

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: MARCH 4, 2021



PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-2) 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

- C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER 

DATE: MARCH 4, 2021

AGENDA ITEM

D

MARCH 10, 2021

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. 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. Members of the public may comment on the Consent Agenda items.

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

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE FEBRUARY 24, 2021, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER *MIG*

FROM: LISA BOGNUDA *(LBO)*
FINANCE DIRECTOR

AGENDA ITEM
D-1(A)
MARCH 10, 2021

DATE: MARCH 5, 2021

WARRANTS

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$239,055.29
HAND WRITTEN CHECKS	NONE
VOIDED CHECKS	NONE



Nipomo Community Services District

Item D-1 Warrants MARCH 10, 2021
By Payment Number

Payment Dates 03/10/2021 - 03/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 6961					
Abalone Coast Analytical, Inc.	Lab tests	5190	03/10/2021		7,410.80
				Payment 6961 Total:	<u>7,410.80</u>
Payment: 6962					
Advantage Answering Plus, In	Answering service	20-349-491	03/10/2021		233.61
				Payment 6962 Total:	<u>233.61</u>
Payment: 6963					
Alexander's Contract Services,	Meter reading	202102250873	03/10/2021		190.71
Alexander's Contract Services,	Meter reading	202102260871	03/10/2021		3,526.89
				Payment 6963 Total:	<u>3,717.60</u>
Payment: 6964					
Allweather Landscape Mainte	LMD	40453	03/10/2021		325.00
				Payment 6964 Total:	<u>325.00</u>
Payment: 6965					
Amazon Capital Services, Inc.	Packing extractor set	1GY3-PHPT-YTDF	03/10/2021		83.59
				Payment 6965 Total:	<u>83.59</u>
Payment: 6966					
Aqua-Metric Sales, Co.	TGB Install	81230	03/10/2021		12,750.00
				Payment 6966 Total:	<u>12,750.00</u>
Payment: 6967					
AT&T	Telephone	16073984	03/10/2021		171.50
AT&T	Telephone	16073983	03/10/2021		30.44
AT&T	Telephone	16073985	03/10/2021		252.85
				Payment 6967 Total:	<u>454.79</u>
Payment: 6968					
Brenntag Pacific, Inc.	Sodium hypochlorite	BPI122113	03/10/2021		656.59
				Payment 6968 Total:	<u>656.59</u>
Payment: 6969					
Brewer, Reed	Cert Renewal 2021	Cert Renewal 2021	03/10/2021		211.00
				Payment 6969 Total:	<u>211.00</u>
Payment: 6970					
Briar Rose Estates, LLC	Maintenance Bond Release	Bond Release 2021	03/10/2021		3,103.70
				Payment 6970 Total:	<u>3,103.70</u>
Payment: 6971					
Briar Rose Estates, LLC	PCIA Deposit Return	PCIA Return 2021-2	03/10/2021		1,641.46
				Payment 6971 Total:	<u>1,641.46</u>
Payment: 6972					
CalPERS	Quarterly OPEB Contributions	FEB 2021	03/10/2021		25,250.00
				Payment 6972 Total:	<u>25,250.00</u>
Payment: 6973					
Cannon Corporation	Southland Metal Bldg Constr	74779	03/10/2021		1,257.00
Cannon Corporation	Summit Station Monitoring	75310	03/10/2021		1,961.62
Cannon Corporation	Office Generator	75309	03/10/2021		873.75
				Payment 6973 Total:	<u>4,092.37</u>
Payment: 6974					
Clever Ducks	Computer expense	30112	03/10/2021		3,076.00
				Payment 6974 Total:	<u>3,076.00</u>

