

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: NOVEMBER 5, 2021



PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- 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

- C-2) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



DATE: NOVEMBER 5, 2021

AGENDA ITEM

D

NOVEMBER 10, 2021

CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Administrative Items. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.

Questions or clarification may be made by the Board members without removal from the Consent Agenda

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE OCTOBER 27, 2021, REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE CONTRACT AMENDMENT FOR CEQA COMPLIANCE SERVICES
FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT WITH SWCA
ENVIRONMENTAL CONSULTANTS [RECOMMEND AUTHORIZE STAFF TO
EXECUTE A CONTRACT AMENDMENT IN THE AMOUNT OF \$21,594 WITH SWCA
ENVIRONMENTAL CONSULTANTS FOR CEQA COMPLIANCE SERVICES FOR
THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT]

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 

FROM: LISA BOGNUDA 
FINANCE DIRECTOR

DATE: NOVEMBER 5, 2021

AGENDA ITEM
D-1(A)
NOVEMBER 10, 2021

WARRANTS

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$287,628.85
HAND WRITTEN CHECKS	NONE
VOIDED CHECKS	\$0.00



Nipomo Community Services District

Item D-1(A) Warrants NOVEMBER 10, 2021

By Payment Number

Payment Dates 11/10/2021 - 11/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 7735					
Abalone Coast Analytical, Inc.	Lab tests	5377	11/10/2021		7,067.30
					Payment 7735 Total:
					<u>7,067.30</u>
Payment: 7736					
Advantage Answering Plus, In	Answering service	23-092-991	11/10/2021		260.92
					Payment 7736 Total:
					<u>260.92</u>
Payment: 7737					
Alexander's Contract Services,	Meter reading	202110270873	11/10/2021		196.18
Alexander's Contract Services,	Meter reading	202110270871	11/10/2021		3,555.00
					Payment 7737 Total:
					<u>3,751.18</u>
Payment: 7738					
Amazon Capital Services, Inc.	Cables and drill press hold do	1T6C-CWKV-TJ73	11/10/2021		172.46
Amazon Capital Services, Inc.	Operations cell phone cases	1VMG-CQLC-TCMX	11/10/2021		156.36
					Payment 7738 Total:
					<u>328.82</u>
Payment: 7739					
Aqua-Metric Sales, Co.	H2 support stand	INV0085071	11/10/2021		1,543.39
					Payment 7739 Total:
					<u>1,543.39</u>
Payment: 7740					
AT&T	Telephone	17221906	11/10/2021		300.13
AT&T	Telephone	17221904	11/10/2021		28.75
AT&T	Telephone	17221905	11/10/2021		219.47
					Payment 7740 Total:
					<u>548.35</u>
Payment: 7741					
Ayala, Sandro	Backflow Certification Trainin	TRAINING 2021	11/10/2021		330.00
					Payment 7741 Total:
					<u>330.00</u>
Payment: 7742					
Brenntag Pacific, Inc.	Sodium Hypochlorite	BPI188967	11/10/2021		389.67
					Payment 7742 Total:
					<u>389.67</u>
Payment: 7743					
Carquest Auto Parts	Vehicle repair/maintenance	7315-608305	11/10/2021		32.29
					Payment 7743 Total:
					<u>32.29</u>
Payment: 7744					
ClearSpan Fabric Structures In	Drying bed cover	7727961	11/10/2021		3,615.60
					Payment 7744 Total:
					<u>3,615.60</u>
Payment: 7745					
Clever Ducks	ArcGIS Enterprise Server Migr	31487	11/10/2021		3,095.10
Clever Ducks	Computer expense	31424	11/10/2021		3,344.33
					Payment 7745 Total:
					<u>6,439.43</u>
Payment: 7746					
Cushman Contracting Corpora	Southland WWTF Screw Press	SP-7	11/10/2021		24,991.84
					Payment 7746 Total:
					<u>24,991.84</u>
Payment: 7747					
Cushman Contracting FBO Nip	Retention payment for Southl	SP-7	11/10/2021		1,315.36
					Payment 7747 Total:
					<u>1,315.36</u>
Payment: 7748					
DataProse, LLC	Postage for bills	DP2103725D	11/10/2021		747.00
DataProse, LLC	Mail bills	DP2103725C	11/10/2021		210.82
DataProse, LLC	Mail bills	DP2103725A	11/10/2021		125.21
DataProse, LLC	Postage for bills	DP2103725B	11/10/2021		311.93
					Payment 7748 Total:
					<u>1,394.96</u>

