

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: AUGUST 19, 2022



PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- 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

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

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 

FROM: LISA BOGNUDA
FINANCE DIRECTOR 

DATE: AUGUST 19, 2022

AGENDA ITEM
D-1(A)
AUGUST 24, 2022

WARRANTS

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$566,053.02
HAND WRITTEN CHECKS	NONE
VOIDED CHECKS	NONE

Item D-1(A) Warrants AUGUST 24, 2022

Nipomo Community Services District

By Payment Number

Payment Dates 08/24/2022 - 08/24/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 8687				
Brough Construction Inc.	Nipomo Palms Lift Station	06-FY21/22	08/24/2022	150,577.47
				Payment 8687 Total: <u>150,577.47</u>
Payment: 8688				
Achievement House, Inc.	Clean Streets Program (July-	74288	08/24/2022	11,752.33
				Payment 8688 Total: <u>11,752.33</u>
Payment: 8689				
Advantage Answering Plus,	Answering service	000026-037-601	08/24/2022	278.50
				Payment 8689 Total: <u>278.50</u>
Payment: 8690				
Amazon Capital Services, Inc.	10-Key Calculator	1LQT-QJMK-H33N	08/24/2022	326.02
				Payment 8690 Total: <u>326.02</u>
Payment: 8691				
Aqua-Metric Sales, Co.	RNI, Sensus Analytics, and Leak	INV0089897	08/24/2022	23,629.82
Aqua-Metric Sales, Co.	Radios and cables	INV0090079	08/24/2022	34,275.79
Aqua-Metric Sales, Co.	Sensus drive socket	INV0089558	08/24/2022	66.06
				Payment 8691 Total: <u>57,971.67</u>
Payment: 8692				
BDP Industries, Inc	Screen	14609	08/24/2022	644.72
				Payment 8692 Total: <u>644.72</u>
Payment: 8693				
Bognuda, Lisa	Mileage reimbursement- SLO	August 2022	08/24/2022	30.63
				Payment 8693 Total: <u>30.63</u>
Payment: 8694				
Brenntag Pacific, Inc.	Sodium Hypochlorite	BPI264929	08/24/2022	446.15
Brenntag Pacific, Inc.	Sodium Hypochlorite	BPI264931	08/24/2022	538.93
Brenntag Pacific, Inc.	Sodium Hypochlorite	BPI264927	08/24/2022	524.22
Brenntag Pacific, Inc.	Sodium Hypochlorite	BPI264930	08/24/2022	836.53
Brenntag Pacific, Inc.	Sodium Hypochlorite	BPI264928	08/24/2022	384.80
				Payment 8694 Total: <u>2,730.63</u>
Payment: 8695				
Brough Construction Inc.	Nipomo Palms Lift Station	06-FY22/23	08/24/2022	95,451.00
				Payment 8695 Total: <u>95,451.00</u>
Payment: 8696				
C&S Industrial Coatings	Rust off kit	8842	08/24/2022	193.47
				Payment 8696 Total: <u>193.47</u>
Payment: 8697				
Cannon Corporation	Summit Station Monitoring	81415	08/24/2022	375.00
Cannon Corporation	Eureka Well Completion-	81445	08/24/2022	884.50
Cannon Corporation	Palms Lift Station Support	81379	08/24/2022	899.25
				Payment 8697 Total: <u>2,158.75</u>
Payment: 8698				
Carquest Auto Parts	Bulb	7314-1321198	08/24/2022	6.78
				Payment 8698 Total: <u>6.78</u>
Payment: 8699				
Charter Communications	Internet - Shop and/or Office	0224495082022	08/24/2022	734.20
				Payment 8699 Total: <u>734.20</u>
Payment: 8700				
Charter Communications	Internet - Shop and/or Office	0225708082222	08/24/2022	734.20
				Payment 8700 Total: <u>734.20</u>

