

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

DECEMBER 9, 2020 AT 9:00 A.M.

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

### BOARD of DIRECTORS

DAN ALLEN GADDIS, PRESIDENT  
BOB BLAIR, DIRECTOR  
ED EBY, 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](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 December 9, 2020, to order at 9:00 a.m.*

*Mario Iglesias, General Manager and Secretary to the Board, administered the Oath of Office to Director Blair and Director Malvarose.*

*President Gaddis 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.*

### 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 Woodson*

- *November 9, was elected to serve on the Board of Directors of the Santa Maria Philharmonic Society.*
- *November 18, attended the Citizen's Transportation Advisory Committee meeting.*

*Director Eby*

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- November 3, attended BLMA meeting remotely.
- November 4, attended WRAC meeting remotely.
- November 19, attended LAFCO meeting remotely. Mike Prater resigned as Executive Officer and David Church was appointed interim Executive Officer.
- November 30, attended Board Officers' meeting.
- December 1, attended BLMA meeting remotely.
- December 2, attended WRAC meeting remotely.
- December 7, attended NMMA TG meeting remotely.

*Director Gaddis*

- November 6, attended Board Officers' meeting.
- November 30, attended Board Officer's 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 Eby and seconded, the Board unanimously approved receiving and filing presentations and reports.  
Vote 5-0.*

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE OCTOBER 28, 2020, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR TRACT 3162, A 10 PARCEL RESIDENTIAL SUBDIVISION LOCATED AT THE CORNER OF THOMPSON AVE AND BRANCH ST [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]
- D-4) SEWER SYSTEM CONSOLIDATION PROJECT WITH SWCA ENVIRONMENTAL CONSULTANTS [RECOMMEND AUTHORIZE STAFF TO EXECUTE A CONTRACT IN THE AMOUNT OF \$32,351 WITH SWCA ENVIRONMENTAL CONSULTANTS FOR CEQA COMPLIANCE SERVICES FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT AND AUTHORIZE THE GENERAL MANAGER TO ISSUE CHANGE ORDERS WITH A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$5000]
- D-5) ACCEPT FIRST QUARTER FISCAL YEAR 2020-2021 QUARTERLY FINANCIAL REPORT [RECOMMEND RECEIVE AND FILE]
- D-6) APPROVE NEWTON GEO-HYDROLOGY 2021 CONSULTING SERVICES CONTRACT SCOPE AND \$90,000 BUDGET [RECOMMEND APPROVE SCOPE AND BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES]
- D-7) APPROVE PURCHASE OF COMPOST AERATOR AND AMEND FY 2020/2021 BUDGET [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT]

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RESOLUTION AUTHORIZING PURCHASE OF COMPOST AERATOR AND BUDGET AMENDMENT]

- D-8) APPROVE 2021 BOARD MEETING SCHEDULE [RECOMMEND REVIEW AND APPROVE 2021 BOARD MEETING SCHEDULE]  
*Peter Sevcik, Director of Engineering and Operations, answered questions from the Board.*

Steve Swinburn, NCSD resident, asked about the contract for CEQA services with SWCA Environmental Consultants.

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

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

RESOLUTION NO. 2020-1579

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING PURCHASE OF COMPOST AERATOR FROM BROWN BEAR CORPORATION AND AMENDING FY 2020/21 BUDGET

E. ADMINISTRATIVE ITEMS

- E-1) ELECT 2021 BOARD PRESIDENT AND VICE PRESIDENT [RECOMMEND DIRECTORS ELECT BOARD OFFICERS FOR 2021 CALENDAR YEAR]

*Director Gaddis nominated Director Eby for 2021 Board President. Director Woodson seconded the nomination.*

*There were not public comments.*

*The Board unanimously approved Director Eby as 2021 Board President.  
Vote 5-0.*

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

Director Blair nominated Director Gaddis for 2021 Board Vice President. Director Woodson seconded the nomination.

*There were not public comments.*

*The Board unanimously approved Director Gaddis as 2021 Board Vice President.  
Vote 5-0.*

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

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- E-2) CONSIDER FIRST AMENDMENT TO GENERAL MANAGER'S EMPLOYMENT CONTRACT REGARDING LEAVE ACCUMULATION AND CARRY-OVER LIMITS [RECOMMEND CONSIDER MODIFICATIONS, DISCUSS AND IF AGREEABLE, APPROVE MODIFICATIONS TO THE GENERAL MANAGER'S EMPLOYMENT CONTRACT]

*Mario Iglesias, General Manager, presented the item and answered questions from the Board. Mr. Iglesias is requesting the amendment to his contract due to COVID-19 and travel restrictions.*

*There were no public comments.*

*Upon the motion of Director Gaddis and seconded, the Board unanimously approved the First Amendment to General Manager's Employment Contract Regarding leave Accumulation and Carry-Over Limits.  
Vote 5-0.*

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

- E-3) ADOPT RESOLUTION COMMENDING FORMER DIRECTOR CRAIG ARMSTRONG [RECOMMEND ADOPT RESOLUTION]

*Director Gaddis read the Resolution in its entirety commending former Director Craig Armstrong for his dedicated service to Nipomo Community Services District.*

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

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

**RESOLUTION 2020-1580**

**A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT COMMENDING CRAIG ARMSTRONG FOR HIS DEDICATED SERVICE TO NIPOMO COMMUNITY SERVICES DISTRICT**

**F. GENERAL MANAGER'S REPORT**

*Mario Iglesias, General Manager, handed out a corrected General Manager's report and answered questions from the Board.*

*Mr. Iglesias read a couple of the many thank you notes received from customers thanking the District for the December/January Garbage Holiday.*

*Phil Henry, NCS D resident, requested the corrected General Manager's report be put on the web site.*

**G. COMMITTEE REPORTS**

*None*

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H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*Director Eby, as President-Elect, stated he would be making Committee assignments in January and would like the Directors to let him know if they are interested in serving on the Committees. Director Eby also stated he would appoint himself as the 2021 WRAC representative but the alternate position would be open for other Directors.*

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

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

ADJOURN MEETING

*President Gaddis adjourned the meeting at 9:44 a.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 44 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	0 hour 44 minutes

Respectfully submitted,

 1-21-21  
 \_\_\_\_\_  
 Mario Iglesias, General Manager and Secretary to the Board Date