumping total every month to reflect the groundwater pumped by these customers in-lieu of taking imported water from the District. Table 3 below demonstrates the calculus for determining the District’s groundwater pumping reduction.

Table 3. NCSD GW Production (NCSD GW Well Production plus Purveyor Credit)

	Jul-18	Jul – Jun 19
NCSD GW Well Production	127.5	127.5
Purveyor Customer Credit (33.3% of Import Water)	<u>28.3</u>	<u>28.3</u>
NCSD Total Calculated GW Production	155.8	155.8
Average GW Production for 2009-2013	<u>291.2</u>	<u>291.2</u>
NCSD Percentage of GW Reduction	46%	46%

Taking into consideration the above referenced purveyor customer credit, the District can claim a groundwater pumping reduction of 46% for the month of July compared to the 5-year average from 2009 to 2013 (NMMA-TG assigned comparator). For Fiscal Year 2019, the cumulative groundwater pumping reduction is limited to July so the percentage is 46%. At the current Stage IV level of NMMA’s Water Shortage Condition and Response Plan, the District has targeted groundwater pumping reduction level of 50% for the year.

Table 4. 2018 Fiscal Year Groundwater Pumping

	Jul-18	Jul-Jun 2019	Target	Over/Under
NCSD GW Well Production	127.5	1,032.2		
Purveyor Customer Credit (33.3% of Import Water)	<u>28.3</u>	<u>321.7</u>		
NCSD Total Calculated GW Production	155.8	1,356.8	1,266.0	-90.79 AcFt
Average GW Production for 2009-2013	<u>291.2</u>	<u>2,533.3</u>	2,533.3	
NCSD Percentage of GW Reduction	46%	46%	50.0%	

Table 4 shows the results of the District’s groundwater pumping reduction efforts for Fiscal Year 2019 and compares this value with the targeted groundwater pumping reduction of 50%. Fiscal Year 2018 production data is used to forecast production numbers where actual production numbers are not available. With only one month of the fiscal year available, the District can

forecast an Over/Under value for the year of approximately 91 acre feet over the groundwater reduction target. The target of 50% reduction in groundwater pumping was endorsed by the NMMA Technical Group and is common between the three major water providers on the Nipomo Mesa: Golden State Water Company, Woodlands Mutual Water Company, and the Nipomo Community Services District.

Rainfall Gauge

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
July 2018 Total	0	0
July-2017 through July-2018 (Seasonal Total)	9.62	8.78
Average Annual Year Rainfall	18	16

Safety Program

No safety issues.

Other Items and News of Interest

- Board Meeting Recess (August 22, 2018 Board Meeting)
- Memo - Nipomo Clean-up Cost Accounting [Attachment A]

Supplemental Water Capacity Accounting

The District is not currently accepting applications for new water service.

Supplemental Water Available for Allocation	500	AFY
Supplemental Water Reserved (Will Serve Letters Issued)	-23.2	AFY
Subtotal Net Supplemental Water Available for Allocation	476.8	AFY
Supplemental Water Assigned (Intent-to-Serve Issued)	-79.1	AFY
Total Remaining Supplemental Water Available for Allocation	397.1	AFY

This information is accurate through May 2018.

Connection Report

The Connection Report is current through June 2018 – July data presented at the 2nd Board Meeting in August.

Nipomo Community Services District Water and Sewer Connections	END OF MONTH REPORT					
	18-Jan	18-Feb	18-Mar	18-Apr	18-May	18-Jun
Water Connections (Total)	4405	4405	4405	4405	4405	4405
Sewer Connections (Total)	3174	3174	3174	3174	3174	3175
New Water Connections	3	0	0	0	0	0
New Sewer Connection	3	0	0	0	0	1
Galaxy & PSHH at Orchard and Division Sewer Connections billed to the County	473	473	473	473	474	476

Meetings (July 22 through August 4)

Meetings Attended (telephonically or in person):

- July 23, L&T Rate Kick-off Meeting (BL Sewer)
- July 24, GLM Office Irrigation System Review
- July 24, Eng/Admin Meeting
- July 24, Rossi BL Update
- July 25, Rotary
- July 25, Regular Board Meeting
- July 25, Exec. Team After-Board Meeting
- July 26, S&P Rating Review
- July 27, CHG, Cleath Meeting
- July 30, Board Officer Meeting
- July 31, Management Team
- Aug 1, RWMG SLO Library
- Aug 2, Clever Ducks Planning Meeting

Meetings Scheduled (August 5 through July 11):

Upcoming Meetings (telephonically or in person):

- Aug 6, Customer Demo – Irrig. Improvements
- Aug 6, Finance & Audit Subcommittee
- Aug 7, Eng/Admin Meeting
- Aug 8, Regular Board Meeting
- Aug 8, Exec. Team After-Board Meeting

Upcoming Water Resource and Other Meetings

- NMMA-TG: August 20 @ 10:00 AM, NCSD Board Room
- RWMG: August 1st @ 10:00 AM, SLO Library
- WRAC: September 5th @ 1:30 PM, SLO Library
- NMMA Purveyor Meeting: August 23rd @ 10:00 AM, NCSD Admin Office
- NCMA/NMMA Managers Meeting: TBD

RECOMMENDATION

Staff seeks direction and input from your Honorable Board

ATTACHMENTS

Attachment A: July 30, 2018, GM Memo to Board – Nipomo Clean-up Day Cost Accounting

AUGUST 8, 2018

ITEM F

ATTACHMENT A

NIPOMO COMMUNITY

BOARD MEMBERS

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



SERVICES DISTRICT

STAFF

MARIO IGLESIAS, GENERAL MANAGER
LISA BOGNUDA, FINANCE DIRECTOR
PETER SEVCIK, P.E., DIRECTOR OF ENG. & OPS.
WHITNEY MCDONALD, GENERAL COUNSEL

Serving the Community Since 1965

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: ncsd.ca.gov

Memo

TO: Nipomo CSD Board of Directors

FROM: Mario E. Iglesias
General Manager

DATE: July 30, 2018

SUBJECT: Nipomo Clean-up Day Cost Accounting

The District participated in a San Luis Obispo County organized Clean-up event on June 16, 2018. The Board approved \$9,000 of expenses to fund the event in the staff report. Funds were approved from the District Solid Waste Fund #300 at your Boards May 9, 2018 Board Meeting.

On June 27, 2018, staff returned to the Board to report on the overwhelming success of the event and asked your Board to allow for an additional \$5,000 to cover the estimated cost overruns staff anticipated based on the amount of material collected and disposed of.

All invoices have come in to the District office from vendors and, with the contributions from the 4th District Supervisor's Office and the South County Advisory Council, the original \$9,000 request looks to be sufficient to meet the District's original commitment.

Item	Vendor	Cost
Announcements	Burdine Printing	\$ 2,020.67
Lunch	Little Jocko's	\$ 250.00
Hauling	Rockin CJ Transport	\$ 1,102.00
Dump Fees	Santa Maria Landfill	\$ 828.67
Dumpsters	Coastal Roll-off	\$ 5,675.27
	Total	\$ 9,876.61
Deduction	Supervisor Grant	\$ (1,000.00)
Deduction	SCAC Grant	\$ (895.00)
	NCS D Payment	\$ 7,981.61