

TO: BOARD OF DIRECTORS  
FROM: MARIO IGLESIAS  
GENERAL MANAGER  
DATE: March 9, 2018



## **APPROVE REVISED BOARD BY-LAWS AND POLICIES**

### **ITEM**

Approve Revised Board By-Laws and Policies [RECOMMEND REVIEW AND DISCUSS REVISIONS AND, IF APPROPRIATE, ADOPT RESOLUTION APPROVING BOARD BY-LAWS AND POLICIES]

### **BACKGROUND**

Pursuant to Section 17 of the Board By-Laws, the Board By-Laws and Policy shall be reviewed annually at the first regular meeting in February. The review shall be provided by District Counsel and ratified by Board action.

Your Board reviewed the Board By-Laws and Policies at the February 14, 2018, Regular Meeting and directed staff to make a few minor edits on page 4, section 2. MEETINGS, and page 12, section 13. CORRESPONDENCE DISTRIBUTION POLICY.

Attached are the Board By-Laws and Policies with the edits as directed in 'mark-up' view for your review and approval.

### **RECOMMENDATION**

Staff recommends that your Honorable Board review the Board By-Laws and Policies, propose any additional changes and by motion and roll call vote, approve the changes to the 2018 Board By-Laws and Policies, and adopt the attached Resolution to approve the revised Board By-Laws and Policies.

### **ATTACHMENT**

- A. Resolution with Proposed changes to the Board By-Laws and Policies

MARCH 14, 2018

ITEM E-1

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2018-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING AMENDED BOARD BY-LAWS AND POLICIES**

**WHEREAS**, the Board of Directors of Nipomo Community Services District (District) is committed to providing excellence in legislative leadership; and

**WHEREAS**, Section 16 of the Board By-Laws and Policies provides for the annual review of the Board By-Laws and Policies by District Legal Counsel; and

**WHEREAS**, Government Code §61045 requires the Board of Directors to adopt Rules or By-laws governing its proceedings; and

**WHEREAS**, on February 14, 2018, District Legal Counsel reviewed the District's previously adopted Board By-Laws and Policies and the District Board of Directors instructed staff to return with a revised version for Board adoption; and

**WHEREAS**, on March 14, 2018, the District Board considered public comment regarding the adoption of the revised Board By-Laws and Policies.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Directors of the Nipomo Community Services District, as follows:

1. The Nipomo Community Services District Board By-Laws and Policies attached hereto as Exhibit "A" are hereby approved and adopted.
2. All prior District Board By-Laws and Policies, Resolutions and Policies of the District that are inconsistent with the Board By-Laws and Policies attached hereto as Exhibit "A" are hereby repealed.

Upon motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the following roll call vote, to wit:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

the foregoing resolution is hereby passed and adopted this 14<sup>th</sup> day of March 2018.

\_\_\_\_\_  
ED EBY, Board President  
Nipomo Community Services District

ATTEST:

APPROVED:

\_\_\_\_\_  
MARIO IGLESIAS  
General Manager and Secretary to the Board

\_\_\_\_\_  
WHITNEY G. MCDONALD  
District Legal Counsel

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1. OFFICERS OF THE BOARD OF DIRECTORS

- 1.1 The officers of the Board of Directors are President and Vice President.
- 1.2 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/She shall have the same rights as the other Directors of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions.
- 1.3 In the absence of the President, the Vice President of the Board of Directors shall serve as chairperson over all meetings of the Board. If the President and Vice President of the Board are both absent, the remaining Directors present shall select one of themselves to act as chairperson of the meeting.
- 1.4 The President and Vice President of the Board shall be elected annually at the last meeting of each calendar year.
- 1.5 The term of office for the President and Vice President of the Board shall commence on January 1 of the year immediately following their election.

2. MEETINGS

- 2.1 Subject to holiday and scheduling conflicts, regular meetings of the Board of Directors shall commence at 9:00 a.m. on the second and fourth Wednesday of each calendar month in the Board Room at the District Office located at 148 South Wilson, Nipomo, CA. The Board of Directors reserves the right to cancel and/or designate other dates, places, and times for Director Meetings due to scheduling conflicts and holidays.
- 2.2 Special Meetings.  
  
Special meetings may be called by the President or three (3) Directors with a minimum of twenty-four (24) hours public notice. Special meeting agenda shall be prepared and distributed pursuant to the procedures of the Brown Act by the General Manager or the Assistant General Manager in consultation with the President or, in his or her absence, the Vice President or those Directors calling the meeting.
- 2.3 Directors shall attend all regular and special meetings of the Board unless there is good cause for absence.
- 2.4 No action or discussion may be taken on an item not on the posted agenda; provided, however, matters deemed to be emergencies or of an urgent nature may be added to the agenda under the procedures of the Brown Act. Pursuant to the Brown Act:
  - (a) Directors may briefly respond to statements or questions from the public;

