

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER

DATE: MAY 20, 2022

AGENDA ITEM

C

MAY 25, 2022

PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

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

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: MAY 20, 2022

AGENDA ITEM

D

MAY 25, 2022

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. 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.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda**

- 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]

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 

FROM: LISA BOGNUDA
FINANCE DIRECTOR

DATE: MAY 20, 2022

AGENDA ITEM
D-1(A)
MAY 25, 2022

WARRANTS

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$144,528.13
HAND WRITTEN CHECKS	NONE
VOIDED CHECKS #8174 & #7316	\$3,959.94

Item D-1(A) Warrants MAY 25, 2022

Nipomo Community Services District

By Payment Number

Payment Dates 05/25/2022 - 05/25/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 8416				
Advantage Answering Plus, Inc.	Answering service	000025-014-401	05/25/2022	262.32
Payment 8416 Total:				262.32
Payment: 8417				
Alissa Jimenez	Mileage reimbursement- Notary MAY2022		05/25/2022	25.74
Payment 8417 Total:				25.74
Payment: 8418				
Amazon Capital Services, Inc.	Stamp	1GV4-NLQR-3J1C	05/25/2022	20.91
Amazon Capital Services, Inc.	Credit memo	1K7K-Y111-T3FG	05/25/2022	-21.44
Amazon Capital Services, Inc.	Bar code scanner	13J9-9RYP-6GFR	05/25/2022	154.44
Amazon Capital Services, Inc.	Operating supplies	1QG4-QVWL-PK1Y	05/25/2022	127.61
Amazon Capital Services, Inc.	Return of Check Scanner	CM0000149	05/25/2022	-975.63
Amazon Capital Services, Inc.	Envelopes	1TH6-4RVQ-TLR9	05/25/2022	102.24
Amazon Capital Services, Inc.	Operating supplies	1FPD-4XRQ-71TQ	05/25/2022	64.32
Amazon Capital Services, Inc.	Heavy duty spray nozzles	1CFD-93MY-CYWY	05/25/2022	241.50
Amazon Capital Services, Inc.	Operating supplies	1GL4-J3H9-6VL9	05/25/2022	120.65
Amazon Capital Services, Inc.	Office supplies	131N-VNQG-7GN9	05/25/2022	72.94
Amazon Capital Services, Inc.	Office supplies	1T1C-6J3R-RJK	05/25/2022	96.51
Amazon Capital Services, Inc.	Office supplies	1QV4-7WHR-H41T	05/25/2022	39.67
Payment 8418 Total:				43.72
Payment: 8419				
American Industrial Supply	Operating Supplies	0369700-IN	05/25/2022	46.98
Payment 8419 Total:				46.98
Payment: 8420				
Bognuda, Lisa	Mileage reimbursement - SLO	May 2022	05/25/2022	30.67
Payment 8420 Total:				30.67
Payment: 8421				
California Electric Supply	Operating supplies	7826-1053881	05/25/2022	72.19
Payment 8421 Total:				72.19
Payment: 8422				
California Water Environment	CWEA Membership renewal	57694-Maldonado	05/25/2022	192.00
Payment 8422 Total:				192.00
Payment: 8423				
California Water Environment	CWEA Membership renewal	36849-German2022	05/25/2022	192.00
Payment 8423 Total:				192.00
Payment: 8424				
CalPortland Construction	Class 2 base	95436861	05/25/2022	646.58
Payment 8424 Total:				646.58
Payment: 8425				
Cannon Corporation	Palms Lift Station Support	80324	05/25/2022	2,964.50
Cannon Corporation	Eureka Well Completion-	80332	05/25/2022	1,915.75
Payment 8425 Total:				4,880.25
Payment: 8426				
Charter Communications	Internet - Shop and/or Office	0225708052222	05/25/2022	734.00
Payment 8426 Total:				734.00
Payment: 8427				
Charter Communications	Internet - Shop and/or Office	0224495052022	05/25/2022	734.00
Payment 8427 Total:				734.00