Item D-1 Warrants MARCH 10, 2021

Payment Dates: 03/10/2021 - 03/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount	
Payment: 6975						
Coastal Rolloff	Rolloff service	7201745	03/10/2021		1,431.86	
					Payment 6975 Total:	1,431.86
Payment: 6976						
Cushman Contracting Corpora	Southland WWTF Screw Press	SP-2	03/10/2021		115,068.75	
					Payment 6976 Total:	115,068.75
Payment: 6977						
Electricraft, Inc.	Stand pipe tank electrical	16648	03/10/2021		444.00	
Electricraft, Inc.	Install light pole Teft	16647	03/10/2021		6,227.56	
Electricraft, Inc.	Parking lot lighting	15631	03/10/2021		2,949.00	
Electricraft, Inc.	Electrical for Joshua Pump Sta	16634	03/10/2021		964.71	
					Payment 6977 Total:	10,585.27
Payment: 6978						
Engel & Gray, Inc.	Biosolids collection	11X00188	03/10/2021		1,369.65	
					Payment 6978 Total:	1,369.65
Payment: 6979						
Excel Personnel Services, Inc.	Employment agency	3682653	03/10/2021		372.00	
					Payment 6979 Total:	372.00
Payment: 6980						
Famcon Pipe and Supply, Inc.	Washers, meter bushing, cou	S100048704.002	03/10/2021		922.20	
Famcon Pipe and Supply, Inc.	adapter mips and valves	S100047379.001	03/10/2021		95.70	
					Payment 6980 Total:	1,017.90
Payment: 6981						
Farm Supply Company	Tank and camlock poly	74753	03/10/2021		174.62	
					Payment 6981 Total:	174.62
Payment: 6982						
FGL Environmental	Lab tests	180050A	03/10/2021		529.00	
					Payment 6982 Total:	529.00
Payment: 6983						
GLM Landscape Management	Landscape maintenance	FEB 2021	03/10/2021		430.00	
					Payment 6983 Total:	430.00
Payment: 6984						
Gold Coast Environmental	Flow meter calibration and ve	12763	03/10/2021		3,090.00	
					Payment 6984 Total:	3,090.00
Payment: 6985						
Great Western Alarm and Co	Alarm monitoring service	210202107101	03/10/2021		70.00	
Great Western Alarm and Co	Alarm monitoring service	210200640101	03/10/2021		37.00	
Great Western Alarm and Co	Alarm monitoring service	210202062101	03/10/2021		70.00	
					Payment 6985 Total:	177.00
Payment: 6986						
Iconix Waterworks (US) Inc.	Pipe wrench and cutters	U2116008491	03/10/2021		359.16	
Iconix Waterworks (US) Inc.	gate valve key, wrench, hand	U2116008493	03/10/2021		395.89	
Iconix Waterworks (US) Inc.	Pipe wrap tape and manhole	U2116008494	03/10/2021		115.28	
Iconix Waterworks (US) Inc.	Fixxmtr and meter couplings	U2116008771	03/10/2021		1,242.67	
Iconix Waterworks (US) Inc.	Water meter key	U2116008492	03/10/2021		201.19	
					Payment 6986 Total:	2,314.19
Payment: 6987						
Karl Needham Enterprises, Inc	Brown Bear mixer rental	4049	03/10/2021		1,125.00	
					Payment 6987 Total:	1,125.00
Payment: 6988						
Margarita Valley Ranch, LLC	PCIA Deposit Return	Depoist Return 2021	03/10/2021		3,781.04	
					Payment 6988 Total:	3,781.04
Payment: 6989						
Miner's Ace Hardware	Supplies	FEB 2021	03/10/2021		688.72	
					Payment 6989 Total:	688.72

Item D-1 Warrants MARCH 10, 2021

Payment Dates: 03/10/2021 - 03/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 6990					
Mission Uniform Service	Uniforms	514252344	03/10/2021		170.25
Mission Uniform Service	Uniforms	514287405	03/10/2021		258.89
Payment 6990 Total:					429.14
Payment: 6991					
Newton Geo-Hydrology Cons	Litigation support	FEB 2021	03/10/2021		8,648.75
Payment 6991 Total:					8,648.75
Payment: 6992					
Office Depot	Office supplies	155502747001	03/10/2021		105.08
Office Depot	Office supplies	156956265001	03/10/2021		90.73
Payment 6992 Total:					195.81
Payment: 6993					
Pollard Water	Supplies	WP015625	03/10/2021		150.04
Pollard Water	DCHLR tablets	WP015610	03/10/2021		2,654.44
Payment 6993 Total:					2,804.48
Payment: 6994					
Quinn Company	Catepillar service	WO30048463	03/10/2021		643.48
Payment 6994 Total:					643.48
Payment: 6995					
ReadyRefresh by Nestle	Distilled water	01B0900023136	03/10/2021		49.91
Payment 6995 Total:					49.91
Payment: 6996					
Santa Maria Ford Lincoln	Vehicle repair/maintenance	200662	03/10/2021		50.45
Santa Maria Ford Lincoln	Vehicle repair/maintenance	200571	03/10/2021		274.23
Santa Maria Ford Lincoln	Vehicle repair/maintenance	200639	03/10/2021		69.55
Santa Maria Ford Lincoln	Vehicle repair/maintenance	200506	03/10/2021		669.33
Payment 6996 Total:					1,063.56
Payment: 6997					
Simplot Grower Solutions	CAN 17	780140980	03/10/2021		723.94
Simplot Grower Solutions	CAN 17	780140744	03/10/2021		501.93
Payment 6997 Total:					1,225.87
Payment: 6998					
SLO County Air Pollution Cont	Permit to install sludge dewat	21127	03/10/2021		687.50
Payment 6998 Total:					687.50
Payment: 6999					
South County Sanitary Service	Solid Waste Tax Liens	FEB 2021	03/10/2021		93.66
Payment 6999 Total:					93.66
Payment: 7000					
Tuckfield & Associates	Rate consultant	611	03/10/2021		9,362.50
Payment 7000 Total:					9,362.50
Payment: 7001					
UPS Store #6031	Shipping	24	03/10/2021		103.92
UPS Store #6031	Shipping	43	03/10/2021		44.14
Payment 7001 Total:					148.06
Payment: 7002					
US Bank National Association	Travel and meals	FEB2021B	03/10/2021		145.08
US Bank National Association	Storage	FEB2021D	03/10/2021		199.50
US Bank National Association	Zoom/Conference calls	FEB2021E	03/10/2021		63.68
US Bank National Association	Office supplies	FEB2021H	03/10/2021		193.13
US Bank National Association	Training	FEB2021F	03/10/2021		892.76
US Bank National Association	Board meeting supplies	FEB2021A	03/10/2021		113.42
US Bank National Association	Meter program operating sup	FEB2021G	03/10/2021		92.42
US Bank National Association	Software subscription	FEB2021C	03/10/2021		324.00
US Bank National Association	Operating supplies	FEB2021I	03/10/2021		197.72
Payment 7002 Total:					2,221.71