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- (b) Directors may, on their own initiative or in response to public questions, ask questions for clarification, provide references to staff or other resources for factual information, or request staff to report back at a subsequent meeting;
  - (c) The Board may take action to direct the General Manager to place a matter on a future agenda;
  - (d) Directors may make brief announcements or make a brief report on his/her own activities under the Director Comment portion of the Agenda.
- 2.5 The President, or in his/her absence the Vice President, shall be the presiding officer at District Board meetings. He/She shall conduct all meetings in a manner consistent with the policies of the District. He/She shall determine the order in which agenda items shall be considered for discussion and/or actions taken by the Board. He/She shall vote on all questions, and on roll call votes his/her name shall be called last.
- 2.6 Three (3) Directors of the Board shall constitute a quorum for the transaction of District business. When a quorum is lacking for a regular, adjourned, or special meeting, the President, Vice President, or any Director shall adjourn such meeting; or, if no Director is present, the District Secretary shall adjourn the meeting.
- 2.7 Except as otherwise specifically provided by law, a majority vote of the total membership of the Board of Directors is required for the Board of Directors to take action.
- 2.8 A roll call vote shall be taken upon the passage of all ordinances and resolutions, and shall be entered in the minutes of the Board, showing those Directors voting aye, those voting no, those temporarily absent because of a conflict of interest, and absent. A roll call vote shall be taken and recorded on any motion not passed unanimously by the Board. Silence shall be recorded as an affirmative vote.
- 2.10 Any person attending a meeting of the Board of Directors may record the proceedings with an audio or video ~~tape~~-recorder or a still or motion picture camera in the absence of a reasonable finding that the recording cannot continue without disruptive noise, illumination, or obstruction of view that constitutes or would constitute a disruption of the proceedings.
- 2.11 All recording devices, including but not limited to ~~tape recorders~~, audio or video ~~tape~~-recorders, still and/or motion picture cameras shall remain stationary and shall be located and operated in plain public view and from behind the public speaker's podium. The President retains the discretion to alter these guidelines, including the authority to require that all audio or video ~~tape~~-recorders, still and/or motion picture cameras be located in the back of the room.

3. AGENDAS

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- 3.1. The General Manager, in cooperation with the Board President, shall prepare the agenda for each regular and special meeting of the Board of Directors. Any Director may call the General Manager and request an item to be placed on the regular meeting agenda no later than 4:30 p.m. twelve calendar days prior to the meeting date. Such a request must be also submitted in writing either at the time of communication with the General Manager or delivered to the office within the next working day.
- 3.2 The following applies to reconsideration of prior Board actions.
- (a) After the passage of 9 months from the effective date of the motion, resolution, or ordinance, the matter may be placed on the agenda pursuant to Section 3.1, above, or other provisions of the Brown Act.
  - (b) Prior to the passage of 9 months, any member of the Board of Directors or the General Manager may request the Board of Directors, by motion, to agree to reconsider a prior Board action at a subsequent meeting of the Board.
  - (c) The President of the Board of Directors, upon a determination that there is a need to take immediate action, may place an item on the agenda for reconsideration.
- 3.3 Comments on agendized items should be held until the appropriate item is called.
- 3.4 Those items on the District Agenda which are considered to be of a routine and non-controversial nature are placed on the "Consent Agenda". These items shall be approved, adopted, and accepted, etc. by one motion of the Board of Directors; for example, approval of Minutes, approval of Warrants, various Resolutions accepting developer improvements, minor budgetary items, status reports, and routine District operations.
- (a) Directors may request that any item listed under "Consent Agenda" be removed from the "Consent Agenda", and the Board will then take action separately on that item. Members of the public will be given an opportunity to comment on the "Consent Agenda"; however, only a member of the Board of Directors can remove an item from the "Consent Agenda". Items which are removed ("pulled") by Directors of the Board for discussion will typically be heard after other "Consent Agenda" items are approved unless the President chooses an earlier or later time.
  - (b) A Director may ask questions on any item on the "Consent Agenda". When a Director has a minor question for clarification concerning a consent item which will not involve extended discussion, the item may be discussed for clarification and the questions will be addressed along with

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the rest of the "Consent Agenda". Directors are encouraged to seek clarifications prior to the meeting if possible.

- (c) When a Director wishes to consider/"pull" an item simply to register a dissenting vote, an abstention or conflict of interest, the Director shall inform the presiding officer that he/she wishes to register a dissenting vote, an abstention or conflict of interest, on a particular item without discussion. The item will be handled along with the rest of the Consent Agenda, and the District Secretary shall register a "no" vote, an abstention or conflict of interest, in the minutes on the item identified by the Director.

4. PREPARATION OF MINUTES AND MAINTENANCE OF RECORDINGS

- 4.1 The minutes of the Board shall be kept by the District Secretary and shall be neatly produced and kept in a file for that purpose, with a record of each particular type of business transacted set off in paragraphs with proper subheads.
- 4.2 The minutes of the Board of Directors shall record the aye and no votes taken by the members of the Board of Directors for the passage or denial of all ordinances, resolutions, or motions.
- 4.3 The District Secretary shall be required to make a record only of such business as was actually considered by a vote of the Board and, except as provided in Sections 4.4 and 4.6 below, shall not be required to record any remarks of Directors or any other person.
- 4.4 The District Secretary shall attempt to record the names and general place of residence of persons addressing the Board during general public comment.
- 4.5 Any Director may request for inclusion into the minutes brief comments pertinent to an agenda item, only at the meeting in which the item is discussed. In addition, the minutes shall include the names of speakers who provided public comment on each agenda item and a summary of the Directors' reports. Materials submitted with such comments shall be appended to the minutes at the request of the General Manager, District Counsel, the Board President, or any Director.
- 4.6 Whenever the Board acts in a quasi-judicial proceeding such as in assessment matters, the District Secretary shall compile a summary of the testimony of the witnesses.

