

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

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

00:00:36

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

At Roll Call, all Directors were present.

The following members of the public spoke:

Juan Arrellano, owner of Nipomo farm, requested approval from the District for placement of signs on District property during methyl bromide fumigation. Michael LeBrun, General Manager, responded regarding placement on a future Board Agenda. Mr. LeBrun was directed by President Armstrong to follow-up with Mr. Arrellano.

Geoff Money, Cal Fire South County Battalion, introduced himself and gave an update on Cal Fire activities in the area. Mr. Money also reported the following:

- *There were 177 calls to the two Nipomo stations during the month of February*
- *Due to drought, Cal Fire will be staffing Schedule B Wildland beginning April 14th*
- *Brush Clearance Inspection program will be beginning soon*
- *The chipping event is cancelled this year due to lack of funding*
- *Burn permits will be issued until mid-April*

C. PRESENTATIONS AND REPORTS

00:11:03

C-1) REPORT ON FEBRUARY 25, 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 February 25, 2015 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.

00:11:33

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

Item C-2 continued

Director Blair

- ◇ Received a Certificate of Appreciation for judging a student conservation contest with the Arroyo Grande Lions Club

Director Gaddis

- ◇ February 27, Attended California Special District Association's annual meeting in Avila Beach.
- ◇ March 4, Attended the Water Resources Advisory Committee meeting in San Luis Obispo.
- ◇ On April 18th the Central Coast Grower's Association will hold an Open House

Director Eby

- ◇ March 7, Attended the Blacklake Management Meeting

Director Armstrong

- ◇ March 4, Attended the Water Resources Advisory Committee meeting in San Luis Obispo.

00:15:52

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 Dan A. Gaddis and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.

Vote 5-0.

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

00:16:16

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- FEBRUARY 25, 2015 REGULAR MEETING

Director Gaddis requested clarification on warrants. Michael LeBrun, General Manager, responded to Director Gaddis.

There were no public comments.

Upon the motion of Director Robert Blair and seconded, the Board unanimously approved the consent agenda.

Vote 5-0.

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

00:18:45

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER REQUEST TO EXTEND OUTSIDE SERVICE COMMITMENT TO APPROVED HOLLOWAY CONDITIONAL ANNEXATION

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet and discussed the document distributed to the Board (Available for review at the District office).

00:18:45

The following members of the public spoke:

Carl Holloway, NCSD Customer and owner of Tract 2642, commented on the extension request and the possibility of selling the property. Mr. Holloway answered questions from the Board.

Upon the motion of Director Robert Blair and seconded, the Board approved the request to extend the outside service commitment.

Vote 4-1.

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

RESOLUTION NO. 2015-1368

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING AMENDMENT NO. 4 TO OUTSIDE USER AGREEMENT FOR WATER, SEWER, AND SOLID WASTE SERVICES TO TRACT 2642

00:38:21

E-2) CONDUCT PUBLIC HEARING TO ADOPT ORDINANCE TO REPEAL DISTRICT CODE SECTIONS 3.05.10 THROUGH 3.05.060 AND 3.05.080 THROUGH 3.05.170 WATER ALLOCATION POLICY

PRESIDENT ARMSTRONG OPENED THE PUBLIC HEARING

There were no public comments.

PRESIDENT ARMSTRONG CLOSED THE PUBLIC HEARING

Upon the motion of Director Robert Blair and seconded, the Board unanimously adopted the Ordinance repealing District Code Sections 3.05.10 through 3.05.060 and 3.05.080 through 3.05.170 Water Allocation Policy.

Vote 5-0.

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

ORDINANCE NO. 2015-121

AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT REPEALING SECTIONS 3.05.10 THROUGH 3.05.060 AND 3.05.080 THROUGH 3.05.170, WATER ALLOCATION POLICY, OF THE DISTRICT CODE

President Armstrong announced the Item E-3 would be heard after closed session.

00:39:26

E-4) REVIEW SUPPLEMENTAL WATER ACCOUNTING APPROACH

Peter Sevcik, Director of Engineering & Operations, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board.

Directors directed staff to make some additions to the accounting approach and bring back before the Board at its next meeting.

There were no public comments.

00:59:28

E-5) CSDA BOARD OF DIRECTORS NOMINATION

Board President Craig Armstrong presented the nomination opportunity for the CSDA Board of Directors Seat A of the Coastal Network.

The Board discussed and nominated Director Robert Blair for election.

Upon the motion of Director Craig Armstrong and seconded, the Board unanimously nominated Director Robert Blair for the CSDA Board of Directors.

Vote 5-0.

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

01:02:05

E-6) CONSIDER BOARD MEETING SCHEDULE CHANGE

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

The Board discussed and agreed to cancel the March 25, 2015 Regular Board Meeting and move the May 13, 2015 Regular Board Meeting to May 12, 2015.

01:04:10

F. GENERAL MANAGER'S REPORT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun also reported the following:

- The Nipomo Mesa Management Area (NMMA) meeting will be March 18th @ 1:30 PM at the District office*

Mr. LeBrun answered questions and took direction from the Board.

There were no public comments.

01:20:23

G. COMMITTEE REPORTS

None.

01:20:29

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Gaddis

- Would like a tour of the Supplemental Water Project.*

Nipomo Community Services District
REGULAR MEETING
MINUTES

01:21:42

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).

01:21:46

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

01:21:48

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 10:21 a.m.

01:21:51

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

The Board came back into Open Session at 11:17 a.m.

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

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

01:22:26

E-3) CONSIDER DISTRICT WATER RESOURCES POLICY

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

Directors discussed and directed staff to make edits to the draft policy.

There were no public comments.

Upon the motion of Director Ed Eby and seconded, the Board unanimously agreed to direct staff to amend as directed and bring to the Regular Board Meeting on April 8, 2015 for adoption by resolution.

Vote 5-0.

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

ADJOURN

President Armstrong adjourned the meeting at 11:48 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 52 minutes
Closed Session	56 minutes
TOTAL HOURS	2 hours 48 minutes