


TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER 
DATE: MARCH 23, 2020



PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- 3-A) NIPOMO COMMUNITY SERVICES DISTRICT RESPONSE TO COVID-19 PANDEMIC
[RECOMMEND RECEIVE AND FILE]

TO: BOARD OF DIRECTORS

FROM: MARIO E. IGLESIAS
GENERAL MANAGER



DATE: March 23, 2020



NIPOMO COMMUNITY SERVICES DISTRICT RESPONSE TO COVID-19 PANDEMIC

ITEM

Nipomo Community Services District's ("District") response to COVID-19 Pandemic.

BACKGROUND

With the ongoing and developing issues surrounding the COVID-19 pandemic, the District is taking steps to manage an efficient and effective response. The attached presentation identifies stakeholders who are connected in some manner to the District's operations and management: customers/public, District staff, Board Members, and contractors and consultants. District staff is looking to protect the health and safety of each, and provides in the attached presentation for Board's review, those measures currently being discussed as options for implementation or are being implemented.

FISCAL IMPACT

Providing information to the Board on matters of significance. Time spent drafting administrative staff reports is included in Fiscal Year 2020 Budget.

STRATEGIC PLAN

Goal 1 – WATER SUPPLY – Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

Goal 3. PERSONNEL AND ORGANIZATION. Maintain a qualified, long-term and productive workforce to assure an effective organization.

Goal 5. OPERATIONS. Maintain a proactive program to ensure readiness of systems and cost-effectiveness of operations.

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

RECOMMENDATION

Staff recommends that your Board receive and file the presentation.

ATTACHMENTS

- A. COVID-19 – Nipomo Community Services District Response

MARCH 24, 2020

ITEM 3-A

ATTACHMENT A


COVID-19

NIPOMO COMMUNITY SERVICES DISTRICT
RESPONSE



COVID-19 RESPONSE

STAKEHOLDERS

- Customers/Public
 - NCSD Employees
 - Organization/Board Members
 - Contractors/Vendors
- 

COVID-19 RESPONSE

Customers/Public

- Protective Actions
 - Closed the Office – Appointment Only
 - Limit NCSD Board Room Activities
 - Proposed Late Fee and Penalty Waivers
 - Proposed Offer to Reimburse Customer's for Processing Fees for On-line and Phone Payments
 - Proposed Payment Plan Policy Accommodations
- 


COVID-19 RESPONSE

NCSD Employees

Protective Actions


- Provide for Social Distancing Recommendations
- Provide Hand Sanitizer and Wipes (as available)
- Provide On-site (SWWTP) Housing
- Provide Access for Employees to Work from Home
- Send Sick Employees Home
- Wipe down Workspaces Daily

Maintain Water & Sewer Systems

- Evaluating Personnel Schedule to Meet Critical Tasks
 - Establish Contract with Third-party Employment Firm (Certified Operators)
 - Review CalWarn Mutual Aid Agreement
- 


COVID-19 RESPONSE

Organization and Board Members

- Provide Remote Access for Board and Committee Meetings
 - Ensure Board Meetings Continue to Comply with Applicable Brown Act Regulations
 - Develop a Three Month Action Plan based on State and Local Guidance
 - Provide Regular Financial Updates
- 

COVID-19 RESPONSE

Contractors and Consultants

- Ensure Availability of Critical Services and Supplies – Develop Options
 - Limit Contact with Contractors and Consultants: Conference Calls, Package Delivery Station, Reduced/Restricted Entry into District Buildings and Sites
 - Continue with Critical Projects
 - Nipomo Pipeline Improvement Project
 - Eureka Well
 - Screw Press
- 

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: MARCH 23, 2020

AGENDA ITEM

4

MARCH 24, 2020



CONSENT AGENDA

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

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

4-A) WARRANTS [RECOMMEND APPROVAL]

4-B) APPROVE MARCH 11, 2020, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS 
GENERAL MANAGER
FROM: LISA BOGNUDA 
FINANCE DIRECTOR
DATE: MARCH 23, 2020