Item D-1 Warrants MARCH 10, 2021

Payment Dates: 03/10/2021 - 03/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 7003					
USA Bluebook	Sign	512775	03/10/2021		150.58
USA Bluebook	Safety can cabinet	444056	03/10/2021		3,732.19
USA Bluebook	PH electrode gel and pump tu	501831	03/10/2021		1,598.79
USA Bluebook	Ammonia reagent	513017	03/10/2021		303.64
				Payment 7003 Total:	5,785.20
Payment: 7004					
Waste Connections	Waste collection - Office	7183655	03/10/2021		48.60
Waste Connections	Waste collection - Old Town	7184568	03/10/2021		257.76
Waste Connections	Waste collection - Southland	7184925	03/10/2021		227.79
				Payment 7004 Total:	534.15

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER *MIG*

FROM: LISA BOGNUDA *LSB*
FINANCE DIRECTOR

DATE: MARCH 5, 2021

AGENDA ITEM
D-1(B)
MARCH 10, 2021

WARRANTS – BLACKLAKE ASSESSMENT DISTRICT 2020 -1

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$30,644.75
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Nipomo Community Services District

Item D-1 Warrants MARCH 10, 2021

By Payment Number

Payment Dates 03/10/2021 - 03/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 12 Cannon Corporation	Blacklake Sewer Consolidatio	75383	03/10/2021		30,644.75
				Payment 12 Total:	<u>30,644.75</u>

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER *MIG*
DATE: MARCH 4, 2021

AGENDA ITEM
D-2
MARCH 10, 2021

**APPROVE FEBRUARY 24, 2021
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. February 24, 2021 draft Regular Board Meeting Minutes

MARCH 10, 2021

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MINUTES

FEBRUARY 24, 2021 AT 9:00 A.M.

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

BOARD of DIRECTORS

ED EBY, PRESIDENT
DAN ALLEN GADDIS, VICE PRESIDENT
BOB BLAIR, DIRECTOR
DAN WOODSON, DIRECTOR
RICHARD MALVAROSE, 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.

Pursuant to Governor Newsom's Executive Order N-25-20, members of the Nipomo Community Services District Board or staff may participate in this meeting in person, or via teleconference. To protect the health and safety of the public, Board members, and staff, social distancing will be practiced at the District's physical location, 148 S. Wilson Street. Members of the public may choose to participate in person at this location or monitor the audio portion of the meeting and any public hearings telephonically by calling (800) 567-5900 (code 242-2614#). Pursuant to Governor Newsom's Executive Order N-29-20, members of the public may also comment – on items on this agenda or items not on the agenda but within the jurisdiction of the Board – via email sent to info@ncsd.ca.gov prior to the 9:00 am meeting start time. All emails received by that time will be distributed to the Board. Public participation in the meeting and public hearings will be taken only as described above. If any individual with a disability requires assistance to observe or participate in the meeting, please contact the District office by telephone at least 24 hours in advance.

A. CALL TO ORDER AND FLAG SALUTE

President Eby called the Regular Meeting of February 24, 2021, 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.

Pam Wilson, NCSD resident, expressed her gratitude for the District's new clean-up voucher program.

C. PRESENTATIONS AND REPORTS

C-1) ANNUAL REVIEW OF NIPOMO COMMUNITY SERVICES DISTRICT'S STRATEGIC PLAN [RECEIVE AND FILE]

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

C-2) 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

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

Director Woodson

- February 18, attended Facilities/Water Resources Committee meeting.
- February 23, attended the South County Advisory Committee meeting remotely.

Director Gaddis

- February 16, attended Board Officers' meeting.
- February 18, attended Facilities/Water Resources Committee meeting.

Director Eby

- February 16, attended Board Officers' meeting.

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 Gaddis and seconded, the Board unanimously approved receiving and filing presentations and reports.

Vote 5-0.

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

D. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE FEBRUARY 10, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda. With Director Malvarose abstaining from voting on item D-1.

Vote 4-0-1 on D-1.

Vote 5-0 on D-2.

	YES VOTES	NO	ABSTAIN
D-1	<i>Directors Gaddis, Woodson, Blair, Eby</i>	<i>None</i>	<i>Malvarose</i>
D-2	<i>Directors Gaddis, Woodson, Blair, Eby, Malvarose</i>	<i>None</i>	<i>None</i>

E. ADMINISTRATIVE ITEMS

E-1) APPROVE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES - GENERAL COUNSEL [RECOMMEND APPROVAL OF SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES]

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES**

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

There were no public comments.

