

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

SPECIAL MEETING MINUTES

MARCH 24, 2020 AT 2:00 P.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.

Pursuant to Governor Newsom's Executive Order N-25-20, members of the Nipomo Community Services District or staff may participate in this meeting via teleconference. Members of the public may participate in the meeting telephonically by calling (800) 567-5900 (code 242-2614# or in person at 148 South Wilson Street, Nipomo CA where seating designed to maintain appropriate social distancing will be provided. Alternately, members of the public may comment on items on this agenda via email sent to info@ncsd.ca.gov prior to the time the meeting starts.

1. CALL TO ORDER AND FLAG SALUTE

President Gaddis called the Special Meeting of March 24, 2020, to order at 2:02 p.m. and led the flag salute.

2. ROLL CALL AND PUBLIC COMMENT FOR ITEMS ON AGENDA

At Roll Call, Director Gaddis, Eby and Blair were present in the Board Room. Director Woodson and Director Armstrong were present telephonically.

There were no public comments. (There were no members of the public present at the meeting and there were no members of the public participating telephonically). No emails were received at the info@ncsd.ca.gov address prior to the time the meeting started.

3. PRESENTATIONS AND REPORTS

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

Mario Iglesias, General Manager, presented the Power Point presentation regarding District actions to manage an efficient and effective response to COVID-19 pandemic and answered questions from the Board.

There were no public comments.

Receive Announcements and Reports from Directors

Director Gaddis

- *March 15, attended Board Officers' meeting.*
- *March 20, attended a conference call on COVID-19 update related to District operations.*

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Upon the motion of Director Eby and seconded, the Board unanimously approved receiving and filing presentations and reports.
Vote 5-0.

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

4. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE MARCH 11, 2020, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]

There were no public comments.

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

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

5. ADMINISTRATIVE ITEMS

E-1) 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 {RECOMMEND ADOPT RESOLUTION}

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

Directors Gaddis, Woodson and Eby requested amendments to items, 2, 3 and 7 in the Resolution.

Upon the motion of Director Eby and seconded, the Board unanimously approved the Resolution, as amended (see attached).
Vote 5-0.

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

Resolution No. 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

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The Regular Board meeting of March 25, 2020 is cancelled.

The next Regular Board Meeting will be Wednesday, April 8, 2020 at 9:00 a.m.

ADJOURN MEETING

President Gaddis adjourned the meeting at 2:44 p.m.

MEETING SUMMARY	HOURS & MINUTES
Special Meeting	0 hour 42 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	0 hour 42 minutes

Respectfully submitted,

 

Mario Iglesias, General Manager and Secretary to the Board Date

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.

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

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 for individual expenditures 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 report to and review by the Board as soon as is practicable.
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.

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

7. The authority vested in the General Manager by this resolution will terminate upon ~~whichever occurs later~~ interaction by the Board following the latest of all of the following occurrences : a) a declaration by the Governor that the State of Emergency has ended; b) the County Health Officer's declaration that that the Public Health Emergency has ended, ~~or~~ and : c) the County Emergency Services Director declaration that the Local Emergency has ended.

Upon motion of Director Eby, seconded by Director Blair, on the following roll call vote, to wit:

AYES: Director Eby, Blair, Woodson, Armstrong and Gaddis
NOES: None
ABSENT: None
ABSTAIN: None

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