Item D-1(A) Warrants MAY 25, 2022
Payment Dates: 05/25/2022 - 05/25/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 8428				
Coastal Occupational Medical	Pre-employemnt physical	3181	05/25/2022	240.00
Payment 8428 Total:				240.00
Payment: 8429				
Electricraft, Inc.	Light fixture repair	17258	05/25/2022	229.08
Payment 8429 Total:				229.08
Payment: 8430				
Engel & Gray, Inc.	Biosolids collection	24X00010	05/25/2022	8,519.96
Payment 8430 Total:				8,519.96
Payment: 8431				
Engineering News-Record	Annual Subscription	1106834888-2022	05/25/2022	108.00
Payment 8431 Total:				108.00
Payment: 8432				
Excel Personnel Services, Inc.	Employment agency	3957940	05/25/2022	527.00
Payment 8432 Total:				527.00
Payment: 8433				
Heacock Trailers & Truck	Truck accessories 2022- F250	15764	05/25/2022	8,232.13
Payment 8433 Total:				8,232.13
Payment: 8434				
Iglesias, Mario	Cell phone reimbursement	MAY2022	05/25/2022	65.00
Payment 8434 Total:				65.00
Payment: 8435				
Integrated Industrial Supply, Inc. Gloves		84015	05/25/2022	593.02
Integrated Industrial Supply, Inc. Operating supplies		83915	05/25/2022	40.09
Integrated Industrial Supply, Inc. Saw blade		84062	05/25/2022	135.03
Integrated Industrial Supply, Inc. Operating supplies		83916	05/25/2022	88.16
Payment 8435 Total:				856.30
Payment: 8436				
Iron Mountain	Document shredding	GNKZ189	05/25/2022	36.82
Payment 8436 Total:				36.82
Payment: 8437				
JB Dewar, Inc.	Pump oil	203623	05/25/2022	374.17
Payment 8437 Total:				374.17
Payment: 8438				
Lee Wilson Electric Company,	Replace street light lamps	3428	05/25/2022	290.74
Payment 8438 Total:				290.74
Payment: 8439				
Mission Uniform Service	Uniforms	516985385	05/25/2022	181.76
Payment 8439 Total:				181.76
Payment: 8440				
MNS Engineers, Inc.	Construction Management-	80327	05/25/2022	5,500.00
MNS Engineers, Inc.	Construction Management-	80326	05/25/2022	16,347.38
Payment 8440 Total:				21,847.38
Payment: 8441				
NewLane Finance Company	Telephone	114526-04/05/2022	05/25/2022	393.94
Payment 8441 Total:				393.94
Payment: 8442				
NexTraq	GPS subscription	AT1456621	05/25/2022	447.20
Payment 8442 Total:				447.20
Payment: 8443				
Nipomo Community Services	Water	APRIL2022	05/25/2022	968.80
Payment 8443 Total:				968.80
Payment: 8444				
Nunley & Associates, Inc.	Tract 3163 Improvement Plan-	100653	05/25/2022	376.98
Nunley & Associates, Inc.	135 E Branch St Improvements-	100652	05/25/2022	1,066.82

