


TO: BOARD OF DIRECTORS
FROM: MARIO E. IGLESIAS
GENERAL MANAGER 
DATE: January 6, 2023



APPROVE APPOINTMENT OF INTERIM ENGINEERING CONSULTANT

ITEM

Approve the Appointment of Mr. Jim Ashcraft as Interim Engineering Consultant [RECOMMEND ADOPT RESOLUTION APPROVING THE APPOINTMENT OF JIM ASHCRAFT AS INTERIM ENGINEERING CONSULTANT]

BACKGROUND

Engineering functions are critical to the operation of the District. Currently, the District needs to bring on additional engineering capacity to move important work forward due to an approved leave of absence.

State law permits the District to employ retirees from other public agencies on a part-time, limited term basis, in this type of situation. The Board must approve this temporary assignment. Staff has identified Mr. Jim Ashcraft, a local resident and engineer who retired from the City of Morgan Hill in 2010, as an ideal candidate to help meet the District's needs. We are grateful that Mr. Ashcraft is willing to serve on a limited basis.

The compensation for the position would be at the hourly rate of \$97.12, and Mr. Ashcraft is not expected to work more than 6-8 hours per week in a role backing up the District's Assistant Engineer in reviewing plans and specifications, and providing other engineering input. The position would terminate when the employee's leave of absence ends.

The proposed Resolution would approve the interim appointment, as required by Government Code Section 21221(g).

FISCAL IMPACT

None.

RECOMMENDATION

It is recommended that your Honorable Board adopt the Resolution approving the appointment of Jim Ashcraft as Interim Engineering Consultant.

ATTACHMENT

- A. Draft Resolution Approving the Appointment of Jim Ashcraft as Interim Engineering Consultant

JANUARY 11, 2023

ITEM E-4

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2023-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE APPOINTMENT OF
JIM ASHCRAFT AS INTERIM ENGINEERING
CONSULTANT**

WHEREAS, due to an approved Leave of Absence by a District employee, which is expected to last a period not to exceed one year, the District is in need of an experienced engineer to provide interim services, effective immediately; and

WHEREAS, Mr. Jim Ashcraft is a civil engineer with relevant experience in providing water and wastewater services and resident of the community who retired from employment with the City of Morgan Hill in 2010.

WHEREAS, the Board hereby approves the General Manager's interim appointment of a retired CalPERS annuitant, Jim Ashcraft, as interim engineering consultant for the District under the authority and conditions Government Code section 21221(g), effective January 11, 2023; and

WHEREAS, pursuant to Government Code Section 21221(g) the Board hereby finds that the interim position is available only due to a leave of absence granted to an employee on payroll status for a period not to exceed one year, and that the position requires specialized skills. The District requires additional engineering capacity, skills, experience and training during this interim period; and

WHEREAS, this section 21221(g) appointment will be terminated at the end of the leave of absence; and

WHEREAS, the entire appointment document between the District and Jim Ashcraft has been reviewed by this body and is attached hereto; and

WHEREAS, no other matters, issues, terms or conditions related to this employment and appointment have been or will be placed on a consent calendar; and

WHEREAS, the hourly rate paid to Jim Ashcraft will be \$97.12 which is equal to or less than the District's hourly rate for a similar position; and

WHEREAS, Jim Ashcraft has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate; and

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2023-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE APPOINTMENT OF
JIM ASHCRAFT AS INTERIM ENGINEERING CONSULTANT**

THEREFORE, BE IT RESOLVED THAT the Board of Directors of the Nipomo Community Services District hereby approves the interim appointment of Jim Ashcraft pursuant to Government Code Section 21221(g) and authorizes the General Manager or his designee to file any necessary documentation with CalPERS or other agencies or to execute any necessary document on behalf of the District.

On the motion of Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:

the foregoing resolution is hereby adopted this _____ day of January, 2023.


RICHARD MALVAROSE
President of the Board

ATTEST:

APPROVED AS TO FORM:

MARIO IGLESIAS
Secretary to the Board

CRAIG A. STEELE
District Legal Counsel

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER 
DATE: JANUARY 6, 2023

AGENDA ITEM E-5

JANUARY 11, 2023

RATIFY 2023 BOARD COMMITTEE ASSIGNMENTS

ITEM

Ratify 2022 Committee/Delegate assignments [RECOMMEND APPROVE COMMITTEE ASSIGNMENTS]

BACKGROUND

In accordance with Board By-laws section 12.2(a), the Board President is tasked with defining committees, committee members, and delegate assignments. President Eby will review his proposed 2023 assignments with the Board. The 2022 Committee Assignments are attached for reference.