Item D-1(A) Warrants NOVEMBER 10, 2021

Payment Dates: 11/10/2021 - 11/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount	
Payment: 7749						
Ernest Hernandez	Washer Rebate 2021	OCT 2021	11/10/2021		75.00	
					Payment 7749 Total:	75.00
Payment: 7750						
Excel Personnel Services, Inc.	Employment agency	3832200	11/10/2021		396.80	
Excel Personnel Services, Inc.	Employment agency	3836733	11/10/2021		496.00	
					Payment 7750 Total:	892.80
Payment: 7751						
Famcon Pipe and Supply, Inc.	Operating supplies	5100066344.001	11/10/2021		303.96	
					Payment 7751 Total:	303.96
Payment: 7752						
GLM Landscape Management	Landscape maintenance	OCT2021	11/10/2021		979.80	
					Payment 7752 Total:	979.80
Payment: 7753						
Great Western Alarm and Co	Alarm monitoring service	211002107101	11/10/2021		70.00	
Great Western Alarm and Co	Alarm monitoring service	211002062101	11/10/2021		70.00	
Great Western Alarm and Co	Alarm monitoring service	211000640101	11/10/2021		37.00	
					Payment 7753 Total:	177.00
Payment: 7754						
Hayes Advanced Design	Slurry coat Office and Southla	11-1-21	11/10/2021		5,667.00	
					Payment 7754 Total:	5,667.00
Payment: 7755						
Home Depot Credit Services D	Operating Supplies	9524799	11/10/2021		36.80	
					Payment 7755 Total:	36.80
Payment: 7756						
Hopkins Technical Products, I	Operating supplies	3621301093	11/10/2021		106.41	
					Payment 7756 Total:	106.41
Payment: 7757						
Ian & Catherine Wallace	Washer rebate	OCT 2021	11/10/2021		75.00	
					Payment 7757 Total:	75.00
Payment: 7758						
Iconix Waterworks (US) Inc.	Meter lids	U2116053760	11/10/2021		11,476.82	
					Payment 7758 Total:	11,476.82
Payment: 7759						
Integrated Industrial Supply, I	Gloves	80220	11/10/2021		492.28	
Integrated Industrial Supply, I	Spill kit	80104	11/10/2021		1,426.35	
					Payment 7759 Total:	1,918.63
Payment: 7760						
Karen Smeck	Washer rebate	OCT 2021	11/10/2021		75.00	
					Payment 7760 Total:	75.00
Payment: 7761						
Miner's Ace Hardware	Supplies	OCT 2021	11/10/2021		1,190.29	
					Payment 7761 Total:	1,190.29
Payment: 7762						
Mission Uniform Service	Uniforms	515817751	11/10/2021		185.13	
Mission Uniform Service	Uniforms	515772818	11/10/2021		185.13	
					Payment 7762 Total:	370.26
Payment: 7763						
MNS Engineers, Inc.	Construction Management-Pa	79033	11/10/2021		3,094.00	
MNS Engineers, Inc.	Construction Management-Sc	79032	11/10/2021		741.00	
MNS Engineers, Inc.	Construction Management-Jo	79031	11/10/2021		10,846.00	
					Payment 7763 Total:	14,681.00
Payment: 7764						
Newton Geo-Hydrology Cons	Litigation Support October 20	OCT 2021	11/10/2021		3,931.25	
					Payment 7764 Total:	3,931.25

