

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

APRIL 13, 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 April 13, 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, all Directors were present.

There were no public comments.

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 Woodson

- *March 28, attended SCAC meeting*

Director Eby

- *April 1, attended Board Officers' meeting*
- *April 5, attended BLMA 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 5-0.

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

D. CONSENT AGENDA

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- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MARCH 23, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INITIATE PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 [RECOMMEND ADOPT RESOLUTION]

Staff answered questions regarding the warrants.

There were no public comments.

Upon the motion of Director Woodson and seconded, the Board approved the Consent Agenda. Director Malvarose abstained from item D-1 due to a conflict of interest relating to his employer.

Vote 4-1-0 on D-1.

Vote 5-0-0 on D-2 and D-3.

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

RESOLUTION NO. 2021-1817
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2022-2023 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

E. ADMINISTRATIVE ITEMS

- E-1) ADOPT RESOLUTIONS RELATING TO BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1 [RECOMMEND ADOPT RESOLUTIONS]

1. RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR FORMATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION AND FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SAID DISTRICT FOR FISCAL YEAR 2022-23
2. RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DECLARING ITS INTENTION TO ORDER THE FORMATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1 AND TO LEVY AND COLLECT ASSESSMENTS WITHIN SUCH DISTRICT FOR FISCAL YEAR 2022-23 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIII D OF THE

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CALIFORNIA CONSTITUTION AND APPOINTING A TIME AND A PLACE
FOR HEARING PROTESTS

3. RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING AN ENGINEER'S REPORT FOR FISCAL YEAR 2022-2023 IN CONNECTION WITH THE PROPOSED NIPOMO COMMUNITY SERVICES DISTRICT BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1

Craig Steele, District Legal Counsel, presented the item and answered questions from the Board.

District staff answered questions from the Board.

Jess McGraw, NCS D Resident, commended District Staff on their efforts regarding the Blacklake Village Street Lighting Assessment District 2022-1.

Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Resolution.

Vote 5-0.

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

RESOLUTION NO. 2022-1618
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR FORMATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION AND FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SAID DISTRICT FOR FISCAL YEAR 2022-23

Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Resolution.

Vote 5-0.

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

RESOLUTION NO. 2022-1619
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DECLARING ITS INTENTION TO ORDER THE FORMATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1 AND TO LEVY AND COLLECT ASSESSMENTS WITHIN SUCH DISTRICT FOR FISCAL YEAR 2022-23 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION AND APPOINTING A TIME AND A PLACE FOR HEARING PROTESTS

Upon the motion of Director Gaddis and seconded, the Board unanimously approved the Resolution.

Vote 5-0.

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

RESOLUTION NO. 2022-1620
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING AN ENGINEER'S REPORT FOR FISCAL YEAR 2022-2023 IN CONNECTION WITH THE PROPOSED NIPOMO COMMUNITY SERVICES DISTRICT BLACKLAKE STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 2022-1

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- E-2) CONSIDER COOPERATIVE AGREEMENT WITH SAN LUIS OBISPO COUNTY FOR UTILITY ADJUSTMENTS FOR SOUTH COUNTY ROAD OVERLAY PROJECT [RECOMMEND AUTHORIZE STAFF TO EXECUTE AGREEMENT]

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 Armstrong and seconded, the Board approved District staff to execute the agreement.

Vote 5-0.

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

F. GENERAL MANAGER'S REPORT

None.

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Gaddis requested more information on the Achievement House and Nipomo Recreation contracts.

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9

- a. SMWVCD V. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES)

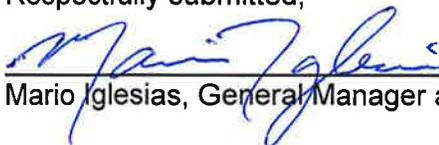
Craig Steele, District Legal Counsel, announced the Board discussed item 1 in closed session and there were no reportable actions.

ADJOURN MEETING

President Eby adjourned the meeting at 11:00 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 39 minutes
Closed Session	1 hour 21 minutes
TOTAL HOURS	2 hour 00 minutes

Respectfully submitted,


Mario Iglesias, General Manager and Secretary to the Board

4/27/2022
Date