

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: FEBRUARY 18, 2021

AGENDA ITEM

D

FEBRUARY 24, 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 10, 2021, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER

[Handwritten initials]
[Handwritten initials]

FROM: LISA BOGNUDA
FINANCE DIRECTOR

AGENDA ITEM
D-1
FEBRUARY 24, 2021

DATE: FEBRUARY 19, 2021

WARRANTS

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$249,424.29
HAND WRITTEN CHECKS	NONE
VOIDED CHECKS	NONE



Nipomo Community Services District

Item D-1 Warrants FEBRUARY 24, 2021

By Payment Number

Payment Dates 02/24/2021 - 02/24/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 6909					
Allweather Landscape Mainte	LMD	40192	02/24/2021		325.00
Allweather Landscape Mainte	LMD	39657	02/24/2021		325.00
Payment 6909 Total:					<u>650.00</u>
Payment: 6910					
Amazon Capital Services, Inc.	UPS battery backup and surge	1K34-R9XF-7NLD	02/24/2021		353.90
Amazon Capital Services, Inc.	10 gallon galvanized steel oily	1VRP-7TX3-X1TH	02/24/2021		74.31
Payment 6910 Total:					<u>428.21</u>
Payment: 6911					
Aqua-Metric Sales, Co.	Meter parts: basestation, airli	INV0080974	02/24/2021		104,432.83
Payment 6911 Total:					<u>104,432.83</u>
Payment: 6912					
Bognuda, Lisa	Mileage reimbursement- SLO	FEB 2021	02/24/2021		27.44
Payment 6912 Total:					<u>27.44</u>
Payment: 6913					
Brenntag Pacific, Inc.	Sodium Hypochlorite	BPI119403	02/24/2021		593.43
Payment 6913 Total:					<u>593.43</u>
Payment: 6914					
Burdine Printing	Mail bills	43200A	02/24/2021		194.04
Burdine Printing	Postage for bills	43200B	02/24/2021		849.16
Payment 6914 Total:					<u>1,043.20</u>
Payment: 6915					
CalPortland Construction	Truck rental	94905926	02/24/2021		365.00
Payment 6915 Total:					<u>365.00</u>
Payment: 6916					
Cannon Corporation	Construction management- S	74965	02/24/2021		180.00
Cannon Corporation	NCSD Summit station monitor	75107	02/24/2021		5,714.88
Cannon Corporation	Update electrical plans for So	75377	02/24/2021		1,221.75
Payment 6916 Total:					<u>7,116.63</u>
Payment: 6917					
Carquest Auto Parts	Vehicle repair/maintenance	7314-1210592	02/24/2021		66.35
Payment 6917 Total:					<u>66.35</u>
Payment: 6918					
Charter Communications	Internet - Shop and/or Office	0224495022021	02/24/2021		734.20
Charter Communications	Internet - Shop and/or Office	0225708022221	02/24/2021		734.20
Payment 6918 Total:					<u>1,468.40</u>
Payment: 6919					
Excel Personnel Services, Inc.	Employment agency	3674580	02/24/2021		465.00
Excel Personnel Services, Inc.	Employment agency	3670556	02/24/2021		465.00
Payment 6919 Total:					<u>930.00</u>
Payment: 6920					
Executive Janitorial	Janitorial services	FEB 2021	02/24/2021		780.00
Payment 6920 Total:					<u>780.00</u>
Payment: 6921					
Famcon Pipe and Supply, Inc.	SS repair clamp	S100046150.001	02/24/2021		384.98
Payment 6921 Total:					<u>384.98</u>
Payment: 6922					
Farm Supply Company	Oil litter absorb-it	75615	02/24/2021		84.76
Farm Supply Company	Camlocks	75840	02/24/2021		30.20
Payment 6922 Total:					<u>114.96</u>

