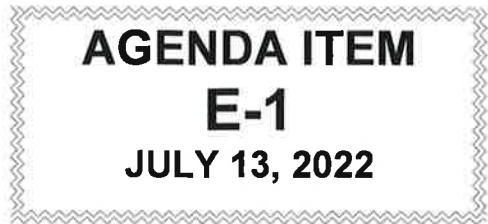


TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER *MAS for*
DATE: JULY 8, 2022



**CONDUCT PROTEST HEARING, DETERMINE PROTEST STATUS,
AND, IF THERE IS NOT A MAJORITY PROTEST, CONSIDER ADOPTING
A RESOLUTION INCREASING DISTRICT SOLID WASTE
RATES AND CHARGES**

ITEM

Conduct protest hearing, determine protest status, and, if there is not a majority protest, consider adopting a resolution increasing District solid waste rates and charges [RECOMMEND CONDUCT PROTEST HEARING AND ADOPT RESOLUTION IF NO MAJORITY PROTEST EXISTS]

BACKGROUND

South County Sanitary Services (SCSS) provides solid waste collection services to homes and businesses throughout southern San Luis Obispo County. SCSS provides these services to Nipomo Community Services District ("District") customers under a Franchise Agreement with the District.

On April 27, 2022, and May 11, 2022, your Board considered SCSS's application for a base year rate increase and discussed options for addressing the rate application. Your Board approved the rate study supporting a proposed 21.27% increase in solid waste rates and initiated the public hearing process pursuant to Proposition 218.

On or about May 20, 2022, at the direction of the District, SCSS mailed the Notice of Public Hearing on the proposed solid waste rate increase (Attachment B) to all owners of record and customers of record, meeting the 45-day noticing requirement under Proposition 218.

USE OF SOLID WASTE REVENUES

The District solid waste franchise is operated as a separate enterprise. The revenues derived from the solid waste rate increase do not exceed the funds required to provide solid waste service because the rates are calculated to provide:

- Sufficient funds for on-going operation and maintenance.
- Rehabilitate, replace and upgrade facilities or equipment needed to provide services for the District solid waste customers.
- Establish reserves to reduce risk and prudently manage the District's solid waste services.

Solid waste revenues collected from solid waste customers are deposited into designated accounts and cannot be used for any purpose other than that for which the charge is imposed as outlined above.

FISCAL IMPACT

With the adopted rate, the District will collect approximately \$180,000 in franchise fees annually to pay for solid waste activities within the community.

STRATEGIC PLAN

Strategic Plan Goal 4.B.1 - Evaluate, plan for and maintain finances that are adequate for all needs, stable, and reliable over the long-term.

Strategic Plan Goal 8.A.1 – Seek to maximize solid waste services for community and build understanding of services like hazardous waste, recycling, etc. and District's role.

RECOMMENDATION

Staff recommends as follows:

1. Conduct Public Hearing, receive Public Comment & receive Written Protests.
2. Close Public Hearing.
3. Establish number of valid Written Protests that have been submitted per Prop 218/Article XIII D of the California Constitution.
4. If there is no majority protest, by motion and roll-call vote, adopt Resolution Setting Rates for Solid Waste, Recycling, and Green Waste Services; or
5. If there is a Majority Protest, direct staff to develop alternatives.

ATTACHMENT

- A. Resolution 2022 – XXXX Setting Rates for Solid Waste, Recycling, and Green Waste Services
- B. Proposition 218 Notice to owners of record and customers of record

JULY 13, 2022

ITEM E-1

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
SETTING RATES FOR SOLID WASTE, RECYCLING, AND GREEN WASTE SERVICES
PROVIDED BY SOUTH COUNTY SANITARY SERVICE
WITHIN THE NIPOMO COMMUNITY SERVICES DISTRICT'S SERVICE AREA**

WHEREAS, pursuant to San Luis Obispo County Local Agency Formation Commission Resolution 2001-02 and Government Code section 61100(c), the Nipomo Community Services District ("District") is authorized to provide its residents with services for the collection and disposal of garbage and refuse matter; and

WHEREAS, the District has granted an exclusive franchise to the South County Sanitary Services ("SCSS") to provide solid waste, recycling, and green waste collection services (collectively, "solid waste services") to homes and businesses within the District under the Nipomo Community Services District Amended and Restated Solid Waste Collection Franchise Agreement dated August 27, 2008, as amended by the First Amendment to Amended and Restated Solid Waste Collection Franchise Agreement dated November 12, 2015 (collectively referenced herein as the "Franchise Agreement"); and

WHEREAS, District Code and the Franchise Agreement specify that rates and charges for the provision of solid waste services within the District are subject to Proposition 218, Section 6 of Article XIID of the California Constitution ("Proposition 218"); and

WHEREAS, SCSS has submitted a request to increase its rates and charges for solid waste services within the District, which requires compliance with Proposition 218; and

WHEREAS, to evaluate SCSS's request, the District retained William C. Statler ("Statler") to prepare a rate study "South County Sanitary Service Solid Waste Rate Review" ("April 2022 Report"); and

WHEREAS, the April 2022 Report prepared by Statler was presented to the District Board of Directors ("Board") at its regular meeting held on April 27, 2022, and

WHEREAS, at its regular meeting held on May 11, 2022 the Board considered and approved the Rate Study prepared for the proposed solid waste rate increase prepared by Statler referenced and incorporated herein as the "Rate Study," initiated the Proposition 218 process to increase solid waste rates and charges within the District by 21.27% as supported by the Rate Study, and set the public hearing on the proposed rate increase for July 13, 2022; and

WHEREAS, the District, pursuant to Article XIII D, §6(a) of the California Constitution, has provided written notice to record owners of identified parcels within the District upon which the fee or charge is proposed for solid waste collection services, which notice is incorporated herein by reference; and

WHEREAS, on July 13, 2022, the District conducted a duly noticed public hearing wherein the Board of Directors considered public comments in support and in opposition to the proposed rate increase and whether or not a majority protest to the proposed rate increase exists pursuant to Section 6 of Article XIII D of the California Constitution. A total of 4,350 parcels would be subject to the proposed rate increase; therefore, 2,175 protests would be needed to constitute a majority protest.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
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WITHIN THE NIPOMO COMMUNITY SERVICES DISTRICT'S SERVICE AREA

At the conclusion of the public hearing, the Board found that 8 written protests were received and that a majority protest did not exist; and

WHEREAS, based on facts and analysis presented in and relied on by the Rate Study, the facts and information provided in the rate adjustment application submitted by SCSS, the written protests received prior to the close of the July 13, 2022 public hearing, the Staff Reports, Staff Presentations, and public testimony received during the hearings and public meetings held on April 27, 2022, May 11, 2022, and July 13, 2022, the Board of Directors finds:

A. The District identified the parcels upon which the new rates and charges will be imposed, calculated the amount of the rates, and mailed notices to all Owners of Record and Customers of Record of properties responsible for the solid waste services rates and charges, which notices provided information on the proposed rates and charges, the basis for the calculation, the reason for the rates and charges, and the date, time, and location for a public hearing, which was not less than 45 days after the date of mailing.