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4.7 Any recording of a District meeting made for whatever purpose at the direction of the District shall be subject to inspection pursuant to the California Public Records Act. Consistent with Government Code Section 54953.5(b), the District will maintain the recordings for a 30-day period after the recording. During the 30-day period, the District will provide, without charge, the necessary equipment for inspection of said recordings at the District Office during regular business hours. In addition to the 30-day requirement, the District will maintain the recordings- in accordance with its current Records Retention Policy

5. DIRECTORS

- 5.1 Directors shall prepare themselves to discuss agenda items at meetings of the Board of Directors. Directors are encouraged to seek clarification prior to the meeting, if possible.
- 5.2 Members of the Board of Directors shall exercise their independent judgment on behalf of the interest of the entire District, including the residents, property owners and the public as a whole.
- 5.3 Information may be requested from staff before meetings, within such limitations as required by the Brown Act. Information that is requested shall be distributed through the General Manager, and all Directors will receive a copy of all information being distributed.
- 5.4 Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.
- 5.5 Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disrespectful to others.
- 5.6 Pursuant to §54952.2 of the Brown Act:
- (a) Except during an open and public meeting, a majority of the Board of Directors shall not use a series of communications of any kind, directly or thru intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter of the District.
  - (b) Subsection (a) above shall not be construed as preventing District management staff from engaging in separate conversations or communications with members of the District Board of Directors in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the District, provided that District Staff does not communicate to members of the Board of Directors the comments or positions of any other member or members of the Board of Directors.



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5.7 Directors shall not be prohibited by action of the Board of Directors from citing his or her District affiliation or title in any endorsement or publication, so long as no misrepresentation is made, or implied, about the District's position on an issue.

6. AUTHORITY OF DIRECTORS

6.1 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, a Director has no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

6.2 Directors do not represent any fractional segment of the District but are, rather, a part of the body which represents and acts for the District as a whole.

6.3 The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District.

7. AUTHORITY OF THE GENERAL MANAGER

Pursuant to Government Code §61051, the General Manager shall be responsible for the following:

7.1. The implementation of the policies established by the Board of Directors for the operation of the District;

7.2 The appointment, supervision, discipline, and dismissal of the District's employees, consistent with the employee relations system established by the Board of Directors;

7.3 The supervision of the District's facilities and services;

7.4 The supervision of the District's finances.

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8. DIRECTOR GUIDELINES

- 8.1 Directors, by making a request to the General Manager or Assistant General Manager, shall have access to information relative to the operation of the District, including but not limited to statistical information, information serving as the basis for certain actions of Staff, justification for Staff recommendations, etc. If the General Manager or the Assistant General Manager cannot timely provide the requested information by reason of information deficiency, or major interruption in work schedules, workloads, and priorities, then the General Manager or Assistant General Manager shall inform the individual Director why the information is not or cannot be made available.
- 8.2 In handling complaints from residents or property owners within the District, or other members of the public, Directors are encouraged to listen carefully to the concerns, but the complaint should be referred to the General Manager for processing and the District's response, if any.
- 8.3 Directors, when seeking clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finances, and programming, should refer said concerns directly to the General Manager.
- 8.4 When approached by District personnel concerning a specific District policy, Directors should direct inquiries to the General Manager or Assistant General Manager. The chain of command should be followed. If a Director concludes that a personnel issue is not being adequately addressed in this manner, he/she should refer it to the Board's personnel committee for further consideration, in accordance with District Personnel Policy.
- 8.5 Directors and General Manager should develop a working relationship so that current issues, concerns, and District projects can be discussed comfortably and openly.
- 8.6 When responding to constituent requests and concerns, Directors should respond to individuals in a positive manner and route their questions to the General Manager, or in his/her absence, to the Assistant General Manager.
- 8.7 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

9. DIRECTOR COMPENSATION

- 9.1 Each Director is authorized to receive one hundred dollars (\$100.00) as compensation for each regular adjourned or special meeting of the Board of Directors attended by him/her.
- 9.2 Each Director appointed to a committee is authorized to receive one hundred dollars (\$100) as compensation for each public meeting of a standing committee attended by him/her.

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- 9.3 Each Director appointed to an ad hoc committee is authorized to receive seventy-five dollars (\$75.00) as compensation for each ad hoc committee meeting attended by him/her.
- 9.4 In no event shall Director compensation exceed \$100 per day.
- 9.5 Director compensation shall not exceed six full days in any one calendar month.

10. DIRECTOR REIMBURSEMENT

10.1 Subject to the following rules and budgetary limitations, each Director is entitled to reimbursement for their actual and necessary expenses (including the cost of programs and seminars), for his/her attendance at programs, conferences, and seminars that are related to District functions and/or Director development.

- (a) It is the policy of the District to exercise prudence with respect to hotel/motel accommodations. It is also the policy of the District for Directors and staff to stay at the main hotel/motel location of a conference, seminar, or class to gain maximum participation and advantage of interaction with others whenever possible.

If lodging is in connection with a conference or organized education activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board of Directors at the time of booking. If the group rate is not available, the Director shall use lodging that is comparable with the group rate. Personal phone calls, room service, and other discretionary expenditures are not reimbursable.

- (b) Members of the Board of Directors shall use government and group rates offered by a provider of transportation for travel when available. Directors, using his/her private vehicle on District business, shall be compensated at the prevailing IRS per diem mileage rate.
- (c) Any Director traveling on District business shall receive in addition to transportation and lodging expenses, a per diem allowance to cover ordinary expenses such as meals, refreshments, and tips. The amount set for per diem shall be considered fair reimbursement. The per diem shall include \$10.00 for breakfast, \$15.00 for lunch and \$30.00 for dinner, for a daily total of \$55.00.
- (d) All travel and other expenses for District business, conferences, or seminars outside of the State of California

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shall require separate Board authorization, with specific accountability as to how the District shall benefit by such expenditure.