Item D-1 Warrants FEBRUARY 24, 2021

Payment Dates: 02/24/2021 - 02/24/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 6923					
FGL Environmental	Lab tests	180058A	02/24/2021		773.00
Payment 6923 Total:					773.00
Payment: 6924					
Great Western Alarm and Co	Alarm monitoring service	210201327201	02/24/2021		50.00
Payment 6924 Total:					50.00
Payment: 6925					
Heacock Trailers & Truck Acce	Truck accessories -20 F-250 #	11784	02/24/2021		6,213.35
Heacock Trailers & Truck Acce	Truck accessories -20 F-250	11783	02/24/2021		6,213.35
Payment 6925 Total:					12,426.70
Payment: 6926					
Iconix Waterworks (US) Inc.	Quickrete concrete	U2116003708	02/24/2021		240.82
Iconix Waterworks (US) Inc.	Sewer covers and frames	U2116004512	02/24/2021		1,190.48
Iconix Waterworks (US) Inc.	Sewer covers and frames	U2116003726	02/24/2021		793.65
Payment 6926 Total:					2,224.95
Payment: 6927					
Iglesias, Mario	Cell phone reimbursement	FEB 2021	02/24/2021		65.00
Payment 6927 Total:					65.00
Payment: 6928					
Integrated Industrial Supply, I	Marking paint	74435	02/24/2021		205.77
Integrated Industrial Supply, I	Handlinh hose	74860	02/24/2021		47.84
Payment 6928 Total:					253.61
Payment: 6929					
Kennedy, Lauren	Washer rebate	JAN 2021	02/24/2021		75.00
Payment 6929 Total:					75.00
Payment: 6930					
Miner's Ace Hardware	Supplies	JAN 2021	02/24/2021		386.64
Payment 6930 Total:					386.64
Payment: 6931					
Mission Uniform Service	Uniforms	514202062	02/24/2021		170.25
Mission Uniform Service	Uniforms	514033119	02/24/2021		162.66
Mission Uniform Service	Uniforms	514074527	02/24/2021		162.66
Mission Uniform Service	Uniforms	514116521	02/24/2021		337.91
Mission Uniform Service	Uniforms	514159045	02/24/2021		165.66
Payment 6931 Total:					999.14
Payment: 6932					
NexTraq	GPS subscription	AT01548951	02/24/2021		419.25
Payment 6932 Total:					419.25
Payment: 6933					
Nipomo Community Services	Water	Jan 2020	02/24/2021		853.27
Payment 6933 Total:					853.27
Payment: 6934					
Nunley & Associates, Inc.	Southland WW treatment blo	8645	02/24/2021		490.88
Nunley & Associates, Inc.	Nipomo senior housing	8646	02/24/2021		884.36
Nunley & Associates, Inc.	Frontage road commercial de	8648	02/24/2021		478.95
Nunley & Associates, Inc.	Dana reserve development	8573	02/24/2021		11,645.96
Nunley & Associates, Inc.	Southland WWTF influent LS c	8647	02/24/2021		1,059.87
Nunley & Associates, Inc.	Southland screw press ESDC	8623	02/24/2021		3,704.56
Nunley & Associates, Inc.	Joshua Road pump station ES	8655	02/24/2021		816.53
Nunley & Associates, Inc.	UWMP Update 2020	8579	02/24/2021		6,848.99
Payment 6934 Total:					25,930.10
Payment: 6935					
Nu-Tech Pest Management	Pest control	0156413	02/24/2021		265.00
Nu-Tech Pest Management	Rodent control	0156416	02/24/2021		75.00
Payment 6935 Total:					340.00