Upon the motion of Director Malvarose and seconded, the Board unanimously approved the amendment to the agreement.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Malvarose, Blair, Woodson, Gaddis, Eby	None	None

F. GENERAL MANAGER'S REPORT

Mario Iglesias, General Manager, presented the General Manager's Report and answered questions from the Board.

Mario Iglesias, General Manager, informed the Board that the Nipomo Community Services District Clean-Up Voucher Program announcements were completed and answered questions from the Board.

Mario Iglesias, General Manager, informed the Board that the tri-annual safety inspection of District facilities by the Special Districts Risk Management Authority was completed on February 17 and resulted in few minor recommendations

Mario Iglesias, General Manager, alerted the Board to the upcoming California Special District Association Annual Conference that is being planned for August 2021 is planned to be an in-person event.

Public Comments:

At the request of Linda Austin, Oceano Community Services District Board Member, Mario Iglesias, General Manager presented a letter to the NCSD Board asked the Board for support for the Integrated Waste Management Authority proposed countywide Ordinance 2019-1 prohibiting use of polystyrene and EPS products. Director Eby suggested it be put on a future Board meeting agenda.

G. COMMITTEE REPORTS

Director Gaddis and Woodson attended the Facilities/Water Resources Committee meeting where the proposed progression from bi-monthly billing to monthly billing was discussed. The Committee recommended the item be presented to the NCSD Finance & Audit Committee before being presented to the full Board. The screening options for the Southland Wastewater plant were also discussed. The Committee recommended that staff inquire about minor changes for screening options and bring the item to the full Board for consideration.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby requested staff inquire about the future Board meeting protocol after COVID 19 risks are reassessed.

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

Director Blair requested information regarding the designation of fire hazard severity zones in the District. General Manager Iglesias stated he would invite a fire official to provide information at a future Board meeting.

I. CLOSED SESSION ANNOUNCEMENTS

- 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
- 2. POTENTIAL THREAT TO PUBLIC SERVICES (DRINKING WATER AND WASTEWATER) AND CYBER SECURITY GOVERNMENT CODE SECTION §54957(a)
CONFERENCE WITH GENERAL MANAGER, DIRECTOR OF ENGINEERING AND AGENCY COUNSEL
- 3. GOVERNMENT CODE SECTION §54957.6(a)
CONFERENCE WITH LABOR REPRESENTATIVE – MARIO IGLESIAS, GENERAL MANAGER, REGARDING COMPENSATION FOR UNREPRESENTED EMPLOYEES

Craig Steele, District Legal Counsel, announced the Board discussed Item 2 and 3 in Closed Session and took no reportable action. Item 1 was not discussed.

ADJOURN MEETING

President Eby adjourned the meeting at 10:48 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 05 minutes
Closed Session	0 hour 43 minutes
TOTAL HOURS	1 hour 48 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: March 4, 2021

AGENDA ITEM

E-1

MARCH 10, 2021

**DISCUSS AND CONSIDER
INTEGRATED WASTE MANAGEMENT AUTHORITY
ORDINANCE 2019-1 PROHIBITING USE OF
POLYSTYRENE & EXPANDED POLYSTYRENE**

ITEM

Discuss and consider Integrated Waste Management Authority's ("IWMA") repeal of Ordinance 2019-1 prohibiting the use of polystyrene and expanded polystyrene [RECOMMEND DISCUSS AND DIRECT STAFF].

BACKGROUND

The IWMA is an agency made up of a 13 member Board that oversees solid waste mandates from the State of California and ensures county wide compliance. The Board's membership is comprised of 5 County Supervisors, a representative from the 7 cities in the county, and a Community Service District representative.

A new Ordinance affecting all San Luis Obispo ("SLO") County businesses and non-profits using polystyrene was slated to take effect and become enforceable on April 9, 2021. The Ordinance would apply to:

- Food and beverage providers
- Non-profits, churches and clubs
- Stores and businesses which sell/offer goods, services, or merchandise utilizing "to-go" or "dine-in" food and beverage containers
- Contractors and event promoters who use "to-go" or "dine-in" food and beverage containers

Prohibited Materials Include:

- Polystyrene clamshells, bowls, plates, utensils, trays, wrappers, platters, condiment containers, cartons, cups, drinkware, ice chests, shipping boxes, packing peanuts, straws, non-encapsulated marine devices or other packaging materials.

Accepted Materials Include:

- Reusable
- Recyclable
- Biodegradable

Exemptions:

- Undue hardship, affordability, public health, safety, medical*

**Businesses must provide documentation and file for an exemption.*

IWMA is drafting a new Ordinance aimed at repealing Ordinance 2019-1. The drafted Ordinance will be on the IWMA March 10, 2021 Board Meeting Agenda and, if approved, a first reading of the Ordinance would take place.