Item D-1(A) Warrants AUGUST 24, 2022

Payment Dates: 08/24/2022 - 08/24/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 8701				
Coastal Occupational Medical	Pre-employment physical	6107	08/24/2022	240.00
Payment 8701 Total:				240.00
Payment: 8702				
Diana Gomez	Refund 102 E Price	Refund 102 E Dana	08/24/2022	390.00
Payment 8702 Total:				390.00
Payment: 8703				
Engel & Gray, Inc.	Biosolids collection	27X00075	08/24/2022	7,188.16
Payment 8703 Total:				7,188.16
Payment: 8704				
Enotice Inc.	Public Notice- Foothill MND	BOA9D0E7-0005	08/24/2022	252.18
Payment 8704 Total:				252.18
Payment: 8705				
Excel Personnel Services, Inc.	Employment agency	4012125	08/24/2022	527.00
Excel Personnel Services, Inc.	Employment agency	4016703	08/24/2022	527.00
Payment 8705 Total:				1,054.00
Payment: 8706				
Famcon Pipe and Supply, Inc.	Rubber Repair Kit	S100084977.001	08/24/2022	92.44
Famcon Pipe and Supply, Inc.	Concrete mix	S100084813.001	08/24/2022	249.24
Payment 8706 Total:				341.68
Payment: 8707				
FGL Environmental	Lab tests	282320A	08/24/2022	808.00
Payment 8707 Total:				808.00
Payment: 8708				
Gibbs International Truck	International maintenance	56123	08/24/2022	368.67
Payment 8708 Total:				368.67
Payment: 8709				
Iglesias, Mario	Cell phone reimbursement	July 2022	08/24/2022	65.00
Iglesias, Mario	Cell phone reimbursement	August 2022	08/24/2022	65.00
Payment 8709 Total:				130.00
Payment: 8710				
Integrated Industrial Supply,	Gloves and Operating supplies	86057	08/24/2022	594.78
Payment 8710 Total:				594.78
Payment: 8711				
Mission Uniform Service	Uniforms	517585242	08/24/2022	211.77
Payment 8711 Total:				211.77
Payment: 8712				
MNS Engineers, Inc.	CM-Nipomo PalmsLift Station	81006	08/24/2022	10,228.00
Payment 8712 Total:				10,228.00
Payment: 8713				
NewLane Finance Company	Telephone	11426-04/08/2022	08/24/2022	355.23
Payment 8713 Total:				355.23
Payment: 8714				
NexTraq	GPS subscription	AT1470770	08/24/2022	507.15
NexTraq	GPS subscription	HWI080697	08/24/2022	20.00
Payment 8714 Total:				527.15
Payment: 8715				
Nipomo Area Recreation	July 2022-Billing of Clean Streets July 2022		08/24/2022	474.10
Payment 8715 Total:				474.10
Payment: 8716				
Nipomo Community Services	Water	JULY 2022	08/24/2022	948.76
Payment 8716 Total:				948.76
Payment: 8717				
Nunley & Associates, Inc.	Southland WWTF Influent LS	101056	08/24/2022	527.88
Nunley & Associates, Inc.	Frontage Road Trunk sewer	101087	08/24/2022	3,901.13