- 10.2 All expenses that do not fall within the reimbursement policy set forth in 10.1, above, shall be approved by the Board of Directors, at a public meeting, before the expense is incurred.
- 10.3 Board members shall submit an expense report on the District form within thirty (30) calendar days after incurring the expense. The expense report shall be accompanied by receipts documenting each expense. Expense reports for mileage, as referenced in Section 10.1(b), shall be submitted no later than the end of each quarter (March, June, September, and December).
- 10.4 Members of the Board of Directors shall provide brief reports on the program, conferences, and seminars attended at the expense of the District at the next regular meeting of the Board of Directors.

11. TRAINING

11.1 Ethics Training

- (a) Pursuant to sections 53234 et seq. of the Government Code, all Directors and designated District personnel shall receive at least 2 hours of ethics training every two years.
- (b) Each newly elected Board Member and designated District personnel shall receive ethics training no later than one year from the first day of service with the District and thereafter shall receive ethics training at least once every two years.

11.2 Harassment Prevention Training

Board members, the General Manager, and supervisors that are designated in the Districts conflict of interest code, shall receive harassment prevention training in accordance with the law.

12. COMMITTEES

12.1 Ad Hoc Committees

The Board President shall appoint such ad hoc committees as may be deemed necessary or advisable by himself/herself and/or the Board. The duties of the ad hoc committees shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

12.2 Standing Committees

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- (a) The Board may create standing committees at its discretion. The Board President shall propose and the Board of Directors shall approve standing committee membership.
- (b) Standing committees shall be advisory committees to the Board of Directors and shall not commit the District to any policy, act or expenditure. Each standing committee may consider District-related issues, on a continuing basis, assigned to it by the Board of Directors. Members of the standing committees shall be appointed by the Board of Directors.
- (c) All standing committee meetings shall be conducted as public meetings in accordance with the Brown Act and Sections 2, 3 and 4 of these By-Laws. Summary notes for each meeting of each committee shall be forwarded to the NCSB Board of Directors as a public record.

13. CORRESPONDENCE DISTRIBUTION POLICY

Time permitting, the following letters and other documents shall be accumulated and delivered to the Board of Directors ~~on~~ by Monday of each week and/or with agenda packet.

- 13.1 All letters approved by the Board of Directors and/or signed by the President on behalf of the District, and
- 13.2 All letters and other documents received by the District that are of District-wide concern, as determined by District staff.

14. CONFLICTS AND RELATED POLICY

State laws are in place which attempt to eliminate any action by a Director or the District which may reflect a conflict of interest. The purpose of such laws and regulations is to insure that all actions are taken in the public interest. Laws which regulate conflicts are very complicated. The following provides a brief policy summary of various conflict related laws. Directors are encouraged to consult with District Legal Counsel and/or the FPPC at 1-800-ASK-FPPC (1-800-275-3772), prior to the day of the meeting, if they have questions about a particular agenda item.

14.1 Conflict of Interest

Each Director is encouraged to review the District Conflict Code on an annual basis. The general rule is that an official may not participate in the making of a governmental decision if it is: reasonably foreseeable that the decision will have a material financial effect on the official or a member of his or her immediate family or on an economic interest of the official, and the effect is distinguishable from the effect on the public generally. FPPC regulations related to interests in real property provide that, if the real property in which the Director has an interest is located within 500 feet of

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the boundaries of the property affected by a decision, that interest is now deemed to be directly involved in the decision.

14.2 Interest in Contracts, Government Code Section 1090

The prohibitions of Government Code Section 1090 provide that the Board of Directors may not contract with any business in which another Director has a financial interest.

14.3 Incompatible Office, Government Code Section 1099

The basic rule is that public policy requires that when the duties of two offices are repugnant or overlap so that their exercise may require contradictory or inconsistent action, to the detriment to the other public interest, their discharge by one person is incompatible with that interest. When a Director is sworn in for such a second office, he/she is simultaneously terminated from holding the first office.

15. CONTINUING EDUCATION

Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Subject to budgetary constraints, there is no limit to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

16. BOARD BY-LAWS REVIEW POLICY

Subject to 3.1 the Board By-Laws and Policies shall be reviewed annually at the first regular meeting in February. The review shall be provided by District Counsel and ratified by Board action.

17. RESTRICTIONS ON BY-LAWS

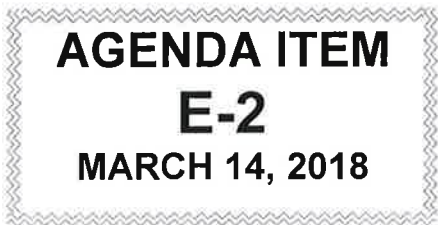
The rules contained herein shall govern the Board in all cases to which they are applicable, and in which they are not inconsistent with State or Federal laws.

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS  
GENERAL MANAGER



DATE: MARCH 9, 2018



**CONSIDER LOCAL AGENCY FORMATION COMMISSION BALLOT  
FOR THE COMMISSION'S ALTERNATE SPECIAL DISTRICT  
MEMBER REPRESENTATIVE**

**ITEM**

Consider the individuals nominated to fill the Special District Alternate Seat on Local Agency Formation Commission (LAFCO). [RECOMMEND DIRECT STAFF TO CAST BALLOT FOR SELECTED SPECIAL DISTRICT REPRESENTATIVE TO FILL THE ALTERNATE SEAT]

**BACKGROUND**

Two candidates have been nominated for the Special District seat on LAFCO. The candidates are:

- Ed Eby, Nipomo Community Services District
- Dan Burgess, Heritage Ranch Community Services District

The term for the position expires December 2021.

