

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

FEBRUARY 13, 2019 AT 9:00 A.M.

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

BOARD of DIRECTORS

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

PRINCIPAL STAFF

MARIO IGLESIAS, GENERAL MANAGER
LISA BOGNUDA, FINANCE DIRECTOR
WHITNEY MCDONALD, GENERAL COUNSEL
PETER SEVCIK, DIRECTOR OF ENG. & OPS.

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.

A. CALL TO ORDER AND FLAG SALUTE

President Eby called the Regular Meeting of February 13, 2019, to order at 9:00 a.m. and led the flag salute.

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

At Roll Call, all Directors were present.

There were no public comments.

C. PRESENTATIONS AND REPORTS

C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS [RECEIVE ANNOUNCEMENTS AND REPORTS FROM DIRECTORS]

Director Woodson

- *January 23 attended Citizen Transportation Advisory Committee meeting.*
- *January 28, attended SCAC meeting.*

Director Blair

January 28, attended SCAC meeting.

Director Gaddis

- *January 25, attended SLO Chapter CSDA annual meeting.*
- *February 6, attended IRWM meeting.*
- *February 4, attended Board Officer's meeting.*
- *February 12, Flume technician meeting.*

Director Armstrong

- *February 6, attended WRAC meeting.*

Director Eby

- *January 25, attended SLO Chapter CSDA annual meeting.*
- *February 4, attended Board Officer's meeting.*
- *February 6, attended WRAC meeting.*
- *February 8, attended NMMA Technical Group Advisory meeting.*

C-2) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

**Nipomo Community Services District
REGULAR MEETING
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There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved receiving and filing presentations and reports.
Vote 5-0.*

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JANUARY 23, 2019 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INVESTMENT POLICY – FOURTH QUARTER REPORT [RECOMMEND ACCEPT AND FILE REPORT]
- D-4) ACCEPT SECOND QUARTER FISCAL YEAR 2018-2019 QUARTERLY FINANCIAL REPORT [RECOMMEND ACCEPT AND FILE REPORT]
- D-5) REVIEW BOARD BY-LAWS AND POLICIES AND PROPOSE EDITS FOR CONSIDERATION [RECOMMEND REVIEW OF BY-LAWS AND DIRECT STAFF TO RETURN WITH REVISIONS, IF ANY, FOR FUTURE BOARD APPROVAL]

President Eby pulled Item D-5 for separate consideration.

There were no public comments.

*Upon the motion of Director Blair and seconded, the Board unanimously approved Consent Agenda Items D-1 to D-4.
Vote 5-0.*

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

Item D-5 - President Eby requested that Section 2.8 of the Board By-Laws include a definition of abstention and when an abstention vote can be used.

Item D-5 was continued until the next Board Meeting.

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDERATION OF INTEGRATED WASTE MANAGEMENT AUTHORITY HOUSEHOLD HAZARDOUS WASTE COLLECTION SITE LEASE AGREEMENT [RECOMMEND REVIEW PROPOSED AGREEMENT AND DIRECT STAFF]

Mario Iglesias, General Manager, presented the item. The IWMA requested the Board approve an Affirmation and Restatement of the Household Hazardous Waste Agreement and extend the agreement until November 7, 2021. Staff recommends a new agreement be drafted to include improvements and/or refinements to the operations of the collection site.

SUBJECT TO BOARD APPROVAL

Mike Giancola, Interim Manager of IWMA, answered questions from the Board.

Director Gaddis requested the new agreement be for ten years beginning in 2019 rather than renegotiating in 2021.

There were no public comments.

The Board unanimously agreed to direct Staff to renegotiate the agreement and extend it to 2029, if possible. This item will be considered at a future Board meeting.

F. GENERAL MANAGERS REPORT

Mario Iglesias, General Manager, presented the item and answered questions from the Board

There were no public comments.

G. COMMITTEE REPORTS

None

H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS

Director Woodson requested Staff update the Board on proposed legislation by Governor Newsom on a water meter tax.

President Eby directed Staff to place an item on a future agenda that describes the late fee process, the amount of fees and the ability of the General Manager to waive fees under certain circumstances.

Director Armstrong suggested the above item also include discussion of SB 998 and how it will be incorporated into our late fee process.

Director Blair would like hand blowers placed in the restrooms to eliminate paper waste.

I. CLOSED SESSION ANNOUNCEMENTS

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

- a) SMWWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND A LITIGATION PURSUANT TO GC §54956.9 ALL CONSOLIDATED CASES)
- b) SMART, ET AL. V. NCSD (SAN LUIS OBISPO COUNTY SUPERIOR COURT, CASE NO. 18LC-0908)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

The Board took a 10 minute recess.

