

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

FEBRUARY 14, 2018 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 14, 2018 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, Directors Eby, Gaddis, Armstrong and Woodson were present. Director Blair had a planned absence.

Pam Wilson, customer, thanked the Board of Directors for her ½ price garbage bill this month.

C. PRESENTATIONS AND REPORTS

C-1) 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

- *Ad Hoc Committee meeting to review the County's septic management plan was canceled because it was determined that additional comments were not necessary.*
- *February 8, attended South County Advisory Council (SCAC) Traffic and Circulation Meeting-topics included Tefft Street Interchange improvements and a demonstration traffic circle at Ida and Tejas.*

Director Gaddis

- *January 31, attended the RWMG Climate Change Workshop and recommended that water project should be scored high because water is necessary 24/7.*
- *February 5, attended the District Board Officer's meeting.*

Director Armstrong

- *February 7, attended the WRAC meeting.*

○ Director Eby

- *January 31, attended the RWMG Climate Change Workshop.*
- *February 5, attended the District Board Officer's meeting.*
- *February 6, attended Parks Department meeting-County to conduct a survey on county-wide needs for parks and recreation.*

00:00

- February 6, attended workshop sponsored by 4th District Supervisor candidate Jimmy Paulding
- February 7, attended the WRAC meeting.
- February 15, will attend LAFCO meeting and Nipomo Mesa Management Area (NMMA) Technical Group meeting.

C-2) 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 Gaddis 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 Gaddis, Woodson, Armstrong and Eby	None	Blair

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE JANUARY 24, 2018, REGULAR BOARD MEETING MINUTES

There were no public comments.

*Upon the motion of Director Woodson and seconded, the Board unanimously approved the Consent Items.
 Vote 4-0.*

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

E. ADMINISTRATIVE ITEMS

E-1) REVIEW PUBLIC DRAFT OF LOCAL AGENCY FORMATION COMMISSION (LAFCO) SPHERE OF INFLUENCE UPDATE AND MUNICIPAL SERVICES REVIEW [RECOMMEND REVIEW AND PROVIDE DIRECTION TO STAFF]

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet.

The Board of Directors reviewed the comments on the draft public draft and suggested edits.

The following members of the public spoke:

Noel Heal, Blacklake resident, commented on Table 3-8 on page 3-24 regarding the number of building permits issued.

Jim Gallagher, Blacklake resident, commented on comment #15 regarding Blacklake Sewer.

The Board President directed Staff to combine the comments and suggested edits into a letter. Board Officers will review the letter prior to submission to LAFCO no later than February 26.

09:06:00

10:00:00

E-2) 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]

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet.

The Board of Directors reviewed the Board By-Laws and suggested edits.

There were no public comments.

The Board President directed Staff to bring the item back for review and approval at the next regular Board meeting.

Board took a 5 minute Break at 10:04 a.m.

E-3) DESIGNATE A DIRECTOR AS VOTING DELEGATE AND CONSIDER MAKING A NOMINATION FOR LAFCO'S ALTERNATE SPECIAL DISTRICT SEAT [RECOMMEND DESIGNATE VOTING DELEGATE, CONSIDER NOMINATION AND DIRECT STAFF]

Director Woodson nominated Director Eby to be a candidate for the LAFCO Alternate Special District seat. There were no other nominations.

There were no public comments.

Upon motion of Director Gaddis and seconded, the Board unanimously approved the nomination of Director Eby.

Vote 4-0.

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

Director Armstrong was designated as the voting delegate to attend the February 23, 2018 Special District Annual Meeting in Avila Beach. Director Eby will deliver an updated resume to Staff for distribution to other CSD's in the County.

F. MANAGER'S REPORT

Mario Iglesias, General Manager, presented a verbal report.

- D. February 15, NMMA meeting*
- E. February 15, Blacklake meeting regarding sewer*
- F. February 20, Woodgreen Lift Station resident meeting*
- G. February 20, Board Officer meeting*
- H. February 21, St Joseph church meeting*
- I. February 21, Supervisor Compton and County staff at 2:00 p.m. at SLO County Government Center*

Staff is reviewing options on moving the supplemental water project forward due to lack of rain this winter.

There were no public comments.

1:09:00

1:21:00

G. COMMITTEE REPORTS

None

1:23:00

H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS

Director Armstrong

Requested an update on the Opterra report.

Director Woodson

Requested an opinion on the use of ratepayer funds to support an organization that was endorsing a political candidate.

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).

b) NCSD V LOS PRIMOS PROPERTIES, LLC (SAN LUIS OBISPO CASE NO. 16CV0512.

2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Gov. Code §54956.9): Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 – 1 potential case PURSUANT TO GC §54957.6

3. CONFERENCE WITH LEGAL COUNSEL –LIABILITY CLAIM PURSUANT TO GOVERNMENT CODE SECTION 54956.95
CLAIMANTS: KIMI SMART, NICHOLAS DANA

1:23:17

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Eby adjourned to Closed Session at 10:30 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 11:43 a.m.

Whitney McDonald, District Legal Counsel, announced that the Board discussed Item I.1(a) and (b), 2 and 3, but took no reportable action.

ADJOURN

President Eby adjourned the meeting at 11:44 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 30 minutes
Closed Session	1 hour 14 minutes
TOTAL HOURS	2 hour 44 minutes

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board

3-14-18
Date