

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS  
GENERAL MANAGER



DATE: MARCH 3, 2023

**AGENDA ITEM**

**C**

**MARCH 8, 2023**

## **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: MARCH 3, 2023

**AGENDA ITEM**

**D**

**MARCH 8, 2023**

## **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 FEBRUARY 22, 2023, REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVE MINUTES]
- D-3) ADOPT RESOLUTION TO REPEAL RESOLUTION NO. 2020-1550 THAT GRANTED  
THE NIPOMO COMMUNITY SERVICES DISTRICT'S GENERAL MANAGER ADDED  
AUTHORITY IN RESPONSE TO THE LOCAL STATE OF EMERGENCY ARISING  
OUT OF THE COVID-19 PANDEMIC [RECOMMEND ADOPT RESOLUTION]

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS  
GENERAL MANAGER 

FROM: LISA BOGNUDA   
FINANCE DIRECTOR AND  
JANA ETTEDDGUE   
ADMINISTRATIVE SUPERVISOR

DATE: MARCH 3, 2023

**AGENDA ITEM  
D-1  
MARCH 8, 2023**

**WARRANTS**

|  |                 |
|--|-----------------|
| COMPUTER CHECKS GENERATED – SEE ATTACHED | \$152,766.39    |
| HAND WRITTEN CHECKS                      | NONE            |
| VOIDED CHECKS                            | #8362,8371,8908 |

# Item D-1 Warrants MARCH 8, 2023

Nipomo Community Services District

By Payment Number

Payment Dates 03/08/2023 - 03/08/2023

| Vendor Name                    | Description (Payable)        | Payable Number | Payment Date | Amount          |
|--------------------------------|------------------------------|----------------|--------------|-----------------|
| <b>Payment: 9257</b>           |                              |                |              |                 |
| Abalone Coast Analytical, Inc. | Lab tests                    | 6048           | 03/08/2023   | 8,113.00        |
| <b>Payment 9257 Total:</b>     |                              |                |              | <b>8,113.00</b> |
| <b>Payment: 9258</b>           |                              |                |              |                 |
| Alexander's Contract Services, | Meter reading                | 202302270012   | 03/08/2023   | 5,224.56        |
| <b>Payment 9258 Total:</b>     |                              |                |              | <b>5,224.56</b> |
| <b>Payment: 9259</b>           |                              |                |              |                 |
| Allweather Landscape           | LMD                          | 46662          | 03/08/2023   | 325.00          |
| <b>Payment 9259 Total:</b>     |                              |                |              | <b>325.00</b>   |
| <b>Payment: 9260</b>           |                              |                |              |                 |
| Brenntag Pacific, Inc.         | Sodium hypochlorite          | BPI309142      | 03/08/2023   | 800.86          |
| <b>Payment 9260 Total:</b>     |                              |                |              | <b>800.86</b>   |
| <b>Payment: 9261</b>           |                              |                |              |                 |
| California Rural Water         | Annual membership            | 2023           | 03/08/2023   | 1,507.00        |
| <b>Payment 9261 Total:</b>     |                              |                |              | <b>1,507.00</b> |
| <b>Payment: 9262</b>           |                              |                |              |                 |
| Charter Communications         | Internet - Shop and/or       | 0224495022023  | 03/08/2023   | 734.20          |
| <b>Payment 9262 Total:</b>     |                              |                |              | <b>734.20</b>   |
