

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

SEPTEMBER 13, 2023 AT 9:00 A.M.

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

RICHARD MALVAROSE, **PRESIDENT**
DAN ALLEN GADDIS, **VICE PRESIDENT**
ED EBY, **DIRECTOR**
DAN WOODSON, **DIRECTOR**
GARY HANSEN, **DIRECTOR**

PRINCIPAL STAFF

MARIO IGLESIAS, **INTERIM GENERAL MANAGER**
LISA BOGNUDA, **ASST GENERAL MANAGER**
JANA ETTEDDGUE, **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

Vice President Gaddis called the Regular Meeting of September 13, 2023, 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, Director Hansen, Eby, and Gaddis were present. President Malvarose and Director Woodson were absent.

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 28-31, attended CSDA Conference*
- *August 31, watched the SLO County Planning Commission*
- *September 6, attended WRAC meeting where the Dana Reserve was discussed*
- *On October 23 & 24 the SLO County Planning Commission will hold a hearing on the Dana Reserve*

Director Gaddis

- *August 27-31, attended CSDA Conference*

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

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Pam Wilson, NCS D Resident, asked what the WRAC Committee’s purpose was.

Upon the motion of Director Hansen and seconded, the Board unanimously approved receiving and filing presentations and reports.
Vote 3-0.

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE AUGUST 23, 2023, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR A 2 PARCEL RESIDENTIAL SUBDIVISION LOCATED ON HONEY GROVE LANE, APN 092-321-030 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]
- D-4) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR AN 8-UNIT MULTIFAMILY RESIDENTIAL DEVELOPMENT LOCATED AT 213 WEST DANA STREET [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]
- D-5) APPROVE AMENDMENT TO CONSTRUCTION MANAGEMENT AGREEMENT WITH MNS FOR THE BRANCH STREET MAIN REPLACEMENT PROJECT [RECOMMEND APPROVE AMENDMENT]
- D-6) AUTHORIZE PURCHASE OF HYDRO-EXCAVATION TRAILER [RECOMMEND AUTHORIZE PURCHASE OF HYDRO-EXCAVATION TRAILER NOT TO EXCEED \$60,183]

Staff answered questions regarding items D-3, 4, 5 and 6.

There were no public comments.

Upon the motion of Director Hansen and seconded, the Board unanimously approved the Consent Agenda.
Vote 3-0.

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

E. ADMINISTRATIVE ITEMS

- E-1) AMEND CAPITALIZATION POLICY PER RECOMMENDATION OF DISTRICT AUDITOR [RECOMMEND ADOPT RESOLUTION]

Mario Iglesias, General Manager, introduced the item.

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Jana Ettedgugue, Finance Director, presented the item and answered questions from the Board.

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board unanimously approved the Resolution with amendments to the threshold for Office Furniture and Fixtures to be \$5,000.00. Vote 3-0.

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

RESOLUTION NO. 2023-1682
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING CAPITALIZATION POLICY

- E-2) AUTHORIZE GENERAL MANAGER TO EXECUTE MUTUAL TERMINATION OF MEMORANDUM OF UNDERSTANDING FOR RESOURCE PRESERVATION AND MANAGEMENT WITH WOODLANDS VENTURES, LLC [RECOMMEND AUTHORIZE GENERAL MANAGER TO EXECUTE TERMINATION OF MEMORANDUM OF UNDERSTANDING]

Mario Iglesias, General Manager, presented the item, and Craig Steele, District Legal Counsel, answered questions from the Board.

There were no public comments.

Upon the motion of Director Eby and seconded, the Board unanimously authorized the General Manager to execute the termination of the memorandum of understanding. Vote 3-0.

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

F. GENERAL MANAGER’S REPORT

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

There were no public comments.

G. COMMITTEE REPORTS

None.

H. DIRECTORS’ REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Gaddis asked about the Blacklake Consolidation Force Main Project Construction.

Pam Wilson, NCSD Resident, asked where the line will go down Juniper.

Director Eby asked about legislation that would require all utilities to convert their fleet to electric vehicles, and how it would affect the District.

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

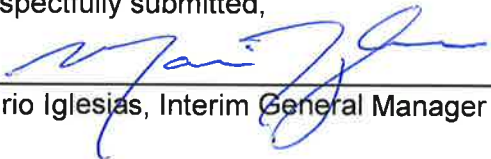
There were no public comments.

ADJOURN MEETING

Vice President Gaddis adjourned the meeting at 9:55 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 55 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	0 hour 55 minutes

Respectfully submitted,

 10/11/23

 Mario Iglesias, Interim General Manager and Secretary to the Board Date