Item D-1(A) Warrants MAY 25, 2022

Payment Dates: 05/25/2022 - 05/25/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Nunley & Associates, Inc.	Dana Reserve -PCIA	100577	05/25/2022	875.50
Nunley & Associates, Inc.	AWIA ERP Update	100572	05/25/2022	509.85
Nunley & Associates, Inc.	Lucky Lane-PCIA	100651	05/25/2022	638.09
Nunley & Associates, Inc.	Southland WWTF O&M Manual	100636	05/25/2022	5,111.38
Payment 8444 Total:				8,578.62
Payment: 8445				
Nu-Tech Pest Management	Pest Control	0165485	05/25/2022	265.00
Nu-Tech Pest Management	Pest Control	0165489	05/25/2022	75.00
Payment 8445 Total:				340.00
Payment: 8446				
Office Depot	Office supplies	243978731001	05/25/2022	59.76
Office Depot	Office supplies	243978729001	05/25/2022	12.46
Office Depot	Office supplies	240987046001	05/25/2022	17.82
Office Depot	Office supplies	243978546001	05/25/2022	150.35
Payment 8446 Total:				240.39
Payment: 8447				
PG&E	Electricity	MAY 2022	05/25/2022	51,297.40
Payment 8447 Total:				51,297.40
Payment: 8448				
PMC Engineering LLC	Cables and Versaline Series	110317	05/25/2022	3,635.48
Payment 8448 Total:				3,635.48
Payment: 8449				
Ray Morgan Company	B&W/Color copies	3715182	05/25/2022	198.27
Ray Morgan Company	B&W/Color copies	3715183	05/25/2022	401.37
Payment 8449 Total:				599.64
Payment: 8450				
Santa Maria Ford Lincoln	Vehicle repair/maintenance	215541	05/25/2022	70.76
Payment 8450 Total:				70.76
Payment: 8451				
SLO County Environmental	Cross Connection Services	IN0138021	05/25/2022	1,906.20
Payment 8451 Total:				1,906.20
Payment: 8452				
Tyler Technologies, Inc.	Software maintenance	025-376677	05/25/2022	480.00
Payment 8452 Total:				480.00
Payment: 8453				
Unified Field Services	Retention Payment	6	05/25/2022	19,881.31
Payment 8453 Total:				19,881.31
Payment: 8454				
Wallace Group	FOG Program	55982	05/25/2022	1,671.34
Payment 8454 Total:				1,671.34
Payment: 8455				
Wonderful Things	Replacement flag	30510	05/25/2022	114.84
Payment 8455 Total:				114.84
Payment: 8456				
Zierman Plumbing, Inc	Plumbing Repair	17490	05/25/2022	593.48
Payment 8456 Total:				593.48
Payment: 8457				
Clever Ducks	Computer expense	31995	05/25/2022	3,939.94
Payment 8457 Total:				3,939.94

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER



FROM: LISA BOGNUDA
FINANCE DIRECTOR

DATE: MAY 20, 2022

AGENDA ITEM
D-1(B)
MAY 25, 2022

WARRANTS – BLACKLAKE ASSESSMENT DISTRICT 2020-1

COMPUTER CHECKS GENERATED – SEE ATTACHED
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\$8,755.93

Item D-1(B) Warrants MAY 25, 2022

Nipomo Community Services District

By Payment Number

Payment Dates 05/25/2022 - 05/25/2022

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amo
Payment: 55				
Cannon Corporation	BL Sewer Consolidation Project	80455	05/25/2022	8,706.75
Payment 55 Total:				8,706.75
Payment: 56				
Nunley & Associates, Inc.	Southland WWTF Capacity Eval	100633	05/25/2022	49.18
Payment 56 Total:				49.18

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER
DATE: MAY 20, 2022

AGENDA ITEM
D-2
MAY 25, 2022

**APPROVE MAY 11, 2022
REGULAR BOARD MEETING MINUTES**

ITEM

Approve action minutes from previous Board meetings. [RECOMMEND APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board Meeting action.

RECOMMENDATION

Approve Minutes

ATTACHMENT

- A. May 11, 2022 draft Regular Board Meeting Minutes

MAY 25, 2022

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MINUTES

MAY 11, 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 May 11, 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.

President Eby announced Item E-1 would be next.

- E-1) APPROVE FINAL DRAFT OF THE SOUTH COUNTY SANITARY SERVICES RATE STUDY REPORT AND DIRECT STAFF TO INITIATE A PROPOSITION 218 PROCESS, INCLUDING SETTING A PUBLIC HEARING DATE FOR JULY 13, 2022 [RECOMMEND APPROVE REPORT, DIRECT STAFF TO INITIATE PROP 218 PROCESS AND SET JULY 13, 2022 FOR PUBLIC HEARING]

Mario Iglesias, General Manager, 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 the Report, and Directed staff to initiate the Prop 218 process and set July 13, 2022 for the Public Hearing. Vote 5-0.