Item D-1 Warrants FEBRUARY 24, 2021

Payment Dates: 02/24/2021 - 02/24/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 6936					
Office Depot	Office supplies	155648267001	02/24/2021		19.28
Office Depot	Office supplies	155647609001	02/24/2021		40.93
Payment 6936 Total:					60.21
Payment: 6937					
Olivas, Silas	Reimbursement for Live Scan	LiveScan2021	02/24/2021		84.00
Payment 6937 Total:					84.00
Payment: 6938					
PG&E	Electricity	FEB 2021	02/24/2021		39,584.64
Payment 6938 Total:					39,584.64
Payment: 6939					
Pumping Solutions Inc.	Neptune spare parts kit	3054339	02/24/2021		1,652.06
Payment 6939 Total:					1,652.06
Payment: 6940					
Quinn Company	Caterpillar service	WO30048280	02/24/2021		1,770.30
Payment 6940 Total:					1,770.30
Payment: 6941					
R. Baker, Inc.	Meter change out assistance	2111522	02/24/2021		2,540.00
Payment 6941 Total:					2,540.00
Payment: 6942					
Ray Morgan Company	B&W/Color copies	3221829	02/24/2021		128.13
Ray Morgan Company	B&W/Color copies	3221830	02/24/2021		206.95
Payment 6942 Total:					335.08
Payment: 6943					
Richards, Watson & Gershon	Water Rights Adjudication Jan	230568	02/24/2021		630.00
Payment 6943 Total:					630.00
Payment: 6944					
Richards, Watson & Gershon	General Legal Services Januar	230567	02/24/2021		7,351.49
Payment 6944 Total:					7,351.49
Payment: 6945					
Santa Maria Times	Subscription renewal	2021-175915	02/24/2021		240.00
Payment 6945 Total:					240.00
Payment: 6946					
Sedaru, Inc.	Sedaru connect and integratio	310-002-01B	02/24/2021		7,440.00
Sedaru, Inc.	Additional services	310-001-22	02/24/2021		8,856.00
Payment 6946 Total:					16,296.00
Payment: 6947					
SLO County Environmental He	Cross Connection Services	ON0131581	02/24/2021		3,888.80
Payment 6947 Total:					3,888.80
Payment: 6948					
State Water Resources Contro	T1 certification renewal	CAMACHO 2021	02/24/2021		55.00
Payment 6948 Total:					55.00
Payment: 6949					
Tribune	Notice Inviting Bids-Nipomo P	I04848504-01102021	02/24/2021		476.74
Payment 6949 Total:					476.74
Payment: 6950					
Tu, Manrong & Chao, George	Washer rebate	FEB 2021	02/24/2021		75.00
Payment 6950 Total:					75.00
Payment: 6951					
United Rentals	Water truck rental	165510172-029	02/24/2021		2,567.25
Payment 6951 Total:					2,567.25
Payment: 6952					
USA Bluebook	Chemkeys	499962	02/24/2021		382.43
USA Bluebook	Pipet tips, pH buffer, and filter	495855	02/24/2021		434.02
USA Bluebook	Electrode cleaning solution	500128	02/24/2021		97.02

Item D-1 Warrants FEBRUARY 24, 2021

Payment Dates: 02/24/2021 - 02/24/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
USA Bluebook	Chemkeys	487413	02/24/2021		4,556.60
USA Bluebook	Hach intellical rugged pH prob	497093	02/24/2021		893.58
USA Bluebook	Cutters	501478	02/24/2021		74.85
				Payment 6952 Total:	6,438.50
Payment: 6953					
Vorng, Olang	Washer rebate	JAN 2021	02/24/2021		75.00
				Payment 6953 Total:	75.00
Payment: 6954					
Wallace Group	FOG Program	52563	02/24/2021		2,106.13
				Payment 6954 Total:	2,106.13

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: FEBRUARY 18, 2021

AGENDA ITEM
D-2
FEBRUARY 24, 2021

**APPROVE FEBRUARY 10, 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 10, 2021 draft Regular Board Meeting Minutes

FEBRUARY 24, 2021

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MINUTES

FEBRUARY 10, 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 10, 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.

C. PRESENTATIONS AND REPORTS

PRESENTATION: A Resolution of the Nipomo Community Services District Expressing Appreciation and Gratitude Posthumously to Doug Jones for his service to Nipomo Community Services District and was presented to the Jones family.

Director Blair presented the Resolution to Gerri Jones, widow of Doug Jones's. Lisa Bognuda, Mike Winn, Mario Iglesias, Ed Eby, and Bob Blair all expressed appreciation for Mr. Jones's service to The District.

Director Eby called for a short recess.

- 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

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

Director Gaddis

- February 1, attended Board Officers' meeting.

Director Eby

- February 1, attended Board Officers' meeting.
- February 3, attended WRAC meeting remotely.
- February 5, attended BLMA meeting remotely.