B. The public hearing adopting this Resolution has been properly noticed pursuant to the Section 6 of Article XIII D of the California Constitution, the Proposition 218 Omnibus Implementation Act (Government Code §53750, et. seq.), and the Brown Act (Government Code §54950, et seq.).

C. The rates and charges adopted by this Resolution:

1. Are for the purposes of meeting operation, maintenance, and capital replacement expenses required to provide safe, environmentally sound, and reliable solid waste, recycling, and green waste collection, transportation and disposal or processing services to District customers.
2. Do not exceed the funds required to provide solid waste services to District customers.
3. Do not exceed the proportional cost of services attributable to those parcels receiving solid waste service.

D. The revenues derived from the solid waste rates and charges will not be used for any purpose other than that for which the charge is imposed; and

WHEREAS, Government Code §61115 authorizes the District to adopt rates and charges by resolution.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED, by the Board of Directors of the District as follows:

Section 1. Incorporation of Recitals

The Recitals are true and correct and incorporated herein by this reference. The Recitals and referenced reports and studies contained therein constitute and support the findings of the District in support of this Resolution.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
SETTING RATES FOR SOLID WASTE, RECYCLING, AND GREEN WASTE SERVICES
PROVIDED BY SOUTH COUNTY SANITARY SERVICE
WITHIN THE NIPOMO COMMUNITY SERVICES DISTRICT'S SERVICE AREA

Section 2. Solid Waste Rates and Charges

The rates and charges for the provision of solid waste services to customers within the District shall be as set forth in Exhibit "A" hereto, which is incorporated herein by reference.

Section 3. Effective Date

This Resolution shall take effect immediately. The rates and charges adopted by this Resolution shall take effect on September 1, 2022.

Section 4. Repeal of Prior Resolutions

To the extent that any prior District resolutions and sections of resolutions are inconsistent with this Resolution, they are hereby repealed.

Section 5. Effect of Repeal on Past Actions and Obligations

This Resolution does not affect prosecutions for violations of any District code or resolution committed prior to the effective date of this Resolution, does not waive any fee or penalty due and unpaid on the effective date of this Resolution, and does not affect the validity of any amounts owed, posted, filed, or deposited pursuant to the requirements of any prior resolution or ordinance.

Section 6. CEQA Findings

The Board of Directors of the District finds that the rates and charges adopted by this Resolution are for the purpose of meeting operating expenses, purchasing or leasing supplies, equipment, or materials, meeting financial reserve needs and requirements, and obtaining funds for capital projects that are necessary to maintain service within existing service areas, as set forth in detail in the Rate Study. Therefore, this action is exempt from the California Environmental Quality Act pursuant to Public Resources Code section 21080(b)(8) and CEQA Guidelines section 15273. The District General Manager is directed to prepare and file appropriate notices.

Section 7. Severance Clause

If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Resolution. The Governing Board of the District hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
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Upon the motion of Director _____ seconded by Director _____ and on the following roll call vote, to wit:

- AYES:
- NOES:
- ABSENT:
- CONFLICTS:

the foregoing resolution is hereby adopted this 13th day of July, 2022.

ED EBY, President
Nipomo Community Services District
Board of Directors

ATTEST:

APPROVED AS TO FORM AND EFFECT:

Mario Iglesias
General Manager and
Secretary to the Board

CRAIG STEELE
District Legal Counsel

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
SETTING RATES FOR SOLID WASTE, RECYCLING, AND GREEN WASTE SERVICES
PROVIDED BY SOUTH COUNTY SANITARY SERVICE
WITHIN THE NIPOMO COMMUNITY SERVICES DISTRICT'S SERVICE AREA**

EXHIBIT "A"

SOUTH COUNTY SANITARY SERVICE EFFECTIVE September 1, 2022 NIPOMO CSD			
Service Description	Pickups Per Week	Rate Adjustment %	Monthly Rate Effective 9/1/222
RESIDENTIAL:			
32 Gallon Waste Wheeler	1	21.27%	\$24.54
64 Gallon Waste Wheeler	1	21.27%	\$35.17
96 Gallon Waste Wheeler	1	21.27%	\$46.10
TWO-64 Gallon Waste Wheelers	1	21.27%	\$54.88
ONE 64 & ONE 96 Gallon	1	21.27%	\$63.66
TWO-96 Gallon Waste Wheelers	1	21.27%	\$72.48
Residential customers must use the waste wheelers provided by the garbage company.			
APARTMENTS, TRIPLEX, DUPLEX			
Rates are the same as commercial rates (below).			
COMMERCIAL DUMPSTERS - ALL AREAS:			
1 yd dumpster	1	21.27%	\$94.12
1 yd dumpster	2	21.27%	\$135.41
1 yd dumpster	3	21.27%	\$178.93
1 yd dumpster	4	21.27%	\$220.23
1 yd dumpster	5	21.27%	\$266.07
1 yd dumpster	6	21.27%	\$309.69
1 yd dumpster	7	21.27%	\$412.90
1.5 yd dumpster	1	21.27%	\$112.38
1.5 yd dumpster	2	21.27%	\$171.94
1.5 yd dumpster	3	21.27%	\$231.73
1.5 yd dumpster	4	21.27%	\$323.41
1.5 yd dumpster	5	21.27%	\$394.51
1.5 yd dumpster	6	21.27%	\$470.26
1.5 yd dumpster	7	21.27%	\$621.71
2 yd dumpster	1	21.27%	\$121.58