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

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

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

- *April 24, attended SCAC meeting*

Director Eby

- *April 29, attended Board Officers' meeting.*
- *May 3, attended BLMA meeting*
- *May 4, attended WRAC meeting*
- *May 10, attended CSDA Local Chapter 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 5-0-0.

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE APRIL 27, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) ACCEPT THIRD QUARTER FISCAL YEAR 2021-2022 QUARTERLY FINANCIAL REPORT [RECOMMEND RECEIVE AND FILE REPORT]
- D-4) AUTHORIZE CONTRACT FOR ENGINEERING SERVICES FOR FRONTAGE ROAD TRUNK SEWER REPLACEMENT PROJECT WITH MKN & ASSOCIATES [RECOMMEND APPROVAL]
- D-5) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 139 E DANA STREET [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]
- D-6) CONSIDER REQUEST FOR SEWER SERVICE (INTENT-TO-SERVE LETTER) FOR NIPOMO ELEMENTARY SCHOOL LOCATED AT 190 E. PRICE STREET [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

Staff answered questions regarding items D-1, D-4, D-5, and D-6.

There were no public comments.

Upon the motion of Director Armstrong 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 on D-1.

Vote 3-2 on D-2.

Vote 5-0 on D-3 to D-6

	YES VOTES	ABSTAIN	ABSENT
D-1	Directors Armstrong, Woodson, Gaddis, and Eby	Malvarose	None
D-2	Directors Armstrong, Eby, and Gaddis	Woodson and Malvarose	None
D-3 to D-6	Directors Armstrong, Woodson, Malvarose, Gaddis, and Eby	None	None

E. ADMINISTRATIVE ITEMS

- E-2) INTRODUCE 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 REVIEW AND DISCUSS REVISIONS, INTRODUCE ORDINANCE, READ BY TITLE ONLY AND WAIVE FURTHER READING OF ORDINANCE]

Mario Iglesias, General Manager, presented the item.

There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board introduced and read by title only Ordinance 2022-135, AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT SECTION 4.12 AMENDING PROVISIONS RELATED TO SEWER SERVICE FEES FOR ACCESSORY DWELLING UNITS, waived further reading of the ordinance, and directed District Counsel and staff to prepare and publish a summary of the Ordinance in accordance with Government Code section 25124. .

Vote 5-0.

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

ORDINANCE NO. 2022-135
AN ORDINANCE OF BOARD OF THE DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING CHAPTER 4.12 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE TO ADD
PROVISIONS RELATING TO SEWER SERVICE FEES
FOR ACCESSORY DWELLING UNITS

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

- E-3) AMEND SUPPLEMENTAL WATER ACCOUNTING POLICY [RECOMMEND YOUR BOARD CONSIDER THE AMENDED POLICY AND ADOPT RESOLUTION]

Mario Iglesias, General Manager, requested to table the item to the May 25th Board meeting, so a redlined copy of the changes to the Supplemental Water Accounting Policy could be included in the Board packet.

Pam Wilson, NCSD Resident, asked for the explanation of a redline draft.

- E-4) APPROVAL OF THE ENGINEER'S LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2022-2023 [RECOMMEND ADOPT RESOLUTION]

Mario Iglesias, General Manager, presented the item.

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

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Resolution. Vote 5-0.

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

RESOLUTION NO. 2022-1621
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE ANNUAL ENGINEER'S LEVY REPORT,
DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS
FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1
FOR FISCAL YEAR 2022-2023,
AND SETTING A PUBLIC HEARING THEREON

F. GENERAL MANAGER'S REPORT

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

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby asked when the Dana Reserve would be releasing the EIR.

Pam Wilson, NCSD resident, asked if copies of the EIR will be made available to the public.

Director Armstrong asked if the City of Santa Maria were to implement water restrictions would it affect the District.