AGENDA ITEM
4-A
MARCH 24, 2020

WARRANTS

HANDWRITTEN CHECKS
None

TOTAL COMPUTER CHECKS
\$139,064.98

VOIDS – NONE

COMPUTER GENERATED CHECKS – SEE ATTACHED



Nipomo Community Services District

Item D-1 Warrants MARCH 24, 2020
By Payment Number

Payment Dates 03/24/2020 - 03/24/2020

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 5826				
Advantage Answering Plus, In	Answering service	16-228-151	03/24/2020	204.24
Payment 5826 Total:				204.24
Payment: 5827				
Aerzen USA Corporation	Discharge pressure switch	20-000798	03/24/2020	356.84
Payment 5827 Total:				356.84
Payment: 5828				
Allweather Landscape Mainte	LMD	37244	03/24/2020	325.00
Payment 5828 Total:				325.00
Payment: 5829				
Applied Technology Group, In	SCADA upgrade	19049B	03/24/2020	4.35
Payment 5829 Total:				4.35
Payment: 5830				
Best Flags, Inc.	Replacement flag	159324	03/24/2020	51.72
Payment 5830 Total:				51.72
Payment: 5831				
Brenntag Pacific, Inc.	Sodium hypochlorite	31753	03/24/2020	213.56
Brenntag Pacific, Inc.	Sodium hypochlorite	28383	03/24/2020	351.56
Brenntag Pacific, Inc.	Sodium hypochlorite	30993	03/24/2020	196.67
Brenntag Pacific, Inc.	Sodium hypochlorite	30992	03/24/2020	712.44
Brenntag Pacific, Inc.	Sodium hypochlorite	30994	03/24/2020	447.45
Brenntag Pacific, Inc.	Sodium hypochlorite	30995	03/24/2020	357.25
Brenntag Pacific, Inc.	Sodium hypochlorite	30991	03/24/2020	570.79
Brenntag Pacific, Inc.	Sodium hypochlorite	31754	03/24/2020	162.14
Brenntag Pacific, Inc.	Citric acid	30189	03/24/2020	2,544.19
Payment 5831 Total:				5,556.05
Payment: 5832				
Burdine Printing	Postage for bills	41550B	03/24/2020	1,355.16
Burdine Printing	Office supplies - billing paper	41444	03/24/2020	3,907.55
Burdine Printing	Mail bills	41538A	03/24/2020	115.42
Burdine Printing	Postage for bills	41538B	03/24/2020	118.00
Burdine Printing	Mail bills	41550A	03/24/2020	212.77
Burdine Printing	Office supplies - doorhangers	41506	03/24/2020	258.29
Payment 5832 Total:				5,967.19
Payment: 5833				
California Water Environment	Membership renewal	BREWERO320	03/24/2020	192.00
Payment 5833 Total:				192.00
Payment: 5834				
California Water Environment	Membership renewal	MALDONADO0320	03/24/2020	192.00
Payment 5834 Total:				192.00
Payment: 5835				
Cannon Corporation	Construction management - S	71614	03/24/2020	3,766.90
Cannon Corporation	Eureka Well - bid support	71868	03/24/2020	3,830.00
Payment 5835 Total:				7,596.90
Payment: 5836				
Clever Ducks	Computer expense - Switch to	27891	03/24/2020	450.00
Clever Ducks	Computer expense - Server ba	26992	03/24/2020	150.85
Clever Ducks	Computer expense - new mon	26849	03/24/2020	666.43
Clever Ducks	Computer expense - GM lapto	28377	03/24/2020	1,962.47
Clever Ducks	Computer expense - Assistant	27650	03/24/2020	2,505.46
Clever Ducks	Computer expense	28387	03/24/2020	2,535.00

