

TO: BOARD OF DIRECTORS  
FROM: MARIO IGLESIAS  
GENERAL MANAGER  
DATE: SEPTEMBER 20, 2019



## **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



DATE: SEPTEMBER 20, 2019

**AGENDA ITEM**

**D**

**SEPTEMBER 25, 2019**

## **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 SEPTEMBER 11, 2019, REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVE MINUTES]
- D-3) ACCEPT OFFER OF WATER AND SEWER IMPROVEMENTS, EASEMENTS, AND  
DEED RESTRICTIONS AND AUTHORIZE CASH BOND AGREEMENT FOR TRACT  
2558 [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF  
IMPROVEMENTS, EASEMENTS, AND DEED RESTRICTIONS AND AUTHORIZE  
GENERAL MANAGER TO EXECUTE CASH BOND AGREEMENT].

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS  
GENERAL MANAGER



FROM: LISA BOGNUDA  
FINANCE DIRECTOR



DATE: SEPTEMBER 20, 2019

**AGENDA ITEM**  
**D-1**  
**SEPTEMBER 25, 2019**

## WARRANTS

TOTAL COMPUTER CHECKS  
\$52,703.98

### HANDWRITTEN CHECKS

None

VOIDS – NONE

**COMPUTER GENERATED CHECKS – SEE ATTACHED**



Nipomo Community Services District

Item D-1 Warrants SEPTEMBER 25, 2019

By Payment Number

Payment Dates 09/25/2019 - 09/25/2019

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
<b>Payment: 5267</b>				
Allweather Landscape Mainte	LMD	35749	09/25/2019	325.00
				<b>Payment 5267 Total: 325.00</b>
<b>Payment: 5268</b>				
American Industrial Supply	Bushings, pipe nipples	0335235	09/25/2019	32.58
				<b>Payment 5268 Total: 32.58</b>
<b>Payment: 5269</b>				
American Society of Civil Engi	Membership renewal	SEVCIK2019	09/25/2019	300.00
				<b>Payment 5269 Total: 300.00</b>
<b>Payment: 5270</b>				
AmeriPride	Uniforms	1502471494	09/25/2019	282.48
				<b>Payment 5270 Total: 282.48</b>
<b>Payment: 5271</b>				
Brenntag Pacific, Inc.	Sodium hypochlorite	981598	09/25/2019	658.29
				<b>Payment 5271 Total: 658.29</b>
<b>Payment: 5272</b>				
Brewer, Reed	Uniform - Boot reimbursemen	AUG2019	09/25/2019	91.46
				<b>Payment 5272 Total: 91.46</b>
<b>Payment: 5273</b>				
Burdine Printing	Office supplies- envelopes for	40105	09/25/2019	2,290.25
Burdine Printing	Mail bills	40124A	09/25/2019	83.90
Burdine Printing	Postage for bills	40124B	09/25/2019	109.50
				<b>Payment 5273 Total: 2,483.65</b>
<b>Payment: 5274</b>				
Cahua, Luisa	Notary Bond filing reimburse	AUG2019	09/25/2019	70.49
				<b>Payment 5274 Total: 70.49</b>
<b>Payment: 5275</b>				
Calleja, Derek	Certification test reimbursem	AUG2019	09/25/2019	295.00
				<b>Payment 5275 Total: 295.00</b>
<b>Payment: 5276</b>				
Cannon Corporation	Eureka Well Drilling Implemen	69899	09/25/2019	7,405.00
				<b>Payment 5276 Total: 7,405.00</b>
<b>Payment: 5277</b>				
Center For Hearing Health, Inc	Annual audiometric testing	17495	09/25/2019	570.00
				<b>Payment 5277 Total: 570.00</b>
<b>Payment: 5278</b>				
Clever Ducks	Computer expense	27466	09/25/2019	2,535.00
				<b>Payment 5278 Total: 2,535.00</b>
<b>Payment: 5279</b>				
Electricraft, Inc.	Temp power for Eureka Well P	15929	09/25/2019	219.00
				<b>Payment 5279 Total: 219.00</b>
<b>Payment: 5280</b>				
Excel Personnel Services, Inc.	Employment agency	2859241	09/25/2019	930.00
				<b>Payment 5280 Total: 930.00</b>
<b>Payment: 5281</b>				
Farm Supply Company	Cat litter	65339	09/25/2019	130.39
				<b>Payment 5281 Total: 130.39</b>

