

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

APRIL 24, 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 April 24, 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

- April 22, attended Oso Flaco Ad Hoc Committee meeting.

Director Gaddis

- April 1, attended Board Officers' meeting.
- April 3, attended IRWM meeting.
- April 15, attended Board Officers' meeting.
- April 19, attended Finance and Audit Committee meeting.

Director Armstrong

- April 1, attended WRAC meeting.

Director Eby

- April 1, attended Board Officers' meeting.
- April 2, attended Blacklake Master Association meeting.
- April 3, attended IRWM and WRAC meetings.
- April 4, attended Blacklake Ad Hoc Committee meeting.
- April 11, attended Blacklake Ad Hoc Committee meeting.
- April 12, attended meeting of the Blacklake Oversight Committee.
- April 15, attended Board Officers' meeting.
- April 18, attended LAFCO meeting.

Nipomo Community Services District
REGULAR MEETING
MINUTES

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 receiving and filing presentations and reports.
Vote 5-0.*

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

D. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE MARCH 27, 2019 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

D-3) INVESTMENT POLICY – FIRST QUARTER REPORT [RECOMMEND ACCEPT AND FILE REPORT]

D-4) INITIATE PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 [RECOMMEND ADOPT RESOLUTION]

Item D-2 was pulled for separate consideration as Director Gaddis was not present at the March 27, 2019 Board Meeting.

There were no public comments.

*Upon the motion of Director Woodson and seconded, the Board unanimously approved Consent Agenda items D-1, D-3 and D-4.
Vote 5-0.*

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

**RESOLUTION 2019-1504
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
INITIATING PROCEEDINGS FOR ANNUAL LEVY OF
ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE
DISTRICT NO. 1 FOR FISCAL YEAR 2019-2020 PURSUANT
TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE
CALIFORNIA STREETS AND HIGHWAYS CODE**

*Upon the motion of Director Blair and seconded, the Board approved Consent Agenda item D-2.
Vote 4-0.*

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

E. ADMINISTRATIVE ITEMS

**E-1) REVIEW PROPOSED LATE-FEE POLICY AND ADOPT RESOLUTION
 [REVIEW AND DISCUSS PROPOSED POLICY, EDIT AS NEEDED, AND CONSIDER
 ADOPTING A RESOLUTION IN SUPPORT OF LATE-FEE WAIVER POLICY]**

Mario Iglesias, General Manager, presented the item and answered questions from the Board. Director Woodson suggested an edit to the Late Waiver Request Application.

There were no public comments.

*Upon the motion of Director Woodson, and seconded, the Board unanimously approved the Resolution and amendment to the Late Waiver Request Application.
 Vote.5-0.*

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

**RESOLUTION 2019-1505
 A RESOLUTION OF THE BOARD OF DIRECTORS
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT
 ADOPTING A POLICY GOVERNING THE EXERCISE
 OF THE GENERAL MANAGER'S AUTHORITY TO
 WAIVE FEES ASSESSED ON CUSTOMER UTILITY
 ACCOUNTS AS A RESULT OF A DELINQUENT UTILITY BILL**

F. GENERAL MANAGERS REPORT

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

Pam Wilson, NCSD resident, asked about Will Serve Letters and the setting of water meters.

G. COMMITTEE REPORTS

- FINANCE AND AUDIT COMMITTEE
- AD HOC COMMITTEE – BLACKLAKE/NCSD OVERSIGHT COMMITTEE

Reports were given by Committee members.

There were no public comments

H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS

Director Woodson requested Staff investigate establishing a guest network for WiFi connection.

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a) SMVWCD 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) BENING Company, LLC v. Nipomo Community Services District (Court of Appeal, 2nd Dist., Case B286035)

Nipomo Community Services District
REGULAR MEETING
MINUTES

- 2. STEP ONE OF A TWO STEP ANNUAL PERFORMANCE REVIEW PROCESS OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION §54957

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

The Board took a 5 minute recess.


Whitney McDonald, District Legal Counsel, announced that the Board discussed Item 1(a) and 2. No update was required on Item 1(b) The Board took no reportable action.

ADJOURN

President Eby adjourned the meeting at 10:35 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 37 minutes
Closed Session	0 hour 58 minutes
TOTAL HOURS	1 hours 35 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board

5-8-2019

 Date