Item D-1 Warrants MARCH 24, 2020

Payment Dates: 03/24/2020 - 03/24/2020

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Clever Ducks	Computer expense- Counter c	28294	03/24/2020	1,013.41
Clever Ducks	Computer expense - Engineer'	27459	03/24/2020	3,121.55
Clever Ducks	Computer expense - Boardroo	27045	03/24/2020	269.67
Payment 5836 Total:				12,674.84
Payment: 5837				
Dwight's Automotive	Vehicle repair/maintenance	77449	03/24/2020	52.00
Payment 5837 Total:				52.00
Payment: 5838				
Engel & Gray, Inc.	Roll-off bin	03100133	03/24/2020	524.79
Engel & Gray, Inc.	Biosolids collection	02X00008	03/24/2020	2,448.61
Payment 5838 Total:				2,973.40
Payment: 5839				
Excel Personnel Services, Inc.	Employment agency	2987699	03/24/2020	930.00
Excel Personnel Services, Inc.	Employment agency	2983115	03/24/2020	930.00
Payment 5839 Total:				1,860.00
Payment: 5840				
FGL Environmental	Lab tests	080035	03/24/2020	494.00
Payment 5840 Total:				494.00
Payment: 5841				
Five Cities Chem-Dry	Carpet cleaning	21509	03/24/2020	414.70
Payment 5841 Total:				414.70
Payment: 5842				
Frontier Communications	BL phone	APR2020	03/24/2020	58.57
Payment 5842 Total:				58.57
Payment: 5843				
Gibbs International Truck Cen	Vehicle repair/maintenance	52738	03/24/2020	787.29
Payment 5843 Total:				787.29
Payment: 5844				
Hayes Advanced Design	Road repar/paving patches	03192020	03/24/2020	1,700.00
Payment 5844 Total:				1,700.00
Payment: 5845				
Hopkins Groundwater Consult	Eureka Well Project	1	03/24/2020	13,173.68
Payment 5845 Total:				13,173.68
Payment: 5846				
Iglesias, Mario	Cell phone reimbursement	March 2020	03/24/2020	65.00
Payment 5846 Total:				65.00
Payment: 5847				
Integrated Industrial Supply, I	Gaskets and disposable gloves	67767	03/24/2020	285.27
Payment 5847 Total:				285.27
Payment: 5848				
Jan-Pro Central Coast	Janitorial services	88518	03/24/2020	727.14
Payment 5848 Total:				727.14
Payment: 5849				
Maldonado, Francisco	Reimbursement-radio antenn	INV0006630	03/24/2020	12.33
Payment 5849 Total:				12.33
Payment: 5850				
Mission Uniform Service	Uniforms	512050467	03/24/2020	198.06
Mission Uniform Service	Uniforms	512000673	03/24/2020	149.21
Payment 5850 Total:				347.27
Payment: 5851				
Municipal Maintenance Equip	Rotary Joint	0146615	03/24/2020	258.95
Payment 5851 Total:				258.95
Payment: 5852				
NexTraq	GPS subscription	1491678	03/24/2020	479.40
Payment 5852 Total:				479.40

Item D-1 Warrants MARCH 24, 2020

Payment Dates: 03/24/2020 - 03/24/2020

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 5853				
Nipomo Community Services	LMd	02-29-20 lmd	03/24/2020	281.64
Nipomo Community Services	Water-BL WWTF	02-29-20 BL	03/24/2020	92.76
Nipomo Community Services	Water-Juniper Lift station	02-29-20	03/24/2020	31.74
Nipomo Community Services	Water-805 Alta Vista	02-29-20 NSW	03/24/2020	25.79
Nipomo Community Services	Water-SWWTF	02-29-20 Town	03/24/2020	39.21
Payment 5853 Total:				471.14
Payment: 5854				
Nunley & Associates, Inc.	GIS assistance	6728	03/24/2020	7,560.72
Nunley & Associates, Inc.	PCIA 115 Sparks	6734	03/24/2020	1,454.66
Nunley & Associates, Inc.	GIS Implementation	6727	03/24/2020	244.63
Payment 5854 Total:				9,260.01
Payment: 5855				
Nu-Tech Pest Management	Pest control	149727	03/24/2020	256.00
Nu-Tech Pest Management	Rodent control	149728	03/24/2020	75.00
Payment 5855 Total:				331.00
Payment: 5856				
Office Depot	Office supplies	455615252001	03/24/2020	53.61
Office Depot	Office supplies	455609605001	03/24/2020	138.88
Office Depot	Office supplies	453148488001	03/24/2020	42.95
Office Depot	Office supplies	453148487001	03/24/2020	53.61
Office Depot	Office supplies	80.43	03/24/2020	80.43
Office Depot	Office supplies	456772433001	03/24/2020	128.68
Payment 5856 Total:				498.16
Payment: 5857				
PG&E	Electricity	March 2020	03/24/2020	38,313.89
Payment 5857 Total:				38,313.89
Payment: 5858				
R. Baker, Inc.	Repair Blow off and pour valv	15062020	03/24/2020	4,538.67
Payment 5858 Total:				4,538.67
Payment: 5859				
Ray Morgan Company	B&W/Color copies	2901478	03/24/2020	269.79
Ray Morgan Company	B&W/Color copies	2901479	03/24/2020	288.43
Payment 5859 Total:				558.22
Payment: 5860				
ReadyRefresh by Nestle	Distilled water	b0900023136	03/24/2020	54.55
Payment 5860 Total:				54.55
Payment: 5861				
Richards, Watson & Gershon	Water rights adjudication	225951	03/24/2020	1,359.50
Payment 5861 Total:				1,359.50
Payment: 5862				
Richards, Watson & Gershon	Legal services through 02-29-	225950	03/24/2020	7,371.31
Payment 5862 Total:				7,371.31
Payment: 5863				
SGS Guadalupe	Can 17	780133426	03/24/2020	656.37
SGS Guadalupe	Can 17	780133809	03/24/2020	670.85
Payment 5863 Total:				1,327.22
Payment: 5864				
SLO County Clerk-Recorder	Lien Release	INV0006631	03/24/2020	20.00
Payment 5864 Total:				20.00
Payment: 5865				
SoCalGas	Heat - shop/office	INV0006632	03/24/2020	25.33
Payment 5865 Total:				25.33
Payment: 5866				
Tribune	Notice Inviting Bids-Screw Pre	INV0006634	03/24/2020	631.62
Payment 5866 Total:				631.62