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced to the Board that there would be no 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 9:48 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 48 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	0 hour 48 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

SUBJECT TO BOARD APPROVAL

TO: BOARD OF DIRECTORS

FROM: MARIO E. IGLESIAS
GENERAL MANAGER



DATE: MAY 20, 2022

AGENDA ITEM

D-3

MAY 25, 2022

REQUEST CONSOLIDATION OF DISTRICT BOARD ELECTION WITH FALL GENERAL ELECTION

ITEM

Request Consolidation of District Board Election with Fall General Election [RECOMMEND ADOPT RESOLUTION]

BACKGROUND

On May 9, 2022, the Office of the County Clerk-Recorder contacted the District and requested the District:

1. File a Notice of Offices to be Filled;
2. Provide a map of District Boundary; and
3. Provide a Resolution requesting consolidation with the November 8, 2022 General Election.

The draft Resolution provides for the election of the District's Board of Directors to be included on the ballot with the County-wide General Election.

The Notice and Map are due back to the County by July 1, 2022. The Resolution must be adopted and provided to the County Clerk Recorder no later than August 12, 2022.

RECOMMENDATION

Adopt attached Resolution approving consolidation of Board election with General Election and direct staff to submit all election related material to the County Clerk Recorder no later than July 1, 2022.

ATTACHMENTS

- A. Draft Resolution
- B. Copy of Map
- C. Calendar of Events for the November 8, 2022 Consolidated General Election

MAY 25, 2022

ITEM D-3

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN LUIS OBISPO CONSOLIDATE THE
DISTRICT ELECTION, WITH THE STATEWIDE GENERAL ELECTION
TO BE HELD ON NOVEMBER 8, 2022 PURSUANT TO
SECTION 10403 OF THE ELECTION CODE**

WHEREAS, the Board of Directors of the Nipomo Community Services District has called a District Election to be held on November 8, 2022, for the purpose of the election of four members of the Board of Directors for three full terms of four years and 1 term of two years, and

WHEREAS, pursuant to Section 10555 of the Elections Code, said election may be consolidated with other elections to be held on the same day pursuant to Chapter 3, Part 3, Division 10 of the Elections Code (commencing with Section 10400); and

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of the local agency adopt regulations pertaining to the materials prepared by any candidate for election, including the costs of the candidate's statement; and

WHEREAS, the Board of Directors of the Nipomo Community Services District desires to request the San Luis Obispo County Board of Supervisors to consolidate the District's General Election with the Statewide General Election to be held on the same date.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That pursuant to the requirements of Section 10403 of the Election Code, the Board of Supervisors of the County of San Luis Obispo is hereby requested to consent and agree to consolidate the District's General Election with the Statewide General Election to be held on Tuesday, November 8, 2022, for the purpose of the election of two members to the Nipomo Community Services District Board of Directors.

- A. This request is made pursuant to Section 10555 and 10400, et seq of the Election Code.
- B. That the County Election Department is authorized to canvas the returns of the District election.
- C. That the District recognizes that additional costs will be incurred by the County by reasons of this consolidation and agrees to reimburse the County for the additional costs.
- D. The Board of Supervisors is requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the consolidated election.

Section 2. The Notice to County Election Official attached hereto as Exhibit "A" provides that the candidate will pay for the printing and handling of the Statement of Qualifications is hereby approved and adopted.

NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2022-XXXX

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING THE BOARD OF SUPERVISORS OF
THE COUNTY OF SAN LUIS OBISPO CONSOLIDATE THE
DISTRICT ELECTION, WITH THE STATEWIDE GENERAL ELECTION
TO BE HELD ON NOVEMBER 8, 2022 PURSUANT TO
SECTION 10403 OF THE ELECTION CODE

Section 3. The Secretary to the Board is hereby directed to file a certified copy of this Resolution, with attachments, with the Board of Supervisors and the County Elections Department of the County of San Luis Obispo.

