

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

JUNE 22, 2022 AT 9:00 A.M.

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

ED EBY, **PRESIDENT**
RICHARD MALVAROSE, **VICE PRESIDENT**
DAN ALLEN GADDIS, **DIRECTOR**
DAN WOODSON, **DIRECTOR**
CRAIG ARMSTRONG, **DIRECTOR**

PRINCIPAL STAFF

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

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 June 22, 2022, 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.

Jim Wejrowski, Blacklake resident, asked if there could be updates on the Blacklake Consolidation project at Board meetings.

C. PRESENTATIONS AND REPORTS

C-1) WATER CONSERVATION EFFORTS - EAGLE AERIAL SOFTWARE PRESENTATION [RECOMMEND RECEIVE AND FILE]

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

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 Eby

- June 10, attended Board Officers' 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 approved receiving and filing presentations and reports.

Vote 5-0.

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

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D. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE JUNE 8, 2022, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]

Mario Iglesias, General Manager, answered questions regarding the warrants.

Director Eby requested to pull item D-3 for further discussion.

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda items D-1 and D-2.

Vote 5-0.

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

D-3) CONSIDER AUTHORIZING THE GENERAL MANAGER TO ENTER NIPOMO COMMUNITY SERVICES DISTRICT INTO A DIRECT PAYMENT AGREEMENT WITH HORNE LLP, FOR PAYMENTS RECEIVED UNDER THE LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM [RECOMMEND AUTHORIZE GENERAL MANAGER TO SIGN DIRECT PAYMENT AGREEMENT]

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

There were no public comments.

Upon the motion of Director Woodson and seconded, the Board approved the Consent Agenda item D-3.

Vote 5-0.

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

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E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER ADOPTING A RESOLUTION TO ESTABLISH PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR EUREKA WELL #2 PROJECT [RECOMMEND ADOPT RESOLUTION ESTABLISHING PRE-QUALIFICATION AND APPEALS POLICY FOR EUREKA WELL #2 PROJECT]

Peter Sevcik, Director of Engineering and Operations, presented the item and answered questions from the Board.

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Resolution. Vote 5-0.

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

RESOLUTION NO. 2022-1634
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING A PRE-QUALIFICATION POLICY AND APPEALS
PROCEDURE FOR THE EUREKA WELL #2 PROJECT

- E-2) CONSIDER NOTICE OF AVAILABILITY FOR THE DANA RESERVE SPECIFIC PLAN DRAFT ENVIRONMENTAL IMPACT REPORT [RECOMMEND CONSIDER SCHEDULE AND DIRECT STAFF]

Craig Steele, General Counsel, presented the item and answered questions from the Board.

Staff answered questions from the Board.

Craig Steele, General Counsel, indicated that staff would review and comment on the Draft Environmental Impact Report ("DEIR") for the Dana Reserve project on behalf of the District, and requested that Board members who have comments on the Section of the Draft EIR relevant to NCSD supply those comments for consideration at the July 13, 2022 Board meeting. Board members who have comments on the DEIR generally are free to make those comments individually.

Pam Wilson, NCSD Resident, announced that she would like to hear the Board's comments at the July 13, 2022 meeting.

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

None.

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H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Gaddis requested dates the General Manager would be away from NCSD on Travel to Europe. The General Manager reported those dates to be July 25 through August 7, 2022.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced that there would be no closed session.

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

- a. SMWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214,
SIXTH APPELLATE COURT CASE NO. H032750, AND ALL
CONSOLIDATED CASES

ADJOURN MEETING

President Eby adjourned the meeting at 10:17 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 17 minutes
Closed Session	0 hour 0 minutes
TOTAL HOURS	1 hour 17 minutes

Respectfully submitted,

 7/13/2022
 Mario Iglesias, General Manager and Secretary to the Board Date