Item D-1 Warrants MARCH 24, 2020

Payment Dates: 03/24/2020 - 03/24/2020

Vendor Name	Description (Payable)	Payable Number	Payment Date	Amount
Payment: 5867				
Tribune	Annual Subscription	INV0006633	03/24/2020	468.47
Payment 5867 Total:				468.47
Payment: 5868				
United Rentals	Water truck rental	165510172-017	03/24/2020	2,567.25
Payment 5868 Total:				2,567.25
Payment: 5869				
USA Bluebook	Replacement tray for Hach	171684	03/24/2020	384.56
USA Bluebook	Total Chlorine Reagent Set	160259	03/24/2020	4,580.45
USA Bluebook	Ammonia tests	166191	03/24/2020	589.61
USA Bluebook	Hypalon liner	159442	03/24/2020	1,363.15
USA Bluebook	Replacement Tray for Hach	160169	03/24/2020	386.59
USA Bluebook	Chemkeys	156320	03/24/2020	4,333.60
Payment 5869 Total:				11,637.96
Payment: 5870				
White, Christian	Reimbursement-Travel Grade	INV0006635	03/24/2020	920.55
Payment 5870 Total:				920.55
Payment: 5871				
Willdan Financial Services	Assessment District Engineeri	010-44003	03/24/2020	1,900.00
Payment 5871 Total:				1,900.00

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER
DATE: MARCH 23, 2020

AGENDA ITEM
4-B
MARCH 24, 2020

**APPROVE MARCH 11, 2020
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. March 11, 2020 draft Regular Board Meeting Minutes

MARCH 24, 2020

ITEM 4-B

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MINUTES

MARCH 11, 2020 AT 9:00 A.M.

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

BOARD of DIRECTORS

DAN ALLEN GADDIS, **PRESIDENT**
CRAIG ARMSTRONG, **VICE PRESIDENT**
BOB BLAIR, **DIRECTOR**
ED EBY, **DIRECTOR**
DAN WOODSON, **DIRECTOR**

PRINCIPAL STAFF

MARIO IGLESIAS, **GENERAL MANAGER**
LISA BOGNUDA, **FINANCE DIRECTOR**
CRAIG A. STEELE, **GENERAL COUNSEL**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**

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 Gaddis called the Regular Meeting of March 11, 2020, 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 Woodson

- *March 9, attended SCAC town hall meeting to hear candidate speeches.*

Director Eby

- *February 27, attended NMMA meeting.*
- *February 27, attended Blacklake town hall meetings.*
- *March 3, attended Blacklake Management Association meeting.*
- *March 4, attended WRAC meeting.*
- *March 5, attended Finance and Audit Committee meeting as an observer only.*

