NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS **AGENDA**

MAY 25, 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} 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.

NEXT RESOLUTION 2022-1622 A. CALL TO ORDER AND FLAG SALUTE

> **NEXT ORDINANCE** 2022-136

- 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 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) 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

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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
- 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 MAY 11, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
 - D-3) REQUEST CONSOLIDATION OF DISTRICT BOARD ELECTION WITH FALL GENERAL ELECTION [RECOMMEND ADOPT RESOLUTION]
 - D-4) ADOPT RESOLUTION AMENDING APPROPRIATIONS LIMIT FOR THE 2021-2022 FISCAL YEAR [RECOMMEND ADOPT RESOLUTION]
 - D-5) CONSIDER CREATING A CUSTOMER SERVICE CLERK I/II/III SERIES AND INCORPORATING CURRENT JOB DESCRIPTIONS INTO THE NEWLY CREATED SERIES [RECOMMEND APPROVAL]
 - D-6) AUTHORIZE TASK ORDER WITH MKN & ASSOCIATES
 FOR WATER AND SEWER SERVICE PHASING STUDY
 FOR DANA RESERVE ANNEXATION [RECOMMEND BY MOTION AND ROLL CALL
 VOTE AUTHORIZE TASK ORDER WITH MKN & ASSOCIATES IN THE AMOUNT
 OF \$78,599]

E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE DANA RESERVE RATE IMPACT STUDY [RECOMMEND RECEIVE AND FILE]
- E-2) AMEND SOLID WASTE FRANCHISE AGREEMENT BETWEEN NIPOMO COMMUNITY SERVICES DISTRICT AND SOUTH COUNTY SANITARY SERVICES TO INCLUDE SENATE BILL 1383 REQUIREMENTS [RECOMMEND AUTHORIZE BOARD PRESIDENT TO SIGN AGREEMENT IN A FORM APPROVED BY THE GENERAL MANAGER AND DISTRICT LEGAL COUNSEL].
- E-3) APPROVE RESOLUTION TO ESTABLISH EMPLOYEE COST OF LIVING ADJUSTMENT (COLA) COMPUTATION MEASUREMENT PERIOD AND AMEND RESOLUTION TO REFLECT CHANGE [RECOMMEND RECEIVE REPORT AND ADOPT RESOLUTION]

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- E-4) A) REVIEW DRAFT BUDGET FOR FISCAL YEAR 2022-2023 [RECOMMEND CONSIDER DRAFT BUDGET AND SCHEDULE FOR ADOPTION ON JUNE 8, 2022]
 - (B) REVIEW THE DRAFT BUDGET FOR FISCAL YEAR 2022-2023 FOR THE NIPOMO SUPPLEMENTAL WATER PROJECT (NSWP) [RECOMMEND CONSIDER DRAFT BUDGET AND SCHEDULE FOR ADOPTION ON JUNE 8, 2022]
- E-5) ADOPT ORDINANCE 2022-135 AMENDING CHAPTER 4.12, ORDINANCE 2020-132 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO ADDRESS PROVISIONS RELATING TO SEWER SERVICE FEES FOR ACCESSORY DWELLING UNITS [RECOMMEND ADOPT ORDINANCE, READ BY TITLE ONLY AND WAIVE FURTHER READING OF ORDINANCE]
- E-6) ADOPT RESOLUTION TO ADOPT RECOVERED ORGANIC WASTE PRODUCT PROCUREMENT 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
 - ROBYN FLORES, ET AL V. R. MYERS, NIPOMO COMMUNITY SERVICES DISTRICT, ET AL (SAN LUIS OBISPO SUPERIOR COURT CASE NO. 22CV-0250)
- 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, JUNE 8, 2022, 9 AM