

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

APRIL 26, 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 April 26, 2017 to order at 9:00 a.m. and led the flag salute.

00:00:29 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

00:00:42 C-1) DIRECTOR OF ENGINEERING AND OPERATIONS SUMMARY OF ACTIVITIES – MONTHLY REPORT; JOSHUA ROAD PUMP STATION CONSTRUCTION

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board Packet and distributed additional project photos to the Board (available for review at the District office).

The new pump is scheduled to start up mid-May and there will be a ribbon cutting ceremony on May 24th. Mr. Sevcik answered questions from the Board.

00:07:39 C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.

Receive Announcements and Reports from Directors

Director Woodson

- *April 24, Attended the South County Advisory Council (SCAC) meeting where they reviewed the marijuana issue.*
- *Spoke with the County Public Works Project Manager regarding the Tefft Interchange project.*

Director Eby

- *April 14, Attended the Nipomo Mesa Management Area (NMMA) Technical Group Meeting where they reviewed final edits to the annual groundwater report. A public draft is expected to be available April 28.*
- *April 17, Attended the District Board Officer's meeting.*

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Director Gaddis

- April 13, Attended the Finance & Audit Committee meeting where they reviewed the draft Fiscal Year 2017-2018 budget.
- April 17, Attended the District Board Officer's meeting.

C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE and FILE PRESENTATIONS AND REPORTS

There were no public comments.

*Upon the motion of Director Ed Eby and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.
Vote 5-0.*

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

00:10:18

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE APRIL 12, REGULAR BOARD MEETING MINUTES

D-3) INVESTMENT POLICY – FOURTH QUARTER REPORT

Directors Woodson and Gaddis requested clarification on warrants. Mario Iglesias, General Manager, responded.

There were no public comments.

*Upon the motion of Director Ed Eby and seconded, the Board unanimously approved the Consent Agenda.
Vote 5-0.*

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

E. ADMINISTRATIVE ITEMS

00:12:48

E-1) CONSIDER RESPONDING TO THE COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS' SUSTAINABLE GROUNDWATER MANAGEMENT ACT FUNDING POLICY SHIFT

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet and distributed Director Eby's draft letter (available for review at the District office).

Director Eby gave a background of the Sustainable Groundwater Management Act (SGMA) and the County's formation of Groundwater Sustainability Agencies (GSAs). Director Eby also commented on the County Board of Supervisors' intention to fund GSAs out of the County's General Fund and that many agencies object to this.

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Director Eby commented that stakeholders should fund their own GSA.

The Board reviewed the letter and discussed.

Directors Woodson and Blair commented in support of the letter.

Mario Iglesias, General Manager, commented on possible exclusions for some residents within District boundaries since they could potentially pay twice for the GSA.

Director Gaddis commented that the District should contact the State Department of Water Resources (DWR) to discuss shrinking the boundaries to the adjudicated area.

Mr. Iglesias and Whitney McDonald, Legal Counsel, commented on petitioning for realignment and the application deadline of March 2018.

Director Eby suggested staff retrieve the data presented at recent outreach meetings from County representatives and continue to work with the County regarding shrinking the boundary.

There were no public comments.

The Board directed staff to:

- Work with Director Eby to finalize the letter and send to the County by mid-May.
- Place regular updates on future Board Agendas.
- Work with the County to retrieve the data presented at recent outreach meetings.
- Bring the Item to the May 10th Regular Board meeting to discuss redefining fringe areas.

Upon the motion of Director Ed Eby and seconded, the Board unanimously agreed and directed staff to send the final letter to the County Board of Supervisors and follow-up before June 2017.

Vote 5-0.

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

00:46:24

E-2) CONSIDER REORGANIZING STAFFING STRUCTURE OF EXISTING OPERATIONAL POSITIONS WITHIN THE WATER AND WASTEWATER ENTERPRISES

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet. Mr. Iglesias and Peter Sevcik, Director of Engineering and Operations, answered questions from the Board.

Mr. Sevcik commented that developing staff in-house saves the District money and minimizes the risk of fines.

There were no public comments.

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*Upon the motion of Director Craig Armstrong and seconded, the Board unanimously approved the restructuring of Operator positions and job titles as proposed by staff.
Vote 5-0.*

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

00:56:22

E-3) AUTHORIZE STAFF TO BID UTILITY ADJUSTMENT CONTRACT

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

Director Woodson commented that the County's bid opening was on April 20th and he will research the results.

Director Eby directed staff to follow-up with the County regarding the improvement plans for this project.

There were no public comments.

*Upon the motion of Director Ed Eby and seconded, the Board unanimously authorized and directed staff to bid the utility adjustment contract.
Vote 5-0.*

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

01:02:58

F. MANAGER'S REPORT

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

There were no public comments.

01:09:22

G. COMMITTEE REPORTS

Director Armstrong reviewed the Finance & Audit Committee meeting minutes as presented in the Board Packet and commented that the draft Fiscal Year 2017-2018 budget will be brought to the full Board in May.

Director Blair reviewed the Administration Committee meeting minutes as presented in the Board Packet and commented on the Board's approval of the Committee's recommendations today.

01:10:19

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

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I. CLOSED SESSION ANNOUNCEMENTS

- 1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a) SMWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
 - b) BENING VS. NCSD SAN LUIS OBISPO COUNTY CASE NO 14CV0069
 - c) NCSD VS. LOS PRIMOS PROPERTIES LLC, SAN LUIS OBISPO COUNTY CASE NO. 16CV0512
- 2. CONTINUE 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 Gaddis adjourned to closed session at 10:15 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 11:10 a.m.

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

Ms. McDonald also reported that the Board continued performance review of District General Manager.

Director Gaddis reported that Director Eby will chair the May 10th Regular Board meeting in his absence.

ADJOURN

President Gaddis adjourned the meeting at 11:12 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 17 minutes
Closed Session	55 minutes
TOTAL HOURS	2 hours 12 minutes

Respectfully submitted,


Mario Iglesias, General Manager and Secretary to the Board

5-11-17
Date