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
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2 yd dumpster	2	21.27%	\$199.52
2 yd dumpster	3	21.27%	\$284.32
2 yd dumpster	4	21.27%	\$415.22
2 yd dumpster	5	21.27%	\$509.33
2 yd dumpster	6	21.27%	\$607.86
2 yd dumpster	7	21.27%	\$832.63
3 yd dumpster	1	21.27%	\$144.51
3 yd dumpster	2	21.27%	\$270.60
3 yd dumpster	3	21.27%	\$378.46
3 yd dumpster	4	21.27%	\$674.32
3 yd dumpster	5	21.27%	\$800.56
3 yd dumpster	6	21.27%	\$935.85
3 yd dumpster	7	21.27%	\$1,289.04
4 yd dumpster	1	21.27%	\$208.71
4 yd dumpster	2	21.27%	\$314.34
4 yd dumpster	3	21.27%	\$451.85
4 yd dumpster	4	21.27%	\$708.84
4 yd dumpster	5	21.27%	\$878.47
4 yd dumpster	6	21.27%	\$997.82
4 yd dumpster	7	21.27%	\$1,550.58
6 yd dumpster	1	21.27%	\$313.06

The rates shown above include the monthly container rental fee and a semi-annual dumpster cleaning.

The rates are the same for bins and garwoods, when volume is identical. Bins and garwoods are types of containers used for recycling.

COMMERCIAL GARBAGE CANS - ALL AREAS:

1 Can *	1	21.27%	\$27.14
1 Can *	2	21.27%	\$45.40
2 Cans *	1	21.27%	\$54.27
2 Cans *	2	21.27%	\$90.80
3 Cans *	1	21.27%	\$83.21
3 Cans *	2	21.27%	\$136.19

* Maximum volume and weight per garbage can : 33 gallons / 80 pounds

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS
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SETTING RATES FOR SOLID WASTE, RECYCLING, AND GREEN WASTE SERVICES
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COMMERCIAL - OTHER CHARGES:			
All commercial customers are eligible for one standard 96-gallon recycling and one 64-gallon food waste cart serviced one time a week with no additional service charge. If you need more frequent recycling service, it can be provided at a 50% discount from the garbage service rates for the specified level of service required.			
MISCELLANEOUS CHARGES - ALL CUSTOMERS:			
Over stacked Garbage & extra bags Minimum/unit	each	21.27%	\$6.63
Over stacked Green waste & extra bags Minimum/unit	each	21.27%	\$3.32
Over stacked Recycle & extra bags Minimum/unit	each	21.27%	\$3.32
In yard service (per can or commodity) IN ADDITION TO STANDARD GARBAGE RATES	per month	21.27%	\$16.55
Extended Vacation Service	per month	21.27%	\$15.43
Vacant Rate	per month	21.27%	\$15.43
Waste wheeler cleaning	each time	21.27%	\$24.68
Trip charge	each time	21.27%	\$16.55
Non-payment downsize service	each time	21.27%	\$39.79
Non-payment redeliver waste wheeler	each time	21.27%	\$16.55
MISCELLANEOUS CHARGES - ALL CUSTOMERS (Con't):			
Non-payment reconnect service	each time	21.27%	\$39.79
Small item pickup (TV, toilet)	each	21.27%	\$38.83
Appliance pickup-residential	each	21.27%	\$54.74
Larger than residential appliance or glass, glass doors, or plate glass	by quote only		
Garbage extras on your scheduled pickup day	per yard	21.27%	\$13.97
Garbage extras -NOT ON YOUR SCHEDULED PICKUP DAY	per yard	21.27%	\$38.56
Commercial Waste Wheeler rent	per month	21.27%	\$3.50
Re-deliver bin on stopped acct	each time	21.27%	\$47.48
Compactor	per ton	21.27%	\$61.56
Sunday Service (in additional to garbage service level)	per month	21.27%	\$82.87
Tax Lien Cert. Mail Fee		21.27%	\$5.53
Recycle bin rental	per month	21.27%	\$56.18
Stand by time	per hour	21.27%	\$83.67
Extra bin cleaning		21.27%	\$74.07
Damage/Destruction of bins or waste wheelers	replacement/repair at market price		
Lock Charge	per month	21.27%	\$9.19

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS
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City Clean Up	per item	21.27%	\$15.18
Extra 32, 64, 96 Gal Waste Wheeler - Recycle	per month	21.27%	\$3.44
Extra 32, 64, 96 Gal Waste Wheeler - Green Waste	per month	21.27%	\$4.59
Short Term Dumpsters:			
Delivery & Pickup-Bin		21.27%	\$47.48
Delivery & Pickup-Waste Wheeler		21.27%	\$16.55
Rental	Per Day	21.27%	\$3.50
Empties	Per Yard	21.27%	\$38.56
Mattress:			
Twin	Each	21.27%	\$22.00
Double	Each	21.27%	\$22.00
Queen	Each	21.27%	\$22.00
King	Each	21.27%	\$22.00
ADDITIONAL INFORMATION ALL CUSTOMERS:			
<p>Late Fees are imposed for residential customers over 30 days delinquent and commercial customers over 30 days delinquent. The fee is 1.5% per month of the outstanding charge, with a minimum fee of \$5.00. No prior notice is required, as this late fee policy is stated at the bottom of every bill.</p>			
<p>Any additional recycling services are charged at 50% of the garbage rate.</p>			

JULY 13, 2022

ITEM E-1

ATTACHMENT B

Notice of Public Hearing Regarding Proposed Solid Waste Rate Increase

Property Owners and Tenants - Customers:

This notice is intended to inform you that the Nipomo Community Services District (the “Nipomo CSD” or “District”) will hold a public hearing regarding rate increases (the “Proposed Rate Increase”) proposed by South County Sanitary Service (the “Garbage Company”) for properties and customers receiving solid waste, recycling, and green waste services within the Nipomo CSD’s service area. The Proposed Rate Increase will be considered for approval by the Nipomo CSD Board of Directors at the date, time, and location specified below. Consistent with the requirements of Proposition 218, this notice also provides you with the following information:

- The Date, Time, and Place of the Public Hearing;
- The Reason for the Proposed Rate Increase;
- The Amount of the Proposed Rate Increase; and
- The Majority Protest Procedures.