Director Gaddis

- *February 27, attended Blacklake town hall meeting.*
- *March 2, attended Board Officers' meeting.*
- *March 4, attended Facilities/Water Resources meeting and reviewed proposed reimbursement ordinance.*
- *March 5, attended Finance and Audit Committee meeting and reviewed rate impacts of supplemental water and proposed items to be included in FY 20-21 budget.*

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

- C-3) 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 unanimously approved receiving and filing presentations and reports.
Vote 5-0.*

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE FEBRUARY 26, 2020, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AWARD CONSTRUCTION CONTRACT FOR EUREKA WELL REPLACEMENT PROJECT TO ZIM INDUSTRIES INC. [RECOMMEND ADOPT RESOLUTION AWARDDING CONTRACT TO ZIM INDUSTRIES, INC. IN THE AMOUNT OF \$738,678, AUTHORIZING STAFF TO EXECUTE CONTRACT, AND AUTHORIZING CHANGE ORDER CONSTRUCTION CONTINGENCY IN AN AMOUNT UP TO \$70,000].
- D-4) APPROVE TASK ORDER WITH CANNON CORPORATION FOR CONSTRUCTION MANAGEMENT SERVICES FOR EUREKA WELL REPLACEMENT PROJECT [RECOMMEND APPROVE TASK ORDER WITH CANNON CORPORATION IN THE AMOUNT OF \$52,160 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER].
- D-5) ADOPT RESOLUTION AMENDING CHAPTER 7, SECTION 7040 OF THE NIPOMO COMMUNITY SERVICES DISTRICT EMPLOYEE HANDBOOK [RECOMMEND ADOPT RESOLUTION AMENDING THE NCSD EMPLOYEE HANDBOOK]

There were no public comments.

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

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

RESOLUTION NO. 2020-1545

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AWARDDING THE BID FOR THE CONSTRUCTION OF THE EUREKA WELL REPLACEMENT PROJECT TO ZIM INDUSTRIES, INC. IN THE AMOUNT OF \$738,678 AND AUTHORIZING CONSTRUCTION CONTINGENCY OF \$70,000

RESOLUTION NO. 2020-1546

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING CHAPTER SEVEN, SECTION 7040 OF THE EMPLOYEE HANDBOOK

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

E. ADMINISTRATIVE AGENDA

E-1) CONSIDER ADOPTING RESOLUTIONS RELATING TO THE FORMATION OF ASSESSMENT DISTRICT NO. 2020-1 (BLACKLAKE SEWER CONSOLIDATION), INCLUDING DECLARATION OF INTENTION, REVIEW AND PRELIMINARY APPROVAL OF THE ASSESSMENT ENGINEER'S REPORT, AND ADOPTION OF BALLOT PROCEDURES FOR THE ASSESSMENT DISTRICT [RECOMMEND REVIEW ATTACHED RESOLUTIONS, ENGINEER'S REPORT AND BOUNDARY MAP FOUND THEREIN, BALLOT PROCEDURES, DRAFT NOTICE AND BALLOT, TAKE PUBLIC COMMENT, PROVIDE EDITS AS NECESSARY, AND ADOPT RESOLUTIONS]

Mario Iglesias, General Manager, presented the item and answered questions from the Board. Maryann Goodkind, Bond Counsel, Norton Rose Fulbright US LLP, answered questions from the Board.

Upon the motion of Director Armstrong and seconded, the Board unanimously approved the three Resolutions, with amendment to Resolution of Intention and approved the form of the Notice and Ballot.
Vote 5-0.

Table with 3 columns: YES VOTES, NO VOTES, ABSENT. Row 1: Directors Armstrong, Blair, Woodson, Eby and Gaddis, None, None.