Item D-1(A) Warrants AUGUST 24, 2022

Payment Dates: 08/24/2022 - 08/24/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Nunley & Associates, Inc.	149 S. Frontage Road-Dutch	101055	08/24/2022	876.79
Nunley & Associates, Inc.	Dana Reserve Water and Sewer	101063	08/24/2022	2,298.19
Nunley & Associates, Inc.	Frontage Road Commercial	101158	08/24/2022	8,672.99
Nunley & Associates, Inc.	Lucky Lane PCIA	101054	08/24/2022	402.80
Nunley & Associates, Inc.	Branch St Waterline	101088	08/24/2022	1,704.66
Nunley & Associates, Inc.	Southland WWTF O&M Manual	101086	08/24/2022	3,051.38
Nunley & Associates, Inc.	NOI for General Discharge	101085	08/24/2022	726.15
Payment 8717 Total:				22,161.97
Payment: 8718				
Office Depot	Office supplies	257516717001	08/24/2022	73.51
Office Depot	Office supplies	257700746001	08/24/2022	32.03
Office Depot	Office supplies	257567410001	08/24/2022	10.29
Payment 8718 Total:				115.83
Payment: 8719				
Paxxo (USA), Inc.	Cassette	F22-203	08/24/2022	564.10
Payment 8719 Total:				564.10
Payment: 8720				
Perry Ford Lincoln	Ford 2022 F-250	221004	08/24/2022	44,089.40
Payment 8720 Total:				44,089.40
Payment: 8721				
Perry's Electric Motors &	Pump repair	26213	08/24/2022	5,097.98
Payment 8721 Total:				5,097.98
Payment: 8722				
PG&E	Electricity	August 2022	08/24/2022	74,548.90
Payment 8722 Total:				74,548.90
Payment: 8723				
Pollard Water	LPD CDHLR tablet	WP031346	08/24/2022	3,838.48
Payment 8723 Total:				3,838.48
Payment: 8724				
Polydyne, Inc.	Clarifloc	1661427	08/24/2022	3,296.91
Payment 8724 Total:				3,296.91
Payment: 8725				
Powerstride Battery Co., Inc.	Pump battery	85180	08/24/2022	18.94
Payment 8725 Total:				18.94
Payment: 8726				
Quinn Company	Operating supplies	PC030347875	08/24/2022	25.06
Payment 8726 Total:				25.06
Payment: 8727				
Ray Morgan Company	B&W/Color copies	3812191	08/24/2022	196.10
Ray Morgan Company	B&W/Color copies	3812192	08/24/2022	292.00
Payment 8727 Total:				488.10
Payment: 8728				
Santa Maria Ford Lincoln	Oil Change-2017 Ford F250	218857	08/24/2022	67.93
Payment 8728 Total:				67.93
Payment: 8729				
Sedaru, Inc.	Annual Software Subscription	101695	08/24/2022	38,400.00
Payment 8729 Total:				38,400.00
Payment: 8730				
Simplot Grower Solutions	CAN 17	851069058	08/24/2022	966.95
Simplot Grower Solutions	CAN 17	780153593	08/24/2022	752.07
Payment 8730 Total:				1,719.02
Payment: 8731				
SLO County Air Pollution	Modified Permit for Sludge	22388	08/24/2022	551.25
Payment 8731 Total:				551.25

Item D-1(A) Warrants AUGUST 24, 2022

Payment Dates: 08/24/2022 - 08/24/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 8732				
Spiegs Construction Co.	Drying bed cover replacement	222131	08/24/2022	8,207.22
Payment 8732 Total:				8,207.22
Payment: 8733				
Statewide Traffic Safety &	Custom decal	03021172	08/24/2022	80.44
Payment 8733 Total:				80.44
Payment: 8734				
UPS Store #6031	Shipping	12	08/24/2022	187.16
Payment 8734 Total:				187.16
Payment: 8735				
USA Bluebook	Operating supplies	078607	08/24/2022	17.21
USA Bluebook	Reagent, dipper handle, and	053755	08/24/2022	843.39
USA Bluebook	Ammonia test	075575	08/24/2022	83.90
USA Bluebook	CHEMKEY	054909	08/24/2022	1,822.28
USA Bluebook	CHEMKEY	072571	08/24/2022	4,552.88
USA Bluebook	Chlorine reagent	079148	08/24/2022	6,361.59
USA Bluebook	Ammonia test	075554	08/24/2022	83.90
USA Bluebook	Operating supplies	071238	08/24/2022	30.56
USA Bluebook	CHEMKEY	074616	08/24/2022	83.97
Payment 8735 Total:				13,879.68
Payment: 8736				
Vargas, Alfonso & Yolanda	Washer Rebate	8/10/22	08/24/2022	75.00
Payment 8736 Total:				75.00
Payment: 8737				
Xylem Water Solutions USA,	Sensor	3556C35733	08/24/2022	936.80
Payment 8737 Total:				936.80

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER



FROM: LISA BOGNUDA
FINANCE DIRECTOR



DATE: AUGUST 19, 2022

AGENDA ITEM
D-1(B)
AUGUST 24, 2022

WARRANTS – BLACKLAKE ASSESSMENT DISTRICT 2020-1

COMPUTER CHECKS GENERATED – SEE ATTACHED
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\$6,043.25

Item D-1(B) Warrants AUGUST 24, 2022

Nipomo Community Services District

By Payment Number

Payment Dates 08/24/2022 - 08/24/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 65				
Cannon Corporation	Blacklake Sewer Consolidation	81438	08/24/2022	6,043.25
			Payment 65 Total:	<u>6,043.25</u>

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER
DATE: AUGUST 19, 2022

AGENDA ITEM
D-2
AUGUST 24, 2022

**APPROVE AUGUST 10, 2022
REGULAR BOARD MEETING MINUTES**

ITEM

Approve action minutes from previous Board meetings. [RECOMMEND APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board Meeting action.