The District received information from Director Cynthia Replogle, Oceano CSD, providing some background on the matter [Attachment A]. Included in the provided information is a letter from then Oceano Board President Linda Austin dated October 8, 2019 [Attachment B]. The letter was to IWMA commending them on their Ordinance to regulate polystyrene. The Ordinance was written to take effect on April 9, 2021. Since that time, questions have been raised regarding the Board's action, whether the action is appropriate.

The question at hand is not, is a polystyrene ban good or bad for the County. The State of California has not yet banned this product and therefore, without a mandate by the State, it is arguable that IWMA may be outside its organizational charge. The IWMA Board of Directors includes a Community Services District ("CSD") representative, who supported repealing Ordinance 2019-1. The IWMA agenda for the March 10th Board Meeting was not published at the time this staff report was composed. A copy of IWMA's staff report regarding the proposed Ordinance to repeal the polystyrene ban will be provided at the March 10th NCSO Board Meeting.

It seems appropriate for the Nipomo Community Services District Board of Directors to support IWMA when there is a clear mandate issued by the State. With the CSD Representative voting to repeal Ordinance 2019-1, it may be appropriate to defer any decision regarding this matter to the CSD Representative.

STRATEGIC PLAN

Goal 8. ADDITIONAL COMMUNITY SERVICES. Staff should focus on meeting the goals and objectives of existing services. Adding new services will be considered on a case-by-case basis and entered into only if funding can be found and existing services are not harmed.

- A.1 SOLID WASTE. Seek to maximize solid waste services for community and build understanding of services like hazardous waste, recycling, etc. and District's role.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

It is recommended that your Board review and consider the information provide with this staff report and direct staff.

ATTACHMENTS

- A. February 17, 2021 Correspondence – Oceano Director Replogle
- B. October 8, 2019 Oceano Letter of Support
- C. IWMA March 10, 2021 Polystyrene Staff Report and Repeal Ordinance

MARCH 10, 2021

ITEM E-1

ATTACHMENT A

From: Cynthia Replogle <directorreplogle@oceanocsd.org>
Sent: Wednesday, February 17, 2021 5:49 PM
To: Info <Info@ncsd.ca.gov>
Subject: Support for the countywide polystyrene ordinance

Please forward to the Board.

As a special district participating in the Integrated Waste Management Authority, I want to make sure you are in the loop on an important current issue and have the opportunity to weigh in.

Over a year ago, with substantial public support, the IWMA enacted countywide Ordinance 2019-1 prohibiting use of polystyrene and EPS products which are not recyclable or biodegradable, such as "styrofoam" takeout containers. See <https://iwma.com/poly>. Last week, the Board voted to move forward with repealing this ordinance.

The Oceano CSD supported the ordinance when it was under consideration (see attached letter which was recently resubmitted), so I was dismayed that the sole special districts representative on the IWMA Board, Robert Enns, voted in favor of repeal.

If your Board supports Ordinance 2019-1 and opposes repealing it, but Mr. Enns has not sought your district's input on this, please let him and the rest of the IWMA leadership know soon. The repeal ordinance may have its first reading as soon as the IWMA's March 10th meeting but would not be finalized until after the second reading likely a month later.

You can email the entire Board by clicking the link on this page: <https://iwma.com/about/board-of-directors/>

Please feel free to call me at the number below.

Best,
Cynthia Replogle, Director
[Oceano Community Services District](#)
805-321-0073

MARCH 10, 2021

ITEM E-1

ATTACHMENT B



Oceano Community Services District

1655 Front Street, P.O. Box 599, Oceano, CA 93475

(805) 481-6730 FAX (805) 481-6836

October 8, 2019

Board of Directors
San Luis Obispo County Integrated Waste Management Authority
870 Osos Street
San Luis Obispo, CA 93401

SUBJECT: Letter of Support - Ordinance to Regulate Polystyrene

Dear IWMA Board Members:

The Oceano Community Services District (OCSD) supports the proposed IWMA ordinance to regulate polystyrene, which is being considered as agenda item #11 at your meeting of October 9, 2019. At the OCSD meeting of September 11, 2019, our Board unanimously voted 5-0 in support of your proposed ordinance.

As one of the special districts in San Luis Obispo County with authority over solid waste and recycling, OCSD has been working on several efforts in recent years to address illegal dumping and to promote a clean and green community. We have participated in coastal clean-up, coordinated with other agencies on cleaning up abandoned homeless encampments, and have developed local programs for Oceano. As one example, we have implemented a 311 app that provides residents with the ability to snap a pic of illegal dumping for posting that provides us the ability to respond with clean and green timeliness. Since February 2017 we have received 236 posts - a good start with the community on addressing our challenges of illegal dumping. OCSD also funds large item pickup for our residents during fall cleanup week, and may consider expansion of the program to the spring cleanup event as well. Our public-private partnership with South County Sanitary Services Inc. is moving forward providing multiple benefits to Oceano.

The proposed ordinance to regulate polystyrene is an excellent example of regional efforts that promote what OCSD is doing within our community. Addressing the solid waste issues that exist in today's environment requires local, regional, state and federal efforts. On behalf of the entire OCSD Board of Directors, we appreciate the efforts of IWMA and urge all IWMA directors to vote "yes" on the proposed ordinance.

