

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

MAY 25, 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 May 25, 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, Director Armstrong, Woodson, Malvarose, and Eby were present. Director Gaddis was absent.

Pam Wilson, NSCD resident, asked about the current supervisor election and the district's interaction with the county.

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

- *May 18, attended Citizens Transportation Advisory Council meeting remotely.*
- *May 25, attended SCAC meeting.*

Director Eby

- *May 12, attended Finance and Audit Committee meeting.*
- *May 13, attended Board Officers' meeting.*
- *May 17, attended Blacklake Oversight Committee meeting.*
- *May 19, attended LAFCO meeting remotely.*
- *May 24, attended NMMA Technical group 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 approved receiving and filing presentations and reports.

Vote 4-0.

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MAY 11, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) REQUEST CONSOLIDATION OF DISTRICT BOARD ELECTION WITH FALL GENERAL ELECTION [RECOMMEND ADOPT RESOLUTION]
- D-4) ADOPT RESOLUTION AMENDING APPROPRIATIONS LIMIT FOR THE 2021-2022 FISCAL YEAR [RECOMMEND ADOPT RESOLUTION]
- D-5) CONSIDER CREATING A CUSTOMER SERVICE CLERK I/II/III SERIES AND INCORPORATING CURRENT JOB DESCRIPTIONS INTO THE NEWLY CREATED SERIES [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE DANA RESERVE RATE IMPACT STUDY [RECOMMEND RECEIVE AND FILE]

Clayton Tuckfield, Tuckfield and Associates, presented the item and answered questions from the Board.

There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board approved receiving and filing the presentations.

Vote 4-0.

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

- E-2) AMEND SOLID WASTE FRANCHISE AGREEMENT BETWEEN NIPOMO COMMUNITY SERVICES DISTRICT AND SOUTH COUNTY SANITARY SERVICES TO INCLUDE SENATE BILL 1383 REQUIREMENTS [RECOMMEND AUTHORIZE BOARD PRESIDENT TO SIGN AGREEMENT IN A FORM APPROVED BY THE GENERAL MANAGER AND DISTRICT LEGAL COUNSEL].

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

Upon the motion of Director Malvarose and seconded, the Board authorized the Board President to sign the amended solid waste franchise agreement.

Vote 4-0.

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

- E-3) APPROVE RESOLUTION TO ESTABLISH EMPLOYEE COST OF LIVING ADJUSTMENT (COLA) COMPUTATION MEASUREMENT PERIOD AND AMEND RESOLUTION TO REFLECT CHANGE [RECOMMEND RECEIVE REPORT AND ADOPT RESOLUTION]

Mario Iglesias, General Manager, presented the item.

There were no public comments.

Upon the motion of Director Woodson and seconded, the Board approved the Resolution.

Vote 4-0.

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

RESOLUTION NO 2022-1624
A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING METHODOLOGY OF COMPUTING EMPLOYEE
COST OF LIVING ADJUSTMENTS (COLA)

- E-4) (A) REVIEW DRAFT BUDGET FOR FISCAL YEAR 2022-2023 [RECOMMEND CONSIDER DRAFT BUDGET AND SCHEDULE FOR ADOPTION ON JUNE 8, 2022]

Mario Iglesias, General Manager, introduced the item.

Jana Ettetddgue, Administrative Supervisor, presented the item.

Lisa Bognuda, Finance Director, answered questions from the Board.

There were no public comments.

The Board agreed to set the Public Hearing to consider adoption of the Fiscal Year 2022-2023 Budget on June 8, 2022 at 9:00 a.m.

- (B) REVIEW THE DRAFT BUDGET FOR FISCAL YEAR 2022-2023 FOR THE NIPOMO SUPPLEMENTAL WATER PROJECT (NSWP) [RECOMMEND CONSIDER DRAFT BUDGET AND SCHEDULE FOR ADOPTION ON JUNE 8, 2022]

Jana Ettetddgue, Administrative Supervisor, presented the item and answered questions from the Board.

There were no public comments.

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The Board agreed to set the Public Hearing to consider adoption of the Fiscal Year 2022-2023 Nipomo Supplemental Water Budget on June 8, 2022 at 9:00 a.m.

- E-5) ADOPT ORDINANCE 2022-135 AMENDING CHAPTER 4.12, ORDINANCE 2020-132 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO ADDRESS PROVISIONS RELATING TO SEWER SERVICE FEES FOR ACCESSORY DWELLING UNITS [RECOMMEND ADOPT ORDINANCE, READ BY TITLE ONLY AND WAIVE FURTHER READING OF ORDINANCE]

Mario Iglesias, General Manager, presented the item. [a correction of the language, changing "introduce ordinance" to "adopt ordinance" in the staff report was identified and Director Armstrong who made the motion to adopt used the corrected language.]

There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board approved the Ordinance. Vote 4-0.

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

ORDINANCE NO. 2022-135
AN ORDINANCE OF BOARD OF THE DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING CHAPTER 4.12 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE TO ADD
PROVISIONS RELATING TO SEWER SERVICE FEES
FOR ACCESSORY DWELLING UNITS

- E-6) ADOPT RESOLUTION TO ADOPT RECOVERED ORGANIC WASTE PRODUCT PROCUREMENT POLICY [RECOMMEND ADOPT RESOLUTION]

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

Pam Wilson, NCSD Resident, said she liked the idea of informational stickers on the trashcans.

Upon the motion of Director Armstrong and seconded, the Board approved the Resolution. Vote 4-0.

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

RESOLUTION NO. 2022-1625
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING A RECOVERED ORGANIC WASTE
PRODUCT PROCUREMENT POLICY

F. GENERAL MANAGER'S REPORT

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

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G. COMMITTEE REPORTS

Director Eby attended the Finance and Audit Committee meeting where the draft budgets for fiscal year 2022/2023 for Nipomo Supplemental Water and Nipomo Community Services District were presented and reviewed.

Director Eby attended the Blacklake Oversight Committee meeting, where the Blacklake Sewer Consolidation and Blacklake Street lighting were discussed.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Armstrong requested that District staff provide notification to District customers that there will be four Board member seats available in the next election.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced to the Board that item 1.b. would be discussed in closed session.

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

- a. SMWCD V. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES
- b. ROBYN FLORES, ET AL V. R. MYERS, NIPOMO COMMUNITY SERVICES DISTRICT, ET AL (SAN LUIS OBISPO SUPERIOR COURT CASE NO. 22CV-0250)

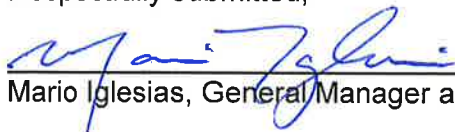
There were no reportable actions.

ADJOURN MEETING

President Eby adjourned the meeting at 10:40 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 30 minutes
Closed Session	0 hour 10 minutes
TOTAL HOURS	1 hour 40 minutes

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board

6-8-22

Date