NOTICE OF PUBLIC HEARING

The Public Hearing for the Proposed Rate Increase within the Nipomo CSD service area will be held on:

Date: July 13, 2022 **Time:** 9:00 am

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

At the Public Hearing, the Nipomo CSD will consider all public comment in support of and in opposition to the Proposed Rate Increase and whether or not a Majority Protest exists pursuant to the California Constitution (as described below). If approved, the Proposed Rate Increase would become effective on September 1, 2022.

Reason for the Proposed Rate Increase

The Proposed Rate Increase is 21.27 percent for solid waste, recycling, and green waste/organics collection services. The increase is necessary for the Garbage Company to continue to provide safe, environmentally sound, and reliable solid waste, recycling, green waste/organics collection, transportation and disposal/processing services to the citizens of the District. Several factors contributed to this rate increase request including, but not limited to: increased costs associated with the purchase and operation of collection vehicles, fuel costs, labor costs, and increased costs associated with the organics digester facility.

The organics digester facility is required by California Senate Bill 1383 (SB 1383), and previously approved California Assembly Bill 1826 (AB 1826). SB 1383 is a recent state law passed with the goal of reducing methane. Methane is a potent greenhouse gas, with more than 80 times the warming power of carbon dioxide, and is a major component of decomposing organic waste. In response to the harmful effects of methane gas, Cal Recycle (a branch of the California Environmental Protection Agency) adopted regulations implementing SB 1383 in the fall of 2020. Key components of SB 1383 include implementing organic waste collection programs (including food waste), monitoring organics carts for contamination, and reporting data. AB 1826 requires local jurisdictions to develop a program to divert organic waste from landfills to an

authorized composting facility like the Anaerobic Digester where organic waste from Nipomo will be processed.

Basis of the Proposed Rate Increase

The total Proposed Rate Increase of 21.27 percent is based on the following cost increases incurred by the Garbage Company:

1. 5.88 percent of the Proposed Rate Increase is for capital investment costs of new collection vehicles, replacement containers and additional containers to meet the demands of SB 1383 compliance.
2. 6.20 percent of the Proposed Rate Increase is for increased capital equipment investments and escalating operating expenses related to the Anaerobic Digester.
3. 5.63 percent of the Proposed Rate Increase is for market wage adjustments to attract and retain quality employees.
4. 1.88 percent of the Proposed Rate Increase is for increases in the commingle processing fee
5. 1.68 percent of the Proposed Rate Increase is for increases in other operational expenses

In addition, commencing on January 1, 2023 and January 1, 2024, rates shall be increased based on the following:

1. Increases, if any, in the Consumer Price Index (CPI) for Bureau of Labor Statistics' Consumer Price Index for Urban Consumers based on the All U.S. City Average, Bureau of Labor Statistics for the months of June 2022 for January 1, 2023 and June 2023 for January 1, 2024.

A comparison of existing and new rates is shown on page 4.

At the March 9, 2022 San Luis Obispo County Integrated Waste Management Authority (IWMA) Board Meeting, a 5.4% solid waste management fee was adopted to account for operational and capital cost increases due largely to the implementation of SB 1383. The adopted fee went into effect on July 1, 2022. The District has authorized the Garbage Company to bill this fee on-behalf of the IWMA.

The IWMA is a Joint Powers Authority formed to plan and implement regional solid waste and hazardous waste programs mandated by State law. The Joint Powers Agreement between the Nipomo Community Services District and the IWMA can be made available by the District upon request or on the IWMA website at www.iwma.com.

A copy of the 2022 Base Year Rate Adjustment Application, which provides additional information on the proposed rate increases, is available at the Nipomo CSD office located at 148 South Wilson Street, Nipomo, CA 93444, and on the Nipomo CSD website: ncsd.ca.gov.

How Do I Protest the Proposed Rate Increase?

Pursuant to Section 6 of Article XIII D of the California Constitution, the following persons may submit a written protest against the Proposed Rate Increase to the Clerk of the Board before the close of the Public Hearing referenced above.

- An owner(s) of property (“owner of record”) within the District’s boundaries. If the person(s) signing the protest is not shown on the last equalized assessment roll as the owner of the parcel(s) then the protest must contain or be accompanied by written evidence that such person signing the protest is the owner of the parcel(s) receiving solid waste, recycling, or green waste service from the Garbage Company; OR
- “Customer of record” (tenant(s)) whose name appears on the Garbage Company’s records as the customer of record for the corresponding parcel receiving solid waste, recycling, or green waste service from the Garbage Company within the District’s boundaries.

A written protest must:

- 1) State that the identified property owner or customer of record is in opposition to the proposed solid waste, recycling, or green waste rate change;
- 2) Provide the identity of the affected parcel by assessor’s parcel number or street address;
- 3) Include the name and original signature (not a photocopy, email or fax copy) of the property owner or customer submitting the protest; **AND**
- 4) Include the date that the protest was signed.

One written protest per parcel will be counted in calculating a majority protest to the Proposed Rate Increase subject to the requirements of Section 6 of Article XIII D of the California Constitution. Written protests will not be accepted by e-mail or by facsimile. Verbal protests will not be counted in determining the existence of a majority protest. To be counted, a protest must be received in writing by the Clerk of the Board before the close of the Public Hearing referenced above.

Written protests may be mailed to:

**Nipomo CSD
P.O. Box 326
Nipomo, CA 93444-0326**

Written protests may be personally delivered to:

The Nipomo CSD administrative office (“Office”) is located at 148 S. Wilson Street, Nipomo CA. Persons interested in delivering a written protest in-person can present their protest during normal business hours at the Office or place their protest in the drop box located in the parking lot of the Office. Protests will be counted so long as they are **received** prior to the conclusion of the public hearing set for July 13, 2022, beginning at 9:00 am. Post-marked mailed protests received after conclusion of the public hearing are not counted. Protests submitted via e-mail or other electronic means will not be counted; only protests with original signatures will be counted.

If valid written protests are received from a majority of owners and/or tenants – customers on parcels receiving solid waste, recycling, and green waste services within the District’s service area – then the District will not adjust/increase the rates for the services.

Please see the Nipomo Community Services District’s website “ncsd.ca.gov” for additional information or contact the Garbage Company @ (805) 489-4246.