| <b>Payment: 9263</b>           |                              |                |              |                 |
| Charter Communications         | internet - Shop and/or       | 0225708022223  | 03/08/2023   | 734.20          |
| <b>Payment 9263 Total:</b>     |                              |                |              | <b>734.20</b>   |
| <b>Payment: 9264</b>           |                              |                |              |                 |
| Clever Ducks                   | Computer expense             | 33911          | 03/08/2023   | 4,319.62        |
| <b>Payment 9264 Total:</b>     |                              |                |              | <b>4,319.62</b> |
| <b>Payment: 9265</b>           |                              |                |              |                 |
| Coastal Occupational Medical   | Pre-employment physical      | 11582          | 03/08/2023   | 165.00          |
| Coastal Occupational Medical   | Pre-employment physical      | 11581          | 03/08/2023   | 165.00          |
| Coastal Occupational Medical   | Pre-employment physical      | 11766          | 03/08/2023   | 165.00          |
| <b>Payment 9265 Total:</b>     |                              |                |              | <b>495.00</b>   |
| <b>Payment: 9266</b>           |                              |                |              |                 |
| DataProse, LLC                 | Postage bills/late notices   | FEB2023B       | 03/08/2023   | 2,049.28        |
| DataProse, LLC                 | Mail bills/late notices      | FEB2023A       | 03/08/2023   | 528.69          |
| <b>Payment 9266 Total:</b>     |                              |                |              | <b>2,577.97</b> |
| <b>Payment: 9267</b>           |                              |                |              |                 |
| Etteddgue, Jana                | Live scan reimbursement -    | FEB2023        | 03/08/2023   | 119.00          |
| <b>Payment 9267 Total:</b>     |                              |                |              | <b>119.00</b>   |
| <b>Payment: 9268</b>           |                              |                |              |                 |
| Executive Janitorial           | Janitorial services          | 85952          | 03/08/2023   | 780.00          |
| <b>Payment 9268 Total:</b>     |                              |                |              | <b>780.00</b>   |
| <b>Payment: 9269</b>           |                              |                |              |                 |
| Famcon Pipe and Supply Inc.    | MJ accessory kit, valves     | S100096311.001 | 03/08/2023   | 877.61          |
| Famcon Pipe and Supply Inc.    | Pipe, saddle, ball valve,    | S100097032.001 | 03/08/2023   | 1,658.94        |
| Famcon Pipe and Supply Inc.    | Redi-clamp, couplings, quick | S100096782.002 | 03/08/2023   | 500.25          |
| Famcon Pipe and Supply Inc.    | Flanged cross                | S100095920.001 | 03/08/2023   | 373.23          |
| <b>Payment 9269 Total:</b>     |                              |                |              | <b>3,410.03</b> |
| <b>Payment: 9270</b>           |                              |                |              |                 |
| FGL Environmental              | Lab tests                    | 284403A        | 03/08/2023   | 802.00          |
| FGL Environmental              | Lab tests                    | 380323A        | 03/08/2023   | 65.00           |
| <b>Payment 9270 Total:</b>     |                              |                |              | <b>867.00</b>   |