Resolution No. 2020-1547

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DECLARING ITS INTENTION TO ORDER IMPROVEMENTS FOR PROPOSED NIPOMO COMMUNITY SERVICES DISTRICT ASSESSMENT DISTRICT NO. 2020-1 (BLACKLAKE SEWER CONSOLIDATION) PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913 AND IN ACCORDANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION, AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

RESOLUTION NO. 2020-1548

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PRELIMINARILY APPROVING THE ENGINEER'S REPORT IN CONNECTION WITH PROPOSED ASSESSMENT DISTRICT NO. 2020-1 (BLACKLAKE SEWER CONSOLIDATION) AND SETTING A TIME AND PLACE FOR HEARING PROTESTS PURSUANT TO THE MUNICIPAL IMPROVEMENT ACT OF 1913 AND IN ACCORDANCE WITH ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

RESOLUTION NO. 2020-1549

A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING PROCEDURES APPLICABLE TO THE COMPLETION, RETURN AND TABULATION OF ASSESSMENT BALLOTS FOR THE NIPOMO COMMUNITY SERVICES DISTRICT ASSESSMENT DISTRICT NO. 2020-1 (BLACKLAKE SEWER CONSOLIDATION)

E-2) INTRODUCE ORDINANCE AMENDING CHAPTER 5.01 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO PROVIDE FOR REIMBURSEMENT OF COSTS OF CONSTRUCTING IMPROVEMENTS FOR THE BENEFIT OF THE DISTRICT [RECOMMEND REVIEW AND DISCUSS REVISIONS, AND INTRODUCE, READ BY TITLE ONLY AND WAIVE FURTHER READING OF ORDINANCE]

Craig Steele, District Legal Counsel, presented the item and answered questions from the Board.

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board unanimously moved to introduce and read by title only Ordinance Number 2020-131 and waive further reading of the ordinance.

Vote 5-0.

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

ORDINANCE NO. 2020-131

**AN ORDINANCE OF BOARD OF THE DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING CHAPTER 5.01 OF THE
NIPOMO COMMUNITY SERVICES DISTRICT CODE AND ADDING
PROVISIONS RELATING TO DISTRICT FACILITY COST REIMBURSEMENTS**

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

Committee reports were given in Item C-1.

H. DIRECTORS’ REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby requested Staff determine the minimum levels of groundwater pumping to safely maintain our pumping ability and protect our infrastructure.

Director Gaddis requested that, after consultant Clayton Tuckfield comes back with his revised study indicating how bi-monthly rate increases for our customers can be smoothed out yearly to account for the taking of 2,500 AFY of supplemental water in 2025-2026, staff is requested for either the consultant, or staff, to provide what those smoothed out rate increases would look like if we went to monthly billings for our customers.

Director Woodson requested Staff look into holding virtual meetings due to Coronavirus.

Director Eby requested to see the draft letter to the SLO County Board of Supervisors regarding ADU’s.

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a. SMVWCD V. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

- 2. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION
SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT
CODE SECTION 54956.9(d)(2) One case

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Gaddis adjourned to Closed Session at 9:42 a.m.

L. OPEN SESSION
ANNOUNCEMENT OF REPORTABLE ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

There were no public comments

Craig Steele, District Legal Counsel, announced the Board discussed Items 1 and 2 in Closed Session and took no reportable action.

ADJOURN MEETING

President Gaddis adjourned the meeting at 10:21 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 42 minutes
Closed Session	0 hour 39 minutes
TOTAL HOURS	1 hour 21 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER

DATE: MARCH 23, 2020

**AGENDA ITEM
5-A**

MARCH 24, 2020

DECLARATION OF EMERGENCY AND RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT TO TEMPORARILY AUTHORIZE ADDITIONAL SPECIFIED AUTHORITY FOR THE GENERAL MANAGER

ITEM

Discuss and consider adopting Resolution 2020-1550 declaring an emergency and temporarily authorizing the increased authority of the General Manager. [RECOMMEND ADOPT RESOLUTION].

BACKGROUND

As the Board is aware, the State and County of San Luis Obispo have adopted a number of executive orders declaring a public health emergency and imposing restrictions on the general population to help control the spread of the COVID-19 virus. Adoption of Resolution number 2020-1550 provides the General Manager with increased spending and other authority to allow for a more expeditious and effective response to various situations related to the COVID-19 pandemic as they occur. Additionally, the District may be eligible for cost recovery from the Federal and State governments on matters and acquisitions related to the COVID-19 pandemic.

FISCAL IMPACT

Fiscal impacts associated with adoption of the resolution are unknown at this time.

STRATEGIC PLAN

Goal 1 – WATER SUPPLY – Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

Goal 2. FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT. Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

Goal 3. PERSONNEL AND ORGANIZATION. Maintain a qualified, long-term and productive workforce to assure an effective organization.