RECOMMENDATION

Approve Minutes

ATTACHMENT

- A. August 10, 2022 draft Regular Board Meeting Minutes

AUGUST 24, 2022

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MINUTES

AUGUST 10, 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 August 10, 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 about where the Board meeting minutes were posted.

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 Eby

- July 14, attended SLO County Planning Commission Dana Reserve study session meeting remotely.*
- July 21, attended LAFCO Dana Reserve study session meeting*
- July 22, attended Board Officers' meeting.*

- 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 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>

SUBJECT TO BOARD APPROVAL

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JULY 13, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INVESTMENT POLICY – QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]

Director Eby requested to pull item D-4 for further discussion.

There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board approved Consent Agenda items D-1 to D-3. Director Malvarose abstained from item D-1 and D-2 due to a conflict of interest relating to his employer and an absence at the July 13, 2022 meeting.
 D-1 to D-2 Vote 4-1.
 D-3 Vote 5-0.*

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

- D-4) CONSIDER OFFER OF WATER AND SEWER IMPROVEMENTS FOR CO 20-0016, 170 SOUTH FRONTAGE ROAD, NIPOMO [CONSIDER ACCEPTING OFFER OF IMPROVEMENTS]

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 Armstrong and seconded, the Board approved Consent Agenda item D-4.
 Vote 5-0.*

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

RESOLUTION NO. 2022-1638
 A RESOLUTION OF THE BOARD OF DIRECTORS
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT
 ACCEPTING CO 20-0016 WATER AND SEWER IMPROVEMENTS

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER REQUEST FOR WATER, SEWER, AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR A 56 UNIT RESIDENTIAL SUBDIVISION

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

LOCATED AT 655 JUNIPER STREET, NIPOMO [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

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 Armstrong and seconded, the Board approved the Intent-To-Serve letter with conditions.

Vote 5-0.

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

- E-2) CONSIDER REQUEST FOR WATER, SEWER, AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR 230 UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 222 S. FRONTAGE ROAD, NIPOMO [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

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 Armstrong, and seconded, the Board approved the Intent-To-Serve letter with conditions.

Vote 4-1.

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

- E-3) CONSIDER ANNUAL ADJUSTMENT TO GENERAL MANAGER'S BASE SALARY PURSUANT TO HIS EMPLOYMENT AGREEMENT [RECOMMEND APPROVAL OF ADJUSTMENT]

Craig Steele, General Counsel, presented the proposal to increase the General Manager's base salary by 7% to \$198,658.46 effective July 1, 2022 and answered questions from the Board.

There were no public comments.

Upon the motion of Director Armstrong, and seconded, the Board approved the adjustment to the General Managers base salary.

Vote 5-0.

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

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

F. GENERAL MANAGER'S REPORT

None.

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

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. SMWWCD V. NCSO (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 9:30 a.m.

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

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER

REVIEWED: CRAG A. STEELE
DISTRICT COUNSEL

DATE: AUGUST 16, 2022

**AGENDA ITEM
D-3
AUGUST 24, 2022**

BIENNIAL REVIEW OF LOCAL CONFLICT OF INTEREST CODE

ITEM

Conduct Biennial Review of Local Conflict of Interest Code and Direct Staff [RECOMMEND CONDUCT REVIEW AND DETERMINE NO UPDATE IS REQUIRED]

BACKGROUND

The Political Reform Act requires that the Nipomo Community Services District (District) maintain a local Conflict of Interest Code, which prohibits conflicts of interest and determines which District officials and employees must file annual statements of economic interest. The District must then review the local Code every two years to determine whether any changes or updates are necessary. The District last reviewed and adopted an updated Conflict of Interest Code in 2018 and it is due for another review this year. Amendments to the Conflict of Interest Code are typically required if any of the following questions are answered in the affirmative:

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the last code was approved?
- Have any positions been eliminated or re-named since the last code was approved?
- Have any new positions been added since the last code was approved?
- Have there been any substantial changes in duties or responsibilities for any positions since the last code was approved?

