

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

**JANUARY 26, 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.

### **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	2022-1612
	NEXT ORDINANCE	2022-134

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

B-1) ROLL CALL

B-2) PUBLIC COMMENT: 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) QUARTERLY DISTRICT ENGINEER'S REPORT TO THE BOARD [RECOMMEND RECEIVE AND FILE]

- 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
  - C-3) 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 JANUARY 12, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
  - D-3) INVESTMENT POLICY - FOURTH QUARTER REPORT [RECOMMEND ACCEPT AND FILE]
  - D-4) ANNUAL REVIEW OF INVESTMENT POLICY [RECOMMEND ADOPT RESOLUTION]
  - D-5) ANNUAL REVIEW OF DISTRICT CASH RESERVE POLICIES [RECOMMEND REVIEW AND REAFFIRM CASH RESERVE POLICIES]
  - D-6) AUTHORIZE STAFF TO ISSUE REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES FRONTAGE ROAD TRUNK SEWER REPLACEMENT PROJECT [RECOMMEND AUTHORIZE STAFF TO ISSUE REQUEST FOR PROPOSALS]
- E. ADMINISTRATIVE ITEMS
- E-1) 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 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 A 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]

Nipomo Community Services District  
REGULAR MEETING  
AGENDA

**ADJOURN TO PUBLIC FACILITIES CORPORATION**

- A) ROLL CALL NEXT RESOLUTION 2021-08
- 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]

**ADJOURN TO NCSD REGULAR MEETING**

- E-2) ADOPT ORDINANCE NO. 2022-134 AMENDING TITLE 3 AND 4 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO AMEND BILLING PROCEDURES [RECOMMEND INTRODUCE ORDINANCE, WAIVE FURTHER READING AND READ BY TITLE ONLY ORDINANCE NO. 2022-134]
  - E-3) REVIEW AND AMEND DEBT MANAGEMENT POLICY AND CONTINUING DISCLOSURE UNDERTAKING POLICY [RECOMMEND ADOPT RESOLUTION]
  - F. GENERAL MANAGER'S REPORT
  - G. COMMITTEE REPORTS
  - H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
  - 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. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION GOVERNMENT CODE SECTION 54956.9(D)4 ONE (1) POTENTIAL CASE
  - 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, February 9, 2022, 9AM