**Item D-1 Warrants MARCH 8, 2023**

**Payment Dates: 03/08/2023 - 03/08/2023**

| <b>Vendor Name</b>            | <b>Description (Payable)</b> | <b>Payable Number</b> | <b>Payment Date</b> | <b>Amount</b>    |
|-------------------------------|------------------------------|-----------------------|---------------------|------------------|
| <b>Payment: 9271</b>          |                              |                       |                     |                  |
| GLM Landscape Management      | Landscape maintenance        | CI-1556               | 03/08/2023          | 948.65           |
| <b>Payment 9271 Total:</b>    |                              |                       |                     | <b>948.65</b>    |
| <b>Payment: 9272</b>          |                              |                       |                     |                  |
| Integrated Industrial Supply, | Disposable gloves, square    | 89545                 | 03/08/2023          | 607.39           |
| <b>Payment 9272 Total:</b>    |                              |                       |                     | <b>607.39</b>    |
| <b>Payment: 9273</b>          |                              |                       |                     |                  |
| Miner's Ace Hardware          | Supplies                     | FEB2023               | 03/08/2023          | 438.35           |
| <b>Payment 9273 Total:</b>    |                              |                       |                     | <b>438.35</b>    |
| <b>Payment: 9274</b>          |                              |                       |                     |                  |
| Mission Uniform Service       | Uniforms                     | 518774927             | 03/08/2023          | 173.04           |
| Mission Uniform Service       | Uniforms                     | 518731717             | 03/08/2023          | 172.58           |
| <b>Payment 9274 Total:</b>    |                              |                       |                     | <b>345.62</b>    |
| <b>Payment: 9275</b>          |                              |                       |                     |                  |
| Newton Geo-Hydrology          | Litigation support through   | FEB2023               | 03/08/2023          | 8,232.50         |
| <b>Payment 9275 Total:</b>    |                              |                       |                     | <b>8,232.50</b>  |
| <b>Payment: 9276</b>          |                              |                       |                     |                  |
| Nu-Tech Pest Management       | Pest control                 | 0171100               | 03/08/2023          | 265.00           |
| Nu-Tech Pest Management       | Rodent control               | 0171104               | 03/08/2023          | 75.00            |
| <b>Payment 9276 Total:</b>    |                              |                       |                     | <b>340.00</b>    |
| <b>Payment: 9277</b>          |                              |                       |                     |                  |
| Office Depot                  | Office supplies              | 293435324001          | 03/08/2023          | 243.20           |
| Office Depot                  | Office supplies              | 293534938001          | 03/08/2023          | 40.84            |
| Office Depot                  | Office supplies              | 291889026001          | 03/08/2023          | 105.08           |
| Office Depot                  | Office supplies              | 292329512001          | 03/08/2023          | 8.68             |
| Office Depot                  | Office supplies              | 292328160001          | 03/08/2023          | 82.99            |
| <b>Payment 9277 Total:</b>    |                              |                       |                     | <b>480.79</b>    |
| <b>Payment: 9278</b>          |                              |                       |                     |                  |
| Olivas, Silas                 | Uniform - Boot               | FEB2023C              | 03/08/2023          | 165.00           |
| <b>Payment 9278 Total:</b>    |                              |                       |                     | <b>165.00</b>    |
| <b>Payment: 9279</b>          |                              |                       |                     |                  |
| Perry's Electric Motors &     | 150HP pump repair            | 26608                 | 03/08/2023          | 10,122.00        |
| <b>Payment 9279 Total:</b>    |                              |                       |                     | <b>10,122.00</b> |
| <b>Payment: 9280</b>          |                              |                       |                     |                  |
| PG&E                          | Electricity                  | FEB2023               | 03/08/2023          | 41,721.87        |
| <b>Payment 9280 Total:</b>    |                              |                       |                     | <b>41,721.87</b> |
| <b>Payment: 9281</b>          |                              |                       |                     |                  |
| Pollard Water                 | Dechlorinator                | WP031346-1            | 03/08/2023          | 1,067.14         |
| <b>Payment 9281 Total:</b>    |                              |                       |                     | <b>1,067.14</b>  |
| <b>Payment: 9282</b>          |                              |                       |                     |                  |
| Powerstride Battery Co., Inc. | Replacement battery          | 85511                 | 03/08/2023          | 210.81           |
| <b>Payment 9282 Total:</b>    |                              |                       |                     | <b>210.81</b>    |
| <b>Payment: 9283</b>          |                              |                       |                     |                  |
| Quinn Company                 | Bolts and nuts for generator | PC030355146           | 03/08/2023          | 25.40            |
| <b>Payment 9283 Total:</b>    |                              |                       |                     | <b>25.40</b>     |
| <b>Payment: 9284</b>          |                              |                       |                     |                  |
| R. Baker, Inc.                | Valve replacement for        | 526                   | 03/08/2023          | 45,458.75        |
| <b>Payment 9284 Total:</b>    |                              |                       |                     | <b>45,458.75</b> |
| <b>Payment: 9285</b>          |                              |                       |                     |                  |
| Ray Morgan Company            | B&W/Color copies             | 4012348               | 03/08/2023          | 210.10           |
| Ray Morgan Company            | B&W/Color copies             | 4012349               | 03/08/2023          | 138.26           |
| <b>Payment 9285 Total:</b>    |                              |                       |                     | <b>348.36</b>    |
| <b>Payment: 9286</b>          |                              |                       |                     |                  |
| ReadyRefresh by Nestle        | Distilled water              | FEB2023               | 03/08/2023          | 41.97            |
| <b>Payment 9286 Total:</b>    |                              |                       |                     | <b>41.97</b>     |