Best Regards,

Linda Austin, President
Oceano Community Services District

MARCH 10, 2021

ITEM E-1

ATTACHMENT C

TO: San Luis Obispo County Integrated Waste Management Authority
FROM: Brooks Stayer
**RE: INTRODUCTION OF ORDINANCE NO. 2021-3-1 AN ORDINANCE REPEALING
ORDINANCE NO. 2019-1 REGARDING THE REGULATION OF POLYSTYRENE
AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS AND PRODUCTS**

BACKGROUND:

In February 2021, in keeping with the "mandates only" approach of IWMA's Mission which allows local jurisdictions to adopt, implement, and enforce non-mandated ordinances, the Board voted to consider the repeal of ORDINANCE NO. 2019-1 REGARDING THE REGULATION OF POLYSTYRENE AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS AND PRODUCTS (Ordinance).

Ordinances may be repealed by using "an act of equal dignity" which means passing a repealing ordinance. Attached is AN ORDINANCE REPEALING ORDINANCE 2019-1 REGARDING THE REGULATION OF POLYSTYRENE AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS AND PRODUCTS. It will require a first and second reading in order to be executed.

RECOMMENDATION:

Staff recommends that the Board (1) Introduce ORDINANCE NO. 2021-3-1, AN ORDINANCE REPEALING ORDINANCE NO. 2019-1 REGARDING THE REGULATION OF POLYSTYRENE AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS AND PRODUCTS; (2) waive the first reading of the Ordinance following a reading of the title in full; (3) set a public hearing on April 14, 2021, to consider the adoption of ORDINANCE NO. 2021-3-1; and (4) postpone implementation of ORDINANCE NO. 2019-1 until the public hearing on ORDINANCE NO. 2021-3-1.

FISCAL IMPACT:

N/A

ATTACHMENT:

1. ORDINANCE NO. 2021-3-1
2. Ordinance No. 2019-1

**San Luis Obispo County
Integrated Waste Management Authority
ORDINANCE NO. 2021-3-1**

**AN ORDINANCE REPEALING ORDINANCE 2019-1 REGARDING
THE REGULATION OF POLYSTYRENE AND EXPANDED POLYSTYRENE (EPS)
FOOD CONTAINERS AND PRODUCTS**

WHEREAS, the San Luis Obispo County Integrated Waste Management Authority (“IWMA”) is a joint powers agency established pursuant to California Government Code Section 6500 and empowered by its member jurisdictions to exercise the members’ common powers to achieve the mandates imposed by the Integrated Waste Management Act of 1989 (AB 939) on a regional basis; and

WHEREAS, on or about October 9, 2019, IWMA adopted Ordinance 2019-1 regulating Polystyrene and Expanded Polystyrene (“EPS”) food containers and products, which was set to take effect on or about April 9, 2020; and

WHEREAS, on or about March 23, 2020, IWMA postponed implementation of Ordinance 2019-1 for twelve (12) months due to COVID-19 and the “Shelter at Home” order and the impact they will have on many restaurants, grocery stores, and other retailers that can only offer take-out food orders; and

WHEREAS, on or about November 19, 2020, the IWMA Board of Directors voted to support a “mandates only” policy direction wherein the IWMA would only enact ordinances mandated by the State of California; and

WHEREAS, Ordinance 2019-1 regulating Polystyrene and Expanded Polystyrene (“EPS”) is not the subject of a State mandate; and

WHEREAS, the IWMA Board of Directors has directed staff to repeal Ordinance 2019-1 due to ongoing concerns about its implementation, the “mandates only” policy direction, and its impact on the business community.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the San Luis Obispo County Integrated Waste Management Authority as follows:

SECTION 1. Recitals.

The above recitals are true and correct and incorporated herein by this reference as the findings of the IWMA Board of Directors.

SECTION 2. Environmental Determination.

The proposed ordinance is exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of Title 14 of the California

Code of Regulations because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. As Ordinance 2019-1 was never implemented there will be no change or effect on the environment if the ordinance is repealed.

SECTION 3. Repeal.

Ordinance 2019-1 of the San Luis Obispo County Integrated Waste Management Authority regulating Polystyrene and Expanded Polystyrene (EPS) Food Containers and Products is hereby repealed in its entirety and is of no further force or effect.

SECTION 4. Severability.

If any subdivision, paragraph, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance. It is the IWMA's express intent that each remaining portion would have been adopted irrespective of the fact that any one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

SECTION 5. Effective Date.

This Ordinance was introduced, and the title thereof read, at the regular meeting of the IWMA Board of Directors on March 10, 2021, and further reading was waived by a majority vote of those Directors present.

This Ordinance shall take effect and be in full force thirty (30) days from the date of its passage and before the expiration of fifteen (15) days from the date of its passage, it shall be published once with the names of the members of the Board of Directors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of San Luis Obispo.