## Item D-1 Warrants SEPTEMBER 25, 2019

Payment Dates: 09/25/2019 - 09/25/2019

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
<b>Payment: 5282</b>				
FGL Environmental	Lab tests	982537	09/25/2019	492.00
<b>Payment 5282 Total:</b>				<u>492.00</u>
<b>Payment: 5283</b>				
Hayes Advanced Design	Asphalt repair - Palmer	SEPT2019	09/25/2019	950.00
<b>Payment 5283 Total:</b>				<u>950.00</u>
<b>Payment: 5284</b>				
Iglesias, Mario	Cell phone reimbursement	SEPT2019	09/25/2019	65.00
<b>Payment 5284 Total:</b>				<u>65.00</u>
<b>Payment: 5285</b>				
Integrated Industrial Supply, I	Disposable gloves	63695	09/25/2019	225.65
Integrated Industrial Supply, I	Drivers gloves, nylon gloves	63597	09/25/2019	114.67
<b>Payment 5285 Total:</b>				<u>340.32</u>
<b>Payment: 5286</b>				
Jan-Pro Central Coast	Janitorial services	85076	09/25/2019	727.14
<b>Payment 5286 Total:</b>				<u>727.14</u>
<b>Payment: 5287</b>				
Messersmith, James	Washer rebate	SEPT2019	09/25/2019	75.00
<b>Payment 5287 Total:</b>				<u>75.00</u>
<b>Payment: 5288</b>				
NexTraq	GPS subscription	AT01458162	09/25/2019	479.40
<b>Payment 5288 Total:</b>				<u>479.40</u>
<b>Payment: 5289</b>				
Nipomo Community Services	SWWTP	SEPT2019B	09/25/2019	77.53
Nipomo Community Services	Juniper LS	SEPT2019C	09/25/2019	57.42
Nipomo Community Services	LMD	SEPT2019A	09/25/2019	1,005.72
<b>Payment 5289 Total:</b>				<u>1,140.67</u>
<b>Payment: 5290</b>				
Office Depot	Office supplies	375739930001	09/25/2019	48.55
<b>Payment 5290 Total:</b>				<u>48.55</u>
<b>Payment: 5291</b>				
Quinn Company	Brush cutter service	WO030044437	09/25/2019	835.95
<b>Payment 5291 Total:</b>				<u>835.95</u>
<b>Payment: 5292</b>				
Ray Morgan Company	B&W/Color copies	2677799	09/25/2019	152.46
Ray Morgan Company	B&W/Color copies	2673133	09/25/2019	256.18
<b>Payment 5292 Total:</b>				<u>408.64</u>
<b>Payment: 5293</b>				
Richards, Watson & Gershon	Water rights adjudication	223460	09/25/2019	7,430.47
<b>Payment 5293 Total:</b>				<u>7,430.47</u>
<b>Payment: 5294</b>				
Richards, Watson & Gershon	Legal services through 08-31-	223459	09/25/2019	12,522.01
<b>Payment 5294 Total:</b>				<u>12,522.01</u>
<b>Payment: 5295</b>				
Santa Maria Sun, LLC	Conservation ads	303170	09/25/2019	396.00
<b>Payment 5295 Total:</b>				<u>396.00</u>
<b>Payment: 5296</b>				
SoCalGas	Heat - shop/office	SEPT2019	09/25/2019	16.80
<b>Payment 5296 Total:</b>				<u>16.80</u>
<b>Payment: 5297</b>				
Special District Financing & A	A/D 93-1 Closeout/Lien Relea	14609	09/25/2019	850.00
<b>Payment 5297 Total:</b>				<u>850.00</u>
<b>Payment: 5298</b>				
State Water Resources Contro	Grade 2 exam application	WHITE2019B	09/25/2019	155.00
<b>Payment 5298 Total:</b>				<u>155.00</u>

