

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

OCTOBER 13, 2021 AT 9:00 A.M.

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

### BOARD of DIRECTORS

ED EBY, **PRESIDENT**  
DAN ALLEN GADDIS, **VICE PRESIDENT**  
BOB BLAIR, **DIRECTOR**  
DAN WOODSON, **DIRECTOR**  
RICHARD MALVAROSE, **DIRECTOR**

### PRINCIPAL STAFF

MARIO IGLESIAS, **GENERAL MANAGER**  
LISA BOGNUDA, **FINANCE DIRECTOR**  
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**  
CRAIG STEELE, **GENERAL COUNSEL**

### Mission Statement:

Provide our customers with reliable, quality, and cost-effective services now and in the future.

### **NOTE:**

- *All comments concerning any item are to be directed to the Board President.*
- *Consistent with the Americans with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the below referenced public meeting by contacting the District General Manager at 805-929-1133.*
- *District-prepared staff reports and documents are generally posted on the District's website {[NCSD.CA.GOV](http://www.ncsd.ca.gov)} on the same date the agenda is posted.*
- *Any writing or document pertaining to an open session item on this agenda which is distributed to the Board of Directors after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review on the District's web site at <http://www.ncsd.ca.gov>.*
- *Items may be taken out of order. If necessary, the Board typically breaks for lunch at approximately 12 noon and conducts Closed Session at that time, reconvening to public session at approximately 1:00 p.m.*
- *Please silence all cell phones during the meeting, as a courtesy to others.*

A. CALL TO ORDER AND FLAG SALUTE	NEXT RESOLUTION	2021-1606
	NEXT ORDINANCE	2021-133

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

Any member of the public may address the Board via email relating to any matter within the Board's jurisdiction but not on the Board's agenda. Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.

### 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

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

D. CONSENT AGENDA *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Administrative Items. Questions or clarification may be made by the Board members without removal from the Consent Agenda. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.*

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE SEPTEMBER 22, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) ACCEPT OFFER OF WATER AND SEWER IMPROVEMENTS AND DEED RESTRICTION FOR 130 MARY AVENUE, APN 092-572-057[RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF IMPROVEMENTS AND DEED RESTRICTION]

E. ADMINISTRATIVE ITEMS –

- E-1) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR APN 090-122-014, A COMMERCIAL DEVELOPMENT LOCATED AT 120 S. THOMPSON AVENUE [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]
- E-2) REVIEW AND CONSIDER ADVANCING SOLID WASTE PROGRAMS FOR FISCAL YEAR 2021-2022 THAT BENEFIT THE COMMUNITY [RECOMMEND REVIEW AND CONSIDER SOLID WASTE PROGRAMS AND DIRECT STAFF]
- E-3) CONSIDER ADOPTING A RESOLUTION TO AMEND THE 2021-2022 WATER BUDGET IN SUPPORT OF TRANSITIONING THE NIPOMO COMMUNITY SERVICE DISTRICT FROM A BI-MONTHLY TO A MONTHLY BILLING CYCLE [RECOMMEND ADOPT RESOLUTION AMENDING THE FISCAL YEAR 2021-2022 WATER FUND BUDGET IN THE AMOUNT OF \$43,000 TO ADVANCE THE TRANSITION TO A MONTHLY BILLING CYCLE]
- E-4) REVIEW AND FILE NOTICE OF VACANCY ON THE NIPOMO COMMUNITY SERVICES DISTRICT'S GOVERNING BOARD OF DIRECTORS [RECOMMEND RECEIVE, DISCUSS, AND PROVIDE DIRECTION TO STAFF REGARDING FILLING THE VACANCY]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORTS

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

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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

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

K. ADJOURN TO CLOSED SESSION

L. OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN MEETING

Next Regular Board Meeting is Wednesday, October 27, 2021, 9AM