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 Malvarose and seconded, the Board unanimously approved receiving and filing presentations and reports.
Vote 5-0.*

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JANUARY 27, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) REVIEW BOARD BY-LAWS AND POLICIES AND PROPOSE EDITS FOR CONSIDERATION [RECOMMEND REVIEW OF BY-LAWS AND DIRECT STAFF TO RETURN WITH REVISIONS, IF ANY, FOR FUTURE BOARD APPROVAL OR RECEIVE AND FILE IF NO REVISIONS].
- D-4) ACCEPT SECOND QUARTER FISCAL YEAR 2020-2021 QUARTERLY FINANCIAL REPORT [RECOMMEND RECEIVE AND FILE REPORT]

District staff, answered questions from the Board regarding the warrants.

There were no public comments.

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

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

E. ADMINISTRATIVE ITEMS

- E-1) DISCUSS AND CONSIDER PROPOSED SHIFT FROM SOUTH COUNTY SANITARY SERVICE FIXED DATE CLEAN-UP WEEK TO A FLEXIBLE CUSTOMER VOUCHER PROGRAM [RECOMMEND DISCUSS AND DIRECT STAFF]

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

Jeff Clarin, District Manager for South County Sanitary Services, answered questions from the Board.

The Board directed staff to proceed with the voucher program.

There were no public comments.

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 Blair asked about the water truck.

Mario Iglesias, General Manager, said the vehicle has been delivered to the District and will be at the next Board meeting.

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)
2. ANNUAL PERFORMANCE REVIEW PROCESS OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION §54957

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

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

ADJOURN MEETING

President Eby adjourned the meeting at 10:23 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 50 minutes
Closed Session	0 hour 33 minutes
TOTAL HOURS	1 hour 23 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER

DATE: February 19, 2021

AGENDA ITEM

E-1

FEBRUARY 24, 2021

APPROVE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES - GENERAL COUNSEL

ITEM

Approve Second Amendment to Agreement for Professional Legal Services - General Counsel
[RECOMMEND APPROVAL OF SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES]

BACKGROUND

Richards, Watson & Gershon ("RWG") provides professional legal services to the District on a contract basis. Your Board recently completed the annual performance evaluation for General Counsel Craig Steele and RWG. The current contract from February 2017 for legal services, established hourly rates that have not been adjusted since 2017. The rates RWG is proposing would be in effect March 1, 2021 through February 28, 2023. RWG proposes to increase the "General Services" hourly rate from \$210 to \$225, or 7.14%, and to increase the "Special Services" and "Litigation" rates from \$275 to \$295, or 7.22%. No change is proposed for the "Public Finance" rate. The services that fall into each category are detailed on the attached Exhibit A. The proposal is lower than the 7.72% increase for the Consumer Price Index for all Urban Consumers ("CPI-U") national U.S. City increase for the corresponding time period.

It should be noted that the U.S. Bureau of Labor Statistics publishes many CPI rate compilations for different regions and communities. The other CPI-U compilations that could be applicable to San Luis Obispo County - Western States, Los Angeles Region, and San Francisco Region - all increased by more than 10% during the applicable period of February 2017 through January 2021. The Pacific Division data will be relevant going forward, but only started being compiled in 2018. Thus, RWG feels that basing this adjustment on the lower national average over the entire period is advisable.

Starting March 1, 2023 RWG proposes that the rates would change annually by the greater of 2% or the annual increase in CPI-U for the previous year based on the Pacific Division index, not to exceed 5% in any year.

There is no other change proposed to the terms of the contract.

It is recommended that your Board approve the Second Amendment to the Agreement for Professional Legal Services - General Counsel.

FISCAL IMPACT

Legal services are charged on an hourly fee basis, in 1/10 hour increments, and the District's need for legal services varies in any given year. Based on the previous year's billing for legal services, this proposal would increase the District's total annual costs by about \$7,700.

STRATEGIC PLAN

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2021\210224 Second Amended Legal Services Agreement 2021-COPY.docx

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

3.B. ONGOING ACTIVITIES

B.1. Ensure the District is adequately staffed with high quality, long-term employees and supported by appropriate contractors and partnerships.

RECOMMENDATION

It is recommended that your Board approve the attached Second Amendment to the Agreement for Professional Legal Services - General Counsel (Attachment A).