**FISCAL IMPACT**

Minor budgeted staff time to prepare these materials.

**STRATEGIC PLAN**

7.2 Maintain productive communication and relationships with key stakeholders, such as city, County, State and Federal legislators, service clubs, etc. As appropriate, plan and assign for this role.

**RECOMMENDATION**

Consider LAFCO materials and, by motion and roll call vote, direct staff to file completed ballot with LAFCO no later than April 30, 2018.

**ATTACHMENTS**

- A. LAFCO Nomination Ballot

MARCH 14, 2018

ITEM E-2

ATTACHMENT A





LAFCO - San Luis Obispo - Local Agency Formation Commission  
*SLO LAFCO - Serving the Area of San Luis Obispo County*

**TO: EACH INDEPENDENT SPECIAL DISTRICT**  
**FROM: DAVID CHURCH EXECUTIVE OFFICER**  
**DATE: FEBRUARY 26, 2018**  
**RE: BALLOT FOR LAFCO ALTERNATE SPECIAL DISTRICT MEMBER**

Two individuals have been nominated for the LAFCO Alternate Special District Member position. The term for this position would expire in December 2021. The Districts' Boards of Directors may select one of the following nominees:

\_\_\_\_\_ Dan Burgess, Heritage Ranch Community Services District

\_\_\_\_\_ Ed Eby, Nipomo Community Services District

District: \_\_\_\_\_

Agenda Date: \_\_\_\_\_

General Manager or President: \_\_\_\_\_

**E-mailed Ballot.** The Government Code allows for the balloting to be conducted electronically by the LAFCO Executive Officer if it is not possible for the Selection Committee to achieve a quorum. The Selection Committee met on February 23, but could not achieve a quorum.

**Ballot Instructions.** Each Independent Special District may vote for one nominee. The vote by a District must be considered by the District's Board of Directors as an item placed on the agenda. The District's selection must be submitted the LAFCO office no later than **April 30, 2018** via one of the following ways:

- 1) An email indicating the Board's meeting date, an attached agenda, and nominee selection considered by the Board of Directors;
- 2) A scanned pdf of this completed ballot attached to an email with one of the nominees selected and the meeting date it was considered; or
- 3) A fax of the ballot with a cover memo sent to LAFCO with one of the nominees selected and the agenda date of the Board's decision. FAX number 805-788-2072.

Please contact me directly at 805-788-2096 or [dchurch@slolafco.com](mailto:dchurch@slolafco.com) if you have any questions. Thank you.

1042 Pacific Street, Suite A • San Luis Obispo, California 93401  
Tel: 805.781.5795 Fax: 805.788.2072 [www.slolafco.com](http://www.slolafco.com)

COMMISSIONERS

Chairman  
ED WAAGE  
City Member

Vice-Chair  
LYNN COMPTON  
County Member

DEBBIE ARNOLD  
County Member

ROBERT ENNS  
Special District Member

ROBERTA FONZI  
City Member

TOM MURRAY  
Public Member

MARSHALL OCHYLSKI  
Special District Member

ALTERNATES

ED EBY  
Special District Member

ADAM HILL  
County Member

JAMIE L. IRONS  
City Member

HEATHER JENSEN  
Public Member

STAFF

DAVID CHURCH  
Executive Officer

RAYMOND A. BIERING  
Legal Counsel

MIKE PRATER  
Senior Analyst

DONNA J. BLOYD  
Commission Clerk

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS  
GENERAL MANAGER 

DATE: MARCH 9, 2018

**AGENDA ITEM  
E-3  
MARCH 13, 2018**

**CONSIDER CALIFORNIA SPECIAL DISTRICT ASSOCIATION  
REQUEST FOR NOMINATIONS**

**ITEM**

Consider California Special District Association ("CSDA") call for nominations to fill their Board Member Seat A of the Coastal Network. [RECOMMEND DISCUSS AND, IF DESIRED, NOMINATE CANDIDATE].

**BACKGROUND**

See the information provided by CSDA [attached].

**FISCAL IMPACT**

Minimal cost to prepare staff report and support, if elected, the District's cost for participation and attendance to official CSDA functions as their Board Member that are not reimbursed by CSDA.

**RECOMMENDATION**

Consider the information and should your Board desire, select a candidate from your Board of Directors by motion and roll call vote and direct staff to aid in completing and filing the necessary nomination application no later than August 10, 2018.

**ATTACHMENTS**

- A. February 16, 2018 CSDA Packet

MARCH 14, 2018

ITEM E-3

ATTACHMENT A



**California Special  
Districts Association**

*Districts Stronger Together*

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FEB 20 2018  
INDEPENDENT COMMUNITY  
SERVICES DISTRICT

**DATE:** February 16, 2018  
**TO:** CSDA Voting Member Presidents and General Managers  
**FROM:** CSDA Elections and Bylaws Committee  
**SUBJECT:** **CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS  
SEAT A**

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The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2019 - 2021 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular member in good standing and located within the geographic network that they seek to represent. (See attached CSDA Network Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

**Commitment and Expectations:**

- Attend all Board meetings, usually 4-5 meetings annually, at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.  
*(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).*
- Attend, at minimum, the following CSDA annual events: Special Districts Legislative Days - held in the spring, and the CSDA Annual Conference - held in the fall.
- Complete all four modules of CSDA's Special District Leadership Academy within 2 years of being elected.  
*(CSDA does not reimburse for expenses for the two conferences or the Academy classes even if a Board or committee meeting is held in conjunction with the events).*

(over)

**Nomination Procedures:** Any Regular Member in good standing is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of Directors.