Goal 5. OPERATIONS. Maintain a proactive program to ensure readiness of systems and cost-effectiveness of operations.

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

RECOMMENDATION

Staff recommends that the Board of Directors adopt the resolution declaring a public health emergency and temporarily authorizing the increased authority of the General Manager.

ATTACHMENTS

- A. Resolution 2020-1550

MARCH 24, 2020

ITEM 5-A

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2020-1550**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT DECLARING
AN EMERGENCY AND TO TEMPORARILY AUTHORIZE
ADDITIONAL SPECIFIED AUTHORITY FOR THE GENERAL MANAGER**

WHEREAS, on March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California as a result of the threat of Novel Coronavirus 2019 ("COVID-19"); and

WHEREAS, on March 12, 2020, the Governor issued Executive Order N-25-20 in further response to the spread of COVID-19, mandating compliance with state and local public health officials as pertains to measures to control the spread of COVID-19; and

WHEREAS, on March 13, 2020, the San Luis Obispo County Health Officer declared a public health emergency and the County Emergency Services Director also proclaimed a local emergency due to the COVID-19 pandemic; and

WHEREAS, on March 14, 2020, the San Luis Obispo County Public Health Department announced the first confirmed case of COVID-19 in San Luis Obispo County, and additional cases have since been confirmed; and

WHEREAS, the health, safety and welfare of the Nipomo Community Service District ("District") customers, staff, businesses and visitors, are of utmost importance to the Board of Directors ("Board"), and additional future measures may be needed to protect the community; and

WHEREAS, preparing for, responding to, mitigating, and recovering from the spread of COVID-19 may require the District to divert resources from normal day-to-day operations and it may impose extraordinary requirements on and expenses to the District; and

WHEREAS, the District General Manager currently has spending authority for District purposes up to \$25,000, without prior Board approval in addition to limited authority related to personnel matters; and

WHEREAS, in the absence of Board action, strict compliance with certain District rules and ordinances could prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of COVID-19 and respond to the emergency; and

WHEREAS, after consideration of all the facts reasonably available for review at the present time, the Board of Directors finds it in the best interest of the District to temporarily authorize specified additional authority to the General Manager for acts necessary and appropriate to ensure the operation of the District.

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ADDITIONAL SPECIFIED AUTHORITY FOR THE GENERAL MANAGER**

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the Nipomo Community Services District, as follows:

1. The Board of Directors declares that a State of Emergency exists in the Nipomo Community Services District as a result of the threat of Novel Coronavirus 2019 (“COVID-19”).
2. The Board of Directors hereby authorizes a temporary increase in the General Manager’s spending authority up to \$50,000, and up to \$75,000 upon prior authorization from either the President or Vice President of the Board. The General Manager shall report to the Board any spending under this additional authority as soon as is reasonably practicable following the end of the State of Emergency.
3. The General Manager may take all actions necessary, proper, and appropriate in his/her reasonable discretion to ensure the operation of the District, the safety of employees, and the safety of the public, including, but not limited to reasonable deviations from Board adopted Ordinances, Resolutions, Policies, Procedures, and Agreements, subject to later report to the Board.
4. The General Manager is hereby authorized to suspend or waive the District’s personnel policies relating to employees’ use of leave time in order to protect employees’ health and maintain the essential operations of the District.
5. The General Manager or his designee is hereby authorized to waive late fees and penalties on unpaid or delinquent water bills, to enter into any payment arrangements with customers he deems advisable, and to postpone or cancel the termination of water service for non-payment of charges.
6. The General Manager is directed to separately account for the District’s costs of responding to the COVID-19 emergency, and to seek reimbursement from state, County and federal authorities as may be authorized by law.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2020-1550**

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7. The authority vested in the General Manager by this resolution will terminate upon whichever occurs later: (a) a declaration by the Governor that the State of Emergency has ended; (b) a declaration by the County Health Officer that the Public Health Emergency has ended, or; (c) a declaration from the County Emergency Services Director that the Local Emergency has ended.

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 24th day of March, 2020.

DAN ALLEN GADDIS
Board President
Nipomo Community Services District

ATTEST:

APPROVED:

MARIO IGLESIAS
General Manager and Secretary to the Board

CRAIG A. STEELE
District Legal Counsel