**SOUTH COUNTY SANITARY SERVICE
PROPOSED MONTHLY RATES
EFFECTIVE SEPTEMBER 1, 2022
NIPOMO CSD**

Service Description	Pickups Per Week	Current Monthly Rate Effective 1/1/2021	Proposed Rate Adjustment	Proposed Monthly Rate Effective 9/1/2022
RESIDENTIAL:				
32 Gallon Waste Wheeler	1	\$20.24	\$4.30	\$24.54
64 Gallon Waste Wheeler	1	\$29.00	\$6.17	\$35.17
96 Gallon Waste Wheeler	1	\$38.02	\$8.08	\$46.10
TWO-64 Gallon Waste Wheelers	1	\$45.26	\$9.62	\$54.88
ONE 64 & ONE 96 Gallon	1	\$52.50	\$11.16	\$63.66
TWO-96 Gallon Waste Wheelers	1	\$59.77	\$12.71	\$72.48
Residential customers must use the waste wheelers provided by the garbage company. This solid service fee for residential trash collections (container with black or gray lid) includes once a week pick-up of one greenwaste/organics container (green lid), and one recycling container (blue lid).				
APARTMENTS, TRIPLEX, DUPLEX				
Rates are the same as commercial rates (below).				
COMMERCIAL DUMPSTERS - ALL AREAS:				
1 yd dumpster	1	\$77.61	\$16.51	\$94.12
1 yd dumpster	2	\$111.66	\$23.75	\$135.41
1 yd dumpster	3	\$147.55	\$31.38	\$178.93
1 yd dumpster	4	\$181.61	\$38.62	\$220.23
1 yd dumpster	5	\$219.41	\$46.66	\$266.07
1 yd dumpster	6	\$255.38	\$54.31	\$309.69
1 yd dumpster	7	\$340.49	\$72.41	\$412.90
1.5 yd dumpster	1	\$92.67	\$19.71	\$112.38
1.5 yd dumpster	2	\$141.79	\$30.15	\$171.94
1.5 yd dumpster	3	\$191.09	\$40.64	\$231.73
1.5 yd dumpster	4	\$266.69	\$56.72	\$323.41
1.5 yd dumpster	5	\$325.32	\$69.19	\$394.51
1.5 yd dumpster	6	\$387.79	\$82.47	\$470.26
1.5 yd dumpster	7	\$512.68	\$109.03	\$621.71
2 yd dumpster	1	\$100.26	\$21.32	\$121.58
2 yd dumpster	2	\$164.53	\$34.99	\$199.52

Service Description	Pickups Per Week	Current Monthly Rate Effective 1/1/2021	Proposed Rate Adjustment	Proposed Monthly Rate Effective 9/1/2022
2 yd dumpster	3	\$234.46	\$49.86	\$284.32
2 yd dumpster	4	\$342.40	\$72.82	\$415.22
2 yd dumpster	5	\$420.01	\$89.32	\$509.33
2 yd dumpster	6	\$501.26	\$106.60	\$607.86
2 yd dumpster	7	\$686.61	\$146.02	\$832.63
3 yd dumpster	1	\$119.17	\$25.34	\$144.51
3 yd dumpster	2	\$223.14	\$47.46	\$270.60
3 yd dumpster	3	\$312.09	\$66.37	\$378.46
3 yd dumpster	4	\$556.06	\$118.26	\$674.32
3 yd dumpster	5	\$660.16	\$140.40	\$800.56
3 yd dumpster	6	\$771.73	\$164.12	\$935.85
3 yd dumpster	7	\$1,062.98	\$226.06	\$1,289.04
4 yd dumpster	1	\$172.11	\$36.60	\$208.71
4 yd dumpster	2	\$259.21	\$55.13	\$314.34
4 yd dumpster	3	\$372.61	\$79.24	\$451.85
4 yd dumpster	4	\$584.53	\$124.31	\$708.84
4 yd dumpster	5	\$724.41	\$154.06	\$878.47
4 yd dumpster	6	\$822.83	\$174.99	\$997.82
4 yd dumpster	7	\$1,278.65	\$271.93	\$1,550.58
6 yd dumpster	1	\$258.16	\$54.90	\$313.06
The rates shown above include the monthly container rental fee and a semi-annual dumpster cleaning.				
COMMERCIAL GARBAGE CANS - ALL AREAS:				
32 Gallon Waste Wheeler	1	\$22.38	\$4.76	\$27.14
32 Gallon Waste Wheeler	2	\$37.44	\$7.96	\$45.40
64 Gallon Waste Wheeler	1	\$44.75	\$9.52	\$54.27
64 Gallon Waste Wheeler	2	\$74.88	\$15.92	\$90.80
96 Gallon Waste Wheeler	1	\$68.62	\$14.59	\$83.21
96 Gallon Waste Wheeler	2	\$112.31	\$23.88	\$136.19

Service Description	Pickups Per Week	Current Monthly Rate Effective 1/1/2021	Proposed Rate Adjustment	Proposed Monthly Rate Effective 9/1/2022
COMMERCIAL - OTHER CHARGES:				
Rates for all commercial customers include recycling or greenwaste/organics pickup once per week, included with the garbage service rate. Customers can choose from a 64 or 96 gallon blue commingled recycle waste wheeler or a 32 or 64 gallon organics waste wheeler included with the garbage service rate (96 gallon waste wheelers can only be used with green waste due to weight). If you need a bin for recycling there is a charge (see below). If you need more frequent recycling, including organics/greenwaste service, it can be provided at a 50% discount from the garbage service rates for the specified level of service required.				
MISCELLANEOUS CHARGES - ALL CUSTOMERS:				
Overstacked Garbage & extra bags Minimum/unit	each	\$5.47	\$1.16	\$6.63
Overstacked Green waste & extra bags Minimum/unit	each	\$2.74	\$0.58	\$3.32
Overstacked Recycle & extra bags Minimum/unit	each	\$2.74	\$0.58	\$3.32
In yard service (per can or commodity) IN ADDITION TO STANDARD GARBAGE RATES	per month	\$13.65	\$2.90	\$16.55
Extended Vacation Service	per month	\$12.73	\$2.71	\$15.43
Vacant Rate	per month	\$12.73	\$2.71	\$15.43
Waste wheeler cleaning	each time	\$20.35	\$4.33	\$24.68
Trip charge	each time	\$13.65	\$2.90	\$16.55
Non-payment downsize service	each time	\$32.81	\$6.98	\$39.79
Non-payment redeliver waste wheeler	each time	\$13.65	\$2.90	\$16.55
MISCELLANEOUS CHARGES - ALL CUSTOMERS (Con't):				
Non-payment reconnect service	each time	\$32.81	\$6.98	\$39.79
Small item pickup (TV, toilet)	each	\$32.02	\$6.81	\$38.83
Appliance pickup-residential	each	\$45.14	\$9.60	\$54.74
Larger than residential appliance	by quote only			
Garbage extras on your scheduled pickup day	per yard	\$11.52	\$2.45	\$13.97
Garbage extras -NOT ON YOUR SCHEDULED PICKUP DAY	per yard	\$31.80	\$6.76	\$38.56
Commercial Waste Wheeler rent	per month	\$2.89	\$0.61	\$3.50
Re-deliver bin on stopped acct	each time	\$39.15	\$8.33	\$47.48
Compactor	per ton	\$50.76	\$10.80	\$61.56
Sunday Service (in additional to garbage service level)	per month	\$68.34	\$14.53	\$82.87
Tax Lien Cert. Mail Fee		\$4.56	\$0.97	\$5.53
Recycle bin rental	per month	\$46.33	\$9.85	\$56.18
Stand by time	per hour	\$69.00	\$14.67	\$83.67