Staff and District Counsel believe the answers to each of the questions is no. As part of the biennial review process, and to affirm to the District's constituents that the District carefully complies with State law on conflicts of interest, District Counsel recommends that the Board review the local Conflict of Interest Code. If the Board agrees with staff's assessment, to the best of Board Members' knowledge, the Board should confirm with staff that no update is required.

The District is required to submit a report to the San Luis Obispo County Clerk-Recorder by October 1, 2022, indicating whether the District's Conflict of Interest Code requires revisions (see Attachment B). If the Board concurs with staff and District Counsel, the District General Manager will provide the required form, to the County Clerk-Recorder before the October 1, 2022 deadline.

FISCAL IMPACT

The District's current Conflict of Interest Code does not create additional fiscal impacts to the District.

STRATEGIC PLAN

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

6.A. ACTIVITIES FOR COMPLETION

A.1. Periodically review, update and reaffirm District policies and procedures.

RECOMMENDATION

It is recommended that your Board review the District's Local Conflict of Interest Code and direct staff to inform the County that, to the best of the Board Members' knowledge, no update is required.

ATTACHMENTS

- A. Nipomo Community Services District Local Conflict of Interest Code
- B. 2022 Local Agency Biennial Notice

AUGUST 24, 2022

ITEM D-3

ATTACHMENT A

RESOLUTION 2018-1484

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING AN UPDATED CONFLICT OF INTEREST CODE**

WHEREAS, the Nipomo Community Services District (herein "District") is a local governmental agency formed and authorized to provide services within its jurisdiction, pursuant to Section 61000 et seq. of the California Government Code;

WHEREAS, the Political Reform Act, Government Code Sections 81000, et seq., requires the District to adopt a Conflict of Interest Code;

WHEREAS, the Fair Political Practices Commission has adopted a standard model Conflict of Interest Code, codified at 2 California Code of Regulations Section 18730, which can be incorporated by reference as the District's Conflict of Interest Code;

WHEREAS, the District Board of Directors, by prior Resolution 2016-1423, adopted Regulation 18730 by reference as the District's Conflict of Interest Code; and

WHEREAS, the District Board of Directors has reviewed its Conflict of Interest Code and recommends that a new Conflict of Interest Code be adopted, as shown in Exhibit "A" hereto and its Appendix.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District does hereby resolve, declare, determine and order as follows:

1. The District adopts its Conflict of Interest Code attached as Exhibit "A" to this Resolution, including the Appendix attached thereto which designates District officers and employees that are deemed to make, or participate in the making of, decisions which may have a material effect on a financial interest and designates disclosure categories for its designated officers, employees, and consultants.

On the motion of Director Gaddis, seconded by Director Blair, and on the following roll call vote, to wit:

AYES: Directors Gaddis, Blair, Woodson, Armstrong and Eby
NOES: None
ABSENT: None
CONFLICTS: None

The foregoing resolution is hereby passed, approved and adopted by the Board of Directors of the Nipomo Community Services District this 8th day of August, 2018.



Ed Eby
President, Board of Directors

ATTEST:



Mario E. Iglesias
General Manager and Secretary to the Board

APPROVED AS TO FORM:



Whitney G. McDonald
District Legal Counsel

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2018-1484

EXHIBIT "A"

CONFLICT OF INTEREST CODE

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations Section 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Nipomo Community Services District (District)

Individuals holding designated positions shall file their statements of economic interests with the District, which will make the statements available for public inspection and reproduction (Gov. Code Sec. 81008). All statements will be retained by the District.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2018 – 1484

APPENDIX TO EXHIBIT "A"
(cont.)

NIPOMO COMMUNITY SERVICES DISTRICT
CONFLICT OF INTEREST CODE

DESIGNATED OFFICERS AND EMPLOYEES
WITH DISCLOSURE CATEGORIES

I. DESIGNATED POSITIONS

The persons occupying the positions listed below are hereby considered designated officers and employees and are deemed to make, or participate in the making of, decisions, which may have a material effect on a financial interest.

