

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER
DATE: October 29, 2021



**CONSIDER APPOINTING A CANDIDATE TO FILL
THE VACANCY ON THE NIPOMO COMMUNITY SERVICES DISTRICT'S
BOARD OF DIRECTORS**

ITEM

Consider appointing a Director to the Nipomo Community Services District's Board of Directors from the candidates who submit a letter of interest [RECOMMEND REVIEW CANDIDATE LETTERS OF INTEREST, INTERVIEW CANDIDATES, SELECT AND SWEAR-IN THE CANDIDATE OF CHOICE AS THE DIRECTOR TO FILL THE VACANCY ON THE DISTRICT'S BOARD OF DIRECTORS].

BACKGROUND

The Nipomo Community Services District ("District") is looking to fill a vacancy on its Board of Directors and plans to fill that vacancy by appointing a candidate from a list of candidates who have submitted a letter of interest on or by 9:00 AM on November 2, 2021. There are formal government regulations that direct the District on the process for filling the vacancy.

Gov. Code § 1780 (a) and (b) VACANCIES — The District shall notify the county elections official of the vacancy no later than 15 days following either the date on which the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later. The District's Board of Directors were notified of the Board Member vacancy on October 13, 2021 and subsequently, the District notified the County on October 13, 2021, thereby meeting this requirement [Attachment B].

Gov. Code § 1780 (c) ACTION REQUIRED BY GOVERNING BOARD — The remaining District Board members have 60 days immediately subsequent to either the date on which the District Board is notified of the vacancy or the effective date of the vacancy, whichever is later, to either fill the vacancy: a) by appointment or b) by calling a special election. Your Board has indicated an interest in and are pursuing the appointment option for filling the vacancy. Therefore, the vacancy must be filled by December 13, 2021.

Gov. Code § 1780 (d) (1) APPOINTMENT — If the Board decides to appoint someone to fill the vacancy, the Board first must post a notice of the vacancy in three or more conspicuous places in the District at least 15 days before the appointment is made. On October 14, 2021, the District posted a notice of vacancy at the Nipomo branch of the County Library, the Nipomo Senior Center, and the District Office on South Wilson Street [Attachment C].

Gov. Code § 1780 (d) (1) APPOINTMENT — The Board must notify the county elections of the appointment no later than 15 days after the appointment is made. District staff will notify the County of San Luis Obispo of the results as directed in the regulation.

The person appointed by the Board of Directors will serve based on the following:

Gov. Code § 1780 (d) (2) (3) — The person appointed shall hold office until the next general District election that is scheduled 130 or more days after the date the District Board is notified of

the vacancy, and thereafter until the person elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall fill the balance of the unexpired term. If the term of office is due to expire following the next general District election and that election is scheduled 130 or more days after the date the county elections official is notified of the vacancy, the person appointed to the vacancy shall fill the balance of the unexpired term of his or her predecessor.

Following this direction, the appointed candidate will serve until the November 2022 election cycle.

FISCAL IMPACT

Minimal cost to prepare staff report.

STRATEGIC PLAN

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

RECOMMENDATION

Consider the information provided in the staff report and should your Board desire, select a candidate from the candidates who submit a letter of interest by November 2, 2021, and swear that individual in as the Director that will fill the vacancy on the District's Board of Directors.

ATTACHMENTS

- A. Candidates Letters of Interest, as submitted to date, to fill the vacant Director's seat on the District's Board of Directors
- B. Notice of Vacancy submitted to the County of San Luis Obispo Acting Clerk-Recorder
- C. Posted Public Notice of Vacancy, October 14, 2021 Notice.

NOVEMBER 2, 2021

ITEM 2

ATTACHMENT A

Mario Iglesias

From: Craig Armstrong
Sent: Wednesday, October 13, 2021 1:56 PM
To: Mario Iglesias
Subject: Board Vacancy

Please consider this my application to fill the board seat vacated when Bob Blair passed.

Following are my qualifications:

Nipomo resident
District customer
Retired certified public accountant
45 years of experience in accounting and corporate finance
Served 8 years as a NCSD director

Thank you for your consideration.

Craig Armstrong

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.

October 27, 2021

To/
UCSD
General Manager

I would like to be considered for
the open position on the Board of Directors.

Pamela Wilson

NOVEMBER 2, 2021

ITEM 2

ATTACHMENT B

NIPOMO COMMUNITY

BOARD MEMBERS

ED EBY, **PRESIDENT**
DAN ALLEN GADDIS, **VICE PRESIDENT**
BOB BLAIR, **DIRECTOR**
DAN WOODSON, **DIRECTOR**
RICHARD MALVAROSE, **DIRECTOR**



SERVICES DISTRICT

STAFF

MARIO IGLESIAS, **GENERAL MANAGER**
LISA BOGNUA, **FINANCE DIRECTOR**
PETER SEVCIK, P.E., **DIRECTOR OF ENG. & OPS.**
CRAIG STEELE, **GENERAL COUNSEL**

Serving the Community since 1965

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: ncsd.ca.gov

October 13, 2021

Helen Nolan, Acting Clerk-Recorder
Office of the County Clerk-Recorder
1055 Monterey Street
Suite D120
San Luis Obispo, CA, 93408

Re: Notice of Vacancy on the Nipomo Community Services District Board of Directors

Dear Ms. Nolan:

A vacancy on the Nipomo Community Services District Board of Directors has occurred due to the death of Director Robert Blair. The Board of Directors was notified of the vacancy on October 13, 2021. This letter serves as notice of the vacancy pursuant to Government Code Section 1780(b). Director Blair's term would have expired in 2024.

The Board of Directors will act to fill the vacancy by appointment or call a special election within 60 days of being notified of the vacancy pursuant to Government Code Section 1780. Because the vacancy occurred in the first half of Mr. Blair's term, if the Board appoints a replacement, the person appointed to fill Mr. Blair's position on the Board of Directors will serve until the next general District election on November 8, 2022.

Please contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mario Iglesias', is written over a faint, larger version of the same signature.

Mario Iglesias
General Manager,
Nipomo Community Services District

c: file

NOVEMBER 2, 2021

ITEM 2

ATTACHMENT C

NIPOMO COMMUNITY

BOARD MEMBERS

ED EBY, **PRESIDENT**
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October 14, 2021

NOTICE OF VACANCY AND AVAILABILITY OF APPLICATION FOR APPOINTMENT TO FILL THE VACANCY ON THE NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS


A vacancy on the Nipomo Community Services District Board of Directors has occurred due to the death of Director Robert Blair. The Board of Directors intends to fill the vacancy by appointment. The Board of Directors will make an appointment on or before December 12, 2021. The person appointed will serve until the next general District election on November 8, 2022.

The Board of Directors is accepting applications for the appointment.

A person seeking appointment to this position must, at a minimum, be a resident and registered voter of the District, and be able to attend regular Board meetings on the 2nd and 4th Wednesdays of each month at 9:00 am. Eligible persons who are interested in being appointed to fill this vacancy may apply by October 29, 2021. Please submit a letter of interest and qualifications and deliver it to the District office in person or by email between 8:00 am and 4:30 pm not later than October 29, 2021.

The Board reserves the right to appoint any qualified and interested person.

This notice has been posted at least 15 days prior to any appointment at three prominent locations in the District as required by Government Code Section 1780.



Mario E. Iglesias
General Manager

Email Address: miglesias@ncsd.ca.gov