FISCAL IMPACT

No fiscal impact.

STRATEGIC PLAN

Goal 6. GOVERNANCE AND ADMINISTRATION. Conduct District activities in an efficient, equitable and cost-effective manner.

RECOMMENDATION

Staff recommends that the Board by motion and roll call vote, discuss, confer and ratify the proposed assignments and direct staff to post Committee assignments in compliance with state law.

ATTACHMENTS

- A. Proposed 2023 Committee Assignments
- B. 2022 Committee Assignments

JANUARY 11, 2023

ITEM E-5

ATTACHMENT A

**Nipomo Community Services District
Board of Directors
2023 COMMITTEE ASSIGNMENTS**

<u>Standing Committee Assignments</u>	<u>Chairperson</u>	<u>Member</u>
Finance and Audit	Gaddis	Eby
Administration (Includes personnel/parks/solid waste/conservation)	Malvarose	Hansen
Facilities/Water Resources (Includes physical facilities/ resources)	Gaddis	Woodson

<u>Delegates</u>	<u>Member</u>	<u>Alternate</u>
South County Advisory Council (SCAC)	GM Iglesias	Not Allowed by SCAC By Laws
Water Resources Advisory Committee (WRAC)	Eby	Malvarose
Regional Water Management Group (RWMG)	Gaddis	General Manager
Blacklake Village Council/Committees	Eby	Woodson

NOTES:

Delegates are appointed by the president of the Board of Directors.

Subject to other requirements of the Brown Act, Committee appointments are not to be interpreted as limiting contacts between individual Board Members or any other person or persons.

Approved by motion and roll call vote of Board on January 11, 2023

Mario Iglesias
General Manager

JANUARY 11, 2023

ITEM E-5

ATTACHMENT B

**Nipomo Community Services District
Board of Directors
2022 COMMITTEE ASSIGNMENTS**

Standing Committee Assignments

	<u>Chairperson</u>	<u>Member</u>
Finance and Audit	Gaddis	Eby
Administration (Includes personnel/parks/solid waste/conservation)	Armstrong	Malvarose
Facilities/Water Resources (Includes physical facilities/ resources)	Gaddis	Woodson

Delegates

	<u>Member</u>	<u>Alternate</u>
South County Advisory Council (SCAC)	GM Iglesias	Not Allowed by SCAC By Laws
Water Resources Advisory Committee (WRAC)	Eby	Malvarose
Regional Water Management Group (RWMG)	Gaddis	General Manager
Blacklake Village Council/Committees	Eby	Woodson

NOTES:

Delegates are appointed by the president of the Board of Directors.

Subject to other requirements of the Brown Act, Committee appointments are not to be interpreted as limiting contacts between individual Board Members or any other person or persons.

Approved by motion and roll call vote of Board on January 12, 2022

Mario Iglesias
General Manager

TO: BOARD OF DIRECTORS

From: MARIO IGLESIAS
GENERAL MANAGER

DATE: JANUARY 6, 2023

AGENDA ITEM
E-6
JANUARY 11, 2023

**ADOPT RESOLUTION RECOGNIZING AND
APPRECIATING LISA S. BOGNUDA'S 30 YEARS OF SERVICE TO
THE NIPOMO COMMUNITY SERVICES DISTRICT**

ITEM

Adopt Resolution of Appreciation for Lisa Bognuda's 30 years of dedicated service to the Nipomo Community Services District's ("District") as its Finance Director/Assistant General Manager
[RECOMMEND APPROVE RESOLUTION]

BACKGROUND

Lisa Bognuda serves as the District as Finance Director/Assistant General Manager. Mrs. Bognuda began her career with the District on January 11, 1993. January 11, 2023 marks Mrs. Bognuda's thirtieth (30) year of dedicated service to the District and the community of Nipomo.

In Mrs. Bognuda's 30 years of service, she has trained six (6) General Managers, presented to over 20 different Board Members, and worked to support countless District employees. In her tenure as Finance Director/Assistant General Manager, Mrs. Bognuda has protected the financial assets of the District and has established policies and procedures that ensure the growth and security of the District's funds. Through her leadership, Mrs. Bognuda has made Nipomo Community Services District the most respected CSD in the County.