Service Description	Pickups Per Week	Current Monthly Rate Effective 1/1/2021	Proposed Rate Adjustment	Proposed Monthly Rate Effective 9/1/2022
Extra bin cleaning		\$61.08	\$12.99	\$74.07
Damage/Destruction of bins or waste wheelers		replacement/repair at market price		
Lock Charge	per month	\$7.58	\$1.61	\$9.19
City Clean Up	per item	\$12.52	\$2.66	\$15.18
Extra 32, 64, 96 Gal Waste Wheeler – Recycle (residential)	per month	\$2.84	\$0.60	\$3.44
Extra 32, 64, 96 Gal Waste Wheeler - Green Waste (residential)	per month	\$3.79	\$0.80	\$4.59
Short Term Dumpsters:				
Delivery & Pickup-Bin		\$39.15	\$8.33	\$47.48
Delivery & Pickup-Waste Wheeler		\$13.65	\$2.90	\$16.55
Rental	Per Day	\$2.89	\$0.61	\$3.50
Empties	Per Yard	\$31.80	\$6.76	\$38.56
Mattress:				
Twin	Each	\$18.14	\$3.86	\$22.00
Double	Each	\$18.14	\$3.86	\$22.00
Queen	Each	\$18.14	\$3.86	\$22.00
King	Each	\$18.14	\$3.86	\$22.00
ADDITIONAL INFORMATION ALL CUSTOMERS:				
<ol style="list-style-type: none"> Customers requesting Temporary Bins or Roll-off Box Service can call the office for current rates Polystyrene (Styrofoam, Plastic #6) is not collected for recycling and should be thrown away as trash. Please bag Styrofoam packing peanuts before placing in trash container. It is encouraged to bag your trash in the garbage container but do not bag your recyclables or green waste in their respective containers and keep it loose. Recycling, Greenwaste/Organic and Garbage containers should be spaced 3 feet apart away from any obstacles (i.e. mailboxes, cars, etc) before 6:00am on collection service day. The fee schedule above only includes the Garbage Company rates and does not include IWMA fees, which are separately noted on the billings. Cleaning fees will be billed on a time and materials basis Late Fees are imposed for residential customers over 30 days delinquent. The fee is 1.5% per month of the outstanding charge, with a minimum fee of \$5.00. No prior notice is required, as this late fee policy is stated at the bottom of every bill. Customers can be responsible for contamination fees 				
Any additional recycling, including greenwaste/organic services are charged out at 50% of the garbage rate.				

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TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS *PVS for*
GENERAL MANAGER
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: JULY 8, 2022

**AGENDA ITEM
E-2
JULY 13, 2022**

**AUTHORIZE PURCHASE OF ALTERNATIVE/RESERVE PUMPS FOR
NIPOMO PALMS LIFT STATION REPLACEMENT PROJECT**

ITEM

Authorize purchase of alternative/reserve pumps for Nipomo Palms Lift Station Replacement Project from Xylem Water Solutions USA, Inc. in the amount of \$51,430 [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION AUTHORIZING PURCHASE OF ALTERNATIVE/RESERVE PUMPS FOR THE NIPOMO PALMS LIFT STATION REPLACEMENT PROJECT].

BACKGROUND

The Nipomo Community Services District operates and maintains the Nipomo Palms Lift Station which is located off Beverly Drive in Nipomo. It provides sewer service to mainly single and multi-family residential homes. This lift station also serves some commercial customers, even though it was not originally designed to do so. The existing Nipomo Palms lift station is over 35 years old.

The lift station is the most active in the District's system. It has the highest run times out of all the lift stations, and is a very critical facility in this area. Any extended periods of downtime at this lift station could result in an overflow of the sanitary sewer system. The facility and its components are undersized, at the end of their useful life, and need to be replaced to ensure reliability of the lift station.

In March 2021, the Board awarded the construction contract for the Nipomo Palms Lift Station Replacement Project to Brough Construction, Inc. in the amount of \$918,368. Subsequently, the District issued a Notice to Proceed to Brough Construction, Inc. in May 2021. The contract time was 270 consecutive calendar days and thus the original completion date was February 2022.

A key component for the project are two sewage pumps. The pumps were originally scheduled to be delivered in November 2021. Since that time, the pump supplier has delayed shipment numerous times. The latest letter from the supplier indicates that the shipping date is now September 2022. The District does not have any confidence at this point that the pump supplier will furnish the pumps for the project anytime soon.

The District has been exploring other pump options and has obtained a quote from Xylem Water Solutions USA, Inc. for two pumps that currently have a 120-day lead time but normally are a stock item with 30-day lead time. Staff is seeking Board approval to purchase the pumps and then furnish them to the contractor in return for a credit for the pumps that the contractor was

supposed to furnish if the shipment is delayed past September 1, 2022. If the contractor's pumps ship before the District's pumps, then the District can use the pumps at one of the District's other lift stations. The District has Xylem pumps in over half of its 13 lift stations.

