

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

FEBRUARY 24, 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 24, 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.

Pam Wilson, NCSD resident, expressed her gratitude for the District's new clean-up voucher program.

C. PRESENTATIONS AND REPORTS

C-1) ANNUAL REVIEW OF NIPOMO COMMUNITY SERVICES DISTRICT'S STRATEGIC PLAN [RECEIVE AND FILE]

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

C-2) 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

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Director Woodson

- February 18, attended Facilities/Water Resources Committee meeting.
- February 23, attended the South County Advisory Committee meeting remotely.

Director Gaddis

- February 16, attended Board Officers' meeting.
- February 18, attended Facilities/Water Resources Committee meeting.

Director Eby

- February 16, attended Board Officers' meeting.

C-3) 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 Gaddis and seconded, the Board unanimously approved receiving and filing presentations and reports.
Vote 5-0.

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

D. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE FEBRUARY 10, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board approved the Consent Agenda. With Director Malvarose abstaining from voting on item D-1.
Vote 4-0-1 on D-1.
Vote 5-0 on D-2.

	YES VOTES	NO	ABSTAIN
D-1	Directors Gaddis, Woodson, Blair, Eby	None	Malvarose
D-2	Directors Gaddis, Woodson, Blair, Eby, Malvarose	None	None

E. ADMINISTRATIVE ITEMS

E-1) APPROVE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES - GENERAL COUNSEL [RECOMMEND APPROVAL OF SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL LEGAL SERVICES

SUBJECT TO BOARD APPROVAL

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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 Malvarose and seconded, the Board unanimously approved the amendment to the agreement.

Vote 5-0.

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

F. GENERAL MANAGER'S REPORT

Mario Iglesias, General Manager, presented the General Manager's Report and answered questions from the Board.

Mario Iglesias, General Manager, informed the Board that the Nipomo Community Services District Clean-Up Voucher Program announcements were completed and answered questions from the Board.

Mario Iglesias, General Manager, informed the Board that the tri-annual safety inspection of District facilities by the Special Districts Risk Management Authority was completed on February 17 and resulted in few minor recommendations

Mario Iglesias, General Manager, alerted the Board to the upcoming California Special District Association Annual Conference that is being planned for August 2021 is planned to be an in-person event.

Public Comments:

At the request of Linda Austin, Oceano Community Services District Board Member, Mario Iglesias, General Manager presented a letter to the NCSD Board asked the Board for support for the Integrated Waste Management Authority proposed countywide Ordinance 2019-1 prohibiting use of polystyrene and EPS products. Director Eby suggested it be put on a future Board meeting agenda.

G. COMMITTEE REPORTS

Director Gaddis and Woodson attended the Facilities/Water Resources Committee meeting where the proposed progression from bi-monthly billing to monthly billing was discussed. The Committee recommended the item be presented to the NCSD Finance & Audit Committee before being presented to the full Board. The screening options for the Southland Wastewater plant were also discussed. The Committee recommended that staff inquire about minor changes for screening options and bring the item to the full Board for consideration.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby requested staff inquire about the future Board meeting protocol after COVID 19 risks are reassessed.

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Director Blair requested information regarding the designation of fire hazard severity zones in the District. General Manager Iglesias stated he would invite a fire official to provide information at a future Board meeting.

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
- 2. POTENTIAL THREAT TO PUBLIC SERVICES (DRINKING WATER AND WASTEWATER) AND CYBER SECURITY GOVERNMENT CODE SECTION §54957(a)
CONFERENCE WITH GENERAL MANAGER, DIRECTOR OF ENGINEERING AND AGENCY COUNSEL
- 3. GOVERNMENT CODE SECTION §54957.6(a)
CONFERENCE WITH LABOR REPRESENTATIVE – MARIO IGLESIAS, GENERAL MANAGER, REGARDING COMPENSATION FOR UNREPRESENTED EMPLOYEES


Craig Steele, District Legal Counsel, announced the Board discussed Item 2 and 3 in Closed Session and took no reportable action. Item 1 was not discussed.

ADJOURN MEETING

President Eby adjourned the meeting at 10:48 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 05 minutes
Closed Session	0 hour 43 minutes
TOTAL HOURS	1 hour 48 minutes

Respectfully submitted,


3/15/2021

 Mario Iglesias, General Manager and Secretary to the Board Date