Item D-1(A) Warrants NOVEMBER 10, 2021

Payment Dates: 11/10/2021 - 11/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount	
Payment: 7765						
No Limit Tire, Inc	Tires	35978	11/10/2021		728.89	
					Payment 7765 Total:	728.89
Payment: 7766						
Office Depot	Office supplies	207574404001	11/10/2021		78.13	
Office Depot	Office supplies	202341785001	11/10/2021		100.61	
Office Depot	Office supplies	209669349001	11/10/2021		13.85	
Office Depot	Office supplies	203120139001	11/10/2021		105.08	
Office Depot	Office supplies	202354059001	11/10/2021		13.38	
Office Depot	Office supplies	202320650001	11/10/2021		162.76	
					Payment 7766 Total:	473.81
Payment: 7767						
Perry's Electric Motors & Cont	Motor repair	25552	11/10/2021		190.00	
					Payment 7767 Total:	190.00
Payment: 7768						
PG&E	PGE Permit for Palms Lift Stati	8051919-2	11/10/2021		2,500.00	
					Payment 7768 Total:	2,500.00
Payment: 7769						
Polydyne, Inc.	Clarifloc	1587389	11/10/2021		649.38	
					Payment 7769 Total:	649.38
Payment: 7770						
PresTech Equipment Compan	Large Vacuum Filter	408	11/10/2021		418.59	
					Payment 7770 Total:	418.59
Payment: 7771						
R. Baker, Inc.	water meter change out assist	10/26/21 700	11/10/2021		2,540.00	
R. Baker, Inc.	Repairs on Thompson and Be	10/26/21 700-102021	11/10/2021		12,329.65	
					Payment 7771 Total:	14,869.65
Payment: 7772						
ReadyRefresh by Nestle	Distilled water	01J0900023136	11/10/2021		126.90	
					Payment 7772 Total:	126.90
Payment: 7773						
Santa Maria Ford Lincoln	Vehicle repair/maintenance	209148	11/10/2021		56.11	
Santa Maria Ford Lincoln	Vehicle repair/maintenance	209098	11/10/2021		400.39	
Santa Maria Ford Lincoln	Vehicle repair/maintenance	209536	11/10/2021		50.76	
Santa Maria Ford Lincoln	Vehicle repair/maintenance	209208	11/10/2021		50.76	
					Payment 7773 Total:	558.02
Payment: 7774						
State Water Resources Contro	D2 Certificate Renewal	BREWER2021	11/10/2021		60.00	
					Payment 7774 Total:	60.00
Payment: 7775						
Tuckfield & Associates	2012 Sewer COPs Refinance Fi	0639	11/10/2021		7,350.00	
					Payment 7775 Total:	7,350.00
Payment: 7776						
Unified Field Services Corpora	Joshua Road Pump Station Im	JRPS-2	11/10/2021		159,413.69	
					Payment 7776 Total:	159,413.69
Payment: 7777						
US Bank National Association	Safety meeting	OCT2021G	11/10/2021		200.55	
US Bank National Association	Board Meeting supplies	OCT2021A	11/10/2021		127.81	
US Bank National Association	Storage Unit	OCT2021D	11/10/2021		218.50	
US Bank National Association	Meter program supplies	OCT2021H	11/10/2021		885.99	
US Bank National Association	Dues	OCT2021I	11/10/2021		332.00	
US Bank National Association	Software subscription	OCT2021C	11/10/2021		1,353.52	
US Bank National Association	Zoom	OCT2021E	11/10/2021		14.99	
US Bank National Association	CWEA Membership	OCT2021F	11/10/2021		192.00	
US Bank National Association	Travel & meals	OCT2021B	11/10/2021		146.20	
					Payment 7777 Total:	3,471.56


Item D-1(A) Warrants NOVEMBER 10, 2021

Payment Dates: 11/10/2021 - 11/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 7778					
USA Bluebook	Manhole net, pipet, and conn	767205	11/10/2021		544.43
USA Bluebook	Operating supplies	767250	11/10/2021		16.69
USA Bluebook	Pump tubes	747430	11/10/2021		809.33
				Payment 7778 Total:	1,370.45
Payment: 7779					
Verizon Wireless	Cell service	9891279175	11/10/2021		755.63
				Payment 7779 Total:	755.63
Payment: 7780					
Waste Connections	Waste collection- Southland	7460351	11/10/2021		227.79
Waste Connections	Waste collection- Office	7459100	11/10/2021		48.60
Waste Connections	Waste collection- Old Town	7459995	11/10/2021		257.76
				Payment 7780 Total:	534.15
Payment: 7781					
White, Christian	CWEA Renewal 2021	CWEA Renewal 2021	11/10/2021		192.00
				Payment 7781 Total:	192.00

