

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MINUTES

APRIL 11, 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.

#### A. CALL TO ORDER AND FLAG SALUTE

*President Eby called the Regular Meeting of April 11, 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.*

#### C. PRESENTATIONS AND REPORTS

##### 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 Woodson

- *April 9, attended Facilities and Water Resources Committee meeting.*

##### Director Blair

- *April 4, attended Water Resources Advisory Committee.*

##### Director Armstrong

- *April 4, attended Water Resources Advisory Committee*

##### Director Gaddis

- *April 2, attended Board Officers meeting*
- *April 4, attended Regional Water Management Group meeting in San Luis Obispo*
- *April 4, attended Water Resources Advisory Committee meeting in San Luis Obispo*
- *April 9, attended Finance and Audit Committee and Facilities and Water Resources Committee meeting.*

##### Director Eby

- *April 2, attended Blacklake Ad Hoc Committee meeting.*
- *April 4, attended Water Resources Advisory Committee.*
- *April 9, attended the Finance and Audit Committee and Facilities and Water Resources Committee meetings.*
- *April 21 will be the annual Green House Open House.*

00:00

- 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 Gaddis 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 Gaddis, Armstrong, Blair, Woodson, and Eby	None	None

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MARCH 28, 2018, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INITIATE PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 [RECOMMEND ADOPT RESOLUTION]
- D-4) AUTHORIZE STAFF TO BID SOUTHLAND WASTEWATER TREATMENT FACILITY STORAGE BUILDING PROJECT [RECOMMEND AUTHORIZE STAFF TO ADVERTISE PROJECT FOR BIDS]
- D-5) AUTHORIZE STAFF TO PURCHASE TWO TRUCKS IN ACCORDANCE WITH APPROVED FY 17-18 BUDGET [RECOMMEND AUTHORIZE STAFF TO PURCHASE TWO TRUCKS FROM PERRY FORD AT A COST OF \$62,132]
- D-6) CONSIDER A RESOLUTION OF SUPPORT FOR THE SANTA MARIA RIVER VALLEY GROUNDWATER BASIN BOUNDARY MODIFICATION REQUEST BY THE SANTA MARIA BASIN FRINGE AREAS - COUNTY OF SAN LUIS OBISPO GROUNDWATER SUSTAINABILITY AGENCY TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES [RECOMMEND ADOPT RESOLUTION OF SUPPORT]

Item D-2 was pulled for separate consideration due to Director Gaddis' absence from the March 28, 2018 Board Meeting.

There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Consent Items D-1, D-3, D-4, D-5 and D-6.  
 Vote 5-0.*

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

**RESOLUTION 2018-1469**  
 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2018-2019 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

Nipomo Community Services District  
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**RESOLUTION 2018-1470**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUPPORT FOR THE SANTA MARIA RIVER VALLEY GROUNDWATER BASIN BOUNDARY MODIFICATION REQUEST BY THE SANTA MARIA BASIN FRINGE AREAS - COUNTY OF SAN LUIS OBISPO GROUNDWATER SUSTAINABILITY AGENCY TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES

Upon the motion of Director Armstrong and seconded, the Board approved Item D-2. Vote 4-0.

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

00:10:54

E. ADMINISTRATIVE ITEMS

E-1) ADOPT 2018 STRATEGIC PLAN [RECOMMEND RECEIVE PRESENTATION AND ADOPT A RESOLUTION

Mario Iglesias, General Manager, presented a Power Point presentation on the 2018 Strategic Plan. The Board discussed the plan and made recommended changes.

There were no public comments.

Upon motion of President Eby and seconded, the Board unanimously approved providing Staff direction to make the recommended changes and bring back the 2018 Strategic Plan for adoption at a future Board Meeting.

Vote 5-0.

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

00:38:29

F. MANAGER'S REPORT

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

Mr. Iglesias verbally presented:

- Nipomo Chamber of Commerce initiated a payment of \$500.00 to Achievement House
- April 12, Santa Maria Groundwater Boundary Modification meeting will be held.
- May 8, SLO Chapter of CSDA will meet in Templeton.

There were no public comments.

G. COMMITTEE REPORTS

Director Gaddis reported on the Facilities and Water Resources Committee meeting held on April 9, 2018. The Committee heard presentations from Engie and Sensus and asked questions of the presenters and Staff. The Committee did not vote to make a recommendation to the Board of Directors.

Director Armstrong reported on the Finance and Audit Committee meeting held on April 9, 2018. The Finance and Audit Committee could not find savings from AMI and additional cost of AMI would be passed on to the customers. The Board would need to assess the subjective benefits of AMI, such as leak detection, over the 20 year period. If the Board wishes to move forward with proposal, the Committee would recommend 1) a Risk Analysis of the project be

*prepared, 2) consider the possibility of PUC changes to electric rates in the future and 3) have the proposal independently vetted for reasonableness.*

*Pam Wilson, NCS D Customer, stated the District raised rates to improve its financial position. Would lease payments negate the District's financial position?*

*Director Eby directed Staff to place the Engie proposal on a future agenda.*

H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS

*Director Gaddis requested the Warrants be included with the packet.*

*Director Woodson suggested the District consider using Amazon to make purchases.*

*President Eby requested a summary of legal fees incurred due to the latest legal actions in the groundwater litigation.*

I. CLOSED SESSION ANNOUNCEMENTS

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

a) SMWWCD VS. NCS D (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).

2. CONFERENCE WITH DISTRICT LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: Number of potential cases,

*Whitney McDonald, District Legal Counsel, stated the Board will be discussing the Notice of Violation received on April 2, 2018, from the Air Pollution Control District concerning odors at the Southland Wastewater Treatment Plant. This qualifies as anticipated litigation under Brown Act sections 54956.9(e)(2) and (3), and the Notice of Violation is available for inspection by the public upon request.*

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

K. ADJOURN TO CLOSED SESSION

*President Eby adjourned to Closed Session at 10:12 a.m.*

*President Eby requested a break and Closed Session would re-adjourn at 10:25 a.m.*

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board came back into Open Session at 11:43 a.m.*

01:10:00

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

There were no public comments.

ADJOURN

*President Eby adjourned the meeting at 11:44 a.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 25 minutes
Closed Session	1 hour 19 minutes
TOTAL HOURS	2 hour 44 minutes

Respectfully submitted,

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

4-25-18  
Date