

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

AUGUST 10, 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 August 10, 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.

Jim Wejrowski, Blacklake resident, asked about where the Board meeting minutes were posted.

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 Eby

- *July 14, attended SLO County Planning Commission Dana Reserve study session meeting remotely.*
- *July 21, attended LAFCO Dana Reserve study session meeting*
- *July 22, attended Board Officers' 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 Armstrong, Woodson, Gaddis, Malvarose, and Eby</i>	<i>None</i>	<i>None</i>

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D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JULY 13, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INVESTMENT POLICY – QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]

Director Eby requested to pull item D-4 for further discussion.

There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board approved Consent Agenda items D-1 to D-3. Director Malvarose abstained from item D-1 and D-2 due to a conflict of interest relating to his employer and an absence at the July 13, 2022 meeting.

D-1 to D-2 Vote 4-1.

D-3 Vote 5-0.

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

- D-4) CONSIDER OFFER OF WATER AND SEWER IMPROVEMENTS FOR CO 20-0016, 170 SOUTH FRONTAGE ROAD, NIPOMO [CONSIDER ACCEPTING OFFER OF IMPROVEMENTS]

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 Consent Agenda item D-4.

Vote 5-0.

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

RESOLUTION NO. 2022-1638
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING CO 20-0016 WATER AND SEWER IMPROVEMENTS

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER REQUEST FOR WATER, SEWER, AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR A 56 UNIT RESIDENTIAL SUBDIVISION LOCATED AT 655 JUNIPER STREET, NIPOMO [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

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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 the Intent-To-Serve letter with conditions.

Vote 5-0.

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

- E-2) CONSIDER REQUEST FOR WATER, SEWER, AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR 230 UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 222 S. FRONTAGE ROAD, NIPOMO [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

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 the Intent-To-Serve letter with conditions.

Vote 4-1.

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

- E-3) CONSIDER ANNUAL ADJUSTMENT TO GENERAL MANAGER’S BASE SALARY PURSUANT TO HIS EMPLOYMENT AGREEMENT [RECOMMEND APPROVAL OF ADJUSTMENT]

Craig Steele, General Counsel, presented the proposal to increase the General Manager’s base salary by 7% to \$198,658.46 effective July 1, 2022 and answered questions from the Board.

There were no public comments.

Upon the motion of Director Armstrong, and seconded, the Board approved the adjustment to the General Managers base salary.

Vote 5-0.

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

F. GENERAL MANAGER’S REPORT

None.

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G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced that there would be no closed session.

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

- a. SMWWCD 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 9:30 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 30 minutes
Closed Session	0 hour 0 minutes
TOTAL HOURS	0 hour 30 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board

8/24/22

Date