ATTACHMENTS

- A. Proposed Second Amendment to Agreement for Professional Legal Services - General Counsel

FEBRUARY 24, 2021

ITEM E-1

ATTACHMENT A

**SECOND AMENDMENT TO AGREEMENT FOR
PROFESSIONAL LEGAL SERVICES
GENERAL COUNSEL**

This Second Amendment to that certain agreement for professional legal services effective March 1, 2017 (“Agreement”) is made and entered into to be effective as of March 1, 2021, by and between RICHARDS, WATSON & GERSHON, A Professional Corporation, (“RWG,”) and the NIPOMO COMMUNITY SERVICES DISTRICT, a municipal corporation of the State of California (“NCSD”).

WHEREAS, RWG currently provides legal services to NCSD; and

WHEREAS, the parties intend to amend the Agreement to update the Compensation and Reimbursement Rate Schedule.

NOW, THEREFORE, in consideration of the mutual terms and conditions hereinafter set forth, the Agreement is hereby amended as follows:

SECTION 1. Exhibit A, as attached hereto, is approved and incorporated into the Agreement to replace existing Exhibit A.

SECTION 2. Except as specifically amended herein, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be duly executed on the respective dates set forth opposite each of their signatures.

Dated: _____

NIPOMO COMMUNITY SERVICES DISTRICT,
a Municipal Corporation of the State of California

By: _____

ED EBY
President, Board of Directors

Dated: _____

RICHARDS, WATSON & GERSHON,
A Professional Corporation

By: _____
CRAIG A. STEELE
President

ATTEST:

MARIO IGLESIAS
Secretary to the Board

Amended Exhibit "A"
Compensation and Reimbursement Rate Schedule for
Nipomo Community Services District
Effective March 1, 2021

1) General Services

All legal services that are not defined below as Special Services or Litigation will be deemed to be General Services. Without limitation, all of the following are General Services (to the extent they are not otherwise Special Services or Litigation):

1. Attendance at Board of Director meetings.
2. Legal research and legal advice to the District and designated District Staff.
3. Preparation and review of resolutions, agreements, and other legal documents.
4. Oversight of legal matters handled by outside legal counsel.

General Services shall be billed to, and compensated by, the District, at a composite rate for all attorneys of ~~\$210~~ \$225 per hour.

2) Special Services

Special Services will be defined as legal services provided in the following matters:

1. Real estate matters and land use matters that require a total of ten or more hours to complete.
2. Labor and employment law services.
3. Environmental law services, including but not limited to, hazardous waste, Clean Air Act, and Clean Water Act matters.
4. Water and water rights law services.
5. Public finance.
6. Bond Counsel services, Disclosure Counsel services, or Issuer Counsel services.
7. Legal services that the District has reimbursed by a third-party.
8. Representation of the District in administrative proceedings before other public agencies, including but not limited to the Coastal Commission.

Special Services shall be billed to, and compensated by, the District at a composite rate for all attorneys of ~~\$275~~ \$295 per hour except for the following:

1. For providing services as Bond Counsel, Disclosure Counsel, or Issuer Counsel on financings, RWG shall be paid at a composite hourly rate of \$395 per hour. The total fee shall not exceed an amount which the General Manager deems fair and reasonable under the circumstances.
2. Legal services that the District has been reimbursed by a third-party will be billed and compensated at the Firm's standard hourly rates, which may be discounted up to 10% at the sole discretion of the General Manager.

3) Litigation

Litigation will be defined as representation of the District in all aspects of the initiation, advancement, or defense of claims in litigation, arbitration, or mediation. Litigation shall be billed to, and compensated by, the District at a composite rate for all attorneys of ~~\$275~~ \$295 per hour.

4) Reimbursable and/or Other Costs

Expenses for non-local travel will be charged at our actual costs. We will not bill for travel time to and from regular District Board meetings, but will bill travel time for special meetings. RWG bills mileage at the standard rate established by the IRS for calculating the operating expenses of an automobile used for business purposes, which currently is 56 cents per mile. Copying costs will be charged at 5 cents per page. All other costs, such as long distance telephone charges, messenger and delivery services, and legal research services will be charged only at the Firm's actual out-of-pocket expenses. The Firm will not charge for word processing and similar clerical tasks.