**Item D-1 Warrants MARCH 8, 2023**

**Payment Dates: 03/08/2023 - 03/08/2023**

| Vendor Name                  | Description (Payable)     | Payable Number | Payment Date | Amount          |
|------------------------------|---------------------------|----------------|--------------|-----------------|
| <b>Payment: 9287</b>         |                           |                |              |                 |
| Shepard Bros., Inc.          | Supplies                  | SOI-166576     | 03/08/2023   | 568.54          |
| <b>Payment 9287 Total:</b>   |                           |                |              | <b>568.54</b>   |
| <b>Payment: 9288</b>         |                           |                |              |                 |
| Simplot Grower Solutions     | CAN 17                    | 780157744      | 03/08/2023   | 1,020.67        |
| <b>Payment 9288 Total:</b>   |                           |                |              | <b>1,020.67</b> |
| <b>Payment: 9289</b>         |                           |                |              |                 |
| SLO County Environmental     | Backflow program          | IN0143648      | 03/08/2023   | 2,501.50        |
| <b>Payment 9289 Total:</b>   |                           |                |              | <b>2,501.50</b> |
| <b>Payment: 9290</b>         |                           |                |              |                 |
| SoCalGas                     | Heat - shop/office        | FEB2023B       | 03/08/2023   | 186.03          |
| SoCalGas                     | Heat - shop/office        | FEB2023A       | 03/08/2023   | 13.81           |
| <b>Payment 9290 Total:</b>   |                           |                |              | <b>199.84</b>   |
| <b>Payment: 9291</b>         |                           |                |              |                 |
| US Bank National Association | Southland WWTP water bill | FEB2023-I      | 03/08/2023   | 65.60           |
| US Bank National Association | Storage unit              | FEB2023B       | 03/08/2023   | 243.00          |
| US Bank National Association | Postage \                 | FEB2023G       | 03/08/2023   | 133.50          |
| US Bank National Association | Computer expense -        | FEB2023C       | 03/08/2023   | 56.00           |
| US Bank National Association | Office supplies           | FEB2023J       | 03/08/2023   | 171.60          |
| US Bank National Association | Website domain renewal    | FEB2023F       | 03/08/2023   | 590.00          |
| US Bank National Association | Operating supplies        | FEB2023H       | 03/08/2023   | 1,413.74        |
| US Bank National Association | Travel and meals          | FEB2023E       | 03/08/2023   | 326.48          |
| US Bank National Association | Board meeting supplies    | FEB2023A       | 03/08/2023   | 29.00           |
| US Bank National Association | Zoom subscription         | FEB2023D       | 03/08/2023   | 14.99           |
| <b>Payment 9291 Total:</b>   |                           |                |              | <b>3,043.91</b> |
| <b>Payment: 9292</b>         |                           |                |              |                 |
| USA Bluebook                 | ProChem ClamShell funnel  | 238820         | 03/08/2023   | 216.39          |
| USA Bluebook                 | CHEMKEYS                  | 273110         | 03/08/2023   | 623.03          |
| USA Bluebook                 | Credit for INV #238820    | 265514         | 03/08/2023   | -216.39         |
| USA Bluebook                 | PVC coated lab apron,     | 269598         | 03/08/2023   | 372.83          |
| USA Bluebook                 | CHEMKEYS                  | 277692         | 03/08/2023   | 235.09          |
| <b>Payment 9292 Total:</b>   |                           |                |              | <b>1,230.95</b> |
| <b>Payment: 9293</b>         |                           |                |              |                 |
| Voelker, Tyler               | Training reimbursement -  | MAR2023        | 03/08/2023   | 115.00          |
| <b>Payment 9293 Total:</b>   |                           |                |              | <b>115.00</b>   |
| <b>Payment: 9294</b>         |                           |                |              |                 |
| Wallace Group                | FOG program               | 58531          | 03/08/2023   | 1,592.94        |
| <b>Payment 9294 Total:</b>   |                           |                |              | <b>1,592.94</b> |
| <b>Payment: 9256</b>         |                           |                |              |                 |
| MARK ALBRECHT                | FIRE HYDRANT METER        | 77-1000        | 03/08/2023   | 1,931.00        |
| <b>Payment 9256 Total:</b>   |                           |                |              | <b>1,931.00</b> |

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS  
GENERAL MANAGER



DATE: MARCH 3, 2023

**AGENDA ITEM**  
**D-2**  
**MARCH 8, 2023**

**APPROVE FEBRUARY 22, 2023  
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. February 22, 2023 draft Regular Board Meeting Minutes

