

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MINUTES

APRIL 14, 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](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 Eby called the Regular Meeting of April 14, 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.*

### C. PRESENTATIONS AND REPORTS

#### C-1) QUARTERLY ENGINEER'S REPORT DIRECTOR OF ENGINEERING AND OPERATIONS REPORT ON DISTRICT PROJECTS SYSTEM-WIDE [RECOMMEND RECEIVE AND FILE]

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

*There were no public comments.*

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C-2) OVERVIEW OF THE 2020 CALIFORNIA GROUNDWATER REPORT [RECEIVE AND FILE]

*Brad Newton of Newton Geo-Hydrology Consulting Services presented the 2020 DWR Bulletin 118 2020 Update and answered questions from the Board.*

*There were no public comments.*

C-3) 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*

- *March 24, attended the Citizen's Transportation Advisory Committee meeting.*

*Director Gaddis*

- *April 5, attended Board Officers' meeting.*

*Director Eby*

- *March 25, attended BL Sewer Oversight Committee meeting.*
- *March 25, attended LAFCO meeting remotely.*
- *April 2, attended NMMA meeting.*
- *April 5, attended Board Officers' meeting.*
- *April 6, attended SLO County Board of Supervisor meeting remotely.*

C-4) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

Director Malvarose left the meeting at 10:15 a.m.

*There were no public comments.*

*Upon the motion of Director Gaddis and seconded, the Board approved receiving and filing presentations and reports.*

*Vote 4-0-1.*

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

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D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE MARCH 24, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) INITIATE PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 [RECOMMEND ADOPT RESOLUTION]
- D-4) CONSIDER CHANGES TO BILLING CLERK AND SECRETARY/CLERK JOB TITLES AND JOB DESCRIPTIONS [RECOMMEND APPROVE CHANGES TO BILLING CLERK AND SECRETARY/CLERK JOB TITLES AND JOB DESCRIPTION]

*District staff, answered questions from the Board regarding the warrants.*

*Director Gaddis asked for an edit that staff agreed on, to keep the education section consistent with the two job descriptions.*

*There were no public comments.*

*Upon the motion of Director Woodson and seconded, the Board approved the Consent Agenda.*

*Vote 4-0-1.*

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

**RESOLUTION NO. 2021-1592**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2021-2022 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

*Director Eby called for a 5 minutes recess.*

E. ADMINISTRATIVE ITEMS

- E-1) REVIEW DRAFT TOWN SEWER RATE STUDY [ RECOMMEND REVIEW RATE STUDY, EDIT IF NECESSARY, AND DIRECT STAFF TO PREPARE THE FINAL RATE STUDY]

*Clayton Tuckfield of Tuckfield & Associates presented the Town Sewer Rate Study and answered questions from the Board.*

*There were no public comments.*

*The Board directed staff to proceed with the Town Sewer Rate Study.*

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E-2) ADOPT RESOLUTION AMENDING FY 2020-21 BUDGET FOR SOFTWARE INTEGRATION COSTS ASSOCIATED WITH NIPOMO COMMUNITY SERVICES DISTRICT'S CUSTOMER SERVICE AND PROGRAM MAINTENANCE MANAGEMENT SOFTWARE [RECOMMEND ADOPT BUDGET ADJUSTMENT RESOLUTION AND APPROVE CONTRACT INCREASE OF \$15,840 WITH A CONTINGENCY OF \$2,000 FOR EXPANDED SERVICES WITH TYLER TECHNOLOGIES TO INTEGRATE SOFTWARE SYSTEMS]

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

*There were no public comments.*

*Upon the motion of Director Gaddis and seconded, the Board approved the contract increase and budget amendment.*

*Vote 4-0-1.*

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

**RESOLUTION NO. 2021-1593**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING EXPANSION OF CONTRACT SERVICES WITH TYLER TECHNOLOGY TO INTEGRATE WITH SEDARU SOFTWARE IN THE AMOUNT OF \$15,840, AUTHORIZING CONTINGENCY OF \$2,000, AND AMEND FY 2020/2021 BUDGET**

**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 APCD has now released and discharged the Notice of Violation that was incurred in 2017 for the Southland Wastewater Treatment Plant.*

*There were no public comments.*

*Director Gaddis requested the General Manager use the District's Rainfall gauge from the last 20 years to provide a more current view of precipitation patterns.*

**G. COMMITTEE REPORTS**

*None.*

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

*None.*

**I. CLOSED SESSION ANNOUNCEMENTS**

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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
  
2. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(D)(4) ONE (1) POTENTIAL CASES

*Craig Steele, District Legal Counsel, announced the Board discussed Items 1 and 2 in Closed Session and took no reportable action.*

ADJOURN MEETING

*President Eby adjourned the meeting at 12:49 p.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	2 hour 14 minutes
Closed Session	1 hour 35 minutes
TOTAL HOURS	3 hour 49 minutes

Respectfully submitted,




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Mario Iglesias, General Manager and Secretary to the Board Date