

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

SPECIAL MEETING MINUTES

NOVEMBER 21, 2014, AT 2:00 P.M.

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

BOARD of DIRECTORS

CRAIG ARMSTRONG, **PRESIDENT**
JAMES HARRISON, **VICE PRESIDENT**
LARRY VIERHEILIG, **DIRECTOR**
DAN GADDIS, **DIRECTOR**
BOB BLAIR, **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

1. CALL TO ORDER AND FLAG SALUTE AND ROLL CALL

President Armstrong called the Special Meeting of November 21, 2014 to order at 2:00 p.m. and led the flag salute.

At roll call, all Board members were present.

00:00:50

2. CONDUCT PROTEST HEARING, DETERMINE PROTEST STATUS, AND IF THERE IS NOT A MAJORITY PROTEST CONSIDER ADOPTION OF RESOLUTION APPROVING A SUPPLEMENTAL WATER CHARGE AND THEREBY INCREASING DISTRICT WATER USER FEES

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet and introduced District Rate Consultant, Clayton Tuckfield of Tuckfield & Associates. Mr. Tuckfield presented the Rate Study.

PRESIDENT ARMSTRONG OPENED THE PUBLIC HEARING AND INSTRUCTED PUBLIC TO DELIVER ANY WRITTEN PROTESTS TO LEGAL COUNSEL.

00:25:00

The following members of the public spoke:

Kegham Markarian, NCS D Customer, asked a question regarding the reduction in District pumping and if the Supplemental Water Rates Fixed Charge will decrease.

John Snyder, Nipomo resident, commented on Mr. Tuckfield's presentation and commented on the cost of pumping.

Mike Reinek, NCS D Customer, asked questions regarding the length of the contract with Santa Maria, the supply of water from Santa Maria and commented on the rate increase.

Rudy Eberling, NCS D Customer, asked questions regarding the protest process versus ballots and meter fixed costs.

Vince McCarthy, NCS D Customer, commented on a recent news article about the District and ballots for protesting the rate increase.

John Snyder, Nipomo resident, commented on the project, the protest process and asked that the Board not adopt the supplemental water rate. Mr. Snyder distributed to the Board a single, written copy of his public comment. (Available for review at the District office).

John Miranda, NCS D Customer, commented on the Proposition 218 Notice and asked that the Board not adopt the supplemental water rate.

Paula Brown, NCS D Customer, commented on the cost to hook to the District's water system.

Lesley Kearney, NCS D Customer, commented on the Proposition 218 process, meeting notification, and a recent news article.

Mike Reneke, NCS D Customer, commented on the timeline of the project.

Ed Eby, NCS D Customer, commented in support for a rate increase in order to bring water to the community.

Jim Cox, NCS D Customer, commented on a moratorium and asked why the District is still approving Intent-to-Serve letters.

John Russ, NCS D Customer, commented on Mr. Eby's comments and stated that a ballot should be sent out.

Mike Winn, NCS D Customer, commented in support for a rate increase to bring necessary water to the community.

Craig Myers, NCS D Customer, asked a question regarding a 1994 pipeline and the need for a pipeline to Santa Maria.

Donna Fisher, NCS D Customer, asked questions regarding the increase of rates and relief for low income individuals.

01:03:24

PRESIDENT ARMSTRONG CLOSED THE PUBLIC HEARING.

Michael LeBrun, General Manager, and the Board responded to questions asked during public comment. Mr. LeBrun also spoke regarding the history and timeline of the Supplemental Water Project.

Mr. LeBrun tallied all written protests and reported that the District had Received 655 protests as of the close of the hearing. Mike Seitz, District Legal Counsel, commented on the validity of protests and that the District had accepted all protests.

A MAJORITY PROTEST WAS DETERMINED TO NOT EXIST.

The Board commented on the Supplemental Water Project and the rates.

Upon the motion of Director Armstrong and seconded by Director Harrison, the Board approved a Resolution adopting approved supplemental water charges.
 Vote 4-1.

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Harrison, Vierheilig, and Gaddis	Director Blair	None

**RESOLUTION NO. 2014-1360
 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
 AMENDING SECTION 3.03.180 AND ADDING APPENDIX C AND D TO CHAPTER 3.03 OF THE NIPOMO COMMUNITY
 SERVICES DISTRICT CODE TO ESTABLISH SUPPLEMENTAL WATER RATES**

3. ADJOURN

President Armstrong adjourned the meeting at 3:28 p.m.

**Nipomo Community Services District
SPECIAL MEETING
MINUTES**

MEETING SUMMARY	HOURS & MINUTES
Special Meeting	1 hour 28 minutes
Closed Session	0 minutes
TOTAL HOURS	1 hour 28 minutes