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 

FROM: LISA BOGNUDA 
FINANCE DIRECTOR

DATE: NOVEMBER 5, 2021

AGENDA ITEM
D-1(B)
NOVEMBER 10, 2021

WARRANTS – BLACKLAKE ASSESSMENT DISTRICT 2020 -1

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$5,207.00
VOIDED CHECKS	\$0.00



Item D-1(B) Warrants NOVEMBER 10, 2021

Nipomo Community Services District

By Payment Number

Payment Dates 11/10/2021 - 11/10/2021

Vendor Name	Description (Payable)	Payable Number	Payment Date	(None)	Amount
Payment: 37 SWCA, Inc.	BL Sewer Consolidation Projec	135314	11/10/2021		5,207.00
				Payment 37 Total:	<u>5,207.00</u>

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER
DATE: NOVEMBER 5, 2021



**APPROVE OCTOBER 27, 2021
REGULAR BOARD MEETING MINUTES**

ITEM

Approve action minutes from previous Board meetings. [RECOMMEND APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board Meeting action.

RECOMMENDATION

Approve Minutes

ATTACHMENT

- A. October 27, 2021 draft Regular Board Meeting Minutes

NOVEMBER 10, 2021

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT REGULAR MINUTES

OCTOBER 27, 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**
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.

A. CALL TO ORDER AND FLAG SALUTE

President Eby called the Regular Meeting of October 27, 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.

There were no public comments.

President Eby announced that item E-1 would be taken out of order.

- E-1) ANNUAL COMPREHENSIVE FINANCIAL REPORT (AUDIT REPORT) FOR FISCAL YEAR 2020-2021 [RECOMMEND RECEIVE AND FILE 2020-2021 AUDIT REPORT]

Terry Shea, CPA, of Rogers, Anderson, Malody & Scott LLP, presented the Annual Comprehensive Financial Report and answered questions from the Board.

There were no public comments.

Upon the motion of Director Malvarose and seconded, the Board approved the Annual Comprehensive Financial Report

Vote 4-0.

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

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 item and answered questions from the Board of Directors.

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

Jess McGraw, Blacklake resident, asked if the Blacklake Consolidation Project delays would affect the sewer rate on the bills or the bond financing.

Mario Iglesias, General Manager, explained the anticipated timeline and financing effects.

Steven Swinburne, Blacklake resident, had questions regarding options to evaluate the timeline and additional cost of the Blacklake Consolidation Project.

Mario Iglesias, General Manager, and Peter Sevcik, Director of Engineering and Operations, said they would like to start working on the his questions for the November 4th meeting.

C-2) CALIFORNIA'S SHORT-LIVED CLIMATE POLLUTANTS (SLCP) REDUCTION STRATEGY – SENATE BILL 1383 [RECOMMEND RECEIVE AND FILE]

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

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 Gaddis

- October 18, attended Board Officers' meeting.

Director Eby

- October 18, attended Board Officers' meeting.
- October 21, attended LAFCO meeting.
- October 26, attended SLO County Board of Supervisors meeting remotely.

C-4) 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 Woodson and seconded, the Board unanimously approved receiving and filing presentations and reports.

Vote 4-0.

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

Nipomo Community Services District
REGULAR MEETING
MINUTES

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE OCTOBER 13, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) REVIEW INVESTMENT POLICY – THIRD QUARTER REPORT [RECOMMEND ACCEPT AND FILE REPORT]
- D-4) ANNUAL REVIEW OF CASH RESERVES IN ACCORDANCE WITH RESERVE POLICY [RECOMMEND RECEIVE AND FILE REPORT]

Lisa Bognuda, Finance Director, answered questions from the Board regarding item D-3.

