

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

**AUGUST 24, 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 24, 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 Eby*

- *August 12, attended Board Officers' meeting.*
- *August 18, attended LAFCO meeting remotely.*
- *August 18, attended NMMA Technical group meeting.*
- *August 22, attended Interview with the Auditors.*

- 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>

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE AUGUST 10, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) BIENNIAL REVIEW OF LOCAL CONFLICT OF INTEREST CODE [RECOMMEND CONDUCT REVIEW AND DETERMINE NO UPDATE IS REQUIRED]
- D-4) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR AN ADDITIONAL DUPLEX LOCATED AT 328 NORTH MALLAGH STREET [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]

*There were no public comments.*

*Upon the motion of Director Armstrong and seconded, the Board approved the Consent Agenda. D-1 Vote 4-0, with Director Gaddis abstaining. D-2 to D-4 Vote 5-0.*

	YES VOTES	ABSTAIN	ABSENT
D-1	Directors Armstrong, Woodson, Malvarose, and Eby	Gaddis	None
D-2 to D-4	Directors Armstrong, Woodson, Gaddis, Malvarose, and Eby	None	None

E. ADMINISTRATIVE ITEMS

- E-1) AUTHORIZE PURCHASE OF REPLACEMENT JETTER TRUCK AND CONSIDER BUDGET AMENDMENT REQUEST [RECOMMEND ADOPT RESOLUTION AUTHORIZING STAFF TO PURCHASE VACTOR JETTER TRUCK FROM HAAKER EQUIPMENT COMPANY AT A COST OF \$567,086 AND AMEND FY 2022-2023 BUDGET]

*Mario Iglesias, General Manager, presented the item.*

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

*Lisa Bognuda, Finance Director, answered questions from the Board.*

*There were no public comments.*

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

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

RESOLUTION NO. 2022-1639  
 NIPOMO COMMUNITY SERVICES DISTRICT  
 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
 NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING PURCHASE OF  
 VACTOR JETTER TRUCK FROM HAAKER EQUIPMENT COMPANY  
 AT A COST OF \$567,086 AND AMENDING FY 2022/2023 BUDGET

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- E-2) AUTHORIZE INTER-FUND LOAN BETWEEN BLACKLAKE SEWER FUND #150 AND BLACKLAKE STREET LIGHTING DISTRICT FUND #200 [RECOMMEND AUTHORIZE INTER-FUND LOAN]

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

*Lisa Bognuda, Finance Director, answered questions from the Board.*

*There were no public comments.*

*Upon the motion of Director Armstrong, and seconded, the Board approved the inter-fund loan. 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. 2022-1640  
NIPOMO COMMUNITY SERVICES DISTRICT  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT APPROVING  
AND ESTABLISHING THE INTEREST RATE FOR AN INTER-FUND  
LOAN BETWEEN THE BLACKLAKE SEWER FUND AND THE  
BLACKLAKE STREETLIGHTING FUND

F. GENERAL MANAGER'S REPORT

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

*Director Eby, requested the Annexation agreement be inserted in the Dana Reserve Project schedule included in the General Manager's report.*

*There were no public comments.*

G. COMMITTEE REPORTS

*None.*

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*Director Eby, requested that an Ad Hoc committee be formed to discuss the annexation agreement for the Dana Reserve Project.*

*Director Woodson, requested a report on the recently passed legislation regarding disruptive public in meetings. Craig Steele, announced that he will be providing a report to the Board.*

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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 9:36 a.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 36 minutes
Closed Session	0 hour 0 minutes
TOTAL HOURS	0 hour 36 minutes

Respectfully submitted,

 

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Mario Iglesias, General Manager and Secretary to the Board Date