FISCAL IMPACT

None

RECOMMENDATION

Staff recommends that the Board adopt the Resolution

ATTACHMENTS

A. Resolution 2023-XXXX

JANUARY 11, 2023

ITEM E-6

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2023-XXXX**

**A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT
COMMENDING LISA S. BAGNUDA FOR HER 30 YEARS OF
DEDICATED SERVICE TO THE NIPOMO COMMUNITY SERVICES DISTRICT
AND THE COMMUNITY OF NIPOMO**

WHEREAS, Lisa S. Bognuda continues to serve the Nipomo Community Services District ("District") as the District's Finance Director/Assistant General Manager, beginning her career with the District on January 11, 1993; and

WHEREAS, Mrs. Bognuda, on this day, January 11, 2023 marks her 30th year of diligent service to the District and in those 30 years of service has made significant improvements in all aspects of the District's operations; and

WHEREAS, the Nipomo Community Services District recognizes Mrs. Bognuda as the longest serving employee in the District's history; and

WHEREAS, Mrs. Bognuda has numerous accomplishments beyond the practical ability of this resolution to list, but includes the following notable achievements during her tenure with the District to include:

Trained, aided and supported 6 different District General Managers by providing excellent guidance, consultation, and constant encouragement

Maintained and improved the financial health of the District and presented annual financial reports to over 20 different District Board Members,

Positioned the District to receive the Government Finance Officers Association Award for Financial Reporting Achievement for the past 7 fiscal years;

Positioned the District to receive the Special District Leadership Foundation Transparency Certificate of Excellence in beginning in 2013 and each year thereafter;

Maintaining effective working relationships with county and regulatory agencies and local community service district finance leaders;

WHEREAS, Mrs. Bognuda embodies the best qualities of public administration with her intelligence, enthusiasm and professionalism; and

WHEREAS, Mrs. Bognuda has consistently served as an outstanding representative of the Nipomo Community Services District and has significantly improved the District's financial position and thereby improving the District's public image.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED that the Board of Directors of the Nipomo Community Services District expresses great appreciation and lasting gratitude to Lisa S. Bognuda and wishes her continued success with the District and in all her future endeavors.

The Board unanimously adopted the foregoing resolution on January 11, 2023.

Richard Malvarose, President

Ed Eby, Director

Dan A. Gaddis, Vice President

Dan Woodson, Director

Gary Hansen, Director



TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER

DATE: January 6, 2023

AGENDA ITEM

F

JANUARY 11, 2023

GENERAL MANAGER'S REPORT

ITEM

Standing report to your Honorable Board -- *Period covered by this report is December 12, 2022 through January 7, 2023.*

DISTRICT BUSINESS

Administrative

The District encourages residents to provide reports of any observed water waste. The District also keeps an accounting of leak adjustments as a measure of non-revenue water lost to leaks, as well as tracking late fee waivers. The table below provides December data and Calendar Year-to-date data for these items.

OFFICE ACTIVITIES

	Dec 22	Jan 22 - Dec 22
Reports of Water Waste	0	1
Leak Adjustments	0	19
Leak Adjustment Amount	\$721	\$6,813
Late Fee Waivers	12	53
Late Fee Waiver Adjustment Amount	\$202	\$1,347

Water Resources

For the first five months of the 2022-23 Fiscal Year, the District's total combined production, including groundwater production wells and supplemental water imported through the Joshua Road Pump Station, registered 870.6 AF. As has been the trend of late, imported water through the Joshua Road Pump Station was greater than the groundwater production. This trend will continue through the year as the District strives to maintain the 50% groundwater reduction goal.

Table 1. Total Production Acre Feet (AF)

	Dec - 22	Jul 22 - Dec 22
Groundwater Production	17.5	380.9
Supplemental Water Imported	<u>90.2</u>	<u>597.4</u>
Total Production	107.7	978.3

NCSD GW Reduction

The District's purveyor customers, Golden State Water Company and Woodlands Mutual Water Company, each are responsible for 16.66% (cumulatively 33.33%) of the imported water NCSD brings onto the basin through the NSWP. Of the 1,000 AF minimum imported water from the City of Santa Maria, 333 AF or 33.33% of the total imported water – whichever is greater – will be credited to these two purveyor customers. The credited amount must be added to the District's groundwater pumping total every month to reflect the groundwater pumped by these customers in-lieu of taking imported water from the District. Table 2 captures this data.

