

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

OCTOBER 28, 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](mailto: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 October 28, 2020, to order at 9:00 a.m. and led the flag salute.*

#### B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

*At Roll Call, all Directors were present.*

*There were no public comments.*

#### E- 1) CONDUCT PUBLIC HEARING: WATER USER FEES

CONDUCT PROTEST HEARING, DETERMINE PROTEST STATUS, AND IF THERE IS NOT A MAJORITY PROTEST, CONSIDER ADOPTION OF RESOLUTION INCREASING DISTRICT WATER USER FEES [RECOMMEND CONDUCT PUBLIC HEARING AND IF THERE IS NO MAJORITY PROTEST, ADOPT RESOLUTION]

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

*President Gaddis opened the Public Hearing.*

*Phil Henry, NCS D resident, suggested that percentages be included in the tables presented along with the hard dollar amounts as an aide in communicating information to the public.*

*President Gaddis called for any written protests from the audience be submitted. He also asked if anyone would like to rescind their written protest.*

*Craig Steele, District Legal Counsel, announced the District received 174 (one hundred seventy-four) written protests and a majority protest did not exist.*

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*President Gaddis closed the Public Hearing.*

*Upon the motion of Director Armstrong and seconded, the Board unanimously adopted Resolution approving the water rates.*

*Vote 5-0.*

| YES VOTES  | NO VOTES    | ABSENT      |
|--|-------------|-------------|
| <i>Directors Armstrong, Eby, Blair, Woodson and Gaddis</i> | <i>None</i> | <i>None</i> |

**RESOLUTION NO. 2020-1576**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
SETTING BI-MONTHLY WATER RATES AND CHARGES  
AND PRIVATE FIRE PROTECTION CHARGES**

**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 Blair*

- *Stated he was able to change some customers' point of view in the trailer park regarding the proposed water rate increase.*

*Director Eby*

- *October 15, attended LAFCO meeting remotely.*
- *October 23, attended a Special LAFCO meeting remotely.*

*Director Gaddis*

- *October 19, attended Board Officers' meeting.*

- 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      |
|--|-------------|-------------|
| <i>Directors Armstrong, Eby, Blair, Woodson and Gaddis</i> | <i>None</i> | <i>None</i> |

**D. CONSENT AGENDA**

- D-1) WARRANTS [RECOMMEND APPROVAL]  
D-2) APPROVE OCTOBER 14, 2020, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

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- D-3) AUTHORIZE TASK ORDER FOR PREPARATION OF 2020 URBAN WATER MANAGEMENT PLAN UPDATE [RECOMMEND BY MOTION AND ROLL CALL VOTE AUTHORIZE STAFF TO EXECUTE TASK ORDER IN THE AMOUNT OF \$46,091 WITH MKN & ASSOCIATES, INC.]
- D-4) ANNUAL REVIEW OF CASH RESERVES IN ACCORDANCE WITH RESERVE POLICY [RECOMMEND RECEIVE AND FILE REPORT]
- D-5) REVIEW INVESTMENT POLICY THIRD QUARTER REPORT [RECOMMEND ACCEPT AND FILE REPORT]
- D-6) AUTHORIZE TASK ORDER FOR SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) MAINTENANCE AND SUPPORT WITH TESCO CONTROLS, INC. IN THE AMOUNT OF \$27,000 [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE RESOLUTION AUTHORIZING STAFF TO EXECUTE TASK ORDER IN THE AMOUNT OF \$44,500 WITH TESCO CONTROLS, INC.]
- D-7) CONSIDER REQUEST FOR WATER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR PARCEL MAP CO 20-0066, A 2-PARCEL COMMERCIAL SUBDIVISION LOCATED AT 572 LINDON LANE IN NIPOMO, APN 091-327-076 [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS].

*President Gaddis requested item D-2 be pulled for separate vote as he was absent at the last Board Meeting.*

*Director Eby requested items D-3 and D-4 be pulled for discussion.*

*There were no public comments.*

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Consent Agenda Items D-1, D-5, D-6 and D-7.  
Vote 5-0.*

| YES VOTES   | NO VOTES    | ABSENT      |
|---|-------------|-------------|
| <i>Directors Armstrong, Eby, Blair, Woodson, and Gaddis</i> | <i>None</i> | <i>None</i> |

**RESOLUTION NO. 2020-1577**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING A TASK ORDER FOR SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM PREVENTIVE MAINTENANCE WITH TESCO CONTROLS INC.**

*Upon the motion of Director Armstrong and seconded, the Board approved the Consent Agenda Item D-2.  
Vote 4-0.*

| YES VOTES  | NO VOTES    | ABSTAIN       |
|--|-------------|---------------|
| <i>Directors Armstrong, Eby, Woodson and Blair</i> | <i>None</i> | <i>Gaddis</i> |

*Director Eby asked questions regarding Item D-3 and D-4.*

*Phil Henry, NCSD resident, asked about the cash reserve policy.*

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*Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Consent Agenda Items D-3 and D-4.  
Vote 5-0.*

| YES VOTES   | NO VOTES    | ABSENT      |
|---|-------------|-------------|
| <i>Directors Armstrong, Eby, Blair, Woodson, and Gaddis</i> | <i>None</i> | <i>None</i> |

**E. ADMINISTRATIVE ITEMS**

- E-2) CONSIDER AUTHORIZING THE GENERAL MANAGER TO DISPENSE WITH COMPETITIVE SOLICITATION REQUIREMENTS FOR THE PURCHASE AND INSTALLATION OF THE SENSUS DISTRIBUTION LEAK DETECTION AND AUTOMATED METER READING SYSTEM [RECOMMEND ADOPT RESOLUTION AUTHORIZE THE GENERAL MANAGER TO DISPENSE WITH COMPETITIVE SOLICITATION REQUIREMENTS FOR THE PURCHASE AND INSTALLATION OF THE SENSUS DISTRIBUTION LEAK DETECTION AND AUTOMATED METER READING SYSTEM AND ENTER INTO AN PROFESSIONAL SERVICES AGREEMENT WITH AQUA METRICS FOR THE PURPOSE THERE OF]

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

*Phil Henry, NCS D resident, stated there are intangible cost savings that benefit the community.*

*Upon the motion of Director Blair and seconded, the Board unanimously approved the resolution.  
Vote 5-0.*

| YES VOTES  | NO VOTES    | ABSENT      |
|--|-------------|-------------|
| <i>Directors Blair, Woodson, Eby, Armstrong and Gaddis</i> | <i>None</i> | <i>None</i> |

**RESOLUTION NO. 2020-1578**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING THE GENERAL MANAGER TO DISPENSE WITH COMPETITIVE SOLICITATION REQUIREMENTS FOR THE PURCHASE AND INSTALLATION OF THE SENSUS DISTRIBUTION LEAK DETECTION AND AUTOMATED METER READING SYSTEM**

**F. GENERAL MANAGER'S REPORT**

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

**G. COMMITTEE REPORTS**

*None*

**H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS**

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I. CLOSED SESSION ANNOUNCEMENTS

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

*District Legal Counsel, Craig Steele, stated there was no need for Closed Session.*

ADJOURN MEETING

*President Gaddis adjourned the meeting at 10:18 a.m.*

| MEETING SUMMARY | HOURS & MINUTES   |
|-----------------|-------------------|
| Regular Meeting | 1 hour 18 minutes |
| Closed Session  | 0 hour 00 minutes |
| TOTAL HOURS     | 1 hour 18 minutes |

Respectfully submitted,


*12/9/2020*


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 Mario Iglesias, General Manager and Secretary to the Board Date