Item D-1 Warrants SEPTEMBER 25, 2019

Payment Dates: 09/25/2019 - 09/25/2019

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
<b>Payment: 5299</b>				
UPS Store #6031	Package handling	11359	09/25/2019	37.03
<b>Payment 5299 Total:</b>				<b>37.03</b>
<b>Payment: 5300</b>				
USA Bluebook	VLV kit, spare parts kit	008805	09/25/2019	120.12
USA Bluebook	Ammonia tests	006492	09/25/2019	599.04
USA Bluebook	Metering pump, pump head	991858	09/25/2019	1,472.33
USA Bluebook	Padlocks	002910	09/25/2019	541.67
USA Bluebook	CHEMKEYS	997579	09/25/2019	3,472.07
<b>Payment 5300 Total:</b>				<b>6,205.23</b>
<b>Payment: 5301</b>				
WesTech	Brush set	73808	09/25/2019	3,200.43
<b>Payment 5301 Total:</b>				<b>3,200.43</b>

TO: BOARD OF DIRECTORS  
FROM: MARIO IGLESIAS  
GENERAL MANAGER  
DATE: SEPTEMBER 20, 2019



**AGENDA ITEM  
D-2  
SEPTEMBER 25, 2019**

**APPROVE SEPTEMBER 11, 2019  
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. September 11, 2019 draft Regular Board Meeting Minutes

SEPTEMBER 25, 2019

ITEM D-2

ATTACHMENT A



# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## DRAFT REGULAR MINUTES

SEPTEMBER 11, 2019 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:**

Provide our 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 September 11, 2019, 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 Board Members were present.*

*There were no public comments.*

**C. PRESENTATIONS AND REPORTS**

**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

Director Gaddis

- *September 3, attended Board Officers' meeting*
- *September 4, IRWM meeting was cancelled.*

Director Eby

- *September 3, attended Board Officers' meeting.*
- *September 4, attended WRAC 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 Gaddis and seconded, the Board unanimously approved receiving and filing presentations and reports.*

*Vote 5-0*

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

SUBJECT TO BOARD APPROVAL

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

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE AUGUST 28, 2019, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) APPROVE JOB DESCRIPTION MODIFICATIONS FOR THE POSITION OF ADMINISTRATIVE SUPERVISOR [RECOMMEND APPROVE MODIFICATION]

*President Eby pulled item D-3 for discussion and suggested minor edits.*

*There were no public comments.*

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Consent Agenda, with edits to Item D-3.*

*Vote 5-0.*

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

E. ADMINISTRATIVE ITEMS

- E-1) REVIEW SAN LUIS OBISPO COUNTY ACCESSORY DWELLING UNIT ORDINANCE PHASE II PUBLIC REVIEW DRAFT AND DIRECT STAFF [REVIEW AND DIRECT STAFF]

*Mario Iglesias, General Manager, presented the item and answered questions from the Board. Whitney McDonald, District Legal Counsel, answered questions from the Board.*

*There were no public comments.*

*The Board directed staff to continue its review of the potential impacts the proposed County Ordinance would have on the District's policies and water supply. No other action was taken.*

- E-2) APPROVE AND ACCEPT AMENDED TEMPORARY EASEMENT AGREEMENT AND RIGHT OF ENTRY AGREEMENT WITH MURPHY SANTA MARIA 1, LLC, AS PART OF THE EUREKA WELL REPLACEMENT PROJECT [RECOMMEND ADOPT RESOLUTION APPROVING AMENDED RIGHT-OF-ENTRY AGREEMENT AND APPROVING AND ACCEPTING AMENDED TEMPORARY EASEMENT AGREEMENT WITH MURPHY SANTA MARIA 1, LLC.]

*Mario Iglesias, General Manager, presented the item and answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Resolution.*

*Vote 5-0.*

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

**RESOLUTION 2019-1526**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
 APPROVING AN AMENDED RIGHT-OF-ENTRY AGREEMENT WITH  
 MURPHY SANTA MARIA 1, LLC, AND APPROVING AND ACCEPTING  
 AN AMENDED TEMPORARY EASEMENT AGREEMENT WITH  
 MURPHY SANTA MARIA 1, LLC**

- E-3) **APPROVE AMENDED GENERAL MANAGER EMPLOYMENT CONTRACT [RECOMMEND ORALLY REPORT THE RECOMMENDED COMPENSATION ADJUSTMENT AND APPROVE AMENDED GENERAL MANAGER EMPLOYMENT CONTRACT]**