On a motion by Director _____, seconded by Director _____, the foregoing Ordinance was passed and adopted by the Board of Directors of the San Luis Obispo County Integrated Waste Management Authority, this ____ day of _____ 2021, by the following vote:

AYES:

NOES:

ABSENT:

TO: BOARD OF DIRECTORS
 FROM: MARIO IGLESIAS
 GENERAL MANAGER
 DATE: March 5, 2021

**AGENDA ITEM
 F
 MARCH 10, 2021**

GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- *Period covered by this report is February 21, 2021 through March 6, 2021.*

DISTRICT BUSINESS

Administrative

OFFICE ACTIVITIES

	Feb 21	Jan 21 - Feb 21
Official Payment (Count March-June)	36	43
Official Payments cost to District	\$142	\$170

Water Resources

Table 1. Total Production Acre Feet (AF)

	Feb-21	Jul 20 - Feb 21
Groundwater Production	51.3	670.1
Supplemental Water Imported	<u>69.8</u>	<u>712.8</u>
Total Production	121.1	1,382.9

NCSD GW Reduction

Table 2. NCSD GW Production (NCSD GW Well Production plus Purveyor Credit)

	Feb-21	Jul 20 - Feb 21
NCSD GW Well Production	51.3	670.1
Purveyor Customer Credit (33.3% of Import Water)	<u>23.3</u>	<u>237.5</u>
NCSD Total Calculated GW Production	74.6	907.6
Average GW Production for 2009-2013	122.0	1,665.7
NCSD Percentage of GW Reduction	39%	46%

2021 Fiscal Year Groundwater Pumping Forecast

Table 3. Projected Groundwater Pumping

	<u>Feb-21</u>	<u>Year-to-Date Jul-Jun 2021</u>	Target	Over/(Under)	
NCSD GW Well Production	51.3	908.8			
Purveyor Customer Credit (33.3% of Import Water)	<u>23.3</u>	<u>342.3</u>			
NCSD Total Calculated GW Production	74.6	1,251.1	1,266.0	14.92	AcFt
Average GW Production for 2009-2013	<u>122.0</u>	<u>2,533.4</u>	<u>2,533.4</u>		
NCSD Percentage of GW Reduction	39%	51%	50.0%		

Table 4. FY 2020 v. FY 2021 Groundwater Pumping

	<u>Feb-21</u>	<u>Jul 20 -Jun 21</u>	<u>Feb-20</u>	<u>Jul 19-Jun 20</u>
NCSD GW Well Production	51.3	908.8	27.2	1,026.0
Purveyor Customer Credit (33.3% of Import Water)	<u>23.3</u>	<u>342.3</u>	<u>26.0</u>	<u>323.1</u>
NCSD Total Calculated GW Production	74.6	1,251.1	53.3	1,349.1
Average GW Production for 2009-2013	<u>122.0</u>	<u>2,533.4</u>	<u>122.0</u>	<u>2,533.4</u>
NCSD Percentage of GW Reduction	39%	51%	56%	47%

Rainfall Gauge – (gathered from the following websites)

Note 1: SLO County Website
https://wr.slocountywater.org/site.php?site_id=3&site=935e7af7-0e94-4042-bc11-e02906d5ba44

Note 2: SLO County Website
https://wr.slocountywater.org/site.php?site_id=2&site=878bfdbf-5c40-4398-8226-418372e4039b

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
February 2021 Total	0.27	0.23
July-2020 through June-2021 (Season Total)	6.22	5.51
Mar 1, 2021 to Mar 5, 2021	<u>0.00</u>	<u>0.00</u>
Total Rainfall to date	6.22	5.51
Average Annual Year Rainfall	18.0 ¹	14.0 ²

Safety Program

No safety issue to report.

Other Items

- COVID19 NCSD Response Plan Update [Attachment A]

Supplemental Water Capacity Accounting

Summary Since January 25, 2008	Number of Equivalent Meters	AFY
Supplemental Water Available for Allocation	947	500
Supplemental Water Reserved (Will Serve Letter Issued)	124	-65.5
Subtotal Net Supplemental Water Available for Allocation	823	434.5
Supplemental Water Assigned (Intent-to-Serve Issued)	177	-93.4
Total Remaining Supplemental Water Available for Allocation	646	341.1

As of March 5, 2021

Connection Report

Nipomo Community Services District
Water and Sewer Connections

END OF MONTH REPORT

	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21
Water Connections (Total)	4476	4477										
Sewer Connections (Total)	3243	3243										
New Water Connections	1	1										
New Sewer Connection	1	0										
Galaxy & PSHH at Orchard and Division Sewer Connections billed to the County	477	477										

The Connection Report is current through February 5, 2021.