Upon motion of Director _____, seconded by Director _____, on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

the foregoing resolution is hereby passed and adopted this _____ day of _____ 2022.

ED EBY, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

MARIO IGLESIAS
Secretary to the Board

CRAIG A. STEELE
District Legal Counsel



Exhibit "A"

NOTICE TO COUNTY ELECTIONS OFFICIAL ELECTIVE OFFICES TO BE FILLED, MAP OF DISTRICT BOUNDARIES, PAYMENT OF CANDIDATE STATEMENT OF QUALIFICATIONS

Elections Code §§10509,10522

Nipomo Community Services District

Name of District

TO THE COUNTY ELECTIONS OFFICIAL OF SAN LUIS OBISPO COUNTY:

1. Notice is hereby given that the elective offices of the district to be filled at the Consolidated General Election on November 8, 2022, are as follows:

NUMBER OF DIRECTORS TO BE ELECTED

TERM OF OFFICE

3

Four Year Term

1

Two Year Term

Name of Elected officials whose term will be expiring.

Craig Armstrong (2-Yr), Edward Eby (4-Yr)

Dan A. Gaddis (4-Yr), William Woodson (4-Yr)

2. The qualifications of a nominee and of an elective office of the district are as follows:

SHALL BE A REGISTERED ELECTOR RESIDING IN THE DISTRICT

3. Pursuant to Elections Code§10522, a map showing the boundaries of the district is attached.

Have the boundaries changed since 2020?

YES _____ NO X

4. Please indicate whether the DISTRICT or the CANDIDATE will pay for the printing and handling of the Statement of Qualifications, per Elections Code §13307

DISTRICT _____ CANDIDATE X

Signed: _____ Dated: 5/11/22

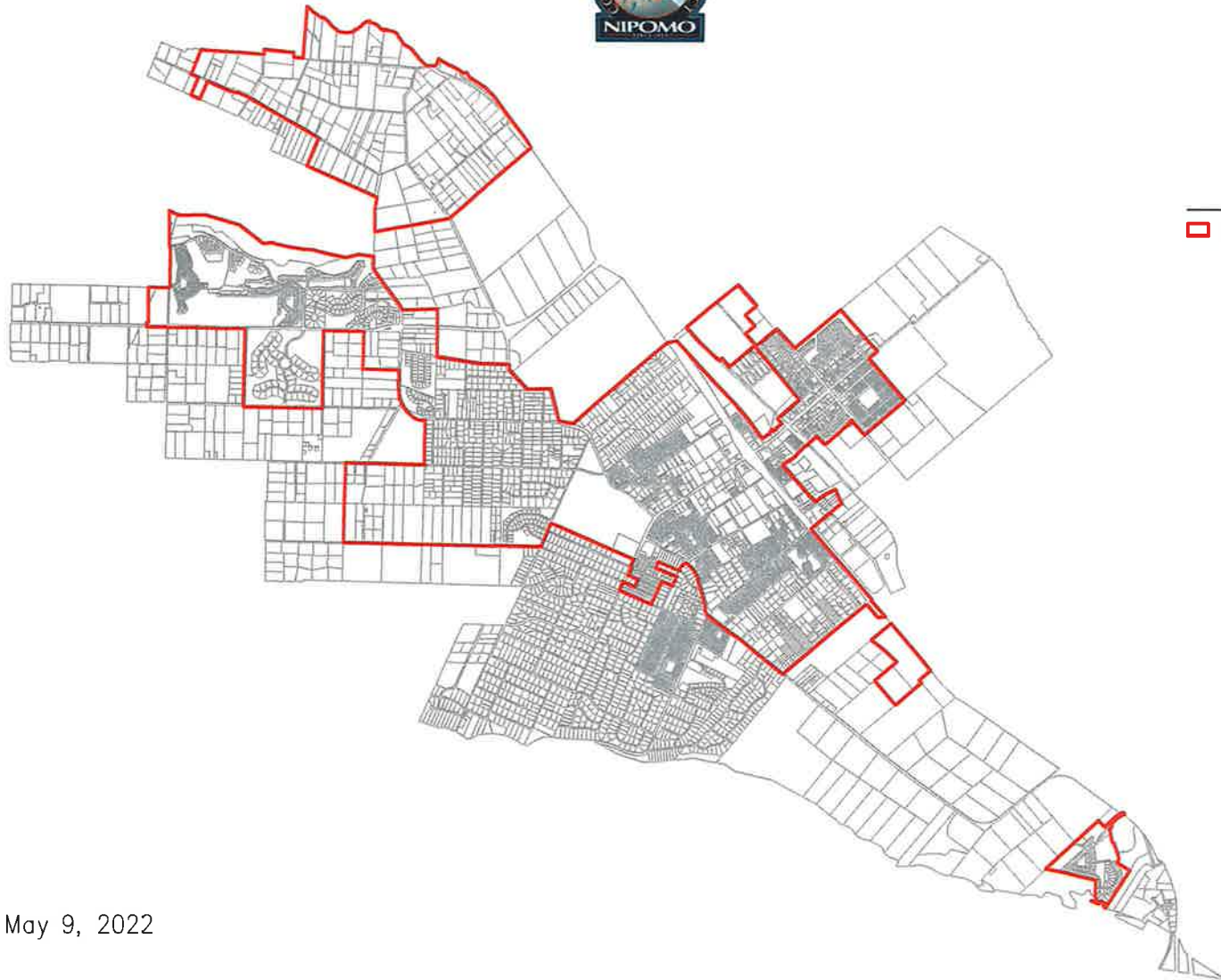
Print Name and Title: Mario Iglesias, General Manager

