

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

JANUARY 14, 2015 AT 9:00 A.M.

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

BOARD of DIRECTORS

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

PRINCIPAL STAFF

MICHAEL S. LEBRUN, **GENERAL MANAGER**
LISA BOGNUDA, **FINANCE DIRECTOR**
MICHAEL W. SEITZ, **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 Armstrong called the Regular Meeting of January 14, 2015 to order at 9:00 a.m. and led the flag salute.

00:00:38

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

At roll call, all Board members were present.

The following members of the public spoke:

Ruth Brackett, President of Olde Towne Nipomo Association, announced that the Association is having a groundbreaking for the Jim O. Miller Park's Park & Ride on Friday, January 16, 2015 at 1 PM. Ms. Brackett also requested that a discussion about the park be added to an upcoming Board Agenda.

President Armstrong directed staff to place a discussion of Jim O. Miller Park on the February 11, 2015 Regular Meeting Agenda.

00:03:40

C. PRESENTATIONS AND REPORTS

C-1) REPORT ON DECEMBER 10, 2014 REGULAR MEETING CLOSED SESSION Announcement of actions, if any, taken in Closed Session

Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1(a) from the December 10, 2014, Regular Meeting (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, but took no reportable action.

Mr. Seitz reported that the Board discussed Items I.1(b) (NCSD v. County) and I.1(c) (Bening v. NCSD) in closed session, but took no reportable action.

00:04:13

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 Armstrong

◇ *January 7, Attended Water Resources Advisory Committee 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 Blair and seconded by Director Gaddis, the Board unanimously approved to receive and file the presentations and reports as submitted.
 Vote 5-0.*

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

00:05:28

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS
 - DECEMBER 10, 2014 REGULAR MEETING
- D-3) SUPPLEMENTAL WATER PROJECT PHASE 1 LABOR COMPLIANCE PROGRAM

Director Gaddis requested clarification on warrants.

There were no public comments.

*Upon the motion of Director Gaddis and seconded by Director Blair, the Board unanimously approved the items.
 Vote 5-0.*

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

**RESOLUTION NO. 2015-1363
 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
 ADOPTING AND IMPLEMENTING LABOR COMPLIANCE PROVISIONS ON CERTAIN PUBLIC WORKS CONTRACTS**

00:9:14

E. ADMINISTRATIVE ITEMS

- E-1) AUTHORIZE PURCHASE OF STANDBY GENERATOR FOR SUPPLEMENTAL WATER PROJECT PHASE 1 PUMP STATION

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.

*Upon the motion of Director Blair and seconded by Director Gaddis, the Board unanimously approved staff's recommendation to purchase a generator at a cost of \$106,000.
 Vote 5-0.*

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

00:14:03 E-2) INTRODUCE ORDINANCE REVISING VARIOUS DISTRICT CODE SECTIONS RELATED TO MISCELLANEOUS FEES, SET HEARING DATE FOR ORDINANCE ADOPTION

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun and Lisa Bognuda, Finance Director, answered questions from the Board.

Michael Seitz, District Legal Counsel, clarified the process for adopting an Ordinance.

There were no public comments.

*Upon the motion of Director Armstrong and seconded by Director Blair, the Board authorized staff to read the Ordinance by title.
 Vote 5-0.*

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

Michael Seitz, District Legal Counsel, read the Ordinance by title only.

*Upon the motion of Director Armstrong and seconded by Director Blair, the Board set a public hearing date of February 11, 2015 at 9 AM for adoption of the Ordinance.
 Vote 5-0.*

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

00:30:46 E-3) DISCUSS CALIFORNIA SUSTAINABLE GROUNDWATER MANAGEMENT ACT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun and Michael Seitz, District Legal Counsel, answered questions from the Board.

Director Eby requested staff to research the presence of a new water resources department at the County.

Director Armstrong directed staff to continue monitoring the groundwater management act and report back to the Board.

There were no public comments.

00:48:55 E-4) CONSIDER LOCAL AGENCY FORMATION COMMISSION BALLOT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet.

There were no public comments.

Item E-4 Continued

Upon the motion of Director Eby and seconded by Director Gaddis, the Board unanimously selected Marshall Ochylski and directed staff to cast the ballot to LAFCO. Vote 5-0.

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

00:50:52

E-5) RATIFY 2015 BOARD COMMITTEE ASSIGNMENTS

President Craig Armstrong presented the Board with the 2015 Board Committee Assignments. President Armstrong answered questions from the Board.

The following members of the public spoke:

Ruth Brackett, President of Olde Towne Nipomo Association, asked if there would still be a Parks Committee. President Armstrong responded that parks would now fall under the Administration Committee.

Upon the motion of Director Blair and seconded by Director Armstrong, the Board unanimously approved the 2015 Committee/Delegate assignments. Vote 5-0.

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

00:58:54

F. GENERAL MANAGER’S REPORT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun also handed out the Public Information Program Summary for 2014. Mr. LeBrun answered questions from the Board.

There were no public comments.

01:13:18

G. COMMITTEE REPORTS

None

01:13:20

H. DIRECTORS’ REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Blair requested staff research the backflow inspection timeline.

01:14:12

I. CLOSED SESSION ANNOUNCEMENTS

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

- a) SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- b) NCSD v County SLOCSC #CV090010
- c) Bening v NCSD SLOCSC #14CV-0069

Nipomo Community Services District
REGULAR MEETING
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J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

01:16:00

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 10:16 a.m.

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

The Board came back into Open Session at 11:18 a.m.

Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1(a), 1(b), and 1(c) in closed session but took no reportable action.

ADJOURN

President Armstrong adjourned the meeting at 11:19 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hours 17 minutes
Closed Session	1 hour 2 minutes
TOTAL HOURS	2 hours 19 minutes