

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

**MAY 12, 2021 AT 9:00 A.M.**

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

### **BOARD of DIRECTORS**

ED EBY, **PRESIDENT**  
DAN ALLEN GADDIS, **VICE PRESIDENT**  
BOB BLAIR, **DIRECTOR**  
DAN WOODSON, **DIRECTOR**  
RICHARD MALVAROSE, **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—via email sent to [info@nicsd.ca.gov](mailto:info@nicsd.ca.gov) prior to the 9:00 am meeting start time. All emails received 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 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 Eby called the Regular Meeting of May 12, 2021, 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.*

### 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 Gaddis*

- *May 5, attended Board Officers' meeting.*

*Director Eby*

- *May 5, attended Board Officers' meeting.*
- *May 5, 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

*There were no public comments.*

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

| YES VOTES  | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Woodson, Blair, Malvarose, Gaddis, and Eby | None     | None   |

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE APRIL 28, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) ACCEPT THIRD QUARTER FISCAL YEAR 2020-2021 QUARTERLY FINANCIAL REPORT [RECOMMEND RECEIVE AND FILE REPORT]

District staff answered questions from the Board regarding the warrants.

There were no public comments.

Upon the motion of Director Blair and seconded, the Board approved the Consent Agenda, with Director Malvarose abstaining from voting on item D-1.  
Vote 4-0-1 on D-1.  
Vote 5-0 on D-2 and D-3.

|          | YES VOTES  | NO   | ABSTAIN   |
|----------|--|------|-----------|
| D-1      | Directors Gaddis, Blair, Woodson, Eby                | None | Malvarose |
| D-2, D-3 | Directors Blair, Malvarose, Woodson, Gaddis, and Eby | None | None      |

E. ADMINISTRATIVE ITEMS

- E-1) APPROVAL OF THE ENGINEER'S LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2021-2022 [RECOMMEND ADOPT RESOLUTION]

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

Upon the motion of Director Woodson and seconded, the Board unanimously approved the Levy Report and Resolution.  
Vote 5-0.

| YES VOTES  | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Woodson, Blair, Malvarose, Gaddis, and Eby | None     | None   |

RESOLUTION NO. 2021-1594  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
APPROVING THE ANNUAL ENGINEER'S LEVY REPORT,  
DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS  
FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1  
FOR FISCAL YEAR 2021-2022,  
AND SETTING A PUBLIC HEARING THEREON

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F. GENERAL MANAGER'S REPORT

*Mario Iglesias, General Manager, presented the General Manager's Report and answered questions from the Board.*

*There were no public comments.*

G. COMMITTEE REPORTS

*None.*

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*None.*

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

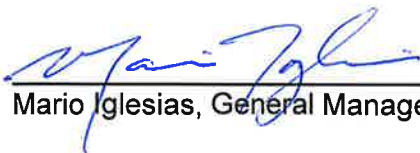
*Craig Steele, District Legal Counsel, announced the Board discussed Item 1 in Closed Session and took no reportable action.*

ADJOURN MEETING

*President Eby adjourned the meeting at 9:36 p.m.*

| MEETING SUMMARY | HOURS & MINUTES   |
|-----------------|-------------------|
| Regular Meeting | 0 hour 26 minutes |
| Closed Session  | 0 hour 10 minutes |
| TOTAL HOURS     | 0 hour 36 minutes |

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board

*5-26-21*

Date