

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JUNE 19, 2015

AGENDA ITEM
C
JUNE 24, 2015

PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-1) REPORT ON PREVIOUS MEETING CLOSED SESSION
Announcement of actions, if any, taken during Closed Session at previous Board Meetings:
 - o June 10, 2015 Regular Board Meeting

- 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

- C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JUNE 19, 2015

AGENDA ITEM
C-1
JUNE 24, 2015

CLOSED SESSION REPORT

ITEM

Announcement of actions, if any, taken during Closed Session at previous Board Meetings [NO ACTION REQUESTED]

BACKGROUND

The June 10, 2015 Regular Meeting Closed Session included:

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).
2. ANNUAL PERFORMANCE REVIEW OF DISTRICT GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54957

Staff will report on closed session action taken, if any.

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

DATE: JUNE 19, 2015

AGENDA ITEM

D

JUNE 24, 2015

CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Administrative Items. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda.**

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE JUNE 10, 2015 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]

TO: BOARD OF DIRECTOR

REVIEWED: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

FROM: LISA BOGNUDA *LSB*
FINANCE DIRECTOR

DATE: JUNE 19, 2015



WARRANTS WILL BE DISTRIBUTED ON TUESDAY, JUNE 23, 2015

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JUNE 19, 2015

AGENDA ITEM
D-2
JUNE 24, 2015

APPROVE JUNE 10, 2015 REGULAR BOARD MEETING MINUTES

ITEM

Approve action minutes from previous Board meetings. [RECOMMEND APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board Meeting action.

RECOMMENDATION

Approve Minutes

ATTACHMENT

- A. June 10, 2015, draft Regular Board Meeting Minutes

June 24, 2015

D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

DRAFT REGULAR MINUTES

JUNE 10, 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 June 10, 2015 to order at 9:00 a.m. and led the flag salute.

00:00:40

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

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

There were no public comments.

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

00:00:52

E-1) PUBLIC HEARING – AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES

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

The following members of the public spoke:

Pat Fenton, District Manager of South County Sanitary, commented on the list of tax liens in the Board Packet.

00:02:12

PRESIDENT ARMSTRONG OPENED THE PUBLIC HEARING.

There were no public comments.

PRESIDENT ARMSTRONG CLOSED THE PUBLIC HEARING.

Upon the motion of Director Dan Gaddis and seconded, the Board adopted the Resolution.

Vote 4-0.

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

RESOLUTION NO. 2015-1380

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT CONFIRMING REPORT OF DISTRICT GENERAL MANAGER FOR UNPAID SOLID WASTE COLLECTION CHARGES

SUBJECT TO BOARD APPROVAL

President Armstrong announced that the Board would return to Presentations and Reports and hear Item C-1 next.

00:02:48

C. PRESENTATIONS AND REPORTS

- C-1) REPORT ON MAY 27, 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 May 27, 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.

00:03:17

- 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 Gaddis

- ◇ June 3, Attended Regional Water Management Group's (RWMG) meeting where they discussed selectees for the Proposition 84 funds.
- ◇ June 3, Attended Water Resources Advisory Committee's (WRAC) meeting.

Director Armstrong

- ◇ June 3, Attended Water Resources Advisory Committee's (WRAC) meeting where they gave a good presentation on recycled water.

00:04:40

- 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 Craig Armstrong and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.
 Vote 4-0.*

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

00:04:46

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS
 - MAY 27, 2015 REGULAR MEETING

There were no public comments.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

*Upon the motion of Director Dan Gaddis and seconded, the Board unanimously approved the consent agenda.
Vote 4-0.*

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

00:05:20

E. ADMINISTRATIVE ITEMS

ITEM E-1 WAS HEARD EARLIER IN THE MEETING

E-2) PUBLIC/PROTEST HEARING – AUTHORIZE COLLECTION OF FY 2015-16 BLACKLAKE STREET LIGHT DISTRICT ASSESSMENTS

Director Eby asked about the necessity for annual public hearings. Mike Seitz, District Legal Counsel, responded.

