

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

APRIL 13, 2016 AT 9:00 A.M.

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

BOARD of DIRECTORS

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

PRINCIPAL STAFF

MARIO IGLESIAS, 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

CALL TO ORDER AND FLAG SALUTE

President Armstrong called the Regular Meeting of April 13, 2016 to order at 9:00 a.m. and led the flag salute.

00:00:42

ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Directors were present.

The following members of the public spoke:

Eric Benham, Bening Company, commented on a lawsuit against NCSD and requested the item be Agendized for a future Board Meeting. Mr. Benham distributed confidential items to the Board.

President Armstrong announced that Item E-1 would be heard next.

00:06:17

E. ADMINISTRATIVE ITEMS

E-1) INDEPENDENT AUDITING SERVICES CONTRACT FOR FY 2016/17 WITH OPTION TO RENEW FOR ANNUAL AUDITS FOR FY 2017/18 AND 2018/19

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet. Mr. Iglesias answered questions from the Board.

There were no public comments.

Upon the motion of Director Dan Allen Gaddis and seconded, the Board unanimously approved the selection of Rogers, Anderson, Maldoy & Scott, LLP for auditing services for FY 2015/16 with the option to renew for FY 16/17 and FY 17/18.

Vote 5-0.

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

00:12:22

E-2) MKN & ASSOCIATES, INC. SCOPE AMENDMENT #3 FOR BLACKLAKE SEWER MASTER PLAN

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet. Mr. Iglesias distributed items from the Blacklake Facilities Committee to the Board (available for review at the District office).

Mr. Iglesias answered questions from the Board.

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Michael Nunley, MKN & Associates, answered questions from the Board.

The following members of the public spoke:

Kit Carter, Blacklake resident, commented on the Master Plan. Mr. Carter spoke in support of the study and stated it should not include the Rossi project.

Don Wells, Blacklake resident, asked if the report considered a regional option and if the option would show costs.

President Armstrong suggested the Board continue discussion of the item at the next Regular Board meeting.

*Upon the motion of Director Craig Armstrong and seconded, the Board unanimously agreed to continue discussion of the Item at its April 27, 2016 Regular Board meeting.
 Vote 5-0.*

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

President Armstrong announced that the Board would be going into Closed Session.

00:34:57

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).
 - b) HEAL VS. NCSO (SAN LUIS OBISPO COUNTY CASE NO CV 15-0539)
2. INSTRUCTION TO NEGOTIATORS MARIO IGLESIAS, MIKE SEITZ AND LILLIAN JEWELL PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PURCHASE OF EASEMENT INTEREST IN APN 093-291-046 (OWNER: LOS PRIMOS PROPERTIES, LLC, NEGOTIATOR: VINCE MARTINEZ)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 9:36 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 10:30 a.m.

Mike Seitz, District Legal Counsel, reported that the Board discussed Item I.1(a) and 1(b), heard a report, but took no reportable action.

Mr. Seitz reported that the Board discussed Item 2, gave direction, but took no reportable action.

President Armstrong announced the Board would return to Item C.

00:36:00

C. PRESENTATIONS AND REPORTS

C-1) REPORT ON PREVIOUS MEETING CLOSED SESSION

Announcement of actions, if any, taken during Closed Session at previous Board Meeting

Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1.1(a) from the March 9, 2016 Regular Meeting (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, heard a report, but took no reportable action.

Mr. Seitz clarified that the Board did not discuss Item 2 mentioned in today's Staff Report.

00:36:36

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 Woodson

- ◇ *April 11, Attended the South County Advisory Council (SCAC) Land Use meeting and asked if there was a Woodlands Park Mutual Water Company. Mario Iglesias, General Manager, will follow-up.*

Director Blair

- ◇ *April 12, Attended the District's Urban Water Management Plan (UWMP) Agency Coordination Workshop.*
- ◇ *Attended the Board of Supervisors meeting and gave public comment in support of the regional desalination effort.*

Director Armstrong

- ◇ *April 6, Attended the Water Resources Advisory Council (WRAC) meeting.*

Director Gaddis

- ◇ *March 18, Attended the Nipomo Mesa Management Area (NMMA) Technical Group meeting.*
- ◇ *April 4, Attended a NCSD Officer's meeting.*
- ◇ *April 6, Attended the Water Resources Advisory Council (WRAC) meeting.*

Director Eby

- ◇ *March 17, Attended the Local Area Formation Commission (LAFCO) meeting as an alternate CSD Representative.*
- ◇ *March 18, Attended the Nipomo Mesa Management Area (NMMA) Technical Group meeting.*
- ◇ *March 24, Visited Ventura's WateReuse pilot plant.*
- ◇ *April 6, Attended the Water Resources Advisory Council (WRAC) 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 Dan Woodson 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 Woodson, Blair, Eby, Gaddis, and Armstrong	None	None

00:42:03

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- MARCH 9, 2016 REGULAR MEETING

D-3) INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1

D-4) ACCEPT OFFER OF WATER AND SEWER IMPROVEMENTS AND EASEMENTS FOR TRACT 2494

There were no public comments.

Director Gaddis asked questions regarding the warrants. Mario Iglesias, General Manager, responded.

*Upon the motion of Director Ed Eby and seconded, the Board unanimously approved the Consent Items.
 Vote 5-0.*

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

RESOLUTION NO. 2016-1407
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2016-2017 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

RESOLUTION NO. 2016-1408
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING WATER AND SEWER IMPROVEMENTS AND EASEMENTS FOR TRACT 2494

Items E-1 and E-2 were heard earlier in the meeting.

00:43:15

F. GENERAL MANAGER'S REPORT

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

Director Eby asked for a summary of the District's Urban Water Management Plan (UWMP) Agency Coordination Workshop on April 12th. Mr. Iglesias responded.

There were no public comments.

00:45:41

G. COMMITTEE REPORTS

Director Gaddis reviewed the minutes from the March 7th Finance & Audit Committee as presented in the Board Packet.

00:46:07 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

Mike Seitz, District Legal Counsel, commented that the next Nipomo Mesa Management Area (NMMA) Technical Group Meeting will be on April 15th at NCSD. Directors Eby and Blair will attend.

ADJOURN

President Armstrong adjourned the meeting at 10:46 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	52 minutes
Closed Session	54 minutes
TOTAL HOURS	1 hour 46 minutes

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board

4-27-16
Date