

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

**NOVEMBER 27, 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:

Provide our 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 November 27, 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, Directors Woodson, Blair, Armstrong and Eby were present. Director Gaddis was absent.*

*There were no public comments.*

#### C. PRESENTATIONS AND REPORTS

- C-1 RECEIVE LAFCO PRESENTATION ON ANNEXATION PRACTICES FROM LAFCO'S EXECUTIVE DIRECTOR [RECOMMEND RECEIVE AND FILE]

*David Church, Executive Director of SLO LAFCO, gave a presentation on LAFCO annexation process.*

*There were no public comments.*

- C-2) 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

- *November 25, attended SCAC meeting.*

#### Director Eby

- *November 18, attended Board Officers' meeting.*
- *November 19, attended NMMA meeting.*
- *November 21, attended LAFCO meeting.*
- *November 22, attended Blacklake Ad Hoc Committee meeting.*

- 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 Armstrong and seconded, the Board unanimously approved receiving and filing presentations and reports.*

*Vote 4-0.*

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

**D. CONSENT AGENDA**

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE NOVEMBER 13, 2019, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) ACCEPT FIRST QUARTER FISCAL YEAR 2019-2020 QUARTERLY FINANCIAL REPORT [RECOMMEND RECEIVE AND FILE REPORT]
- D-4) APPROVE REIMBURSEMENT FOR 671 SOUTH OAKGLEN WATERLINE [RECOMMEND ADOPT RESOLUTION]
- D-5) ACCEPT OFFER OF SEWER IMPROVEMENTS, EASEMENT, AND DEED RESTRICTION FOR DANA ELEMENTARY SCHOOL [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF IMPROVEMENTS, EASEMENT, AND DEED RESTRICTION]
- D-6) APPROVE 2020 BOARD MEETING SCHEDULE [RECOMMEND REVIEW AND APPROVE 2020 BOARD MEETING SCHEDULE]

*There were no public comments.*

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Consent Agenda.*

*Vote 4-0.*

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

**RESOLUTION NO. 2019-1532**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
APPROVING REIMBURSEMENT FOR WATERLINE IMPROVEMENTS  
AT SOUTH OAKGLEN AVENUE**

**RESOLUTION NO. 2019-1533**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING DANA ELEMENTARY SCHOOL SEWER EASEMENT,  
DEED RESTRICTION, AND SEWER IMPROVEMENTS**

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER ADOPTING REVISED NIPOMO COMMUNITY SERVICES DISTRICT ANNEXATION POLICY [RECOMMEND ADOPT RESOLUTION AMENDING ANNEXATION POLICY]

*There were no public comments.*

This item was tabled.

- E-2) INTRODUCE ORDINANCE AMENDING CHAPTER 3.03 OF THE DISTRICT CODE AND REVIEW PROPOSED DISCONTINUANCE OF RESIDENTIAL WATER SERVICE POLICY [RECOMMEND INTRODUCE, READ FULL TITLE, WAIVE FURTHER READING OF THE ORDINANCE, AND ORDER PUBLICATION OF A DISPLAY AD PER GOVERNMENT CODE SECTION 25124(b)(2) AND REVIEW DISCONTINUANCE OF WATER SERVICE POLICY]

*Mario Iglesias General Manager, and Lisa Bognuda, Finance Director, presented the item and answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Armstrong and seconded, the Board unanimously moved to introduce an Ordinance of Board of Directors of the Nipomo Community Services District amending the Nipomo Community Services District Code Chapter 3.03, waive further reading of the ordinance, and order publication of a ¼ page display ad regarding the ordinance in accordance with Government Code Section 25124(b)(2).  
Vote 4-0.*

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

**ORDINANCE NO. 2019-130**

**AN ORDINANCE OF BOARD OF THE DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING CHAPTER 3.03 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE**

*It was further directed that the Resolution to adopt the proposed Discontinuance of Residential Water Service Policy occur at the next regular meeting when the ordinance may be considered for adoption.*

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

- E-3) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR A 4 PARCEL COMMERCIAL DEVELOPMENT LOCATED AT 170 S. FRONTAGE ROAD, APN 092-576-013 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]

*Mario Iglesias, General Manager, answered questions from the Board.*

*Pam Wilson, NCSD resident, commented on the project.*

*Upon the motion of Director Blair and seconded, the Board unanimously approved the Intent-To-Serve letter with conditions outlined in the Staff Report.*

*Vote 4-0.*

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

**F. GENERAL MANAGER’S REPORT**

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

*There were no public comments.*

**G. COMMITTEE REPORTS**

President Eby, stated the BlackLake Ad Hoc Committee met to review the schedule.

*There were no public comments.*

**H. DIRECTORS’ REQUESTS 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 V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES

**J. PUBLIC COMMENT ON CLOSED SESSION ITEMS**

*There were no public comments*

*Craig Steele, District Legal Counsel, stated there was no need for Closed Session.*

**ADJOURN MEETING**

*President Eby adjourned the meeting at 10:07 a.m.*

MEETING SUMMARY	HOURS & MINUTES
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**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

Regular Meeting	1 hour 07 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	1 hour 07 minutes

Respectfully submitted,



12-11-2019

Mario Iglesias, General Manager and Secretary to the Board

Date