Table 2. NCSD GW Production (NCSD GW Well Production plus Purveyor Credit)

	Dec -22	Jul 21 – Dec 22
NCSD GW Well Production	17.5	380.9
Purveyor Customer Credit (33.3% of Import Water)	30.1	199.1
NCSD Total Calculated GW Production	47.6	580.0
Average GW Production for 2009-2013	141.4	1,384.6
NCSD Percentage of GW Reduction	66%	58%

2022 Fiscal Year Groundwater Pumping Forecast

Table 3 projects the District’s groundwater pumping reduction for the 2022-23 Fiscal Year. Under the current Stage 4 of the NMMA Water Shortage Response Stages, the District’s targeted groundwater pumping reduction goal is to pump no more than 1,266 AFY (50% of 2009-2013 average District GW Pumping). The five months of fiscal year 2022-23 actual – July through November – are combined with historic production from December 2021 through June 2021 to provide a projected estimate year end status.

Table 3. Projected Groundwater Pumping

	Year-to-Date		Target	Over/(Under)	AcFt
	Dec-22	Jul-Jun 2023			
NCSD GW Well Production	17.5	783.5			
Purveyor Customer Credit (33.3% of Import Water)	30.1	380.1			
NCSD Total Calculated GW Production	47.6	1,163.6	1,266.7	103	
Average GW Production for 2009-2013	141.4	2,533.4	2,533.4		
NCSD Percentage of GW Reduction	66%	54.1%	50.0%		

As demonstrated in Table 3 above the District will achieved its 50% groundwater pumping reduction target by 103 AcFt under the conditions stated in the previous paragraph.

Below, Table 4 compares groundwater pumping for the same periods in 2022 and 2021.

Table 4. FY 2022 vs. FY 2021 Groundwater Pumping

	Dec-22	Jul 22 - Dec 22	Dec-21	Jul 21 - Dec 21
NCSD GW Well Production	17.5	380.9	35.6	376.8
Purveyor Customer Credit (33.3% of Import Water)	30.1	199.1	28.1	129.8
NCSD Total Calculated GW Production	47.6	580.0	63.8	506.6
Average GW Production for 2009-2013	141.4	1,384.6	141.4	1,384.6
NCSD Percentage of GW Reduction	66.3%	58.1%	54.9%	63.4%

Table 4 view of the data provides operations personnel with insight into year-end water production values and assists operational personnel in their efforts to balance import and groundwater

production with the purpose of reducing groundwater pumping to meet the self-imposed 50% pumping groundwater reduction – the current stage IV objective.

Rainfall Gauge

(Reported in inches)	Nipomo East (Dana Hills Reservoirs)	Nipomo South (Southland Plant)
Dec. 2022 Total	7.17	4.42
July-2022 through Nov-2022 (Season Total)	9.88	8.07
Dec 1, through Dec 8, 2022	2.09	1.57
Total Rainfall to date	11.97	9.64
County Reported Avg. Ann. Year Rainfall ¹	18.00	14.00
2006 - 2020 Avg. Ann. Year Rainfall ¹	15.39	13.30
2006 - 2020 Median Ann. Rainfall ¹	12.64	11.30

Note:

1. Data from County website

Connection Report

Nipomo Community Services District
Water and Sewer Connections

END OF MONTH REPORT

	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22
Water Connections (Total)	4500	4500	4500	4501	4501	4501	4501	4505	4505	4505	4505	4506
Sewer Town connections (1)	2730	2730	2730	2731	2731	2731	2731	2735	2735	2737	2737	2738
Sewer Blacklake connections	559	559	559	559	559	559	559	559	559	559	559	559
Subtotal	3289	3289	3289	3290	3290	3290	3290	3294	3294	3296	3296	3297
Galaxy and PSSH at Orchard and Division Sewer connections billed to the County	481	481	481	481	482	482	482	482	482	482	483	484
Sewer Connections (Total)	3770	3770	3770	3771	3772	3772	3772	3776	3776	3778	3779	3781
New Water Connections	4	0	0	1	0	0	0	4	0	2	0	1
New Sewer Connection	4	0	0	1	0	0	1	3	0	0	0	1
New Sewer Connection-Galaxy and PSH	0	0	0	0	1	0	0	0	0	0	1	1