- **A copy of the member district's resolution or minute action and Candidate Information Sheet must accompany the nomination.**
- **Deadline for receiving nominations is April 18, 2018. Nominations and supporting documentation may be mailed or emailed to Beth Hummel.**  
*No faxes please.*

Mail: CSDA Attention: Beth Hummel  
1112 I Street, Suite 200, Sacramento, CA 95814  
E-mail: [bethh@csda.net](mailto:bethh@csda.net)

Once received, nominees will receive a candidate's letter in the mail. The letter will serve as confirmation that CSDA has received the nomination and will also include campaign guidelines.

#### **Expiring Terms**

(See enclosed map for Network breakdown)

**Northern Network** Seat A-Ralph Emerson, GM, Garberville Sanitary District\*  
**Sierra Network** Seat A-Noelle Mattock, Director, El Dorado Hills CSD\*  
**Bay Area Network** Seat A-Robert Silano, Director, Menlo Park Fire Protection District\*  
**Central Network** Seat A-Joel Bauer, GM, West Side Cemetery District\*  
**Coastal Network** Seat A-Elaine Magner, Director, Pleasant Valley Recreation & Park District\*  
**Southern Network** Seat A-Jo MacKenzie, Director, Vista Irrigation District\*  
(\* = Incumbent is running for re-election)

If you have any questions, please contact Beth Hummel at 877-924-CSDA or [bethh@csda.net](mailto:bethh@csda.net).

#### **NEW THIS YEAR!**

**This year we will be using a web-based online voting system, allowing your district to cast your vote easily and securely.** *Electronic Ballots will be emailed to the main contact in your district June 18, 2018. All votes must be received through the system no later than 5:00 p.m. August 10, 2018.*

*Districts can opt to cast a paper ballot instead; but you must contact Beth by e-mail [Bethh@csda.net](mailto:Bethh@csda.net), by **April 18, 2018** in order to ensure that you will receive a paper ballot on time.*

CSDA will mail paper ballots on June 17 per district request only. ALL ballots must be received by CSDA no later than 5:00 p.m. August 10, 2018.

The successful candidates will be notified no later than August 14, 2018. All selected Board Members will be introduced at the Annual Conference in Indian Wells, CA in September 2018.



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## 2018 BOARD OF DIRECTORS NOMINATION FORM

Name of Candidate: \_\_\_\_\_

District: \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
\_\_\_\_\_

Network: \_\_\_\_\_ (see map on back)

Telephone: \_\_\_\_\_  
(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Nominated by (optional): \_\_\_\_\_

**Return this form and a Board resolution/minute action supporting the candidate and Candidate Information Sheet by mail, or email to:**

CSDA  
Attn: Beth Hummel  
1112 I Street, Suite 200  
Sacramento, CA 95814  
(877) 924-2732 (916) 442-7889 fax