MARCH 8, 2023

ITEM D-2

ATTACHMENT A



# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## DRAFT REGULAR MINUTES

**FEBRUARY 22, 2023 AT 9:00 A.M.**

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

### BOARD of DIRECTORS

RICHARD MALVAROSE, PRESIDENT  
DAN ALLEN GADDIS, VICE PRESIDENT  
ED EBY, DIRECTOR  
DAN WOODSON, DIRECTOR  
GARY HANSEN, 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 Malvarose called the Regular Meeting of February 8, 2023, 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.*

#### 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 Director

##### *Director Woodson*

- *Resigned from the CTAC Citizens Transportation Advisory Commission*

##### *Director Hansen*

- *February 21, attended Administration Committee meeting*

##### *Director Gaddis*

- *February 14, attended Board Officers' meeting*
- *February 15, attended Finance and Audit Committee meeting*

##### *Director Eby*

- *February 15, attended Finance and Audit Committee meeting*
- *February 21, observed Administration Committee meeting*
- *February 23, will attend the NMMA Technical Group meeting*

##### *Director Malvarose*

- *February 21, attended Administration Committee meeting*

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District  
DRAFT REGULAR MEETING  
MINUTES

- 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 approved receiving and filing presentations and reports.*

*Vote 5-0.*

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE FEBRUARY 8, 2023, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) CONSIDER OPENING A PUBLIC CHECKING ACCOUNT WITH FIVE STAR BANK [RECOMMENDED BOARD REVIEW PROPOSAL AND DIRECT STAFF]

*There were no public comments.*

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

*Vote 5-0.*

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

E. ADMINISTRATIVE ITEMS

- E-1) APPROVE GENERAL MANAGER JOB DESCRIPTION, CONSIDER SALARY RANGE STATEMENT AND RECRUITMENT MATERIALS [RECOMMEND REVIEW AND APPROVE JOB DESCRIPTION, SET SALARY RANGE, AND DIRECT STAFF ON DESIRED RECRUITMENT PROCESS]

*Item A: General Manager- Job Description and Salary Range*

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

*There were no public comments.*

*Upon the motion of Director Eby and seconded, the Board approved the job description as amended and salary range of \$160,000 to \$190,000, depending on qualifications.*

*Vote 5-0.*

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

SUBJECT TO BOARD APPROVAL

*Item B: General Manager- Brochure Language*

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

*Pam Wilson, NCSD Resident, made a suggestion regarding the "Community" section.*

*Upon the motion of Director Eby and seconded, the Board approved the Brochure language as amended by the Directors.*

*Vote 5-0.*

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

*Item C: General Manager- Recruitment Work Plan*

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

*President Malvarose stated that he would appoint an Ad Hoc subcommittee for the General Manager hiring process.*

*Director Gaddis nominated himself and Director Eby to be on the Ad Hoc subcommittee.*

*President Malvarose appointed Director Eby and Gaddis to the Ad Hoc subcommittee.*

*There were no public comments.*

*Upon the motion of Director Gaddis and seconded, the Board approved the Recruitment Work Plan as amended.*

*Vote 5-0.*

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

**F. GENERAL MANAGER'S REPORT**

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

*There were no public comments.*

**G. COMMITTEE REPORTS**

*Director Gaddis announced that there was a Finance and Audit Committee meeting where an investment option to consider investing NCSD monies in U.S. Government Treasury Bills and opening a new checking account with Five Star Bank was discussed.*

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

*Director Gaddis requested staff to ask our current auditors, Rogers, Anderson, Malody, and Scott, LLP:*

Nipomo Community Services District  
DRAFT REGULAR MEETING  
MINUTES

*Are any of the Community Services District Agencies they audit investing in U.S. Government Treasury Bills?*

*For those not investing in U.S. Treasury Bills, why not?*

*If some other Community Services Districts are investing in U.S. Government Treasury Bills, please find out who they are?*

*Director Gaddis requested to talk about the water adjudication in closed session.*

I. CLOSED SESSION ANNOUNCEMENTS

*Craig Steele, District Legal Counsel, announced that there would be no closed session.*