5) Training Costs

RWG will provide without charge one two-hour AB 1234 training session each fiscal year and up to eight total hours of training each fiscal year on topics mutually agreed upon with the District. Any additional time spent preparing for and providing training would be billed on an hourly basis at the General Services rate.

6) Other Entities

Legal services and costs for any other entities created or controlled by the District would be contracted and billed at the same rate structures set forth above.

7) Subsequent Adjustments

Effective March 2, 2023 and annually thereafter, the rates set forth in this Exhibit A shall be adjusted by the greater of two percent (2%) or the annual increase (January over January) in the Consumer Price Index for all Urban Consumers ("CPI-U"), Pacific Division, or the successor index published by the U.S. Bureau of Labor Statistics specifically applicable to San Luis Obispo County, but not to exceed five percent (5%).

TO: BOARD OF DIRECTORS
 FROM: MARIO IGLESIAS
 GENERAL MANAGER
 DATE: February 19, 2021

**AGENDA ITEM
 F
 FEBRUARY 24, 2021**

GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- *Period covered by this report is February 7, 2021 through February 20, 2021.*

DISTRICT BUSINESS

Administrative

OFFICE ACTIVITIES

	Jan 21	Jan 21 - Jan 21
Reports of Water Waste	0	0
Leak Adjustments	0	0
Leak Adjustment Amount	\$0	\$
Late Fee Waivers	0	15
Late Fee Waiver Adjustment Amount	\$0	\$0
Official Payment (Count March-June)	7	7
Official Payments cost to District	\$28	\$28

Water Resources

Table 1. Total Production Acre Feet (AF)

	Jan-21	Jul 20 - Jan 21
Groundwater Production	61.4	618.7
Supplemental Water Imported	<u>73.5</u>	<u>643.0</u>
Total Production	134.9	1,261.7

NCSD GW Reduction

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

	Jan-21	Jul 20 - Jan 21
NCSD GW Well Production	61.4	618.7
Purveyor Customer Credit (33.3% of Import Water)	<u>24.5</u>	<u>214.2</u>
NCSD Total Calculated GW Production	85.9	832.9
Average GW Production for 2009-2013	<u>142.1</u>	<u>1,543.7</u>
NCSD Percentage of GW Reduction	40%	46%

2021 Fiscal Year Groundwater Pumping Forecast

Table 3. Projected Groundwater Pumping

	<u>Jan-21</u>	<u>Year-to-Date Jul-Jun 2021</u>	<u>Target</u>	<u>Over/(Under)</u>	
NCSD GW Well Production	61.4	920.7			
Purveyor Customer Credit (33.3% of Import Water)	<u>24.5</u>	<u>345.6</u>			
NCSD Total Calculated GW Production	85.9	1,266.3	1,266.0	(0.31)	AcFt
Average GW Production for 2009-2013	<u>142.1</u>	<u>2,533.4</u>	<u>2,533.4</u>		
NCSD Percentage of GW Reduction	40%	50%	50.0%		

Table 4. FY 2020 v. FY 2021 Groundwater Pumping

	<u>Jan-21</u>	<u>Jul 20 -Jun 21</u>	<u>Jan-20</u>	<u>Jul 19-Jun 20</u>
NCSD GW Well Production	61.4	995.8	31.1	1,026.0
Purveyor Customer Credit (33.3% of Import Water)	<u>24.5</u>	<u>345.6</u>	<u>26.0</u>	<u>323.1</u>
NCSD Total Calculated GW Production	85.9	1,341.4	57.1	1,349.1
Average GW Production for 2009-2013	<u>142.1</u>	<u>2,533.4</u>	<u>142.1</u>	<u>2,533.4</u>
NCSD Percentage of GW Reduction	40%	47%	60%	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)	<u>Nipomo East (Dana Hills Reservoirs)</u>	<u>Nipomo South (Southland Plant)</u>
January 2021 Total	4.30	3.82
July-2020 through June-2021 (Season Total)	5.95	5.24
Feb 1, 2021 to Feb 19, 2021	<u>0.27</u>	<u>0.27</u>
Total Rainfall to date	6.22	5.51
Average Annual Year Rainfall	18.0 ¹	14.0 ²

Safety Program

- Provided Training on District's COVID-19 Prevention Program
- Completed SDRMA On-site Review (3-year Review Cycle)

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 February 4, 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											
Sewer Connections (Total)	3242											
New Water Connections	1											
New Sewer Connection	1											
Galaxy & PSHH at Orchard and Division Sewer Connections billed to the County	477											

The Connection Report is current through February 19, 2021.

