

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

OCTOBER 26, 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 October 26, 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.

Phill Widerman, Golden State Water Company Resident, commended the District's water conservation efforts and requested that the Board put an item on the agenda to sell more water to Golden State.

Linda Simko, Golden State Water Company Resident, requested that the Board put an item on the agenda to sell more water to Golden State.

Mark Albrecht, Nipomo Resident, asked the Board if he could receive a refund on Capacity fees that were paid at the beginning of his development as his project has changed.

C. PRESENTATIONS AND REPORTS

- C-1 INTEGRATED WASTE MANAGEMENT AUTHORITY UPDATE ON SENATE BILL 1383 REQUIREMENTS FOR COMPLIANCE [RECOMMEND RECEIVE AND FILE]

Mario Iglesias, General Manager, introduced the item.

Peter Cron, IWMA Executive Director, presented the item and answered questions from the Board.

- C-2) SAN LUIS OBISPO COUNTY WATER RESOURCES PRESENTATION ON DESALINIZATION CONCEPT EXPLORATION AND DEVELOPMENT PLAN ("DESAL PLAN") [RECOMMEND RECEIVE AND FILE]

Mario Iglesias, General Manager, introduced the item.

Courtney Howard, San Luis Obispo County Water Resources Division Manager, presented the item and answered questions from the Board.

Nipomo Community Services District
REGULAR MEETING
MINUTES

- C-3) 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 Gaddis

- *October 15-16, attended the Central Coast Air Show in Santa Maria*

Director Malvarose

- *October 14, attended Board Officers' meeting*
- *December 4, Nipomo Christmas Parade*

Director Eby

- *October 14, attended Board Officers' meeting*
- *October 20, attended LAFCO meeting*

- C-4) 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 OCTOBER 12, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INVESTMENT POLICY – QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]

Staff answered questions regarding item D-3.

There were no public comments.

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

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

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER RESOLUTION TO ADOPT MITIGATED NEGATIVE DECLARATION AND AUTHORIZE THE GENERAL MANAGER TO FILE A NOTICE OF DETERMINATION FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT [RECOMMEND HOLD PUBLIC HEARING AND MAKE FINDINGS]

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

Director Eby asked about the biologist and paleontologist that was mentioned in the study.

President Eby opened the Public Hearing.

There were no public comments.

President Eby closed the Public Hearing.

Upon the motion of Director Gaddis and seconded, the Board unanimously approved the Resolution adopting the Mitigated Negative Declaration for the Blacklake Sewer Consolidation Project.

Vote 5-0.

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

RESOLUTION NO. 2022-1645
 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM AND AUTHORIZING THE GENERAL MANAGER TO FILE A NOTICE OF DETERMINATION FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT

- E-2) AUTHORIZE CONTRACT AMENDMENT FOR ENGINEERING SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT WITH CANNON CORPORATION [RECOMMEND AUTHORIZE CONTRACT AMENDMENT]

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 unanimously approved staff to execute a contract amendment with Cannon Corporation.

Vote 5-0.

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

- E-3) AUTHORIZE CONTRACT AMENDMENT #2 FOR CEQA COMPLIANCE SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT WITH SWCA ENVIRONMENTAL CONSULTANTS [RECOMMEND AUTHORIZE CONTRACT AMENDMENT #2]

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

Jesse McGraw, Blacklake resident, commented on the Blacklake Sewer Consolidation Project.

Nipomo Community Services District
REGULAR MEETING
MINUTES

Upon the motion of Director Gaddis and seconded, the Board unanimously approved staff to execute a contract amendment with SWCA Environmental Consultants.
Vote 5-0.

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

- E-4) AUTHORIZE STAFF TO BID BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT FORCE MAIN [RECOMMEND AUTHORIZE STAFF TO BID BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT FORCE MAIN]

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

There were no public comments.

Director Gaddis stepped out to take a quick break.

Upon the motion of Director Armstrong and seconded, the Board approved to authorize staff to bid the Blacklake Sewer System Consolidation Project Force Main.
Vote 4-0.

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

President Eby announced there would be a 5 minute break.

- E-5) CONSIDER PARTICIPATION IN SAN LUIS OBISPO COUNTY DESALINATION PLANNING EFFORT [RECOMMEND ADOPT RESOLUTION]

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 Resolution.
Vote 5-0.

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

RESOLUTION NO. 2022-1646
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING PARTICIPATION IN THE COUNTY OF
SAN LUIS OBISPO DESALINATION EXECUTABLE
SOLUTION AND LOGISTICS PLAN

F. GENERAL MANAGER'S REPORT

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

There were no public comments.

Nipomo Community Services District
REGULAR MEETING
MINUTES

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Armstrong requested that an item to discuss refunding capacity fees be put on a future agenda.

Director Woodson requested that an item regarding selling more water to Golden State Water Company be put on a future agenda.

The General Manager will meet with the Board President to set the agenda.

I. CLOSED SESSION ANNOUNCEMENTS

Craig Steele, District Legal Counsel, announced that item 1 would be discussed in closed session.

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

- a. SMWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES)

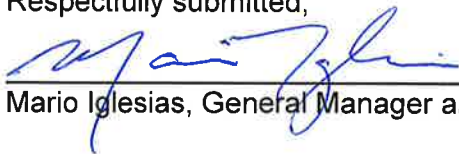
Craig Steele, District Legal Counsel, announced that there was no reportable action.

ADJOURN MEETING

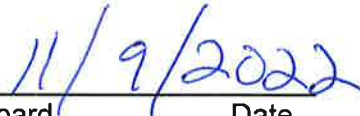
President Eby adjourned the meeting at 11:31 a.m.

| MEETING SUMMARY | HOURS & MINUTES |
|-----------------|-------------------|
| Regular Meeting | 2 hour 11 minutes |
| Closed Session | 0 hour 20 minutes |
| TOTAL HOURS | 2 hour 31 minutes |

Respectfully submitted,



Mario Iglesias, General Manager and Secretary to the Board



Date