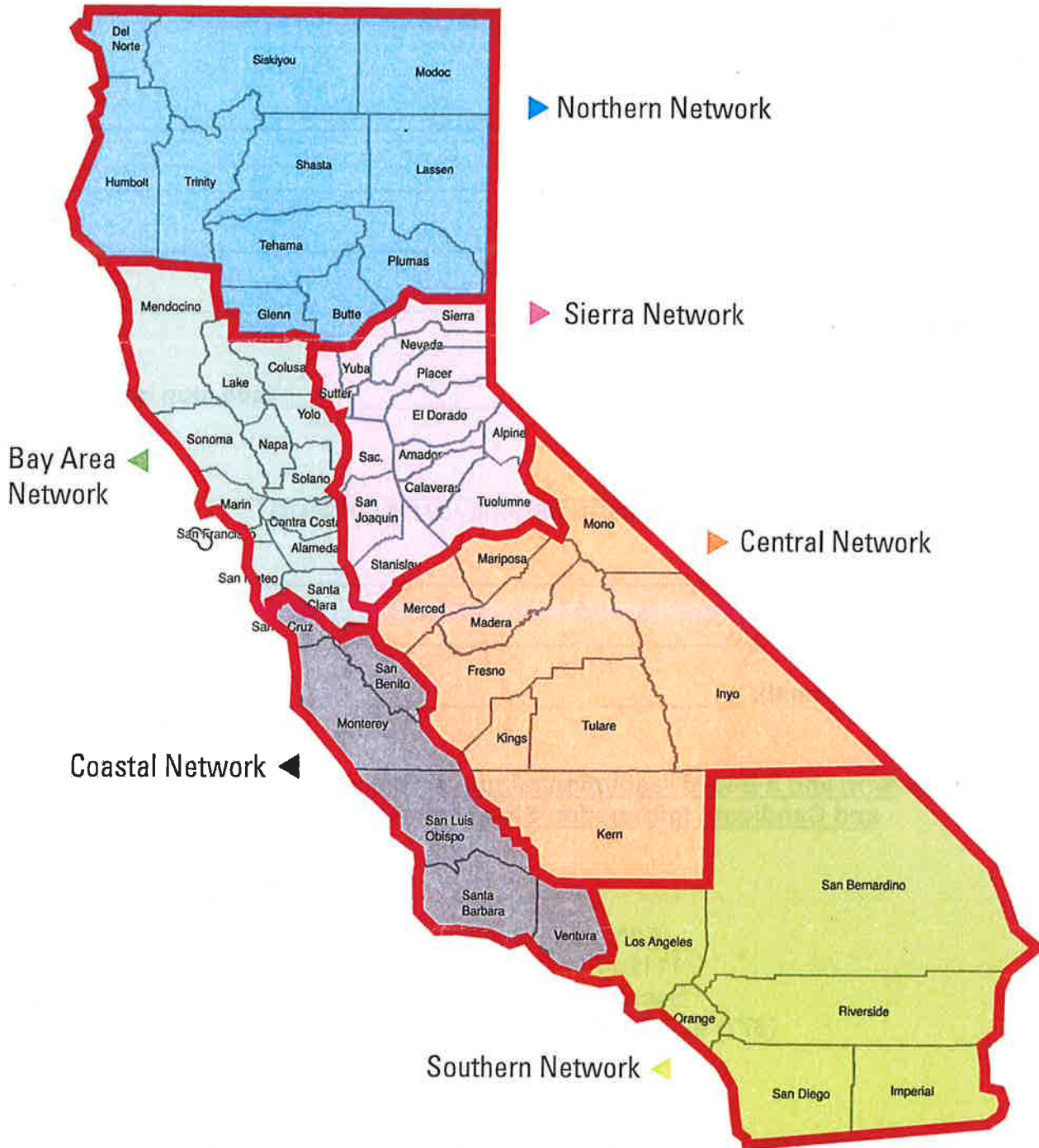
bethh@csda.net

***DEADLINE FOR RECEIVING NOMINATIONS – April 18, 2018***



California Special Districts Association

# DISTRICT NETWORKS





## 2018 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: \_\_\_\_\_

District/Company: \_\_\_\_\_

Title: \_\_\_\_\_

Elected/Appointed/Staff: \_\_\_\_\_

Length of Service with District: \_\_\_\_\_

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

\_\_\_\_\_  
\_\_\_\_\_

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

\_\_\_\_\_  
\_\_\_\_\_

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

\_\_\_\_\_  
\_\_\_\_\_

4. List civic organization involvement:

\_\_\_\_\_  
\_\_\_\_\_

**\*\*Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after May 31, 2018 will not be included with the ballot.**



TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS  
GENERAL MANAGER

DATE: March 9, 2018

# AGENDA ITEM

# F

MARCH 14, 2018

## GENERAL MANAGER'S REPORT

### ITEM

Standing report to your Honorable Board -- *Period covered by this report is January 21, 2018 through March 10, 2018.*

### DISTRICT BUSINESS

#### Administrative

The District encourages residents to provide reports of any observed water waste. The District keeps an accounting of leak adjustments as a measure of non-revenue water lost to leaks. The February data below is current.

#### **Office Activities**

	<u>Feb-18</u>	<u>Jul-Feb 2018</u>
Reports of water waste followed up on	0	1
Leak Adjustments	1	17
Leak Adjustment Amount	\$141	\$5,957

#### Water Resources

**Table 1. Total Production (AF)**

	<u>Feb-18</u>	<u>Jul - Feb 18</u>
Groundwater Production	45.3	697.3
Supplemental Water Imported	<u>79.4</u>	<u>668.1</u>
Total Production	<u>124.7</u>	<u>1365.4</u>

In February 2018, NCSD imported 79.4 AF of water over the 28 day period averaging 641 gallons per minute for a daily total of 924,020 gallons per day. For fiscal year 2017-18 [July-2017 through June-2018] the District must import 800 AF of supplemental water. During summer months, it is possible that additional import water up to the distribution systems capacity of 85 AF per month may be possible.

**Table 2. FY 2018 Total Demand To-date Compared to 2013**

	<u>Feb-18</u>	<u>Jul-Feb 2018</u>
Total Production (AF) for FY 2017-18	124.7	1,365.4
Total Production (AF) for 2013	<u>136.3</u>	<u>1,698.4</u>
Reduction	<u>11.6</u>	<u>333.0</u>
Percentage Reduction	8.5%	19.6%

Table 2 compares the District's total demand for the month of February and the Fiscal Year's year-to-date total. The community's water conservation effort reached 8.5% compared to February 2013. The District's Year-to-Date conservation effort for the first 8 months of the fiscal year is 19.6%. January and February were unusually warm and dry and is most likely the cause of the higher than expected water demand.

**3) NCSD GW Reduction**

The District's purveyor customers, GSWC and WMWC, each claim 16.66% (cumulatively 33.33%) of the imported water NCSD brings onto the basin through the NSWP. Of the 800 AF minimum imported water from the CSM, 266.6 AF will be credited to these two purveyor customers. The credited amount must be added to the District's groundwater pumping total every month to reflect the groundwater pumped by these customers in-lieu of taking imported water from the District. Table 3 below demonstrates the calculus for determining the District's groundwater reduction.

**Table 3. NCSD GW Reduction (NCSD GW Well Production plus Purveyor Credit)**

	Feb-18	Jul-Feb 18
NCSD GW Well Production	45.3	697.3
Purveyor Customer Credit (33.3% of Import Water)	<u>26.4</u>	<u>222.7</u>
NCSD Total Calculated GW Production	71.8	920.0
Average GW Production for 2009-2013	<u>136.3</u>	<u>1,755.8</u>
NCSD Percentage of GW Reduction	47%	48%

Taking into consideration the above referenced purveyor customer credit the District can claim a groundwater pumping reduction of 47% for the month of February compared to the 5-year average from 2009 to 2013. For the first 8 months of the fiscal year, the cumulative groundwater pumping reduction reached 48%. At the current Stage IV level of NMMA's Water Shortage Condition and Response Plan, the District has targeted groundwater reduction level of 50% for the year.