The Connection Report as of January 6, 2023

Supplemental Water Capacity Accounting

Summary Since January 25, 2008

	Number of Equivalent Meters	AFY
Supplemental Water Available for Allocation	947	500.0
Supplemental Water Reserved (Will Serve Letter Issued)	149	-78.1
Subtotal Net Supplemental Water Available for Allocation	798	421.9
Supplemental Water Assigned (Intent-to-Serve Issued)	185.6	-98.0
Total Remaining Supplemental Water Available for Allocation	612	323.9

Updated January 6, 2023

Safety Program

No Reportable Safety Issues

All-Staff Quarterly Safety Meeting Scheduled for March 24, 2023

Other Items

- COVID19 NCSD Response Plan Update [Attachment A]
- Dana Reserve – Schedule [Attachment B]

Meetings (December 11 through January 7)

Meetings Attended (telephonically or in person):

- Dec 12, Water Operations Wkly Meeting
- Dec 12, IWMA Meeting
- Dec 12, Sedaru – Asset Management Software
- Dec 12, Cannon Eng. – BL Pipeline Project, Addendum 1 Discussion
- Dec 13, Wastewater Operations Wkly Meeting
- Dec 13, Director Hansen Swearing In
- Dec 13, SLO Cnty Overlay Project – Contractor Mtg
- Dec 14, NCSD Regular Board Meeting
- Dec 14, After-Board Exec. Team Meeting
- Dec 15, NCSD Staff, Operational Reorganization Meeting
- Dec 15, GSWC, RWG Legal Discussions
- Dec 15, Staff Evaluation – Admin Supervisor
- Dec 16, Staff Mtg. – Customer Service Specialist Mtg.
- Dec 16, Sedaru – Asset Management Software
- Dec 16, NCSD Staff Quarterly Safety Meeting
- Dec 19, Staff Mtg. - Admin Supervisor Mtg.
- Dec 19, Water Operations Wkly Meeting
- Dec 19, NCSD Operational Budget Briefing
- Dec 19, Bid Opening – BL Consolidation Force Main
- Dec 20, Eng/Admin Weekly Meeting
- Dec 20, NCSD Staff Work Order Form Review
- Dec 21, Wastewater Operations Wkly Meeting
- Dec 21, Palm Lift Station Close-out Meeting
- Dec 21, Ad-hoc Committee – Dana Reserve
- Dec 22, Winter Holiday/Vacation
- Dec 26 through January 2 – Winter Holiday/Vacation
- Jan 3, NCSD Board Officer Meeting
- Jan 4, Rotary
- Jan 4, Eng/Admin Weekly Meeting
- Jan 4, CSD General Manager's Meeting
- Jan 5, Wastewater Operations Wkly Meeting
- Jan 5, Water Operations Wkly Meeting
- Jan 6, Staff Mtg. – Customer Service Specialist Mtg.

Meetings Scheduled (January 8 through January 14):

Upcoming Meetings (telephonically or in person):

- Jan 9, Staff Mtg. - Admin Supervisor Mtg.

- Jan 9, Engineer Consultant – Jim Ashcraft
- Jan 9, Water Operations Wkly Meeting
- Jan 10, Wastewater Operations Wkly Meeting
- Jan 10, Eng/Admin Coordination Meeting
- Jan 10, CWAT Working Group Mtg – Desal Project
- Jan 11, NCSD Regular Board Meeting
- Jan 11, After-Board Exec. Team Meeting
- Jan 12, NCSD GIS Staff Team
- Jan 13, Staff Mtg. - Cust. Service Specialist
- Jan 13, NCSD Board Officer Meeting

Upcoming Water Resource and Other Meetings

Upcoming Standing Meetings:

- NMMA-TG: January 19th (Thursday) @ 10:00 AM, Zoom Meeting
- RWMG: No Meeting Scheduled for November
- WRAC: No Meeting Scheduled for November
- NMMA Manager's Meeting: January 23rd (Monday) @ 10:00 AM, Zoom Meeting
- NCSD Board Officer Meeting: January 30th (Monday) @ 2:00 am, NCSD Conf. Rm.

