

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

AUGUST 26, 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**
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 Gaddis called the Regular Meeting of August 26, 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 Board Members 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 Eby

- *LAFCO did not have a meeting in August.*

Director Gaddis

- *August 13, signed Assessment District Bond documents with District Staff and Bond Counsel.*
- *August 24, attended IRWM 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 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, and Gaddis	None	None

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE AUGUST 12, 2020, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE PURCHASE OF WATER TRUCK IN ACCORDANCE WITH APPROVED FY 20-21 BUDGET [RECOMMEND AUTHORIZE STAFF TO PURCHASE WATER TRUCK FROM GIBBS INTERNATIONAL INC. AT A COST OF \$94,566]

There were no public comments.

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

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

E. ADMINISTRATIVE ITEMS

- E-1) AUTHORIZE STAFF TO NEGOTIATE CONTRACT FOR ENGINEERING SERVICES FOR BLACKLAKE SEWER CONSOLIDATION PROJECT WITH CANNON CORPORATION [RECOMMEND APPROVAL]

Peter Sevcik, Director of Engineering and Operations, presented the item and answered questions from the Board.

There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board unanimously agreed to award a contract for engineering services for Blacklake Sewer Consolidation Project to Cannon Corporation.
 Vote 5-0.*

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

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- E-2) RECEIVE AND APPROVE 2020 DRAFT WATER RATE REPORT AND WATER RATE ADOPTION SCHEDULE, INITIATE PROPOSITION 218 PROCESS, AUTHORIZE NOTICE OF RATE HEARING, AND SET PUBLIC HEARING DATE TO CONSIDER WATER RATES [RECOMMEND APPROVE THE AUGUST 2020 WATER RATE STUDY AND WATER RATE ADOPTION SCHEDULE, APPROVE THE PROPOSITION 218 RATE NOTICE AND DIRECT STAFF TO INITIATE PROPOSITION 218 PROCEEDINGS, AND SET 9:00 AM WEDNESDAY, OCTOBER 21, 2020, YOUR BOARD’S REGULARLY SCHEDULED BOARD MEETING, AS THE DATE AND TIME FOR THE RATE HEARING]

Clayton Tuckfield, rate consultant, presented the 2020 water rate report and answered questions from the Board. He presented two options for future rates – 1) uniform rates and 2) tiered rates.

Mario Iglesias, General Manager, pointed out minor corrections to the report.

Phil Henry, NCSD resident, stated PGE has tiered rates and asked about the impact the Dana Reserve may have on future rates and when would that be considered.

Upon the motion of Director Eby and seconded, the Board selected the uniform water rate structure, approved the rate study as amended, approved the Prop 218 Notice as amended, set the Public Hearing for October 28 and directed Staff to mail the notices. Vote 4-1.

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

- E-3) AUTHORIZE TASK ORDER FOR DANA RESERVE DEVELOPMENT WATER AND SEWER SERVICE EVALUATION WITH MKN & ASSOCIATES [RECOMMEND BY MOTION AND ROLL CALL VOTE AUTHORIZE TASK ORDER WITH MKN & ASSOCIATES IN THE AMOUNT OF \$88,936]

Peter Sevcik, Director of Engineering and Operations, presented the item and answered questions from the Board.

Pam Wilson, NCSD customer, asked if the project changes would the contract need to be modified.

Upon the motion of Director Eby and seconded, the Board unanimously agreed to award a contract for engineering services for Dana Reserve development water and sewer service evaluation to MKN & Associates. Vote 5-0.

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

- E-4) AUTHORIZE GENERAL MANAGER TO ENTER INTO A 3-YEAR AGREEMENT WITH SEDARU SOFTWARE IN SUPPORT OF NCSD’S UTILITY MAINTENANCE PROGRAM FOR THE TOTAL AMOUNT OF \$44,280 [RECOMMEND AUTHORIZE GENERAL MANAGER TO ENTER INTO AN AGREEMENT WITH SEDARU SOFTWARE FOR SOFTWARE AND PROGRAM DEVELOPMENT IN THE TOTAL AMOUNT OF \$44,280]

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

There were no public comments.

Upon the motion of Director Armstrong and seconded, the Board unanimously agreed to enter into a three year agreement with Sedaru Software.
Vote 5-0.

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

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 thanked the staff for purchasing the water truck and asked about a row of trees along Highway 101 in front of the wastewater facility.

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

Craig Steele, District Legal Counsel, stated there was no need for closed session.

ADJOURN MEETING

President Gaddis adjourned the meeting at 10:39 p.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 39 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	1 hour 39 minutes

Respectfully submitted,


Mario Iglesias, General Manager and Secretary to the Board

9/9/2020
Date