

TO: BOARD OF DIRECTORS  
FROM: MARIO IGLESIAS  
GENERAL MANAGER  
DATE: DECEMBER 8, 2017

**AGENDA ITEM  
C  
DECEMBER 13, 2017**

## **PRESENTATIONS AND REPORTS**

The following presentations and reports are scheduled:

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

DATE: DECEMBER 8, 2017

**AGENDA ITEM**  
**D**  
**DECEMBER 13, 2017**

## **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 NOVEMBER 8, 2017, REGULAR BOARD MEETING MINUTES AND SPECIAL MEETING MINUTES [RECOMMEND APPROVAL]
- D-3) ACCEPT FIRST QUARTER FISCAL YEAR 2017-2018 QUARTERLY FINANCIAL REPORT [RECOMMEND RECEIVE REPORT AND DIRECT STAFF TO FILE THE QUARTERLY FINANCIAL REPORT FOR FIRST QUARTER OF THE FISCAL YEAR 2017-2018]
- D-4) CONSIDER RESOLUTION PROVIDING WORKERS' COMPENSATION COVERAGE FOR SAID CERTAIN INDIVIDUALS [RECOMMEND APPROVE RESOLUTION]

TO: BOARD OF DIRECTOR

REVIEWED: MARIO IGLESIAS  
GENERAL MANAGER




FROM: LISA BOGNUDA  
FINANCE DIRECTOR

DATE: DECEMBER 8, 2017

**AGENDA ITEM**  
**D-1**  
**DECEMBER 13, 2017**

WARRANTS WILL BE DISTRIBUTED ON TUESDAY, DECEMBER 12, 2017

TO: BOARD OF DIRECTORS  
FROM: MARIO IGLESIAS  
GENERAL MANAGER   
DATE: DECEMBER 8, 2017

**AGENDA ITEM**  
**D-2**  
**DECEMBER 13, 2017**

**APPROVE NOVEMBER 8, 2017  
REGULAR BOARD MEETING MINUTES AND SPECIAL 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. November 8, 2017 draft Regular Board Meeting Minutes
- B. November 8, 2017 draft Special Meeting Minutes

December 13, 2017

ITEM D-2

ATTACHMENT A

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## DRAFT REGULAR MINUTES

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

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

### BOARD of DIRECTORS

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

### PRINCIPAL STAFF

MARIO IGLESIAS, **GENERAL MANAGER**  
LISA BOGNUDA, **FINANCE DIRECTOR**  
WHITNEY MCDONALD, **GENERAL COUNSEL**  
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**  
JESSICA MATSON, **BOARD CLERK**

Mission Statement: The Nipomo Community Services District's mission is to provide its customers with reliable, quality, and cost-effective services now and in the future.
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00:00:00 A. CALL TO ORDER AND FLAG SALUTE

*President Gaddis called the Regular Meeting of November 8, 2017 to order at 9:00 a.m. and led the flag salute.*

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

*At Roll Call, all Directors were present.*

*There were no public comments.*

C. PRESENTATIONS AND REPORTS

00:00:39 C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.

Receive Announcements and Reports from Directors

Director Eby

- *October 30, Attended the District Board Officer's meeting.*
- *November 1, Attended the Blacklake Sewer Master Plan Ad Hoc Committee Meeting.*

Director Armstrong

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

Director Gaddis

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

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

*There were no public comments.*

*Upon the motion of Director Craig Armstrong and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.*

*Vote 5-0.*

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

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

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

00:01:47

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

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

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

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

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

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

00:16:33

D. CONSENT AGENDA

D-1) WARRANTS

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

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

D-4) ACCEPT 2017 UTILITY ADJUSTMENT PROJECT

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

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

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

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

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

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

*There were no public comments.*

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

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

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

**ITEM D-1**

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

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

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

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

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

*There were no public comments.*

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

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

**E. ADMINISTRATIVE ITEMS**

**ITEM E-1 WAS HEARD EARLIER IN THE MEETING**

00:42:39

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

*Mario Iglesias, General Manager, introduced the item. Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board Packet.*

*Mr. Sevcik answered questions from the Board.*

*There were no public comments.*



Nipomo Community Services District  
**REGULAR MEETING  
 MINUTES**

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

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

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

00:50:09

**F. MANAGER’S REPORT**

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

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

*Mr. Iglesias answered questions from the Board.*

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

*There were no public comments.*

01:00:06

**G. COMMITTEE REPORTS**

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

01:03:00

**H. DIRECTORS’ REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS**

Director Gaddis

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

Director Woodson

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

Director Blair

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

01:06:12

**I. CLOSED SESSION ANNOUNCEMENTS**

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

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

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

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

01:07:13

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

K. ADJOURN TO CLOSED SESSION

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

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

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

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

ADJOURN

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

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

Respectfully submitted,

\_\_\_\_\_  
Mario Iglesias, General Manager and Secretary to the Board

\_\_\_\_\_  
Date

December 13, 2017

ITEM D-2

ATTACHMENT B

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## DRAFT SPECIAL MEETING MINUTES

**NOVEMBER 8, 2017 AT 10:00 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.

#### 1. CALL TO ORDER, FLAG SALUTE, AND ROLL CALL

*President Gaddis called the Special Meeting of November 8, 2017 to order at 10:42 a.m.*

*At Roll Call, all directors were present.*

#### 2. CLOSED SESSION ANNOUNCEMENT

CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIMS PURSUANT TO GOVERNMENT CODE SECTION 54956.95

CLAIMANTS: ZAMUDIO

AGENCY: NIPOMO COMMUNITY SERVICES DISTRICT

#### 3. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

#### 4. ADJOURN TO CLOSED SESSION

*President Gaddis adjourned to closed session at 10:48 a.m.*

#### 5. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board came back into Open Session at 10:58 a.m.*

*Whitney McDonald, District Legal Counsel, announced that the Board discussed Item 2 and denied the claim.*

#### ADJOURN

*President Gaddis adjourned the meeting at 11:00 a.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	8 minutes
Closed Session	10 minutes
TOTAL HOURS	18 minutes

Respectfully submitted,

\_\_\_\_\_  
Mario Iglesias, General Manager and Secretary to the Board

\_\_\_\_\_  
Date

SUBJECT TO BOARD APPROVAL