Meetings (February 21 through March 6)

Meetings Attended (telephonically or in person):

- Feb 22, Staff Mtg. – Admin Supervisor
- Feb 23, Staff Mtg. - Cust. Service Specialist
- Feb 23, Drought Prepared Seminar – Zoom
- Feb 24, Rotary
- Feb 24, Regular NCSD Board Meeting
- Feb 24, Exec. Team After-Board Meeting
- Feb 24, Developer – Tract 2312 Frontage Road
- Feb 25, Rate Consultant – Sewer Rate Study
- Feb 25, Ethics Training
- Feb 26, Staff Mtg - Cust. Service Specialist
- Feb 26, Eng/Admin Coordination Meeting
- Feb 26, Asset Management – Sedaru Mtg.
- Mar 1, NCSD Management Team Meeting
- Mar 1, NCSD Board Officer Meeting
- Mar 2, Staff Meeting – Public Outreach
- Mar 2, General Counsel Planning Mtg
- Mar 3, Rotary
- Mar 3, CSDA Local Manager's Meeting
- Mar 4, DWR Seminar – Zoom – Understanding AB 1668
- Mar 5, Staff Mtg. - Cust. Service Specialist
- Mar 5, Phone System Upgrade Meeting

Meetings Scheduled (March 7 through March 13):

Upcoming Meetings (telephonically or in person):

- *Mar 8, Finance and Audit Comm. Mtg.*
- *Mar 9, Staff Mtg. – Cust. Service Specialist*
- *Mar 9, Eng/Admin Coordination Meeting*
- *Mar 9, Asset Management/GIS Integration Mtg.*
- *Mar 10, Rotary*
- *Mar 10, Regular NCSD Board Meeting*
- *Mar 10, Exec. Team After-Board Meeting*
- *Mar 11, Harassment Prevention Training*
- *Mar 12, Staff Mtg. – Cust. Service Specialist*
- *Mar 12, Harassment Prevention Training*

Upcoming Water Resource and Other Meetings

Upcoming Standing Meetings:

- *NMMA-TG: March 11th (Thursday) @ 10:00 AM, Conf. Call*
- *RWMG: No Schedule Posted –*
- *WRAC: April 7th (Wednesday) @ 1:30 PM, Zoom Meeting*
- *NMMA Purveyor Meeting: March 18th (Thursday) @ 10:00 PM, Zoom Meeting*
- *NCSD Board Officer Meeting: March 15th (Monday) @ 2:00 PM, NCSD Conf. Rm.*

RECOMMENDATION

Staff seeks direction and input from your Board

ATTACHMENTS

- A. COVID19 - NCSD Response Plan:

MARCH 10, 2021

ITEM F

ATTACHMENT A

Date: March 10, 2021
Response Activities to COVID19 Health Emergency
Prepared by: Mario Iglesias, General Manager

DISTRICT RESPONSE TO COVID 19 Update – March 5, 2021

New Actions

Personnel on Quarantine

Office Personnel:

No administrative personnel affected at this time

Operational Personnel:

No operational personnel affected at this time.

Training:

District COVID-19 Prevention Program (OSHA Required Program)

County EOC:

Vaccine Update:

- 14 District Personnel received their second dose of the vaccine.
- 2 employees on list for first dose of the vaccine
- 4 employees declined vaccination

Effects on Operations:

Capital Improvement Projects continue to be impacted and schedules for completion continue to be pushed back due to material delivery delays.

Palm Lift Station
JRPS Pump Installations
Southland WWTP Screw Press Installation

Ongoing Actions

1. Participate in SLO County EOC Briefings
2. Review SLO County Daily EOC Status Report
3. Practicing Social Distancing
4. Face coverings are required when employees are in District Buildings when they are away from their work stations

Previous Actions

1. NCSO Board Passes Resolution Declaring Emergency in District [Res. 2020-1550, Mar. 24, 2020]
2. Admin Office Closed to the Public
 - a. Meetings are virtual – Conference Calls
3. Discontinued: Split staff into two teams
 - a. See schedule on Response Plan
4. Received directions for FEMA Public Assistance – Cost Tracking Guidance
5. Governor’s Executive Order – No Water Turn-offs

Date: March 10, 2021

Response Activities to COVID19 Health Emergency

Prepared by: Mario Iglesias, General Manager

- a. District instituted this policy as well as a No Late Fee – No Penalty Fees
6. Wipe-down between shifts
7. Each operator in separate designated vehicle.
8. Received additional PPE. Administration Staff will be on normal schedule 8-4:30 starting Monday May 18th
9. Operations Staff are on normal 7:00 am to 3:30 pm work schedule as of Monday, May 4th. County opened up construction sites.
10. Expanded Customer Service Work to include site visits for investigations (high bills, meter issues) week of May 11
11. Trailers for quarantine have been returned – May 1
12. District to begin wastewater sampling in conjunction with County effort to determine presence of COVID19 in communities – May 11
13. Temporary Admin Support Workers brought back to Office (Provider incentivized due to PPP Funds) – June 1
14. Lobby Modifications: Glass is equipped with speaker plates to allow the communication between customer and clerk without opening the sliding window.
15. Board Meetings open to the public.
16. County Offices Continued Closed with Appointments provided to some departments as needed.
17. June 18, 2020, Governor Order issued requiring face masks be worn in public places. District management purchased disposable face masks for staff, Board Members, and any public that attends District Board Meetings and lack a face mask.
18. The customer counter window modifications at the office are completed.