There were no public comments.

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

Vote 4-0.

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

President Eby called for a 5 minute break.

E. ADMINISTRATIVE ITEMS

- E-2) CONSIDER PARTICIPATING IN THE CALIFORNIA SPECIAL DISTRICT ASSOCIATION ELECTION PROCESS BY VOTING FOR A CANDIDATE TO FILL THE ASSOCIATION'S ALTERNATE REPRESENTATIVE SEAT ON THE INTEGRATED WASTE MANAGEMENT AUTHORITY ("IWMA") BOARD OF DIRECTORS [RECOMMEND REVIEW CANDIDATE STATEMENTS AND DIRECT STAFF]

Mario Iglesias, General Manager, introduced the item and answered questions from the Board of Directors.

There were no public comments.

Upon the motion of Director Gaddis and seconded, the Board nominated Tom Gray to fill the role on the Integrated Waste Management Authority's Board.

Vote 4-0.

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

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

F. GENERAL MANAGER'S REPORT

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

Mario Iglesias, General Manager, stated he received a letter from Pam Wilson, NCSD resident, expressing interest in her filling the vacancy on the Board.

Mario Iglesias, General Manager, announced that applications have been received from Craig Armstrong and Pam Wilson. A special Board meeting will be held on November 2nd, 2021 to interview candidates to fill the vacant seat.

There were no public comments.

G. COMMITTEE REPORTS

None.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None.

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, announced the Board discussed Item 1 in Closed Session and took no reportable action.

ADJOURN MEETING


President Eby adjourned the meeting at 11:09 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 55 minutes
Closed Session	0 hour 14 minutes
TOTAL HOURS	2 hour 09 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER 
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: NOVEMBER 5, 2021

**AGENDA ITEM
D-3
NOVEMBER 10, 2021**

**AUTHORIZE CONTRACT AMENDMENT
FOR CEQA COMPLIANCE SERVICES FOR
BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT
WITH SWCA ENVIRONMENTAL CONSULTANTS**

ITEM

Authorize contract amendment for California Environmental Quality Act Compliance Services for Blacklake Sewer System Consolidation Project with SWCA Environmental Consultants in the amount of \$21,594 [RECOMMEND AUTHORIZE STAFF TO EXECUTE A CONTRACT AMENDMENT IN THE AMOUNT OF \$21,594 WITH SWCA ENVIRONMENTAL CONSULTANTS FOR CEQA COMPLIANCE SERVICES FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT].

BACKGROUND

The Nipomo Community Services District ("District") worked with the Blacklake community to create an assessment district to fund the proposed Blacklake Sewer System Consolidation Project ("Project"). The Project involves the construction of a sanitary sewer lift station and force main to convey raw wastewater from the Blacklake Sewer Service Area to the Town Sewer Service Area for treatment at the District's Southland Wastewater Treatment Facility and decommissioning of the existing Blacklake Water Reclamation Facility.

A necessary step to implement the Project is to complete an environmental review for the Project in compliance with the California Environmental Quality Act (CEQA). At the December 9, 2020 Board meeting, the Board authorized staff to execute a contract with SWCA to provide CEQA compliance services for the Project including a Phase 1 Environmental Study Assessment related to hazardous material use/storage.

During the evaluation of the Blacklake Sewer System Consolidation Project, SWCA discovered that there is potential habitat for California red-legged frog (CRLF) in the wastewater discharge pond located offsite and adjacent to the District's Blacklake Water Reclamation Facility, on property owned by the Blacklake Golf Course. CRLF is federally listed under the Endangered Species Act as a threatened species throughout its range in California. As a result, SWCA recommends that the District obtain an Incidental Take Permit (ITP) for CRLF under Section 10 of the Federal Endangered Species Act (FESA) for the Project. The need to obtain the Section 10 ITP is expected to delay construction of the Project for 12 to 16 months.