Table 4 below is a forecasting tool used to track the District projection as it targets a 50% reduction in groundwater pumping. NCSD Total Calculated GW Production is calculated by projecting an estimate of 85 AF per month of supplemental water for each month from and subtracting this amount from last year's corresponding total monthly demand. Using these figures the District will need to reduce its groundwater pumping by 75.79 AF over the next 4 months to reach a 50% pumping reduction. This projection includes 995 AF of imported water.

**Table 4. Year-end Projection: NCSD Groundwater Pumping**

	Mar-18	Apr-18	May-18	Jun-18	Jul-Jun 2018	Target	Over/Under
NCSD GW Well Production	42.4	60.8	99.9	105.7	1,006.1		
Purveyor Customer Credit (33.3% of Import Water)	<u>28.3</u>	<u>28.3</u>	<u>28.3</u>	<u>28.3</u>	<u>331.5</u>		
NCSD Total Calculated GW Production	70.7	89.1	128.2	134.0	1,341.8	1,266.0	-75.79
Average GW Production for 2009-2013	<u>160.4</u>	<u>199.0</u>	<u>261.6</u>	<u>263.5</u>	<u>2,533.3</u>	2,533.3	
NCSD Percentage of GW Reduction	56%	55%	51%	49%	47%	50.0%	

**Rainfall Gauge**

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
February 2018 Total	0.16	0.20
July-2017 through February 28, 2018 (Seasonal Total)	2.96	3.27
Average Annual Year Rainfall	18	16

**Safety Program**

- No incidents

**Other Items and News of Interest**

- Blacklake Sewer Enterprise: Request for Proposal to construct a rate schedule.

**Supplemental Water Capacity Accounting**

The District is not currently accepting applications for new water service.

<b>Supplemental Water Available for Allocation</b>	500	AFY
<b>Supplemental Water Reserved (Will Serve Letters Issued)</b>	-23.2	AFY
<b>Subtotal Net Supplemental Water Available for Allocation</b>	476.8	AFY
<b>Supplemental Water Assigned (Intent-to-Serve Issued)</b>	-159.9	AFY
<b>Total Remaining Supplemental Water Available for Allocation</b>	316.9	AFY

This information is accurate up to December 6, 2017.

**Connection Report**

The Connection Report is current through February 2018.

Nipomo Community Services District Water and  
Sewer Connections

	JUL-17	AUG-17	SEP-17	OCT-17	NOV-17	DEC-17	18-Jan	18-Feb
Water Connections (Total)	4383	4386	4388	4388	4400	4402	4405	4405
Sewer Connections (Total)	3168	3169	3169	3169	3169	3171	3174	3174
New Water Connections	0	3	2	0	12	2	3	0
New Sewer Connection	0	1	0	0	0	2	3	0
Galaxy & PSHH at Orchard and Division Sewer Connections billed to the County	473	473	473	473	473	473	473	473

**Meetings (January 21 through March 10)**

Meetings Attended (telephonically or in person):

- Jan 23, Management Team Meeting
- Jan 23, Engineering/Administration Meeting
- Jan 24, Regular Board Meeting
- Jan 24, General Counsel/Management Team
- Jan 25, -----Vacation Period-----
- Feb 13, Engineering/Administration Meeting

- Feb 14, Regular Board Meeting
- Feb 14, General Counsel/Management Team
- Feb 15, NMMA-TG Meeting
- Feb 15, Blacklake Sewer Enterprise Meeting (BLMA Facilities Comm.)
- Feb 20, Fairways HOA Meeting – Woodgreen LS
- Feb 20, Board Officer Meeting
- Feb 21, St. Joseph Church/LAFCO
- Feb 21, County CSA 1
- Feb 21, LAFCO MSR Review
- Feb 26, Developer Review – Thompkins
- Feb 26, Developer Review – Arredondo
- Feb 27, Engineering/Administration Meeting
- Feb 28, Management Team Meeting – SWP Planning
- Mar 2, City of Santa Maria – SWP Review
- Mar 2, Opterra NCSD Eng. Project Update
- Mar 6, Internal Budget Planning
- Mar 6, Board Officer Meeting
- Mar 7, Rotary
- Mar 9, NMMA Purveyor Manager's

**Meetings Scheduled (March 11 through March 17):**

- Mar 12, Engineering/Administration Meeting
- Mar 14, Rotary
- Mar 14, Regular Board Meeting
- Mar 14, General Counsel/Management Team
- Mar 15, LAFCO Board Mtg., NCSD MSR
- Mar 15, Finance & Audit Committee
- Mar 16, NMMA-TG Meeting
- Mar 16, County Water Action Team
- Mar 16, Final Interviews – NCSD Operator

**Upcoming Water Resource and Other Meetings**

- NMMA-TG: March 16<sup>th</sup> @ 10 AM, NCSD Board Room
- RWMG - Cancelled
- WRAC: March 7<sup>th</sup> @ 1:30 PM, SLO Counsel Room
- NMMA Purveyor Meeting: March 16<sup>th</sup> @ 10:30 AM, NCSD Admin Office
- NCMA/NMMA Managers Meeting: TBA
- Nipomo Chamber of Commerce: No March Meeting

**RECOMMENDATION**

Staff seeks direction and input from your Honorable Board

**ATTACHMENTS**

No Attachments