



May 5, 2022

TO: LOCSD Board of Directors
FROM: Ron Munds, General Manager
SUBJECT: **Agenda Item 3B – 05/05/2022 Board Meeting**
Consider Local Agency Formation Commission (LAFCO) Request to vote for Special District Alternate Seat.

President
Matthew D. Fourcroy

Vice President
Charles L. Cesena

Directors
Troy C. Gatchell
Marshall E. Ochylski
Christine M. Womack

General Manager
Ron Munds

District Accountant
Robert Stilts, CPA

Unit Chief
Eddy Moore

Battalion Chief
Paul Provence

DESCRIPTION

This item requests your Board consider voting for the LAFCO Special District Alternate Seat position.

STAFF RECOMMENDATION

Staff recommends that the Board adopt the following motion:

Motion: I move that the Board elect _____ for the LAFCO Alternate Special District Member.

DISCUSSION

On April 6, 2022, the District received notice from LAFCO notifying the District of an election for the LAFCO Alternate Special District Member Seat. Two nominations for the seat have been submitted for Ed Eby, of Nipomo Community Services District, and Devin Capps, of Heritage Ranch Community Services District.

Attached are the statement of interest from both candidates, and the election memo sent from Rob Fitzroy.

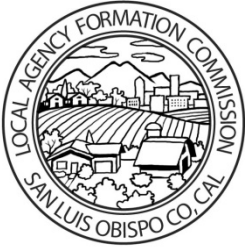
Attachments

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LAFCO - San Luis Obispo - Local Agency Formation Commission
SLO LAFCO - Serving the Area of San Luis Obispo County

COMMISSIONERS

Chairperson
ED WAAGE
City Member

Vice-Chair
DEBBIE ARNOLD
County Member

LYNN COMPTON
County Member

MARSHALL OCHYLSKI
Special District Member

ROBERT ENNS
Special District Member

STEVE GREGORY
City Member

HEATHER JENSEN
Public Member

ALTERNATES

DAWN ORTIZ-LEGG
County Member

ED EBY
Special District Member

CHARLES BOURBEAU
City Member

David Watson
Public Member

STAFF

ROB FITZROY
Executive Officer

BRIAN A. PIERIK
Legal Counsel

IMELDA MARQUEZ
Analyst

TO: EACH INDEPENDENT SPECIAL DISTRICT

FROM: ROB FITZROY, EXECUTIVE OFFICER *RF*

DATE: APRIL 6, 2022

RE: ELECTION FOR LAFCO ALTERNATE SPECIAL DISTRICT MEMBER

Background. The term of the current LAFCO Alternate Special District seat expired in December 2021. The new term will last until December 2025. The Cortese-Knox-Hertzberg Act allows the existing Commissioner to remain on LAFCO until the nomination and election process is complete. A nomination period commenced on February 15, 2022, and closed March 31, 2022. This is a request to submit a ballot for one of the nominees. Two nominees have been identified:

- Ed Eby – Nipomo Community Services District
- Devin Capps – Heritage Ranch Community Services District

Due to ongoing challenges with obtaining quorums, and impacts related to Covid-19, the election will be conducted via electronic format with intent to increase participation and improve efficiency, as allowed by the Cortese, Knox, Hertzberg Act. Directions are provided below.

Instructions. Each district may submit one ballot for one of the nominees, see attached ballot for your use. The election period will be 60 days and commence on April 6, 2022 and end on June 6, 2022. **BALLOTS DUE BY JUNE 6, 2022 at 5PM.** If your District wishes to submit a ballot, please place this item on an agenda at a meeting of your Board of Directors as soon as possible, or if you have already been delegated by your Board as the representative of your district, you may submit a ballot on behalf of your district.

The completed ballot form may be submitted to LAFCO via email to rfitzroy@slolafco.com. Please make sure the form is signed by the Board President or General Manager.

Thank you and please contact me with any questions.

Attachments: Ballot

cc: Members of the Local Agency Formation Commission
Brian Peirik, LAFCO Legal Counsel



**San Luis Obispo
Local Agency Formation Commission**

1042 Pacific Street, Suite A, San Luis Obispo, CA 93401

Tel: (805) 781-5795 | Fax: (805) 788-2072 | rfitzroy@slolafco.com

**BALLOT FOR LAFCO
ALTERNATE SPECIAL DISTRICT MEMBER ELECTION**

The _____
(Insert Name of Special District)

Hereby selects the following individual for the Alternate Special District Member seat on the San Luis Obispo Local Agency Formation Commission:

- Ed Eby – Nipomo Community Services District
- Devin Capps – Heritage Ranch Community Services District

The Board of Director's action was taken on an agenda item on:

(Insert Date of Board Agenda and Action)

(General Manager or Chairman/President)

Ed Eby

Nominee for LAFCO Alternate Special District Member



San Luis Obispo County Activities

- Former LAFCO Vice Chair, Commissioner and Alternate Commissioner representing Special Districts - Held elected positions on LAFCO from 2006 to 2012 and 2016 to present.
- President and Past Vice President, Nipomo Community Services District (NCSD) Board of Directors
- 16 years as NCSD Director
- Chairman NCSD Waterline Intertie Project Committee
- Chairman, 2006-2007 South County Advisory Council
- Past Elected Representative, Nipomo Community Advisory Council
- Member and Alternate Member, Water Resources Advisory Committee 2005-2012 and 2014 to present.
- Former Member, Technical Review Committee, South County Air Quality Mitigation Program
- Member, The Land Conservancy of San Luis Obispo County

Statement of Interest and Background

My primary interest on LAFCO has been to assure that annexations are supported by robust municipal services. At the Nipomo Community Services District, I have supported and directed a multi-million dollar project to bring an additional 3,000 acre-feet of water per year to the Nipomo Mesa, totally rebuilding our sewer plant, and merging the Black Lake Village and Town sewer plants. I am currently reviewing the NCSD water and sewer modifications required for a potential new development with 1,300-1,400 new homes.

Prior to my 1999 retirement from Hughes Space and Communications Co., I spent 35 years as a design engineer and program manager in Southern California's aerospace industry. I am a UCLA graduate with Bachelor of Science and Master of Science in Engineering degrees, and post-graduate studies in technical and management programs. I have lived in Nipomo for the last 20 years. In my spare time, I enjoy hiking and growing fruits, vegetables, and native plants.

April 8, 2022

All Districts,

I'm Devin Capps, the CEO of Capps Construction & Concrete and a second-generation builder. I live in beautiful Heritage Ranch with my wife and two children. We love living in this wonderful community and are working to keep it a beautiful, family-friendly place to live for years to come. I started Capps Construction in 2005 with a focus on customer satisfaction. Over the years, we have become experts in building homes and the various aspects associated with building a home, I am well versed in all types of home building, concrete contracting, masonry, drought-proof landscaping, and more. We take pride in our work and our community. I would bring a valuable perspective to the LAFCO board. Thank you for your consideration.

Devin Capps