RECOMMENDATION

Staff seeks direction and input from your Board

ATTACHMENTS

- A. COVID19 - NCSD Response Plan (Updated)
- B. Dana Reserve Schedule (Updated)
- C. Apodaca Claim Release

JANUARY 11, 2023

ITEM F

ATTACHMENT A

Date: January 11, 2023 Board Meeting
Response Activities to COVID19 Health Emergency
Prepared by: Mario Iglesias, General Manager

DISTRICT RESPONSE TO COVID-19, Updated January 6, 2023

New Actions

Nipomo CSD Wastewater Data on County Website [see attached]

California Governor Plans end to COVID19 Emergency Declaration: February 28, 2023

Personnel on Quarantine (No Change from October 26 Report)

Office Personnel: 0

Operational Personnel: 0

Vaccine Update: No Change

Ongoing Actions

1. Testing available for Employees to test (Voluntary)
2. Following SLO Co. Masking guidelines (Voluntary)
3. Following Cal/OSHA guidelines

Previous Actions

1. For the Month of September, District Staff Tested 44 times (all negative results)
2. Mask Mandate Requirement Update – As of September 1, 2021, masks must be worn indoors at public facilities.
3. COVID19 Rapid Test Kits secured from SLO County at no cost to provide weekly work-place testing.
4. NCSO Board Passes Resolution Declaring Emergency in District [Res. 2020-1550, Mar. 24, 2020]
5. Admin Office Closed to the Public
 - a. Meetings are virtual – Conference Calls
6. Discontinued: Split staff into two teams
 - a. See schedule on Response Plan
7. Received directions for FEMA Public Assistance – Cost Tracking Guidance
8. Governor's Executive Order – No Water Turn-offs
 - a. District instituted this policy as well as a No Late Fee – No Penalty Fees
9. Wipe-down between shifts
10. Each operator in separate designated vehicle.
11. Received additional PPE. Administration Staff will be on normal schedule 8-4:30 starting Monday May 18th
12. Operations Staff are on normal 7:00 am to 3:30 pm work schedule as of Monday, May 4th. County opened up construction sites.
13. Expanded Customer Service Work to include site visits for investigations (high bills, meter issues) week of May 11
14. Trailers for quarantine have been returned – May 1
15. District to begin wastewater sampling in conjunction with County effort to determine presence of COVID19 in communities – May 11
16. Temporary Admin Support Workers brought back to Office (Provider incentivized due to PPP Funds) – June 1

Date: January 11, 2023 Board Meeting
Response Activities to COVID19 Health Emergency
Prepared by: Mario Iglesias, General Manager

17. Lobby Modifications: Glass is equipped with speaker plates to allow the communication between customer and clerk without opening the sliding window.
18. Board Meetings open to the public.
19. County Offices Continued Closed with Appointments provided to some departments as needed.
20. June 18, 2020, Governor Order issued requiring face masks be worn in public places. District management purchased disposable face masks for staff, Board Members, and any public that attends District Board Meetings and lack a face mask.
21. The customer counter window modifications at the office are completed.
22. Capital Improvement Projects continue to be impacted and schedules for completion continue to be pushed back due to material delivery delays.
23. Administrative Office open to public – April 19, 2021
24. Mask Mandate in SLO County (reinstated on September 1st) will be lifted when:
 - a. The county reaches the yellow, “moderate” level of COVID-19 community transmission, as defined by the Centers for Disease Control and Prevention (CDC), and stay there for at least 10 days, and
 - b. Public Health Officer Dr. Penny Borenstein determines that COVID-19 hospitalizations are low and stable and area hospitals are able to meet the needs of patients.
25. County Health provided COVID19 Rapid Test that will get us through January 2022. NCSO requesting additional tests for February and March. The District has sufficient tests to sustain routine testing practices through January 2022.
26. February 16, 2022, Indoor Mask Mandate Lifted in San Luis Obispo County for vaccinated individuals.

Mask Mandate Status:

- Effective March 1, 2022, the requirement that unvaccinated individuals mask in indoor public settings will move to a strong recommendation that all persons, regardless of vaccine status, continue indoor masking.
- Universal masking shall remain required in specified high-risk settings.
- After March 11, 2022, the universal masking requirement for K-12 and Childcare settings will terminate. CDPH strongly recommends that individuals in these settings continue to mask in indoor settings when the universal masking requirement lifts.

