

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

MARCH 23, 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 March 23, 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, Director Armstrong, Woodson, Gaddis and Eby were present. Director Malvarose was absent.

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 18, attended Nipomo Traffic and Circulation Committee*

Director Gaddis

- *March 15, attended Finance and Audit Committee meeting*

Director Eby

- *March 11, attended Board Officers' meeting*
- *March 15, attended Finance and Audit Committee meeting*
- *March 17, attended LAFCO meeting remotely*
- *March 17, attended NMMA Technical Group meeting remotely*
- *March 18, attended Nipomo Traffic and Circulation Committee*

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

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There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board approved receiving and filing presentations and reports.
Vote 4-0-1.*

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MARCH 9, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE STAFF TO BID BRANCH STREET WATERLINE REPLACEMENT PROJECT [RECOMMEND AUTHORIZE BID]
- D-4) ACCEPT SUPPLEMENTAL WATER PROJECT JOSHUA ROAD PUMP STATION IMPROVEMENTS [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ACCEPT PROJECT AND DIRECT STAFF TO FILE NOTICE OF COMPLETION]

There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board approved the Consent Agenda.
Vote 4-0-1*

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

E. ADMINISTRATIVE ITEMS

- E-1) BLACKLAKE STREET LIGHTING DISTRICT: RECEIVE RATE STUDY[RECOMMEND REVIEW AND COMMENT ON RATE STUDY]

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

Alison Lechowicz, of Lechowicz & Tseng Municipal Consultants, presented the item and answered questions from the Board.

John Joyce, NCSD Resident, asked if the rate study considered the LED conversion cost reduction and peak pricing.

Alison Lechowicz, with Lechowicz & Tseng Municipal Consultants, stated street lights are not eligible for peak pricing because they are considered a safety necessity.

The Board directed Staff to bring the rate study to the next meeting for adoption.

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- E-2) REVIEW DRAFT BLACKLAKE VILLAGE STREETLIGHT ASSESSMENT DISTRICT 2022 ENGINEER’S REPORT [RECOMMEND REVIEW DRAFT REPORT AND PROVIDE COMMENT]

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

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

There were no public comments.

The Board directed Staff to proceed with the Blacklake Village Streetlight Assessment District Engineer’s report.

- E-3) APPROVE RESOLUTION OF NECESSITY FOR THE ACQUISITION OF SAN LUIS OBISPO COUNTY ASSESSOR’S PARCEL NUMBER 091-192-052 FOR PUBLIC PURPOSES IN CONNECTION WITH THE DISTRICT’S EUREKA WELL REPLACEMENT PROJECT [RECOMMEND THAT THE BOARD OF DIRECTORS OPEN AND CONDUCT PUBLIC HEARINGS TO CONSIDER THE ADOPTION THE ATTACHED RESOLUTION, DECLARING THE CERTAIN REAL PROPERTY INTERESTS DESCRIBED IN THAT RESOLUTION AND THIS REPORT NECESSARY FOR PUBLIC PURPOSES AND AUTHORIZING THE ACQUISITION THEREOF IN CONNECTION WITH THE PROJECT]

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

Director Eby opened the Public Hearing.

There were no public comments.

Director Eby closed the Public Hearing.

*Upon the motion of Director Armstrong and seconded, the Board approved the Resolution of necessity for the acquisition of San Luis Obispo County Assessor’s parcel number 091-192-052 for public purposes in connection with the District’s Eureka Well Replacement Project.
Vote 4-0-1.*

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

RESOLUTION NO. 2022-1616
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, DECLARING THAT THE ACQUISITION OF A REAL PROPERTY INTEREST BY EMINENT DOMAIN IS NECESSARY FROM THE REAL PROPERTY IDENTIFIED AS SAN LUIS OBISPO COUNTY ASSESSOR’S PARCEL NUMBER 091-192-052 FOR PUBLIC PURPOSES IN CONNECTION WITH THE NCSD’S EUREKA WELL REPLACEMENT PROJECT, AND ALL USES NECESSARY AND CONVENIENT THERETO

- E-4) CONSIDER ANNUAL EMPLOYEE COST OF LIVING ADJUSTMENT [RECOMMEND REVIEW AND DISCUSS ANNUAL EMPLOYEE COLA AND DIRECT STAFF TO PREPARE FISCAL YEAR 2022-2023 BUDGET WITH APPROPRIATE COLA]

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

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The Board discussed using the Annual CPI that is calculated at 4.73% versus using the End of Year December CPI that is calculated at 7.03%

John Joyce, NCSD Resident, discussed recruitment challenges and thought the annual computation better reflected the cost of living in Nipomo.

The Board directed staff to prepare the Draft Fiscal Year 22-23 budget with the December to December CPI. The Finance and Audit Committee will review this item further on May 12, 2022.

F. GENERAL MANAGER'S REPORT

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

Pam Wilson, NCSD Resident, asked when the public would be able to provide comments on the Dana Reserve Project.

John Joyce, NCSD Resident, said he lives near the propose Dana Reserve Project and commented on the project.

G. COMMITTEE REPORTS

Director Gaddis and Eby attended the Finance and Audit Committee meeting where the draft Blacklake Streetlight Rate Study, Draft expense Budget for FY 22-23, and the Employee COLA was reviewed and discussed. The Committee recommended the items be presented to the Board.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced the Board would not have closed session.

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

ADJOURN MEETING

President Eby adjourned the meeting at 10:44 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 44 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	1 hour 44 minutes

Respectfully submitted,

 4/19/22

 Mario Iglesias, General Manager and Secretary to the Board Date