

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

FEBRUARY 11, 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 February 11, 2015 to order at 9:00 a.m. and led the flag salute.

00:00:39

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

At Roll Call, Directors Eby, Woodson, and Armstrong were present. Directors Gaddis and Blair were absent.

There were no public comments.

00:00:54

C. PRESENTATIONS AND REPORTS

C-1) ENGINEERING AND OPERATIONS – INTRODUCTION OF NEW EMPLOYEES

Peter Sevcik, Director of Engineering and Operations, introduced three new Operations staff to the Board. Mr. Dillon Sly and Mr. Kenneth Brown were hired by the District as Maintenance/Customer Service Workers. Mr. Russ Newman was hired by the District as the Wastewater Supervisor/Chief Plant Operator.

C-2) SLO COUNTY SHERIFF COMMANDER JAY DONOVAN

SLO County Sheriff Commander Donovan did not attend the meeting.

President Armstrong announced that Item E-2 would be heard next.

00:03:33

E-2) CONSIDER GRANT REQUEST FROM NIPOMO CHAMBER OF COMMERCE IN AMOUNT OF \$30,000 FOR SOLID WASTE REMOVAL IN NIPOMO COMMUNITY COMMON AREAS

Richard Malvarose, Nipomo Chamber of Commerce President, addressed the Board requesting grant funds for solid waste removal. Mr. Malvarose answered questions from the Board.

There were no public comments.

*Upon the motion of Director Armstrong and seconded by Director Eby, the Board approved the grant request in the amount of \$30,000.
Vote 3-0.*

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

President Armstrong announced that Item E-3 would be heard next.

00:06:03

E-3) DISCUSS PROPOSED JIM O MILLER PARK

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

Ruth Brackett, Olde Towne Nipomo Association President, addressed the Board regarding the proposed Jim O Miller Park and answered questions from the Board.

President Armstrong commented that the District is working with Olde Towne Nipomo Association to come up with solutions to park development challenges.

Director Eby suggested that Olde Towne Nipomo Association set up a meeting with the County and LAFCO.

Mr. LeBrun suggested Olde Towne Nipomo Association contact 4th District Supervisor Lynn Compton and ask to have Jim O Miller Park added to the County Park Plan.

The following members of the public spoke:

Rudy Stowell, former Nipomo Chamber of Commerce President, commented on Olde Towne Nipomo Association's 501(c)(3) status and answered questions from the Board.

Jim Tefft, Olde Towne Nipomo Association member, commented on the proposed park and the need for support.

Mike Seitz, District Legal Counsel, addressed funding issues for the District to take over maintenance of the proposed park.

President Armstrong directed staff to meet with legal counsel and create a document for Olde Towne Nipomo Association outlining barriers to the District becoming responsible for the park. This document is to be delivered to Ms. Brackett.

President Armstrong announced that the Board would return to Presentations and Reports and hear Item C-3 next.

00:55:38

C-3) REPORT ON JANUARY 14, 2015 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 January 14, 2015 Regular Meeting (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, gave direction, but took no reportable action.

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

00:56:30

- C-4) 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

- ◇ January 26, Attended South County Advisory Committee meeting.

Director Eby

- ◇ January 20, Attended Blacklake Management Association meeting.
- ◇ Will be attending the annual Blacklake Management Association meeting on Saturday, March 7th.

Director Armstrong

- ◇ February 4, Attended Water Resources Advisory Committee meeting.

00:59:06

- C-5) 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 Eby and seconded by Director Woodson, the Board approved to receive and file the presentations and reports as submitted.

Vote 3-0.

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

01:00:13

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS
 - JANUARY 28, 2015 REGULAR MEETING
- D-3) INVESTMENT POLICY – FOURTH QUARTER REPORT
- D-4) SECOND QUARTER FINANCIAL REPORT

There were no public comments.

Upon the motion of Director Woodson and seconded by Director Eby, the Board approved the consent agenda.

Vote 3-0.

