

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 41 - Years of Service 1965 - 2006

MINUTES

MARCH 22, 2006 9:00 A. M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

LARRY VIERHEILIG, **PRESIDENT**
MICHAEL WINN, **VICE PRESIDENT**
JUDITH WIRSING, **DIRECTOR**
CLIFFORD TROTTER, **DIRECTOR**
ED EBY, **DIRECTOR**

PRINCIPAL STAFF

MICHAEL LEBRUN, **GENERAL MANAGER**
LISA BOGNUDA, **ASSIST. ADMINISTRATOR**
DONNA JOHNSON, **BOARD SECRETARY**
JON SEITZ, **GENERAL COUNSEL**
DAN MIGLIAZZO, **UTILITY SUPERVISOR**

Mission Statement: The Nipomo Community Services District's mission is to provide the citizens of the District with quality, innovative, and cost-effective services through responsive and responsible local government to meet the changing needs of the community.

00:00:00

A. CALL TO ORDER AND FLAG SALUTE

President Vierheilig called the meeting of March 22, 2006, to order at 9:00 a.m. and led the flag salute.

00:00:39

B. ROLL CALL

At Roll Call, all Board members were present.

President Vierheilig announced to the Board that those who are going to the Ethics Training in Templeton will be carpooling around 12:30 p.m.

00:01:20

C. PUBLIC COMMENT PERIOD

PUBLIC COMMENT

The following members of the public spoke:

Bill Nelson, Blacklake Community resident, NCS D customer – stated that he understood the effluent at the Blacklake wastewater treatment facility is not complying with State regulations and probably will not comply with the 2007 new regulations. He asks that the Board consider the cost, if a plan for the expansion of the facility is considered.

Jim Tefft, NCS D customer – stated that he is looking forward to talking to the Board about the powers NCS D has available which may be of interest and helpful to the Olde Towne Nipomo Association.

00:06:04

D. CONSENT AGENDA

D-1) WARRANTS

D-2) BOARD MEETING MINUTES

Regular meeting March 8, 2006

D-3) ACCEPTANCE OF PARCEL MAP CO 01-0400 (BODGER)

**RESOLUTION NO. 2006-966
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER IMPROVEMENTS
FOR THE FOR PARCEL MAP CO 01-0400 (BODGER)**

D-4) CONTRACT AMENDMENT, CEQA FOR NIPOMO/SANTA MARIA INTER-TIE

D-5) SURPLUS OBSOLETE WASTEWATER TREATMENT EQUIPMENT

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D. CONSENT AGENDA (continued)

Director Eby suggested that the wording in E-1 of the Minutes should be “no earlier than” rather than “about” October 2006. Upon motion of Director Eby and seconded by Director Winn, the Board unanimously approved the Consent Agenda, as amended. Vote 5-0.

| YES VOTES | NO VOTES | ABSENT |
|------------------------------------------------------|----------|--------|
| Directors Trotter, Eby, Wirsing, Winn and Vierheilig | None | None |

E. ADMINISTRATIVE ITEMS

00:12:45

E-1) SUPPLEMENTAL WATER PIPELINE REQUEST FOR PROPOSALS

Bruce Buel, Projects Assistant, provided an update on the supplemental water pipeline and gave the Board a proposed timeline regarding the Request for Proposal (RFP) for the design stage of the project. There was Board discussion and suggestions concerning the request for proposals.

The following members of the public spoke:

Jim Tefft, NCS D customer – stated that he shared Director Eby’s concern about the procurement process and asked if any outside people would be able to take part in the ad-hoc committee discussion.

Jon Seitz, District Legal Counsel, stated that an ad-hoc committee meeting is not necessarily open to the public and stated that the Brown Act makes inclusion of the public in an ad-hoc committee meeting very complicated.

Upon motion of Director Winn and seconded by Director Eby, the Board agreed to accept the RFP as amended and direct staff to circulate the request for proposals to various engineering firms and post on the NCS D website. Vote 5-0

| YES VOTES | NO VOTES | ABSENT |
|------------------------------------------------------|----------|--------|
| Directors Trotter, Eby, Wirsing, Winn and Vierheilig | None | None |

President Vierheilig appointed Director Trotter (as chair) and Director Eby to the Supplemental Water Ad Hoc Committee to assist in evaluating submittals and make recommendations to the Board.

00:43:35

E-2) DISTRICT APPOINTMENT TO WATER RESOURCES ADVISORY COMMITTEE

The Board considered nomination of a primary and alternate District representative to the San Luis Obispo County Water Resources Advisory Committee due to the pending resignation of the current representative, Mr. LeBrun.

Upon motion of Director Trotter and seconded by President Vierheilig, the Board unanimously agreed to nominate Director Eby as the primary representative and Mr. Bruce Buel, as the alternate. There was no public comment. Vote 5-0.

| YES VOTES | NO VOTES | ABSENT |
|------------------------------------------------------|----------|--------|
| Directors Trotter, Eby, Wirsing, Winn and Vierheilig | None | None |

00:53:12

E-3) GENERAL MANAGER HIRING DISCUSSION

The Board considered recommendation from the Personnel Sub-Committee to acquire services of a professional recruiter for the process of hiring a General Manager.

