

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

JUNE 10, 2020 AT 9:00 A.M.

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

BOARD of DIRECTORS

DAN ALLEN GADDIS, **PRESIDENT**
CRAIG ARMSTRONG, **VICE PRESIDENT**
BOB BLAIR, **DIRECTOR**
ED EBY, **DIRECTOR**
DAN WOODSON, **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.

Pursuant to Governor Newsom's Executive Order N-25-20, members of the Nipomo Community Services District Board or staff may participate in this meeting in person, or via teleconference. To protect the health and safety of the public, Board members, and staff, social distancing will be practiced at the District's physical location, 148 S. Wilson Street. Members of the public may choose to participate in person at this location or monitor the audio portion of the meeting and any public hearings telephonically by calling (800) 567-5900 (code 242-2614#). Pursuant to Governor Newsom's Executive Order N-29-20, members of the public may also comment – on items on this agenda or items not on the agenda but within the jurisdiction of the Board – via email sent to info@ncsd.ca.gov prior to the 9:00 am meeting start time. All emails received by that time will be distributed to the Board. Public participation in the meeting and public hearings will be taken only as described above. If any individual with a disability requires assistance to observe or participate in the meeting, please contact the District office by telephone at least 24 hours in advance.

A. CALL TO ORDER AND FLAG SALUTE

President Gaddis called the Regular Meeting of June 10, 2020, 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, Directors Gaddis, Eby, Armstrong and Blair were present in the Board Room. Director Woodson was present telephonically.

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 Armstrong

- *June 3, attended WRAC meeting.*

Director Blair

- *Emailed Supervisor Compton to invite her to a NCS D Board meeting.*

Director Eby

- *June 3, attended IRWM and WRAC meetings.*

Director Gaddis

- *June 1, attended Board Officers' meeting.*

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- *June 3, attended IRWM meeting. The committee voted to approve Round 1 grant funding as submitted.*

C-2) 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 unanimously approved receiving and filing presentations and reports.
Vote 5-0.*

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MAY 27, 2020, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE STAFF TO ISSUE REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES FOR BLACKLAKE SEWER CONSOLIDATION PROJECT [RECOMMEND AUTHORIZE STAFF TO ISSUE REQUEST FOR PROPOSALS]

Stephen Swinburne, Blacklake resident, wanted to know if the contract in Item D-3 would extend through the construction of the project. Peter Sevcik, Director of Engineering, explained that it does.

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved Consent Agenda.
Vote 5-0.*

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

E. ADMINISTRATIVE ITEMS

- E-1) PUBLIC HEARING – APPROVE GENERAL MANAGER’S REPORT AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES [RECOMMEND CONDUCT HEARING, AMEND GENERAL MANAGER’S REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING GENERAL MANAGER’S REPORT AND AUTHORIZING RECORDATION OF LIENS]

Mario Iglesias, General Manager, answered questions from the Board of Directors.

President Gaddis opened the Public Hearing.

There were no public comments.

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

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

RESOLUTION NO. 2020-1558

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT CONFIRMING REPORT OF DISTRICT GENERAL MANAGER AND ORDERING THE COLLECTION OF UNPAID SOLID WASTE COLLECTION CHARGES ON THE TAX ROLL

- E-2) PUBLIC HEARING - APPROVE ENGINEER'S REPORT AND AUTHORIZE COLLECTION OF FY 2020-21 STREET LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS [RECOMMEND CONDUCT HEARING, AMEND ENGINEER'S REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING ENGINEER'S REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS]

Mario Iglesias, General Manager, answered questions from the Board of Directors.

President Gaddis opened the Public Hearing.

There were no public comments.

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

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

RESOLUTION NO. 2020-1559

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2020-2021

- E-3) PUBLIC HEARING – APPROVE ASSESSMENT REPORT AND AUTHORIZE COLLECTION OF FY 2020-21 BLACKLAKE STREET LIGHTING DISTRICT ASSESSMENTS [RECOMMEND CONDUCT HEARING, AMEND ASSESSMENT REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING ASSESSMENT REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS]

Mario Iglesias, General Manager, answered questions from the Board of Directors.

President Gaddis opened the Public Hearing.

There were no public comments.

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

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

RESOLUTION NO. 2020-1560

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND
OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE
BLACKLAKE VILLAGE

E-4) A) PUBLIC HEARING TO ADOPT 2020-21 FISCAL YEAR BUDGET AND
APPROPRIATION LIMIT [RECOMMEND CONDUCT PUBLIC HEARING,
CONSIDER TESTIMONY, ORDER EDITS IF ANY AND BY MOTION AND ROLL
CALL VOTE ADOPT RESOLUTION APPROVING 2020-21 FISCAL YEAR BUDGET
AND APPROPRIATION LIMITAT]

(B) PUBLIC HEARING TO ADOPT 2020-21 FISCAL YEAR BUDGET FOR NIPOMO
SUPPLEMENTAL WATER PROJECT (NSWP) [RECOMMEND CONDUCT PUBLIC
HEARING, CONSIDER TESTIMONY, ORDER EDITS IF ANY AND BY MOTION AND
ROLL CALL VOTE ADOPT RESOLUTION APPROVING NSWP 2020-21 FISCAL
YEAR BUDGET]

*Mario Iglesias, General Manager, and Lisa Bognuda, Finance Director, answered
questions from the Board of Directors.*

President Gaddis opened the Public Hearing for Item E-4(A).

There were no public comments.

*Upon the motion of Director Eby and seconded, the Board unanimously approved
Resolution.*

Vote 5-0.

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

RESOLUTION NO. 2020-1561

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE 2020-2021 FISCAL YEAR BUDGET

RESOLUTION NO. 2020-1562

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DETERMINING THE APPROPRIATION LIMITATION FOR
THE 2020-2021 FISCAL YEAR

Mario Iglesias, General Manager, answered questions from the Board of Directors.

President Gaddis opened the Public Hearing for Item E-4(B).

There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board unanimously
approved Resolution.*

Vote 5-0.

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

RESOLUTION 2020-1563

**A RESOLUTION OF THE BOARD OF DIRECTORS
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT
 ADOPTING THE NSWP (NIPOMO SUPPLEMENTAL WATER PROJECT)
 2020-2021 FISCAL YEAR BUDGET**

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

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Armstrong requested staff look into accepting postmarks for utility bill payments and assessment of late fees. The General Manager said staff would put together a staff report discussing the pros/cons of accepting postmarks.

Director Eby requested a "road map" of the process for approval/annexation/schedule be presented along with the Key Well Index for the upcoming developer presentation. The General Manager will pass this request to those parties scheduled to participate in the upcoming presentation on June 24.

Director Gaddis requested the following even though the Court system is closed due to the Coronavirus, he requested in the next Board of Directors meeting on June 24, that the General Counsel in closed session give an updated briefing on any background efforts going on regarding the pending litigation of SMVWCD vs NCSD (Santa Clara County case).

I. CLOSED SESSION ANNOUNCEMENTS

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

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

Closed Session was not necessary


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ADJOURN MEETING

President Gaddis adjourned the meeting at 10:05 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 05 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	1 hour 05 minutes

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board

6-24-2020

Date