DESIGNATED POSITION	ASSIGNED DISCLOSURE CATEGORIES
Members of the Board of Directors	1
General Manager	1
District Legal Counsel	1
Assistant General Manager/Finance Director	1
Director of Engineering and Operations	1
Consultants*	2
New Positions	2

The District has determined that all the positions listed above manage public investments within the meaning of Government Code Section 87200 and California Code of Regulations title 2, Section 18720, and those persons holding these positions must file statements of economic interest (FPPC Form 700) pursuant to the state Political Reform Act.

* **Consultants.** "Consultant" has the same meaning as set forth in California Code of Regulations, Title 2, Section 18700.3.

II. DISCLOSURE CATEGORIES

Subject to the definitions set forth in the Political Reform Act and its applicable regulations:

Category 1. All persons in this disclosure category shall disclose the following:

- a) All reportable investments.
- b) All reportable interests in real property.
- c) All reportable income and loans.
- d) All reportable business positions in business entities.
- e) All reportable gifts, travel payments, advances, and reimbursements.

Category 2. All persons in this disclosure category shall disclose everything listed under Category 1, subject to the following limitation:

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2018 – 1484

APPENDIX TO EXHIBIT "A"
(cont.)

- a) The General Manager may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Section 81008.)

AUGUST 24, 2022

ITEM D-3

ATTACHMENT B

2022 Local Agency Biennial Notice

Name of Agency: Nipomo Community Services District
Mailing Address: 148 S. Wilson St., Nipomo, CA 93444
Contact Person: Mario Iglesias Phone No. 805.929-1133
Email: miglesias@ncsd.ca.gov Alternate Email: lbognuda@ncsd.ca.gov

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Mario Iglesias

Digitally signed by Mario Iglesias
Date: 2022.08.15 15:03:00 -07'00'

08/15/2022


Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

Administrative Office, ATTN: Clerk of the Board, 1055 Monterey St. Ste. D430, San Luis Obispo, CA 93408
Via e-mail: AD_Form700@co.slo.ca.us

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF ENGINEERING
AND OPERATIONS
DATE: AUGUST 19, 2022

**AGENDA ITEM
D-4
AUGUST 24, 2022**

**CONSIDER REQUEST FOR WATER, SEWER AND
SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER)
FOR AN ADDITIONAL DUPLEX LOCATED
AT 328 NORTH MALLAGH STREET**

ITEM

Consider request for water, sewer, and solid waste service (Intent-to-Serve Letter) for a multifamily residential development located at 328 North Mallagh Street, APN 090-092-023 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

BACKGROUND

The District received an application for water, sewer and solid waste service for a project located at 328 North Mallagh Street (APN 090-092-023) in September 2021 but the application was not complete until November 2021. The applicant, Freida O. Salvador, is requesting water, sewer and solid waste service for a multifamily residential development.

The project will consist of a total of two duplexes on a single parcel – one new duplex plus the existing duplex. The existing 11,400 SF parcel is zoned Single Family Residential and the District currently provides water, sewer and solid waste service for the parcel.

All parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing well(s) on the property will not be utilized to provide domestic water service to any part of the project.

In accordance with the District's Supplemental Water Accounting Policy, Resolution 2015-1372, water demand for the project will be tracked against the 500 AFY supplemental water project capacity reservation for new development. Based on the preliminary information provided, total water demand for the project is estimated at 1.06 acre-feet per year (AFY). Sufficient supplemental water for the project is available. After applying a credit of 0.53 AFY for the existing service, the project's supplemental water demand is estimated at 0.53 AFY. Sufficient supplemental water for the project is available.

Sufficient wastewater treatment capacity for the project is available in the District's Southland WWTF.

FISCAL IMPACT

Water and sewer capacity fees will be based on the domestic, fire and irrigation meter sizes requested for the final County approved project, as well as CAL FIRE's fire service requirements. Based on the information provided, the following services are proposed:

- Domestic: 1 @ 1-inch
- Irrigation: 1@ 1-inch
- Fire: 1 @ 1.5-inch
- Sewer: 1 service

The net estimated fee deposit for the project is \$20,392 based on the current FY 22-23 District fee schedule and considering the existing services already provided. Fees for Connection shall be calculated and owing as of the date the District accepts the public water and sewer improvements for the project and sets the water meter(s) to serve the affected property, from which the amount of the Deposit shall be deducted.