FISCAL IMPACT

The estimated Project cost is \$10,300,000. The Project budget includes \$116,240 for CEQA and permitting. Funding is provided from Nipomo Community Services District Assessment District No. 2020-1 (Blacklake Sewer Consolidation) bond proceeds. A summary of CEQA and permitting costs is as follows:

Original SWCA CEQA services contract	\$32,351
Proposed Contract Amendment #1	\$21,594
Revised Contract Cost to Date	\$53,945

STRATEGIC PLAN

Goal 2. FACILITIES THAT ARE RELIABLE, ENVIRONMENTALLY SENSIBLE AND EFFICIENT.

Plan, provide for and maintain District facilities and other physical assets to achieve reliable, environmentally sensible, and efficient District operations.

A.2 Develop a pathway to complete needed upgrades and replacements for the Blacklake wastewater treatment plant.

B.1 NCSD shall maintain long-range infrastructure management, upgrade and replacement planning.

Goal 4. FINANCE.

Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

B.1 Evaluate, plan for and maintain finances that are adequate for all needs, stable, and reliable over the long-term.

B.5 Maintain adequate rates to fund future capital replacements

RECOMMENDATION

Staff recommends that the Board authorize staff to execute a contract amendment in the amount of \$21,594 with SWCA Environmental Consultants for CEQA compliance services for the Blacklake Sewer System Consolidation Project.

ATTACHMENTS

A. SWCA Project Scope, Schedule and Budget

NOVEMBER 10, 2021

ITEM D-3

ATTACHMENT A



ENVIRONMENTAL CONSULTANTS

Sound Science. Creative Solutions.®

1422 Monterey Street, B-C200
San Luis Obispo, California 93401
Tel 805.543.7095 Fax 805.543.2367
www.swca.com

November 3, 2021

Peter Sevcik, P.E.
Director of Engineering and Operations
Nipomo Community Services District
P.O. Box 326
Nipomo, CA 93444-0326
Submitted via email: psevcik@ncsd.ca.gov

Re: Blacklake Sewer System Consolidation Project – Change Order Request No. 1 for Preparation of a Habitat Conservation Plan to Support Section 10 Consultation

Dear Mr. Sevcik:

SWCA Environmental Consultants (SWCA) appreciates the opportunity to provide you with Change Order (CO) Request No. 1 for the Blacklake Sewer System Consolidation Project. The change order request includes a scope of work and cost estimate for project planning and pre-application coordination with the U.S. Fish and Wildlife Service (USFWS) and preparation of a Habitat Conservation Plan (HCP) to support consultation with the USFWS and application for an Incidental Take Permit (ITP) under Section 10 of the Federal Endangered Species Act (FESA) for California red-legged frog (CRLF).

The cost to complete these tasks, as described in the attached scope of work, is a time and materials, not-to-exceed total of \$21,594.

Thank you for providing us with the opportunity to work with you. Please contact me at (805) 539-2870 or ecreel@swca.com if you have any questions regarding this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emily Creel', written in a cursive style.

Emily Creel
Principal Planning Team Lead

SCOPE OF WORK

SWCA is currently assisting the Nipomo Community Services District (District) with evaluation of the proposed Blacklake Sewer System Consolidation Project, which proposes to decommission existing wastewater treatment facilities and basins at the District's Blacklake Water Reclamation Facility and to re-convey wastewater flows from within the Blacklake Sewer System to the District's Southland Wastewater Treatment Facility. During the evaluation of the Blacklake Sewer System Consolidation Project, it has been discovered that there is potential habitat for California red-legged frog (CRLF) in the wastewater discharge ponds located offsite and adjacent to the District's Blacklake Water Reclamation Facility, on property owned by the Blacklake Golf Course.

The District wishes to initiate consultation with the U.S. Fish and Wildlife Service (USFWS) under Section 10 of the Federal Endangered Species Act (FESA) to obtain incidental take coverage for CRLF during implementation of the Blacklake Sewer System Consolidation Project. Our proposed scope of work for assisting the District through the FESA Section 10 Incidental Take Permit (ITP) process is detailed below.