September 23, 2022: Masks in California are required when:

Taking effect Friday (September 23, 2022) is the end of state-ordered mandatory masking in jails and prisons, homeless shelters, and emergency and cooling centers located in counties with a low COVID-19 community level, as defined by the U.S. Centers for Disease Control and Prevention.

October 2022: COVID-19 State of Emergency will end on February

Governor Gavin Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. It is anticipated that San Luis Obispo County will follow suite shortly thereafter, and that would provide a setting for the Nipomo Community Services District to end its Emergency Declaration issued in Resolution 2020-1550.



Stay safe after the storm. Learn how to safely clean up after a flood. Stay informed with the latest information on ReadySLO.org and follow the County of SLO on Social Media for continuing updates.

COVID-19 Resources

County of San Luis Obispo

Home > COVID-19 > Data

COVID-19 Data

- Wastewater
- Hospitalizations
- Deaths
- Cases
- Vaccine Status
- Variants
- Vaccinations
- FAQs

[Positive? Learn about treatment options »](#)

Accessibility Note: Pressing "Shift + Question mark (?)" on a PowerBI interactive chart will list keyboard shortcuts

Microsoft Power BI

Nipomo SARS-CoV-2 Wastewater Detection

Wastewater Concentration

Jan 2022

Mar 2022

May 2022

Jul 2022

Sep 2022

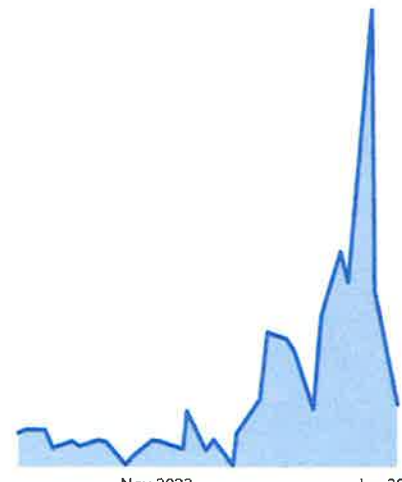
Nov 2022

Jan 2023

Sample Collection Date

Last updated 1/5/23

Microsoft Power BI



JANUARY 11, 2023

ITEM F

ATTACHMENT B

DANA RESERVE REVIEW SCHEDULE (AS OF 1/6/2023)

Status Update:

Date	Description	Comment
April 24, 2022	NCSD Review "Utility" Section of EIR	
June 16, 2022	Release of EIR	Extended from May 16, 2022
July 14, 2022	SLO County Planning Comm. Study Session	Zoom Meeting
July 21, 2022	LAFCO Study Session	County Lead Agency (9:00 am)
Aug. 1, 2022 ¹	Close Public Comment - DEIR	Was June 20, 2022 (Mario on Vaca)
Sept. 2022	Consider Ad-hoc Comm. (Annexation Agr.)	Establish January 2023
Nov. 17, 2022	NOTICE OF PETITION OF APPLICATION FOR ANNEXATION #30 DANA RESERVE ¹	60 Day Letter
Jan. 9	Ad-hoc Com. – Notice of Petition	Prepare for Jan. 11 th Board Mtg.
Q-1 2023	County Board of Supervisors	Accept EIR
Q-1 2023	LAFCO Inquiry of NCSD (Service Provisions) ²	
Q-2 2023	NCSD Board	Annexation Application
Q-2 2023	LAFCO Review	

The above schedule is suggested and drawn from conversations with staff from the County, LAFCO, and the Developer. This schedule is a rough outline and is subject to change over time.

Notes:

1. NCSD Staff will provide a staff report at the January 11th Board Meeting that will provide the Board of Directors with more information and possible actions.
2. Developer shifted to an annexation process that focuses first on LAFCO application and second the District's application process. Under this format, LAFCO will be the agency that coordinates communication between the Developer and NCSD.

Developer mailed letter September 20, 2022 to residents in Nipomo directing their attention to District website and the three reports addressing utilities – focus on explaining water situation.

RWG submitted comments on the Dana Reserve Specific Plan DEIR, August 1, 2022, to the County of San Luis Obispo supervision planner, Jennifer Guetschow.

Phasing Plan Schedule – Defines the fee schedule for the development.