MAY 25, 2022


ITEM D-3

ATTACHMENT B

NIPOMO COMMUNITY SERVICES DISTRICT



Legend

 NCSD Boundary



May 9, 2022

MAY 25, 2022

ITEM D-3

ATTACHMENT C

SPECIAL DISTRICT CALENDAR OF EVENTS
NOVEMBER 8, 2022, CONSOLIDATED GENERAL ELECTION

DATE/DEADLINE	EVENT
July 6, 2022 E-125 days EC §§10509, 10522	District Secretary completes and delivers to the County Elections Official, the Notice of Elective Offices to be filled, along with the map of the district's boundaries.
JULY 11 - AUG 10, 2022 E-120-90 Days EC Code §12112 EC §12113	<p>County Elections Official shall publish the Notice of Election for each district containing:</p> <ol style="list-style-type: none"> 1. The date of the election 2. The office for which candidates may file 3. The qualifications for office 4. Location where candidates may file for office and the deadlines 5. Statement regarding appointments EC §10515 <p>In addition, the County Election Official, shall, by a general press release, set forth the offices to be filled and a telephone number to call for information.</p> <p>County Elections Official shall deliver a copy of all published notices to the District Secretary for posting in the district office.</p>
JULY 18 - AUG 12, 2022 E-113-88 Days EC §§10510, 10603 HNC §6053 EC §10515	<p>Nomination Period - Candidates file declaration of candidacy forms and other related nomination documents with the County Elections Official. No person may file papers for more than one district office at the same election.</p> <p>Candidates for Harbor Commissioner must file nomination papers signed by 25 to 50 registered voters within the District.</p> <p>Insufficient Nominees - if by the close of nominations for a given office, there are insufficient or no nominees, and a petition requesting an election has not been filed, the district will not hold an election. Those candidates who filed Declarations of Candidacy will be appointed in-lieu of election by the Board of Supervisors. Upon recommendation of the District, the Board of Supervisors will make appointments where no candidates filed the requisite papers.</p>
AUG 12, 2022 E-88 Days EC §§10403	Last day for districts to file their resolutions requesting consolidation of their election with the November 8, 2022, General Election with the County Elections Official.
AUG 13 - AUG 17, 2022 E-87-83 Days EC §10604	Extended Filing Period - If an incumbent officer does not file a declaration of candidacy by August 12th, any person other than the incumbent , may file between these dates. The extension is not applicable if there is no incumbent to be elected.
AUG 15, 2022 E-85 Days EC §13307(3)	Last Day for a candidate to withdraw their Statement of Qualifications. Once filed, the statement cannot be changed, only withdrawn. If the office has a filing extension, the last day to withdraw the statement of qualifications is August 18th.
DEC 6, 2022 EC §10554	Term of Office begins. Prior to taking office, each elective officer shall take the official Oath of Office.
JAN 3, 2023 HNC §§6050, 6055, 6056	Term of Office for Harbor Commissioners begins at noon. Prior to taking office, each commissioner shall take the official oath and execute any bond required by the principal act.