RECOMMENDATION

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for the project with the following conditions:

PROJECT-SPECIFIC CONDITIONS

- Applicant shall upsize existing 5/8-inch meter to a single 1-inch meter and appropriate backflow assembly for indoor water use. Water capacity charges are not applicable.
- A separate 1-inch irrigation meter and appropriate backflow assembly shall be provided for outdoor irrigation use. Water capacity charges are applicable.
- A separate 1.5-inch fire sprinkler service including appropriate backflow device, as required and approved by CAL FIRE of SLO County, shall be provided for fire sprinkler service. Fire capacity charges are applicable.

STANDARD CONDITIONS

- Project shall obtain water, sewer and solid waste service for all parcels.
- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service laterals are required.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water and sewer improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.

- Any easements required for private water and sewer laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water and sewer improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name prior to issuance of Will Serve letter.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.
- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
 - Reproducible "As Builts" - A mylar copy and digital format disk (PDF) which includes engineer, developer, tract number and water and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - Summary of all water and sewer improvement costs
- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than multifamily residential use as defined by the District.
- Intent-to-Serve letters shall automatically terminate three (3) years from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
 - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
 - Applicant provides proof of reasonable due diligence in processing the Project.
 - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- District service is conditioned on the applicant complying with all terms, conditions, rules, and regulations of other agencies that have jurisdiction over the project.
- This Intent-to-Serve letter shall not be interpreted as the District's Board of Directors endorsement of the project.
- The District reserves the right to revoke this Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

ATTACHMENTS

- A. Application
- B. Site Plan

AUGUST 24, 2022

ITEM D-4

ATTACHMENT A



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:

INTENT-TO-SERVE APPLICATION

1. This is an application for: Sewer and Water Service Water Service Only
2. SLO County Planning Department/Tract or Development No.: _____
3. Project location: 328 N. Mallagh Road, Nipomo, CA 93444
4. Assessor's Parcel Number (APN) of parcel(s) to be served: 090-092-093
5. Owner Name: Freida O. Salvador
6. Mailing Address: 565 W. Latimer, Ave. Campbell, CA 95008
7. Email: rufreida@gmail.com
8. Phone: 805-345-6725 FAX: _____
9. Agent's Information (Architect or Engineer):
 Name: Mario Alarcon (InsiteCivil, Inc.)
 Address: PO Box 928, Templeton, CA 93465
 Email: malarcon@insitecivil.com
 Phone: (805) 434-3256 FAX: (805) 434-3504

10. Type of Project: (check box) (see Page 3 for definitions)

<input checked="" type="checkbox"/> Single-family dwelling units (Duplex)	<input type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

11. Does this project require a sub-division? Yes No

If yes, number of new lots created _____

12. Site Plan:

For all projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11") of site plans.

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable. **Note that the District only provides one domestic meter per parcel.**

13. Board Approval:

Board approval is required for the following type of projects:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

14. **RESIDENTIAL SERVICE**

Single Family Residential (SFR)

Number of Parcel's created	0	Proposed number of SFR	4
----------------------------	---	------------------------	---

(One existing duplex; one proposed duplex)

Multi-Family Residential (MFR)

Number of Parcel's created		Proposed number of MFR	
Number of Domestic Meter(s)		Estimated Meter Size(s)	1
Number of Landscape Meter(s)		Estimated Meter Size(s)	1
Number of Fire System(s)		Estimated Meter Size(s)	1.5

15. **COMMERCIAL AND/OR MIXED USE SERVICE DEMAND ESTIMATES:**

Commercial and Mixed Use

Number of Parcel's created		Proposed number of residential dwellings	
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

16. Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. (See attached fixture unit counts)

Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.


Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....**See Attached Fee Schedule on Page 3**

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 9/29/2021

Signed


 (Must be signed by owner or owner's agent)

Print Name Mario Alarcon

DEFINITIONS

(Please note – these definitions do NOT reconcile with standard SLO County Planning Department definitions)

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Accessory (Secondary) dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Commercial – all non-residential and mixed-use projects.