Jon Seitz, District Legal Counsel, explained that a recruiter will assist the Board in setting salary and reaching a broader range of candidates.

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E-3) GENERAL MANAGER HIRING DISCUSSION (continued)

Director Eby explained some reasons for using a recruiter

- A well-defined process
- Extensive contacts
- Experience

There was no public comment.

Upon motion of Director Winn and seconded by Director Eby, the Board agreed to acquire the services of a professional recruiting firm and have the Personnel Sub-Committee review the proposals to recommend a firm. Vote 5-0

| YES VOTES | NO VOTES | ABSENT |
|------------------------------------------------------|----------|--------|
| Directors Winn, Eby, Wirsing, Trotter, and Vierheilg | None | None |

01:11:18

E-4) INTERIM-GENERAL MANAGER PROCESS UPDATE

The Board discussed the search for an Interim-General Manager. The Personnel Sub-Committee will review the applicants and select several for the entire Board to interview.

There was no public comment. There was no Board action.

The Board took a break at 10:15 a.m.

The Board resumed at 10:30 a.m.

01:16:50

F. MANAGER'S REPORT

Michael LeBrun, District General Manager, reviewed the written report included in the packet. He also reported that the SLO Planning Commission will be meeting March 23. He suggests that Board members attend in support of the item regarding a supplemental water requirement for all new development on the Mesa.

Director Trotter asked when NCSD customers would be informed of the impacts of a Level III Severity ruling by the Board of Supervisors.

Jon Seitz, District Legal Counsel, suggested that the District's Emergency Water Conservation Plan needs to be updated to outline Stage 3 notification process. NCSD's water conservation stages and SLO County's severity levels are independent of each other.

Director Trotter suggested that the District exercise the alarms on a regular basis to eliminate failing alarms. He also asked about maintenance at the Blacklake facilities.

Director Wirsing asked if there is reporting of water pumping for Golden State Water Company and Woodland's. Answer – Woodland's is not required to report their pumping. The District has pumping numbers for Rural Water and Golden State Water.

Bruce Buel, Projects Assistant, reviewed the Project Update memo presented in the Board packet. The Board discussed the various projects.

01:52:19

G. COMMITTEE REPORTS

Director Eby reported that the Supplemental Water Committee met to discuss and finalize proposed project objectives.

Director Winn reported that the Conservation Committee met Monday, March 13th with the General Manager and the Water Conservation/Compliance Specialist.

President Vierheilg stated that the Personnel Committee will meet next week to form a recommendation for hiring a recruiter to assist the District with hiring a new General Manager.

01:54:17

H. DIRECTOR'S COMMENTS

Director Eby congratulated Director Wirsing on her decision to run for the San Luis Obispo Board of Supervisors.

Candidates' forum will be held in the District Board Room, April 22, 2006, 1:30 to 3:30 p.m. NCAC elections were held Monday, March 20, 2006. The following candidates were uncontested and elected.

Area 1 – Vince McCarthy & one position open

Area 2 – Harry Walls and Ed Eby

Area 3 - No candidate

Area 4 – Dan Woods and Rick Dean

Area 5 – Kevin Beauchamp & one position open

Area 6 – Eljay Hansen & one position open

The new Board will meet Monday March 27 at 6:30. The new name is South County Advisory Council.

Director Eby asked about the two items on the future agenda schedule: "REIMBURSEMENT RESOLUTION FOR DISTRICT COSTS RELATED TO NCSD INTER-TIE PROJECT," and the "AMENDMENT TO THE ANNEXATION POLICY." Mr. Seitz explained the context of both items.

Director Winn – The Orchid Show was splendid. He commended President Vierheilg for his involvement with the show.

He met with Committee to Improve the North County (Northern Santa Barbara County). They have a plan to form their own county (Mission County). He has been asked to be an ex-officio member of their Board in order to strengthen connections between San Luis Obispo County and Santa Barbara County, particularly in water policy.

Central Coast Greenhouse Growers Association met for their quarterly meeting, March 17th. They are concerned about water quality and quantity on the Mesa.

He apologized to the Board that through mid-May he will be very busy with three weddings.

I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced there was no need to go into Closed Session.

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

N/A

K. ADJOURN TO CLOSED SESSION

N/A

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

N/A

ADJOURN

President Vierheilg adjourned the meeting at 11:20 a.m.

➤ **THE NEXT REGULAR BOARD MEETING IS APRIL 12, 2006**

TENTATIVELY SCHEDULED ITEMS INCLUDE:

- **SUPPLEMENTAL WATER PROJECT OBJECTIVES**
- **CONSULTANT SELECTION; SOUTHLAND PLANT FEASIBILITY STUDY**
- **REVISED DISTRICT STANDARDS AND SPECIFICATIONS**
- **REIMBURSEMENT RESOLUTION FOR DISTRICT COSTS RELATED TO NCSD INTER-TIE PROJECT**
- **AMENDMENT TO ANNEXATION POLICY**