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

01:01:49

E. ADMINISTRATIVE ITEMS

E-1) SERVICE REQUEST 875 THEODORA STREET 4 LOT RESIDENTIAL DEVELOPMENT

Peter Sevcik, Director of Engineering & 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 Armstrong and seconded by Director Woodson, the Board approved the service request with conditions.

Vote 3-0.

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

ITEMS E-2 AND E-3 WERE HEARD EARLIER IN THE MEETING

01:07:58

E-4) CONDUCT A HEARING TO ADOPT AN ORDINANCE AMENDING TITLE 2, 3 AND TITLE 4 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO AMEND AND TO ESTABLISH NEW ADMINISTRATIVE PROCEDURES AND APPROVE RESOLUTION ADOPTING UPDATED AND NEW MISCELLANEOUS FEES

PRESIDENT ARMSTRONG OPENED THE PUBLIC HEARING.

There were no public comments.

PRESIDENT ARMSTRONG CLOSED THE PUBLIC HEARING.

Upon the motion of Director Armstrong and seconded by Director Woodson, the Board adopted the Ordinance and approved the Resolution.

Vote 3-0.

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

ORDINANCE NO. 2015-120
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING TITLE 2, 3 AND TITLE 4 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO AMEND AND TO ESTABLISH NEW ADMINISTRATIVE PROCEDURES

RESOLUTION NO. 2015-1364
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT TO RESTATE, AMEND AND/OR ESTABLISH MISCELLANEOUS FEES

01:09:56

E-5) REVIEW BOARD BY-LAWS AND POLICIES AND PROPOSE EDITS FOR CONSIDERATION

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun commented on making changes to the title of the Board By-Laws and requested other proposed edits.

Item E-5 Continued

Directors suggested changes to the Board By-Laws.

There were no public comments.

President Armstrong directed staff to bring the Board By-Laws with suggested edits to the February 25th Regular Board meeting.

01:35:44

E-6) WATER RESOURCES POLICY DISCUSSION

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

Directors Armstrong and Eby suggested changes to the Policy.

There were no public comments.

President Armstrong tabled Water Resources Policy discussion until the next Regular Board meeting on February 25th.

President Armstrong directed the Facilities & Water Resources Committee Chair to write a preamble statement and work with staff to make additional edits.

01:58:51

E-7) DISCUSS SUPPLEMENTAL WATER ALLOCATION AND RESERVATION METHODOLOGY

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

President Armstrong directed staff to develop an accounting system for supplemental water and bring to the Facilities & Water Resources Committee.

E-8) REVIEW THE COUNTY'S 2012-2014 RESOURCES MANAGEMENT SUMMARY REPORT AND CONSIDER PROPOSED COMMENTS

02:39:07

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

Director Eby directed staff to make edits to the letter before sending.

Upon the motion of Director Eby and seconded by Director Woodson, the Board approved the letter as amended.

Vote 3-0.

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

- 02:43:40** E-9) ANNUAL REVIEW OF DISTRICT DEBT MANAGEMENT, CASH RESERVE AND INVESTMENT POLICY

Lisa Bognuda, Finance Director, reviewed the report as presented in the Board packet. Ms. Bognuda answered questions from the Board.

President Armstrong directed staff to bring back the Cash Reserve Policy for amendment.

- 02:43:40** F. GENERAL MANAGER'S REPORT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun answered questions from the Board.

There were no public comments.

- 03:03:19** G. COMMITTEE REPORTS

There were no comments on the committee meeting minutes included in the Board Packet.

- 03:03:40** H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby

- *Requested that staff explore the possibility of Board tours at the Price Canyon Recycling Facility, Cambria desalination plant, Paso Robles water treatment plant, and Morro Bay desalination plant.*

- 03:11:32** I. CLOSED SESSION ANNOUNCEMENTS

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

- a) SMVWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).

- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

- 03:12:01** K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 12:23 p.m.

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

The Board came back into Open Session at 1:30 p.m.

Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1(a), gave direction, but took no reportable action.

ADJOURN

President Armstrong adjourned the meeting at 1:31 p.m.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	3 hours 24 minutes
Closed Session	1 hour 7 minutes
TOTAL HOURS	4 hours 31 minutes