

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

MARCH 9, 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 March 9, 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.

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

- *February 28, attended SCAC meeting*

Director Malvarose

- *February 25, attended Board Officers' meeting*

Director Gaddis

- *February 24, attended tour of the District's Southland Waste Water Facility and the Joshua Road pump Station*

Director Eby

- *February 24, attended tour of the District's Southland Waste Water Facility and the Joshua Road pump Station*
- *February 25, attended Board Officers' meeting*
- *March 2, attended WRAC meeting remotely*

C-2) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

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There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board unanimously approved receiving and filing presentations and reports.
Vote 5-0.

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE FEBRUARY 23, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) DECLARE 2007 FORD ESCAPE SURPLUS AND AUTHORIZE SALE [RECOMMEND DECLARE 2007 FORD ESCAPE SURPLUS AND AUTHORIZE STAFF TO DISPOSE OF BY SALE]

There were no public comments.

Upon the motion of Director Woodson and seconded, the Board approved the Consent Agenda.
Vote 4-1-0 on D-1.
Vote 5-0-0 on D-2 and D-3.

	YES VOTES	ABSTAIN	ABSENT
D-1	Directors Woodson, Armstrong, Gaddis, Eby	Malvarose	None
D-2 to D-3	Directors Woodson, Armstrong, Gaddis, Malvarose, and Eby	None	None

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER GRANT PROPOSAL FROM THE ACHIEVEMENT HOUSE IN AMOUNT OF \$34,950 FOR SOLID WASTE REMOVAL IN NIPOMO COMMUNITY COMMON AREAS [RECOMMEND APPROVE GRANT FUNDS AND DIRECT STAFF]

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

Pam Wilson, NCS D resident, commented that she liked the idea of the third party managing the solid waste removal.

Director Armstrong recommended that the proposed solid waste removal areas be expanded to include all of Pomeroy from Tefft to Willow and Willow from the freeway to Thompson.

Director Gaddis did a brief overview of the history of the previous contract with the Chamber of Commerce and the Achievement House and the misallocation of Achievement House Grant monies by the Nipomo Chamber of Commerce. He recommended that if a new Grant proposal is given to

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the Achievement House NCSD should issue two separate checks, one to the administering organization for its 10% fee, and one to the Achievement House for its clean-up activities.

Director Malvarose asked questions regarding the types of solid waste the Achievement House would be removing.

Danielle Skipper, Achievement House Representative, answered questions from the Board.

Director Woodson recommended that the District manage the contract with the Achievement House and refrain from using a third party to manage the contract.

*Upon the motion of Director Gaddis and seconded, the Board voted to approve grant funds to the Achievement House for solid waste removal in the Nipomo Community Services District with the Nipomo Recreation Association as the administering agency, with two separate checks to be issued with each payment by NCSD, one to Nipomo Recreation for a 10% administration fee, and a second check to Achievement House for it's clean-up activity costs. The General Manager to negotiate the cost of additional areas identified by the Board that would benefit the District.
Vote 4-1-0.*

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

F. GENERAL MANAGER'S REPORT

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

Director Eby asked how the Dana Reserve Project was going.

Director Malvarose asked when the District would resume late fees.

There were no public comments.

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby inquired about the District's approach to the Key Well Index coming out soon.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced the Board will not discuss item 1 in closed session but will discuss item 2 in closed session.

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

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

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2. ANNUAL PERFORMANCE REVIEW PROCESS OF DISTRICT LEGAL COUNSEL
PURSUANT TO GOVERNMENT CODE SECTION §54957

Craig Steele, District Legal Counsel, announced the Board discussed item 2 in closed session and there were no reportable actions.

ADJOURN MEETING

President Eby adjourned the meeting at 10:14 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 50 minutes
Closed Session	0 hour 24 minutes
TOTAL HOURS	1 hour 14 minutes

Respectfully submitted,



3/23/2022

Mario Iglesias, General Manager and Secretary to the Board

Date