APPLICATION FEES AND CHARGES
EFFECTIVE July 1, 2021

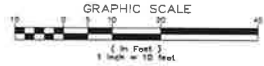
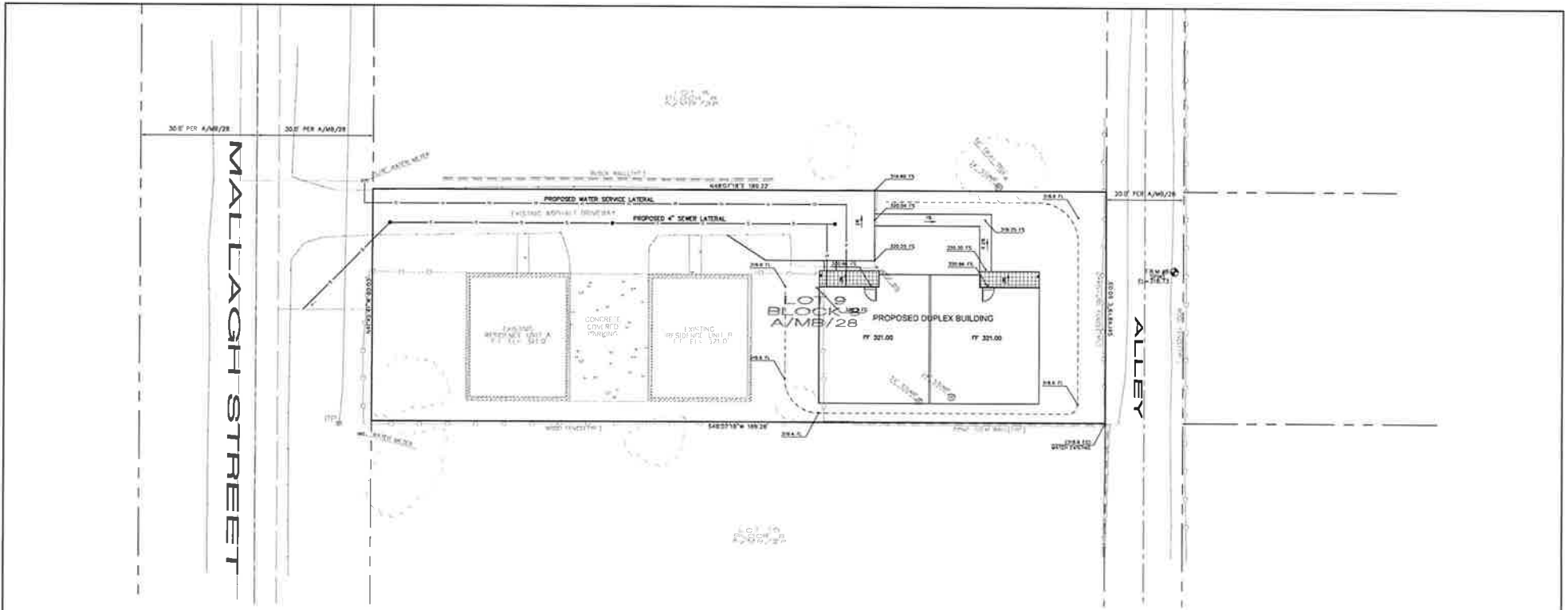
PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,298.85
Residential 4-20 units	\$1,784.09
Residential > 20 units	\$2,100.55
Commercial <1 acre	\$1,784.09
Commercial 1-3 acres	\$2,100.55
Commercial > 3 acres	\$2,902.22
Mixed Use with less than 4 Dwelling Units	\$2,100.55
Mixed Use with four or more Dwelling Units	\$2,902.22
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

**Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.

AUGUST 24, 2022

ITEM D-4

ATTACHMENT B



4. UNPLANNED USE - MALLAGH STREET - 30' PER A/MB/28
 5. UNPLANNED USE - ALLEY - 30' PER A/MB/28

BY	DATE	REVISIONS



INSITE CIVIL, INCORPORATED
 Professional Engineering Services
 P.O. Box 928, Tempton, CA 93465 (805) 454-3256

Date: 09/29/2021
 Scale: AS NOTED
 Design: MA
 Draw: MA
 Check: MA
 Proj. Eng: MA
 File:

SALVADOR
 328 N. MALLAGH STREET
 NIPOMO, CA
 APN 090-092-023

SITE PLAN

Sheet
 Of 3 Sheets
 JOB NUM BCK
 81003