* Denotes a date that falls on a County holiday or weekend. Deadline extends until the next business day.
 EC = Election Code HNC = Harbors and Navigation Code (E-) = Election Day Minus

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER
DATE: MAY 20, 2022

AGENDA ITEM
D-4
MAY 25, 2022

**AMENDING THE APPROPRIATION LIMITATION FOR THE 2021-2022
FISCAL YEAR**

ITEM

Amending the Appropriation Limitation for the 2021-2022 Fiscal year. [RECOMMEND ADOPT RESOLUTION]

BACKGROUND

The Appropriation Limitation (GANN limit) was adopted by voters to ensure state and local government spending was capped at 1978-79 levels, adjusted for the percent change in California per-capita income and population. Every year the computation is made by carrying over the previous limitation to calculate the current limitation.

Last year there was a carryover error and the incorrect number was used as the beginning limitation. The error was minor but needs to be corrected to ensure the future Appropriations Limitations are correct.

The beginning limitation should have been \$6,679,718, instead of the \$6,672,758 that was in the Resolution 2021-1600. In the attached draft Resolution, the beginning limitation has been corrected, resulting in an amended 2021-2022 Appropriations Under Limit of \$6,771,598, an increase of \$7,093.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

Staff recommends that your Board approve the amended Resolution.

ATTACHMENT

- A. Resolution 2022-APPROP LIMITATION

MAY 25, 2022

ITEM D-4

ATTACHMENT A

RESOLUTION NO. 2022-APPROP LIMITATION

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING THE APPROPRIATION LIMITATION FOR THE 2021-2022 FISCAL YEAR**

WHEREAS, Article XIII B of the California Constitution specifies that appropriations made by governmental entities may increase annually by the change in population and the California per-capita income, and

WHEREAS, it has been determined by the State Department of Finance that the California per-capita income increase shall be used; and

WHEREAS, the percent change in the California per-capita income is 1.0573% and the percent change in the population of the unincorporated area of San Luis Obispo County is -3.66% (Population converted to a ratio is computed as follows: $\{-3.66+100\} \div 100 = .9634$).

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the Nipomo Community Services District, San Luis Obispo County, California, as follows:

1. That the ratio of change is and is determined as follows:
 $1.0573 \times .9634 = 1.019$
2. That the 2021-2022 appropriation limit is and is determined as follows:

2021 Limitation	<u>\$6,679,718</u> 6,672,758
2021 Ratio of Change	<u>1.019</u>
2021 Appropriations Limitation	<u>\$6,806,633</u> 6,799,540
Appropriations Limitation Subject to Limitation	(35,035)
2021-2022 Appropriations Under Limit	<u>\$6,771,598</u> 6,764,505

3. No further adjustment to the 2021-2022 appropriation limitation has been made for mandated costs. However, any new mandated costs or increases in costs would increase the limitation amount by "Proceeds of Taxes" used to finance mandates in Fiscal Year 2021-2022.

On the motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:

the foregoing resolution is hereby adopted this 25th day of May 2022.

ED EBY
President of the Board

ATTEST:

APPROVED AS TO FORM:

MARIO IGLESIAS
Secretary to the Board

CRAIG A. STEELE
District Legal Counsel