

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MINUTES

JULY 10, 2019 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  
CRAIG ARMSTRONG, DIRECTOR  
DAN WOODSON, DIRECTOR

### PRINCIPAL STAFF

MARIO IGLESIAS, GENERAL MANAGER  
LISA BOGNUDA, FINANCE DIRECTOR  
WHITNEY MCDONALD, GENERAL COUNSEL  
PETER SEVCIK, DIRECTOR OF ENG. & OPS.

Mission Statement: The Nipomo Community Services District's mission is to provide its 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 July 10, 2019, 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 Board Members were present.*

#### C. PRESENTATIONS AND REPORTS

##### C-1) RECEIVE GOVERNMENT FINANCE OFFICERS ASSOCIATION AWARD AND RECOGNIZE DISTRICT AND STAFF [RECOMMEND RECEIVE AND FILE]

*President Eby accepted the award on behalf of the District and presented the plaque to Lisa Bognuda, Finance Director. This is the sixth consecutive year the District has received the award for Financial Accounting excellence.*

##### C-2) 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 Blair

- July 4, attended 4<sup>th</sup> of July parade.

###### Director Gaddis

- July 1, attended Board Officers' meeting.

###### Director Eby

- June 27, attended NMMA meeting.
- July 1, attended Board Officers' meeting.
- July 2, attended Blacklake Management Association meeting.
- July 4, attended 4<sup>th</sup> of July parade.

##### C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

*Pam Wilson, NCSO customer, congratulated Lisa Bognuda on receiving award.*

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

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

D. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE JUNE 12, 2019, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

D-3) ADOPT REVISIONS TO STANDARD SPECIFICATIONS FOR WATER AND SEWER SYSTEM IMPROVEMENTS [RECOMMEND ADOPT RESOLUTION]

D-4) ACCEPT OFFER OF WATER IMPROVEMENTS AND EASEMENTS FOR TRACT 2650 [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF IMPROVEMENTS AND EASEMENT]

D-5) AUTHORIZE PURCHASE OF REPLACEMENT TRUCK IN ACCORDANCE WITH APPROVED FY 19-20 BUDGET [RECOMMEND AUTHORIZE STAFF TO PURCHASE REPLACEMENT TRUCK FROM PERRY FORD AT A COST OF \$30,292]

D-6) DECLARE 2010 FORD PICKUP TRUCK AND JOHN DEERE 110 TRACTOR SURPLUS AND AUTHORIZE SALE [RECOMMEND DECLARE 2010 FORD PICKUP AND JOHN DEERE 110 SURPLUS AND AUTHORIZE STAFF TO DISPOSE OF BY SALE]

*Director Woodson requested Item D-3 be pulled from the Consent Agenda.*

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

*There was no public comment.*

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved Consent Agenda, Items D-1, D-2, D-4, D-5 and D-6.  
Vote 5-0.*

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

RESOLUTION NO. 2019-1514

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING TRACT 2650 EASEMENT AND WATER IMPROVEMENTS

*President Eby directed Staff to bring back Item D-3 at a future meeting after meeting with Director Woodson.*

E. ADMINISTRATIVE ITEMS

- E-1) MURPHY PROPERTY RIGHT-OF-ENTRY AGREEMENT [RECOMMEND AUTHORIZE GENERAL MANAGER TO EXECUTE RIGHT-OF-ENTRY AGREEMENT]

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

*There were no public comments.*

*Upon the motion of Director Blair and seconded, the Board unanimously approved the Right-Of Entry Agreement and directed the General Manager to execute the agreement.  
 Vote 5-0.*

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

- E-2) AUTHORIZE STAFF TO EXECUTE AGREEMENT FOR DEWATERING OF BLACKLAKE WASTEWATER RECLAMATION FACILITY SLUDGE WITH KARL NEEDHAM ENTERPRISES IN THE AMOUNT OF \$252,880 [RECOMMEND ADOPT RESOLUTION AUTHORIZING STAFF TO EXECUTE AGREEMENT FOR DEWATERING SLUDGE

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

*Ken Pacofsky, NCSD customer, asked questions about the sludge removal process.*

*Upon the motion of Director Gaddis, and seconded, the Board unanimously approved the Resolution.  
 Vote 5-0.*

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

**RESOLUTION NO. 2019-1515**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING STAFF TO EXECUTE AGREEMENT FOR DEWATERING BLACKLAKE WASTEWATER RECLAMATION FACILITY SLUDGE WITH KARL NEEDHAM ENTERPRISES IN THE AMOUNT OF \$252,880**

- E-3) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR A MIXED USE (COMMERCIAL AND RESIDENTIAL) DEVELOPMENT LOCATED AT 115 SPARKS STREET, APN 090-143-005 [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.*

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*Upon the motion of Director Blair and seconded, the Board unanimously approved the Intent-To-Serve Letter with conditions outlined in Staff Report.  
Vote 5-0.*

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

- E-4) CONSIDER REQUEST FOR WATER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR CO 18-0042, A 4 PARCEL RESIDENTIAL DEVELOPMENT AT 750 SANDYDALE DRIVE, APN 091-325-059 [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 Blair, and seconded, the Board unanimously approved the Intent-To-Serve Letter with conditions outlined in Staff Report.  
Vote 5-0.*

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

- E-5) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR TRACT 3056, A 39 UNIT RESIDENTIAL DEVELOPMENT ON FLINT PLACE, APNS 092-575-001 AND 092-576-005 [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.*

*James Bednar, owner of the project, answered questions from the Board and stated that commercial zoning allows for multi-family residential units to be built without triggering a rezoning or general plan amendment.*

*Ken Pacofsky, NCS D customer, asked if new developments were being supplied from the Nipomo Supplemental Water project and in lieu of groundwater pumping.*

*President Eby expressed concern that the project's water demand was greater than the District's demand calculations for the parcel and, if so, may have a negative impact on the District's ability to fully serve all parcels in its boundaries. He directed staff to re-examine the demand analysis for various types of lots based on zoning and report back to the Board at a future Board meeting.*

*Director Gaddis expressed concerns about the adequacy of fire safety for the area, questioning applicant on access for public safety personnel and hydrant location. Applicant responded that these matters were under review by the local fire authority and hydrants will be set to District specifications.*

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Upon the motion of Director Blair, and seconded, the Board approved the Intent-To-Serve Letter with conditions outlined in Staff Report.  
Vote 3-2.

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

F. GENERAL MANAGERS REPORT

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

There were no public comments.

G. COMMITTEE REPORTS

None

H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS

Director Woodson requested instructions for access to guest wi-fi be posted in the Board Room.

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 A LITIGATION PURSUANT TO GC §54956.9 ALL CONSOLIDATED CASES)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

Whitney McDonald, District Legal Counsel, announced that there was no need for Closed Session.

ADJOURN

President Eby adjourned the meeting at 10:27 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 27 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	0 hour 27 minutes

Respectfully submitted,

  
Mario Iglesias, General Manager and Secretary to the Board

7-24-2019

Date