00:06:50

PRESIDENT ARMSTRONG OPENED THE PUBLIC HEARING.

There were no public comments.

PRESIDENT ARMSTRONG CLOSED THE PUBLIC HEARING.

*Upon the motion of Director Ed Eby and seconded, the Board adopted the Resolution.
Vote 4-0.*

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

RESOLUTION NO. 2015-1381
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PROVIDING FOR THE COLLECTION OF STREET LIGHT ASSESSMENTS ON THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE BLACKLAKE VILLAGE

00:07:09

E-3) PUBLIC/PROTEST HEARING – AUTHORIZE COLLECTION OF FY 2015-16 STREET LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS

Director Eby asked if the assessment was a fixed amount every year. Michael LeBrun, General Manager, responded.

00:08:00

PRESIDENT ARMSTRONG OPENED THE PUBLIC HEARING.

There were no public comments.

PRESIDENT ARMSTRONG CLOSED THE PUBLIC HEARING.

Nipomo Community Services District
REGULAR MEETING
MINUTES

Upon the motion of Director Ed Eby and seconded, the Board adopted the Resolution.
Vote 4-0.

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

RESOLUTION NO. 2015-1382
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE NIPOMO COMMUNITY SERVICES DISTRICT STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2015-2016

00:08:20

E-4) PUBLIC HEARING – ADOPT FISCAL YEAR 2015-16 BUDGET

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

00:08:50

PRESIDENT ARMSTRONG OPENED THE PUBLIC HEARING.

There were no public comments.

PRESIDENT ARMSTRONG CLOSED THE PUBLIC HEARING.

Upon the motion of Director Craig Armstrong and seconded, the Board adopted the Resolution 2015-1383.
Vote 4-0.

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

RESOLUTION NO. 2015-1383
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING THE 2015-2016 FISCAL YEAR BUDGET

Upon the motion of Director Craig Armstrong and seconded, the Board adopted Resolution 2015-1384.
Vote 4-0.

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

RESOLUTION NO. 2015-1384
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DETERMINING THE APPROPRIATION LIMITATION FOR THE 2015-2016 FISCAL YEAR

00:10:08

F. GENERAL MANAGER’S REPORT

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

- May production reports show that pumping was down 31% over May 2013. The conservation focus going forward is on turf and lawns.
- He has drafted letters for the top 100 single residential water users as well as commercial water users.
- The District has received \$2.1 million of \$2.2 million from the Proposition 84 grant.

SUBJECT TO BOARD APPROVAL

- *The Supplemental Water Project is progressing on schedule and within budget. Peter Sevcik, Director of Engineering and Operations, commented that water deliveries are scheduled for the first week of July.*
- *There will be public information sessions regarding supplemental water on June 23rd; 3 PM at the Blacklake Club House and 6 PM in the District Board Room.*
- *On June 12th, the San Luis Obispo County Chapter of the California Special District Association (CSDA) will hold their meeting at Wallace Group in San Luis Obispo.*
- *On June 16th, the Nipomo Mesa Management Area (NMMA) meeting will be held at NCSD.*
- *The District's website and social media sites have seen significant increases in visitors and interaction over the past couple months.*

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

There were no public comments.

G. COMMITTEE REPORTS

None.

00:38:56

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

There were no requests.

00:39:03

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).

2. ANNUAL PERFORMANCE REVIEW OF DISTRICT GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54957

00:39:30

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 9:39 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 10:50 a.m.

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

Mr. Seitz also reported that the Board commenced performance review of District General Manager and plan to complete the review at the next Regular meeting.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

ADJOURN

President Armstrong adjourned the meeting at 10:51 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	40 minutes
Closed Session	1 hour 11 minutes
TOTAL HOURS	1 hour 51 minutes

Respectfully submitted,

Michael S. LeBrun, General Manager and Secretary to the Board

Date