

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

SEPTEMBER 28, 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 September 28, 2022, to order at 9:00 a.m. and led the flag salute.*

#### B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

*At Roll Call, Director Armstrong, Woodson, Gaddis, and Eby were present. Director Malvarose was absent.*

*Phill Widerman, Golden State Resident, commented on Nipomo Supplemental Water and that Golden State would like to purchase additional water.*

*Alan Margelo, Golden State Resident, asked about the water that is being sold to Golden State.*

*Director Gaddis asked if the District's wastewater was being tested for COVID-19.*

#### 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*

- September 16, 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 4-0.*

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE SEPTEMBER 14, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE STAFF TO BID EUREKA WELL #2 PUMP PROJECT [RECOMMEND AUTHORIZE STAFF TO BID PROJECT]

*Staff answered questions regarding the warrants.*

*Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda. Vote 4-0.*

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

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER RESOLUTION TO ADOPT MITIGATED NEGATIVE DECLARATION AND AUTHORIZE THE GENERAL MANAGER TO FILE A NOTICE OF DETERMINATION FOR THE FOOTHILL WATER TANK SITE ACQUISITION AND CONSTRUCTION PROJECT [RECOMMEND APPROVE RESOLUTION ADOPTING MITIGATED NEGATIVE DECLARATION AND AUTHORIZING STAFF TO FILE NOTICE OF DETERMINATION]

*Mario Iglesias, General Manager, introduced the item.*

*Peter Sevcik, Director of Engineering and Operations, presented the item.*

*President Eby opened the Public Hearing.*

*There were no public comments.*

*Mario Iglesias, General Manager, stated no written comments were received.*

*President Eby closed the Public Hearing.*

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

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

RESOLUTION NO. 2022-1642  
 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
 NIPOMO COMMUNITY SERVICES DISTRICT  
 ADOPTING A MITIGATED NEGATIVE DECLARATION AND  
 AUTHORIZING THE GENERAL MANAGER TO  
 FILE A NOTICE OF DETERMINATION FOR  
 THE FOOTHILL WATER TANK SITE ACQUISITION AND  
 CONSTRUCTION PROJECT

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

E-2) AUTHORIZE STAFF TO PURCHASE REPLACEMENT SECURITY CAMERA SYSTEM FOR OPERATIONS YARD [RECOMMEND ADOPT RESOLUTION]

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

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

Table with 3 columns: YES VOTES, NO VOTES, ABSENT. YES VOTES: Directors Armstrong, Woodson, Gaddis and Eby. NO VOTES: None. ABSENT: Malvarose.

RESOLUTION NO. 2022-1643
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING PURCHASE OF REPLACEMENT SECURITY CAMERA SYSTEM FOR THE OPERATIONS YARD AND AMENDING FY 2022/23 BUDGET

F. GENERAL MANAGER'S REPORT

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

John Simko, Golden State Resident, made comments about the Dana Reserve letter that was sent out to customers.

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. NCSD (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 9:48 a.m.

Table with 2 columns: MEETING SUMMARY, HOURS & MINUTES. Rows: Regular Meeting (0 hour 48 minutes), Closed Session (0 hour 00 minutes), TOTAL HOURS (0 hour 48 minutes).

Respectfully submitted,

Handwritten signature of Mario Iglesias

Mario Iglesias, General Manager and Secretary to the Board

Handwritten date: 10/12/2022

Date