*Whitney McDonald, District Legal Counsel, presented the item and pursuant to the Brown Act, gave the following oral report:*

*The General Manager’s salary is proposed to increase from \$160,635 to \$171,671 effective July 1, 2019.*

*President Eby requested a typographical error be corrected in Section 3 of the contract.*

*There were no public comments.*

*Director Gaddis requested his comment be included in the minutes as follows:*

*The General Manager’s annual salary awarded each year is information available to the public. In 2017 it was \$153,000, in 2018 it was \$160,635 and in 2019 it is to be \$171,671. This General Manager’s total compensation/salary review is only about one thing: Money. What amount of compensation increase (cost of living and merit increase) is good for the General Manager, good for the Nipomo Community Services District and good for our constituents that is the challenge. In 2018 the General Manager performed very well and was compensated accordingly by the District with a total compensation of 4.99% total increase per year or \$7,635 total increase per year or \$636 total increase per month. In 2019 the General Manager performed very well and in response to the General Manager a total compensation increase was approved of 6.87% total increase per year, or \$11,036 total increase per year, or \$919.66 total increase per month. Obviously, the majority of the Board approved this amount. A 2019 monthly salary increase of \$919.66 is a rounded 45% (44.60%) higher monthly increase (\$283.66) than the previous 2018 monthly total salary increase of \$636. A 45% higher monthly total salary increase in 2019 over 2018 I believe is an excessive increase, I believe this could be a hard sell to the public/our rate payers/our constituents. I believe this increase is hard to defend. I believe this increase is generous to the General Manager, but I believe it is not fair to the NCSD, and not fair to our*

**SUBJECT TO BOARD APPROVAL**

**Nipomo Community Services District  
DRAFT REGULAR MEETING  
MINUTES**

*constituents. A 4.99% increase per year in 2019 (like in 2018), or \$8,016 total increase per year, or \$668 total increase per month, for example, would give a new annual salary of \$168,651. I wish to go on record: I do not support the 45% higher monthly total salary increase in 2019 over 2018.*

*Director Blair stated the General Manager is doing an excellent job and hopes he does not apply for the Oceano CSD General Manager position that is offering a salary of \$230,000.*

*Upon the motion of Director Blair and seconded, the Board approved the General Manager’s contract.  
Vote 4-1.*

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

**F. GENERAL MANAGER’S REPORT**

*Mario Iglesias, General Manager, presented the item and answered questions from the Board.*

*There were no public comments.*

**G. COMMITTEE REPORTS**

*None*

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

*None*

**I. CLOSED SESSION ANNOUNCEMENTS**

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
  - a. 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)
  - b. KIERAN L. ADAM, ET AL V. CITY OF SANTA MARIA, ET AL. (SANTA BARBARA COUNTY SUPERIOR COURT, CASE NO. 19CV02091)
  - c. JC & ELSIE TEIXEIRA FAMILY LIMITED PARTNERSHIP, ET AL. V. CITY OF SANTA MARIA, ET AL. (SANTA BARBARA COUNTY SUPERIOR COURT, CASE NO. 19CV02086)
  - d. JC & ELSIE TEIXEIRA FAMILY LIMITED PARTNERSHIP V. CITY OF SANTA MARIA, ET AL. (SAN LUIS OBISPO COUNTY SUPERIOR COURT, CASE NO. 19CV-0230)
  - e. KOCH CALIFORNIA LTD., ET AL. V. CITY OF SANTA MARIA, ET AL. (SAN LUIS OBISPO COUNTY SUPERIOR COURT, CASE NO. 19CV-0227)

SUBJECT TO BOARD APPROVAL

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

K. ADJOURN TO CLOSED SESSION

*The Board adjourned to Closed Session at 10:12 a.m.*

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board took a 5 minute break.*

*Whitney McDonald, District Legal Counsel, announced that the Board discussed Item 1(a) through 1(e) in Closed Session and took no reportable action.*

ADJOURN MEETING

*President Eby adjourned the meeting at 10:33 a.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 12 minutes
Closed Session	0 hour 21 minutes
TOTAL HOURS	1 hour 33 minutes

Respectfully submitted,

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

\_\_\_\_\_  
Date