

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

MARCH 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.
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A. CALL TO ORDER AND FLAG SALUTE

President Eby called the Regular Meeting of March 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, all Directors were present.

There was no public comment.

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

- *February 26, attended SCAC meeting and gave an update.*

Director Gaddis

- *February 20, attended the District Board Officer's meeting.*
- *March 6, attended the District Board Officer's meeting.*

Director Armstrong

- *March 7, attended the WRAC meeting.*

Director Eby

- *February 15, attended the LAFCO meeting.*
- *February 20, attended the District Board Officer's meeting.*
- *February 23, attended the SLO Chapter of CSDA annual meeting. The quorum was not met.*
- *March 6, attended the District Board Officer's meeting.*
- *March 7, attended the WRAC meeting.*
- *March 15, will attend LAFCO meeting.*
- *March 16, will attend Nipomo Mesa Management Area (NMMA) Technical Group meeting.*

00:00

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- 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 Armstrong 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 Armstrong, Gaddis, Woodson, Blair and Eby	None	None

03:45:00

D. CONSENT AGENDA

- D-1) WARRANTS

- D-2) APPROVE FEBRUARY 14, 2018, REGULAR BOARD MEETING MINUTES

- D-3) ADOPT A RESOLUTION TO ACCEPT THE AMENDMENT TO GRANT DEED AND COVENANTS RUNNING WITH LAND FROM LOS PRIMOS PROPERTIES, LLC, IN SUPPORT OF SUPPLEMENTAL WATER PROJECT [RECOMMEND ADOPT RESOLUTION AND ACCEPT AMENDMENT TO GRAND DEED AND COVENANTS RUNNING WITH THE LAND AND DIRECT STAFF TO RECORD EASEMENT AND CARRY OUT REMAINING TERMS OF SETTLEMENT AGREEMENT]

There were no public comments.

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

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

RESOLUTION 2018-1467
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING AMENDMENT TO GRANT DEED AND COVENANTS RUNNING WITH THE LAND FROM LOS PRIMOS PROPERTIES, LLC, APNs 090-291-039, 040, 043, 044, 045, and 046

E. ADMINISTRATIVE ITEMS

- E-1) APPROVE REVISED BOARD BY-LAWS AND POLICIES [RECOMMEND REVIEW AND DISCUSS REVISIONS AND, IF APPROPRIATE, ADOPT RESOLUTION APPROVING BOARD BY-LAWS AND POLICIES]

12:03:00

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

There were no public comments.

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*Upon the motion of Director Blair and seconded, the Board unanimously approved the Board By-Laws.
Vote 5-0.*

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

**RESOLUTION 2018-1468
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO
COMMUNITY SERVICES ADOPTING AMENDED BOARD BY-LAWS AND POLICIES**

E-2) CONSIDER LOCAL AGENCY FORMATION COMMISSION BALLOT FOR THE COMMISSION'S ALTERNATE SPECIAL DISTRICT MEMBER REPRESENTATIVE [RECOMMEND DIRECT STAFF TO CAST BALLOT FOR SELECTED ALTERNATE SPECIAL DISTRICT MEMBER REPRESENTATIVE]

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

A quorum was not met at the annual meeting so a mail-in ballot is required.

Director Eby stated he accepted the nomination and if elected will serve.

There were no public comments.

Upon motion of Director Armstrong and seconded, the Board unanimously approved voting for Director Eby.

Vote 5-0

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

E-3)) CONSIDER CALIFORNIA SPECIAL DISTRICT ASSOCIATION REQUEST FOR NOMINATIONS [RECOMMEND DISCUSS AND, IF DESIRED, NOMINATE CANDIDATE]

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

There were no public comments.

The Board members did not express interest in being nominated for CSDA seat.

No action was taken.

F. MANAGER'S REPORT

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

Upcoming Events:

March 15, Sheriff Town Hall Meeting at 6:00 p.m. at NCSD Board Room.

March 16, NMMA will review draft Annual Report.

May 12, Supervisor Compton is seeking help with a community clean-up day.

Active Shooter Response Training will be held for NCSD employees and Board Members, if interested, at a future date to be announced.

CSDA Legislative Days will be held in May. If interested, please contact the General Manager.

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Nipomo Chamber meeting for March has been canceled.

There were no public comments.

G. COMMITTEE REPORTS

Upcoming meetings:

Finance and Audit Committee meets March 15 at 2:00 p.m.

Administration Committee meets March 10 at 12:30 p.m.

President Eby created an Ad Hoc Committee to review the Blacklake Request for Proposal for a Rate Study and Consolidation Study and appointed himself and Director Armstrong to serve.

Ken Pacofsky, NCS D resident, stated that there is conflicting information as he sees building going on in Nipomo, yet Director Blair stated we are in a moratorium. He also stated Rossi will present a plan to the Blacklake community on Saturday, March 17 at 10:00 a.m.

H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS

None

I. CLOSED SESSION ANNOUNCEMENTS

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

a) SMVWCD VS. NCS D (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).

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

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Eby adjourned to Closed Session at 9:45 a.m.

The Board took a 5 minute break before commencing Closed Session.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 10:15 a.m.

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

ADJOURN

President Eby adjourned the meeting at 10:15 a.m.

44:32

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MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 45 minutes
Closed Session	0 hour 30 minutes
TOTAL HOURS	1 hour 15 minutes

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board

3/28/18

Date