Administrative Draft Final Report	Friday, February 3, 2023
District Comments on Admin Draft Final Report	Friday, March 3, 2023
Draft Final Report	Friday, March 24, 2023
District Board Presentation	Wednesday, April 12, 2023
Final Report	Friday, May 5, 2023

JANUARY 11, 2023

ITEM F

ATTACHMENT C

RELEASE OF ALL PROPERTY DAMAGE CLAIMS

This release is executed on December 20, 2022 by claimant Nipomo Community Services District (“NCS D”) in favor of Creekside Owners Association (“COA”) and Apodaca Paving, Inc. (“API”) with reference to the following facts:

A. NCS D is a Special District, duly-formed and existing under the laws of the State of California, to provide water and sewer services to the community of Nipomo.

B. COA is a duly-formed Homeowners’ Association, which owns and maintains the common areas including surface streets, in the Creekside residential development in Nipomo.

C. COA contracted with API to resurface the private streets in the Creekside development (“Project”). On or about August 31, 2022, in the course of the Project work by API and/or API’s subcontractor to adjust NCS D’s manhole covers, NCS D’s manhole and underground sewer line became plugged with concrete, causing a significant stoppage and sewage spill (“incident”).

D. NCS D expended significant public funds over the Labor Day holiday weekend to clear the concrete from the manhole, replace a portion of sewer line that had been filled with concrete, and pump sewage for disposal while the sewer line was clogged.

E. NCS D has demanded that COA and/or API reimburse NCS D for its costs of responding to this incident and repairing the sewer line.

G. NCS D, COA and API (the “parties”) now desire to resolve NCS D’s claim for reimbursement.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Concurrent with the duly-authorized execution of this Release by NCS D, API shall deliver to NCS D’s General Manager a check in the amount of (\$75,530) seventy-five thousand, five hundred thirty dollars made payable to the Nipomo Community Services District (“Payment”) as full reimbursement for NCS D’s demand referenced in paragraph E, above.

2. In consideration for the Payment, NCS D on behalf of itself, its insured, assigns, administrators, trustees and successors in interest does hereby release and absolutely discharge COA and API and their respective employees, subcontractors, agents, assigns and successors in interest from any and all property damage claims, including real and personal property, loss of use, the deductible and miscellaneous expenses incurred by NCS D, attorney’s fees, demands, damages, debts, liabilities, accounts, reckonings, obligations, costs, expenses, liens, actions, causes, and causes of action of whatever kind, at law or in equity, known or unknown, suspected or unsuspected, which NCS D has, or may have, arising out of, in connection with, or by reason of any act, omission, matter, cause or thing whatsoever including, without limiting the foregoing, any claim for sums arising out of the incident and claimed to be under the demand referred to in paragraph E above.

3. NCS D has not, and will not in the future, bring any legal action, civil, administrative, or criminal, against either COA or API arising out of the incident. NCS D timely reported the incident to the County of San Luis Obispo and the Regional Water Quality Control Board as required by applicable law and, although NCS D is not aware of any pending action by any other public agency, this release does not extend to any action brought by another public agency.

4. NCS D, COA, and API intend and agree that this agreement shall be subject to, governed by, enforced and construed pursuant to the laws of the State of California.

5. If any action is brought to enforce the provisions of this agreement, the prevailing party is entitled to an award of reasonable attorneys' fees.

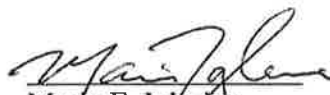
6. COA and API have had the opportunity to be represented by counsel, and have had an adequate opportunity to conduct an independent investigation of all the facts and circumstances with respect to the matters which are the subject of this agreement.

7. This release contains all of the terms and conditions agreed upon by the parties. No other agreements, oral or otherwise, shall be deemed to exist or to bind any of the parties hereto. No representative of any party hereto had or has any authority to make any representation or promise not reflected or contained in this agreement, and NCS D acknowledges that it has not executed this agreement upon any such promise.

8. This release relates to the settlement of a disputed claim. This agreement is not to be construed as an admission of liability by any of the parties to the agreement.

9. If any portion, provision, or part of this Agreement is held, determined or adjudicated to be invalid, unenforceable, or void for any reason whatsoever, each such portion, provision or part shall be severed from the remaining portions, provisions or parts of this Agreement, and shall not affect the validity or enforceability of such remaining portions, provisions or parts.

Dated: 12/20/2022


Mario E. Iglesias
NCS D General Manager