Meetings (February 6 through February 19)

Meetings Attended (telephonically or in person):

- Feb. 8, NCMA-TG Meeting
- Feb. 9, Staff Mtg. – Cust. Service Specialist
- Feb. 9, Eng/Admin Coordination Meeting
- Feb. 9, Training – Water Loss
- Feb. 10, Rotary
- Feb. 10, Regular NCSD Board Meeting
- Feb. 10, Exec. Team After-Board Meeting
- Feb. 11, Doctor Appointment
- Feb. 11, NMMA-TG Manager's Meeting
- Feb. 12, Staff Mtg. – Cust. Service Specialist
- Feb. 12, Admin Staff Safety Meeting
- Feb. 12, CSDA Annual Meeting Jan. 25, Electrocraft – Office Elec Work
- Feb. 15, President's Day Holiday
- Feb. 16, NMMA-TG Meeting
- Feb. 16, Board Officer Meeting
- Feb. 16, AMI Update Meeting – Aqua Metric
- Feb. 17, Rotary
- Feb. 17, SDRMA Facility Safety Review
- Feb. 17, SLO County EOC Briefing

- *Feb. 18, Management Team Meeting*
- *Feb. 18, DWR Seminar – Water Loss*
- *Feb. 18, Facilities/Water Resource Committee Meeting*
- *Feb. 19, Staff Mtg. – Cust. Service Specialist*
- *Feb. 19, Well Site Review – Pomeroy Parcel*

Meetings Scheduled (February 19 through February 28):

Upcoming Meetings (telephonically or in person):

- *Feb. 23, Staff Mtg. – Cust. Service Specialist*
- *Feb. 23, Seminar Drought Preparedness*
- *Feb. 24, Rotary*
- *Feb. 24, Regular NCSD Board Meeting*
- *Feb. 24, Exec. Team After-Board Meeting*
- *Feb. 25, Eng/Admin Coordination Meeting*
- *Feb. 25, Sedaru Update Meeting*
- *Feb. 25, Ethics Training*
- *Feb. 26, Staff Mtg. – Cust. Service Specialist*
- *Feb. 26, Standing IT Meeting*

Upcoming Water Resource and Other Meetings

Upcoming Standing Meetings:

- *NMMA-TG: March 11th (Thursday) @ 10:00 AM, Conf. Call*
- *RWVG: No Schedule Posted –*
- *WRAC: March 3rd (Wednesday) @ 1:30 PM, Zoom Meeting*
- *NMMA Purveyor Meeting: March 18th (Thursday) @ 10:00 PM, Zoom Meeting*
- *NCSD Board Officer Meeting: March 1st (Monday) @ 2:00 PM, NCSD Conf. Rm.*

RECOMMENDATION

Staff seeks direction and input from your Board

ATTACHMENTS

- A. COVID19 - NCSD Response Plan: February Update

FEBRUARY 24, 2021

ITEM F

ATTACHMENT A

Date: February 24, 2021
Response Activities to COVID19 Health Emergency
Prepared by: Mario Iglesias, General Manager

DISTRICT RESPONSE TO COVID 19 Update – February 24, 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:

- 13 District Personnel received first dose vaccinations the first week of February.
- Second dose vaccination unscheduled at this time
- 4 employees declined vaccination
- 2 employees are not eligible (90 day wait period after positive test)

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

Effects on Administration:

Planned improvements in preparation of Admin. Office Opening

1. Signage to be placed on Entrance Door
 - a. Restricting number of customers permitted at one time
 - b. Spacing between customers
 - c. Face Masks Required
2. Add Payment Kiosk
3. Table with hand sanitizer inside and outside by building entrance

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

Date: February 24, 2021

Response Activities to COVID19 Health Emergency

Prepared by: Mario Iglesias, General Manager

Previous Actions

1. NCSB 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
 - 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.