

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

JUNE 9, 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.

Pursuant to Governor Newsom's Executive Order N-25-20, members of the Nipomo Community Services District Board or staff may participate in this meeting in person, or via teleconference. To protect the health and safety of the public, Board members, and staff, social distancing will be practiced at the District's physical location, 148 S. Wilson Street. Members of the public may choose to participate in person at this location or monitor the audio– via email sent to info@ncsd.ca.gov prior to the 9:00 am meeting start time. All emails received portion of the meeting and any public hearings telephonically by calling (800) 567-5900 (code 242-2614#). Pursuant to Governor Newsom's Executive Order N-29-20, members of the public may also comment – on items on this agenda or items not on the agenda but within the jurisdiction of the Board by that time will be distributed to the Board. Public participation in the meeting and public hearings will be taken only as described above. If any individual with a disability requires assistance to observe or participate in the meeting, please contact the District office by telephone at least 24 hours in advance.

A. CALL TO ORDER AND FLAG SALUTE

President Eby called the Regular Meeting of June 9, 2021, 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, Directors Malvarose, Woodson, Gaddis, and Eby were present. Director Blair was absent.

President Eby brought to the attention of the audience, the fact that the District had the foresight to construct the Supplemental Water Project that provides the community with a reliable source of water, while other cities are imposing water restrictions.

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 Gaddis

- *June 1, attended Board Officers' meeting.*

Director Eby

- *May 27, attended CSDA Regional Meeting remotely.*
- *June 1, attended Board Officers' meeting.*
- *June 2, attended a WRAC meeting remotely.*

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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

There were no public comments.

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MAY 26, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) APPROVE QUITCLAIM OF EASEMENT FOR DANA WELL SITE [RECOMMEND ADOPT RESOLUTION APPROVING THE QUITCLAIM OF AN EASEMENT AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE AND RECORD THE DEED FOLLOWING ABANDONMENT OF DISTRICT Well FACILITIES]

District staff answered questions from the Board regarding the warrants.

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda.

Vote 3-1-1 on D-1.

Vote 4-0-1 on D-2 and D-3.

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

RESOLUTION NO. 2021-1595
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING THE QUITCLAIM OF AN EASEMENT OVER THE DANA WELL SITE AND AUTHORIZING THE GENERAL MANAGER TO EXECUTE AND RECORD THE DEED

E. ADMINISTRATIVE ITEMS

- E-1) PUBLIC HEARING - APPROVE GENERAL MANAGER'S REPORT AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES [RECOMMEND CONDUCT HEARING, AMEND GENERAL MANAGER'S REPORT IF NECESSARY, AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING GENERAL MANAGER'S REPORT AND AUTHORIZING RECORDATION OF LIENS]

Lisa Bognuda, Finance Director, presented the item and answered questions from the Board of Directors. Lisa Bognuda, Finance Director, noted that one account would be removed from the Lien list as payment was received.

President Eby opened the Public Hearing.

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There were no public comments.

President Eby closed the Public Hearing.

*Upon the motion of Director Malvarose and seconded, the Board approved Resolution.
Vote 4-0-1.*

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

**RESOLUTION NO. 2021-1596
A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
CONFIRMING REPORT OF DISTRICT GENERAL MANAGER
AND ORDERING THE COLLECTION OF UNPAID
SOLID WASTE COLLECTION CHARGES ON THE TAX ROLL**

- E-2) PUBLIC HEARING - APPROVE ENGINEER'S REPORT AND AUTHORIZE COLLECTION OF FY 2021-2022 STREET LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS [RECOMMEND CONDUCT HEARING, AMEND ENGINEER'S REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING ENGINEER'S REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS]

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

President Eby opened the Public Hearing.

There were no public comments.

President Eby closed the Public Hearing.

*Upon the motion of Director Woodson and seconded, the Board approved Resolution.
Vote 4-0-1.*

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

**RESOLUTION NO. 2021-1597
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ORDERING THE LEVY AND COLLECTION OF
ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE
DISTRICT NO. 1 FOR FISCAL YEAR 2021-2022**

- E-3) PUBLIC HEARING APPROVE ASSESSMENT REPORT AND AUTHORIZE COLLECTION OF FISCAL YEAR 2021-2022 BLACKLAKE STREET LIGHTING DISTRICT ASSESSMENTS [RECOMMEND CONDUCT HEARING, AMEND ASSESSMENT REPORT IF NECESSARY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING ASSESSMENT REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS]

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

President Eby opened the Public Hearing.

Pam Wilson, NCSO resident, inquired about how NCSO inherited Blacklake.

Lisa Bognuda, Finance Director, explained that Blacklake infrastructure was bequeathed to NCSO from the County of San Luis Obispo in the early 90's and that the street lights were included.

President Eby closed the Public Hearing.

Upon the motion of Director Woodson and seconded, the Board approved Resolution. Vote 4-0-1.

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

RESOLUTION NO. 2021-1598
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES
ON THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR
MAINTENANCE AND OPERATION OF EXISTING PUBLIC STREET
LIGHTS IN THE BLACKLAKE VILLAGE

- E-4) A) PUBLIC HEARING TO ADOPT 2021-2022 FISCAL YEAR BUDGET AND APPROPRIATION LIMIT [RECOMMEND CONDUCT PUBLIC HEARING, CONSIDER TESTIMONY, ORDER EDITS IF ANY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING 2021-2022 FISCAL YEAR BUDGET AND APPROPRIATION LIMITATION]
- (B) ADOPT 2021-2022 FISCAL YEAR BUDGET FOR NIPOMO SUPPLEMENTAL WATER PROJECT (NSWP) [RECOMMEND CONDUCT PUBLIC HEARING, CONSIDER TESTIMONY, ORDER EDITS IF ANY AND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION APPROVING NSWP 2021-2022 FISCAL YEAR BUDGET]

Lisa Bognuda, Finance Director, presented and answered questions from the Board of Directors.

President Eby opened the Public Hearing for Item E-4(A).

There were no public comments.

President Eby closed the Public Hearing for Item E-4(A).

Upon the motion of Director Woodson and seconded, the Board approved Resolution. Vote 4-0-1.

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

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**RESOLUTION 2021-1599
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE 2021-2022 FISCAL YEAR BUDGET**

Upon the motion of Director Gaddis and seconded, the Board approved Resolution. Vote 4-0-1.

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

**RESOLUTION NO. 2021-1600
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DETERMINING THE APPROPRIATION LIMITATION FOR
THE 2021-2022 FISCAL YEAR**

Lisa Bognuda, Finance Director, presented and answered questions from the Board of Directors.

President Eby opened the Public Hearing for Item E-4(B).

There were no public comments.

President Eby closed the Public Hearing for Item E-4(B).

Upon the motion of Director Gaddis and seconded, the Board approved Resolution. Vote 4-0-1.

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

**RESOLUTION 2021-1601
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE NSWP (NIPOMO SUPPLEMENTAL
WATER PROJECT) 2021-2022 FISCAL YEAR BUDGET**

F. GENERAL MANAGER'S REPORT

Mario Iglesias, General Manager, presented the General Manager's Report and answered questions from the Board.

Mario Iglesias, General Manager, updated the Board regarding the Districts efforts to secure its computer networks against cyber attacks.

There were no public comments.

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

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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. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214,
SIXTH APPELLATE COURT CASE NO. H032750, AND ALL
CONSOLIDATED CASES

Closed Session was not necessary.

ADJOURN MEETING

President Eby adjourned the meeting at 9:44 p.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 44 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	0 hour 44 minutes

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board

6/24/2021

Date