PHASE 1. FESA SECTION 10 INCIDENTAL TAKE PERMIT

Under this phase of work, SWCA will conduct project planning and pre-application coordination with the USFWS, develop a draft Habitat Conservation Plan (HCP) annotated outline, and prepare draft and final HCP documents for agency review and use. The scope and costs below do not include steps to develop or implement mitigation. SWCA would discuss mitigation options with the USFWS and the District and provide additional scope under a separate budget once the potential mitigation options have been identified, if necessary.

TASK 1. PROJECT PLANNING AND PRE-APPLICATION COORDINATION

Under this task, SWCA will contact the USFWS Ventura Field Office to initiate the ITP process. The goal will be to achieve preliminary consensus on the scope and general framework of the HCP before drafting the document. This first phase of the process is critical to establish a solid foundation for the HCP and provide empirical support and documentation for key decisions.

TASK 2. HABITAT CONSERVATION PLAN

SWCA will prepare an HCP to support the District's application for an ITP for CRLF with the USFWS.

Pre-Application Draft HCP

Following the pre-application coordination and in consideration of the USFWS's feedback, SWCA will prepare a substantially complete first draft HCP. This first draft will include a preliminary version of the content specified by the FESA and USFWS policy. SWCA will use the current HCP template provided by the USFWS Ventura Field Office as the basis for the draft HCP.

At this stage, the draft HCP may contain placeholders for specific items that warrant additional discussion and vetting, such as mechanisms for funding assurances.

SWCA will submit the first draft HCP to the District for internal review and comment. SWCA will coordinate with the District to address any comments and unresolved details. We anticipate that two rounds of review by the District will be sufficient to craft the HCP. We assume that the comments will not trigger changes to the covered species or action.



Application Draft HCP

SWCA will incorporate the feedback from the District on the first draft HCP to prepare a complete second draft HCP suitable for review by the USFWS. SWCA will deliver the second draft HCP to the District and after the District's review and consent will submit the draft to the USFWS for review.

With delivery of the second draft HCP to the USFWS, SWCA will be available to meet with agency staff to discuss the document and answer questions. SWCA will work with the District and the USFWS to address the agency's comments and craft mutually agreeable revisions to the HCP. SWCA anticipates that as many as two interim revisions of the second draft HCP will be necessary to achieve preliminary consensus between the District and the USFWS on the content of the document. With consensus on the content of the document, SWCA will prepare a clean application draft HCP suitable for submission to the USFWS. SWCA will assemble the complete application package and deliver the package to the USFWS for formal processing.

Final HCP

Despite the extensive coordination with the agencies during the draft phases of the HCP, SWCA anticipates that USFWS or the public may have additional comments on the application draft HCP. SWCA will be available to address any comments on the draft HCP that may arise during formal review by the USFWS and the 45-day public review. At this point in the process, we anticipate that additional substantive revisions to the application draft HCP will not be necessary. Based on any agency or public responses, SWCA will prepare a final HCP for final review and processing by the District and the USFWS. At this time, we will assist the District with completing the ITP application and will submit the application with the final HCP document.

USFWS charges a \$100.00 application fee for ITP applications. SWCA assumes that the District will pay the application fee directly to the USFWS.

SCHEDULE

SWCA is prepared to initiate this scope of work immediately after receiving notice to proceed from the District. SWCA anticipates that the Section 10 process could take approximately 12-16 months to complete. This timeframe is just an estimate; we are willing to commit to the overall project schedule developed by the District to the greatest extent feasible.

COST ESTIMATE

Based on thoughtful consideration of the project requirements, and a thorough estimate of the attendant labor and direct costs, SWCA's estimate for completion of the scope of work described above is a cost not-to-exceed (NTE) **\$21,594**. This total is based on the following subtotals, by task. SWCA will not proceed with any work in excess of the NTE budget without prior authorization to proceed.

Table 1. Cost Estimate.

PHASE/TASK	TOTAL \$
Phase 1. FESA Section 10	
Task 1. Project Planning and Pre-Application Coordination	\$1,506
Task 2. Habitat Conservation Plan	\$20,088
PROJECT TOTAL	\$21,594