The justification for the pump purchase is that the existing lift station is in poor condition and has required emergency repairs during the extended construction period for the replacement lift station. The purchase of the pumps will provide the District with "insurance" in case the shipment of the contractor's pumps is further delayed. It may also provide some protection, from the regulatory standpoint, that the District did everything it could in case the existing lift station fails and overflows sewage.

Staff recommends that the Board make the findings under Section 3.4(B)(2)(d) (public exigency or emergency) of the District's Purchasing Resolution, 2020-1572, to approve a non-competitive purchase. The supply chain/manufacturing problems that exist are creating the risk that the existing pumps may not last in working order until the contractor's pumps arrive.

FISCAL IMPACT

The approved funding plan for the Nipomo Palms Lift Station is \$1,250,000.

STRATEGIC PLAN

Goal 2. FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT. Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

RECOMMENDATION

By motion and roll call vote, adopt the attached resolution authorizing purchase of reserve/alternative pumps for Nipomo Palms Lift Station Replacement Project from Xylem Water Solutions USA, Inc. in the amount of \$51,430.

ATTACHMENTS

- A. Resolution 2022-XXXX Nipomo Palms Lift Station Reserve/Alternative Pumps

JULY 13, 2022

ITEM E-2

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES
DISTRICT AUTHORIZING PURCHASE OF ALTERNATIVE/RESERVE PUMPS
FOR THE NIPOMO PALMS LIFT STATION REPLACEMENT PROJECT**

WHEREAS, the Nipomo Palms Lift Station is the District's most active wastewater pump station, the facility and its components are undersized, at the end of their useful life, and need to be replaced to ensure reliability of the lift station; and

WHEREAS, the District hired Brough Construction Inc. (Contractor) in March 2021 to construct a replacement lift station and a key component are two sewage pumps; and

WHEREAS, delivery of the Contractor's pumps for the replacement lift station has been repeatedly delayed due to manufacturing problems resulting in postponement of the completion of the replacement lift station; and

WHEREAS, purchase of reserve/alternative pumps may allow for the timelier completion of the replacement lift station in case shipment of the contractor's pumps is further delayed and reduce the risk that the existing pumps may not last in working order until the contractor's pumps arrive; and

WHEREAS, the District's Purchasing Policy, Section 3.4(B)(2)(d), allows the use of non-competitive negotiations to purchase items where the purchase price is reasonable and public exigency or emergency will not permit delay.

NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS AS FOLLOWS:

- 1) The above recitals are true and correct and constitute findings for the purchase of reserve/alternative pumps for the Nipomo Palms Lift Station Replacement Project.
- 2) The Board of Directors does hereby approve the purchase of reserve/alternative pumps for Nipomo Palms Lift Station Replacement Project from Xylem Water Solutions USA, Inc. in the amount of \$51,430.

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

AYES:
NOES:
ABSENT:
CONFLICTS:

The foregoing resolution is hereby adopted this 13th day of July 2022.

ED EBY
President, Board of Directors

ATTEST:

APPROVED AS TO FORM
AND LEGAL EFFECT:

MARIO IGLESIAS
General Manager and Secretary to the Board

CRAIG STEELE
District Legal Counsel

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS *PVS for*
GENERAL MANAGER

**AGENDA ITEM
E-3
JULY 13, 2022**

DATE: JULY 8, 2022

**DISCUSSION OF COMMENTS REGARDING THE DANA RESERVE
SPECIFIC PLAN DRAFT ENVIRONMENTAL IMPACT REPORT**

ITEM

Discuss and Provide Direction to Staff Regarding the Dana Reserve Specific Plan Draft Environmental Impact Report ("DEIR") [RECOMMEND DISCUSS AND PROVIDE COMMENTS]

BACKGROUND

The San Luis Obispo County Planning Department ("County Planning") released the Dana Reserve Specific Plan DEIR on June 16, 2022. The comment period that solicits public input on the EIR closes on August 1, 2022. Staff previously provided to members of the Board the Notice of Availability and a copy of Section 4.19, which discusses utility issues in relation to the project and NCSD's potential services.

As previously discussed, this administrative item is intended to provide the Board with an opportunity to voice their comments on matters germane to those services the District would be responsible for providing. It is especially important to provide comments to County Planning **now** if there is information or analysis missing from the document that you would find helpful if you have to consider whether to approve the annexation application in the future. NCSD will provide comments to County Planning prior to the deadline to be included in the final EIR. If Board members, individually, have comments on other aspects of the EIR that are not pertinent to the services NCSD would provide, those comments should be provided to County Planning individually. The purpose of an EIR is to be an accurate description of the environmental impacts of a proposed development, not to be a decision on the project itself, and any comments should be made in that context.

The Board should keep in mind that, if the County approves a project, there will likely be a public hearing before the NCSD Board on the annexation request. Board members must keep an open mind and make decisions only based on the evidence presented at the hearing. Board members should not make comments about the project itself that could be construed as showing bias on one side or the other, or pre-commitment about what your future decision will be.

STRATEGIC PLAN

Goal 1. WATER SUPPLIES. Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

- B.2 Engage with other local and regional organizations to develop solutions to long-term water supply challenges such as providing emergency backup supplies, and ensuring long-term water supply reliability, etc.

Goal 7. COMMUNICATION. Use public outreach to communicate effectively with the public to obtain their input and build understanding and support for the District.

- B.1 Maintain productive communication and relationships with key stakeholders, such as city, County, State and Federal legislators, service clubs, etc. As appropriate, plan and assign for this role.

RECOMMENDATION

Staff recommend that your Board discuss the Dana Reserve Specific Plan Draft Environmental Impact Report and provide direction to staff regarding any comments on behalf of NCSD.

ATTACHMENTS

None.

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS *Plus for*
GENERAL MANAGER
DATE: July 8, 2022

**AGENDA ITEM
E-4**

JULY 13, 2022

**APPROVE SECOND AMENDED AND RESTATED AGREEMENT WITH
SAN LUIS OBISPO INTEGRATED WASTE MANAGEMENT AUTHORITY
("IWMA") AND AUTHORIZE PRESIDENT TO EXECUTE ON BEHALF
OF THE DISTRICT [RECOMMEND APPROVE SECOND AMENDED AND
RESTATED AGREEMENT AND AUTHORIZE BOARD PRESIDENT TO
EXECUTE]**

WILL BE DISTRIBUTED TUESDAY, JULY 12, 2022

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TO: BOARD OF DIRECTORS
FROM: MARIO E. IGLESIAS *PVS for*
GENERAL MANAGER
DATE: JULY 8, 2022



**NIPOMO COMMUNITY SERVICES DISTRICT
PUBLIC FACILITIES CORPORATION**

ITEM

Annual Meeting of the Nipomo Community Services District Public Facilities Corporation

BACKGROUND

The Nipomo Community Services District Public Facilities Corporation is required to meet annually in the month of July to review corporate activities, take action as needed, and review and approve the previous meeting's Board minutes. The only action needed at this time is to approve the meeting minutes of the July 28, 2021 and January 26, 2022, meeting of the Nipomo Community Services District Public Facilities Corporation. These Board minutes were included in the regular NCSD meeting minutes but were not separately approved by the corporation. The minutes are being presented today for approval.

FISCAL IMPACT

Funds for staff time and effort to support the annual meeting of the Nipomo Community Services District Public Facilities Corporation are included in the Budget.

STRATEGIC PLAN

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

RECOMMENDATION

Staff recommends that your Board approve the Minutes of the Nipomo Community Services District Public Facilities Corporation meeting held on July 28, 2021 and January 26, 2022.

ATTACHMENT

- A. Minutes of July 28, 2021
- B. Minutes of January 26, 2022

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JULY 13, 2022

ITEM A

ATTACHMENT A

NCSD PUBLIC FACILITIES CORPORATION ANNUAL MEETING

President Eby adjourned to the NCSD Public Facilities Corporation Annual Meeting.

ROLL CALL

At roll call, all Board members were present.

A. APPROVE MINUTES OF THE JULY 22, 2020 MEETING

There were no public comments.

*Upon the motion of Director Blair and seconded, the Board unanimously approved the minutes of July 22, 2020.
Vote 5-0.*

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

President Eby adjourned to NCSD Regular Board Meeting.

GENERAL MANAGER'S REPORT

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

Mario Iglesias, General Manager, requested an ad hoc committee be formed to review the Urban Water Management Plan. Directors Eby and Gaddis were appointed to the committee.

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

2. ANNUAL PERFORMANCE REVIEW PROCESS OF DISTRICT GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION §54957

Craig Steele, District Legal Counsel, announced the Board discussed Item 1 and 2 in Closed Session and took no reportable action.

JULY 13, 2022

ITEM A

ATTACHMENT B

Nipomo Community Services District
REGULAR MEETING
MINUTES

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

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

RESOLUTION 2022-1612
 RESOLUTION OF THE BOARD OF DIRECTORS
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT
 AUTHORIZING THE EXECUTION AND DELIVERY BY THE DISTRICT
 OF AN INSTALLMENT PURCHASE AGREEMENT, A TRUST AGREEMENT,
 A CONTINUING DISCLOSURE AGREEMENT, AN ESCROW AGREEMENT AND
 A CERTIFICATE PURCHASE AGREEMENT IN CONNECTION WITH THE
 NIPOMO COMMUNITY SERVICES DISTRICT WASTEWATER REVENUE
 CERTIFICATES OF PARTICIPATION, SERIES 2022, AUTHORIZING THE EXECUTION
 AND DELIVERY OF SUCH CERTIFICATES OF PARTICIPATION EVIDENCING PRINCIPAL
 IN AN AGGREGATE AMOUNT OF NOT TO EXCEED \$11,500,000, APPROVING A
 NOTICE OF INTENTION TO SELL, AUTHORIZING THE DISTRIBUTION OF AN
 OFFICIAL NOTICE OF SALE AND AN OFFICIAL STATEMENT IN CONNECTION
 WITH THE OFFERING AND SALE OF SUCH CERTIFICATES OF PARTICIPATION AND
 AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND RELATED ACTIONS

ADJOURN TO PUBLIC FACILITIES CORPORATION

A) ROLL CALL

At Roll Call, Director Armstrong, Woodson, Malvarose and Eby were present.

B) AUTHORIZATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT WASTEWATER REVENUE CERTIFICATES OF PARTICIPATION SERIES 2022 [RECOMMEND ADOPT RESOLUTION OF THE BOARD AUTHORIZING THE EXECUTION AND DELIVERY BY THE CORPORATION OF AN INSTALLMENT PURCHASE AGREEMENT AND A TRUST AGREEMENT IN CONNECTION WITH THE NIPOMO COMMUNITY SERVICES DISTRICT WASTEWATER REVENUE CERTIFICATES OF PARTICIPATION, SERIES 2022, AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH CERTIFICATES OF PARTICIPATION EVIDENCING PRINCIPAL IN AN AGGREGATE AMOUNT OF NOT TO EXCEED \$11,500,000 AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND RELATED ACTIONS]

There were no public comments.

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

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

RESOLUTION 2022-08
 A RESOLUTION OF THE BOARD OF DIRECTORS
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT
 PUBLIC FACILITIES CORPORATION AUTHORIZING
 THE EXECUTION AND DELIVERY BY THE CORPORATION
 OF AN INSTALLMENT PURCHASE AGREEMENT AND A TRUST
 AGREEMENT IN CONNECTION WITH THE NIPOMO COMMUNITY
 SERVICES DISTRICT WASTEWATER REVENUE CERTIFICATES
 OF PARTICIPATION, SERIES 2022, AUTHORIZING THE EXECUTION
 AND DELIVERY OF SUCH CERTIFICATES OF PARTICIPATION
 EVIDENCING PRINCIPAL IN AN AGGREGATE AMOUNT OF NOT
 TO EXCEED \$11,500,000 AND AUTHORIZING THE EXECUTION OF
 NECESSARY DOCUMENTS AND RELATED ACTIONS

ADJOURN TO NCSD REGULAR MEETING

C. PRESENTATIONS AND REPORTS

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS *Pls for*
GENERAL MANAGER
DATE: July 8, 2022

AGENDA ITEM
F
JULY 13, 2022

GENERAL MANAGER'S REPORT

WILL BE DISTRIBUTED TUESDAY, JULY 12, 2022

END OF PACKET