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

*Pam Wilson, NCSD Resident, asked when the deadline for applications for the General Manger position.*

*Mario Iglesias, General Manager, responded that it was on the schedule in item E-1 attachment C as March 20, 2023.*

ADJOURN MEETING

*President Malvarose adjourned the meeting at 10:35 a.m.*

| MEETING SUMMARY | HOURS & MINUTES   |
|-----------------|-------------------|
| Regular Meeting | 1 hour 35 minutes |
| Closed Session  | 0 hour 00 minutes |
| TOTAL HOURS     | 1 hour 35 minutes |

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS  
GENERAL MANAGER



DATE: MARCH 3, 2023

**AGENDA ITEM  
D-3**

**MARCH 8, 2023**

**ADOPT RESOLUTION TO REPEAL RESOLUTION NO. 2020-1550  
THAT GRANTED THE NIPOMO COMMUNITY SERVICES DISTRICT'S  
GENERAL MANAGER ADDED AUTHORITY IN RESPONSE TO THE LOCAL  
STATE OF EMERGENCY ARISING OUT OF THE COVID-19 PANDEMIC**

**ITEM**

Consider adopting a Resolution to repeal Resolution 2020-1550 declaring an emergency and temporarily authorizing the increased authority of the General Manager. [RECOMMEND ADOPT RESOLUTION].

**BACKGROUND**

In March 2020, the State of California ("State") and the County of San Luis Obispo ("County") adopted a number of executive orders declaring a public health emergency and imposing restrictions on the general population to help control the spread of the COVID-19 virus. In response, the Nipomo Community Services District ("District") adopted Resolution number 2020-1550 providing the General Manager with increased spending limits and other authority to allow for a more expeditious and effective response to various situations related to the COVID-19 pandemic. Additionally, the District put itself in position to be eligible for cost recovery from Federal and State governments on matters and acquisitions related to the COVID-19 pandemic.

In Resolution 2020-1550, a termination date was defined as it was anticipated that, at some point in the future, the state of emergency declared by the State and County would be lifted. Once lifted, it was made clear in Resolution 2020-1550 that the District's Board of Directors would need to take action through the passing of a resolution to repeal Resolution 2020-1550.

At the County's February 25, 2022 Board Meeting, the Board of Supervisors ended the emergency with an Order to Terminate both the Local Emergency for the County of San Luis Obispo [Attachment B] and the Declaration of Local Health Emergency in San Luis Obispo County [Attachment C]. On February 28, 2023, the State's Governor signed a proclamation terminating the state of emergency [Attachment D] in the State of California. Therefore, the prerequisites for repealing the District's emergency resolution have been met.

**FISCAL IMPACT**

No fiscal impacts.

**STRATEGIC PLAN**

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

**RECOMMENDATION**

Staff recommends that the Board of Directors adopt the resolution repealing Resolution 2020-1550 that addressed a public health emergency and temporarily authorizing the increased authority of the General Manager.

**ATTACHMENTS**

- A. Resolution 2023-XXXX, Repeal Resolution 2020-1550
- B. County Termination Proclamation
- C. Local Health Emergency Termination Proclamation
- D. State of California – Governors Termination Proclamation

MARCH 8, 2023

ITEM D-3

ATTACHMENT A

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

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT TERMINATING THE LOCAL  
STATE OF EMERGENCY ARISING OUT OF THE COVID-19 PANDEMIC  
AND REPEALING RESOLUTION NO. 2020-1550**

**WHEREAS**, on March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California as a result of the threat of Novel Coronavirus 2019 (“COVID-19”); and

**WHEREAS**, on March 12, 2020, the Governor issued Executive Order N-25-20 in further response to the spread of COVID-19, mandating compliance with state and local public health officials as pertains to measures to control the spread of COVID-19; and

**WHEREAS**, on March 13, 2020, the San Luis Obispo County Health Officer declared a public health emergency and the County Emergency Services Director also proclaimed a local emergency due to COVID-19; and

**WHEREAS**, on March 24, 2020 the Board of Directors of the Nipomo Community Services District adopted Resolution 2020-1550, declaring a local emergency related to COVID-19, authorizing specified emergency authority for the General Manager; and

**WHEREAS**, Section 7 of Resolution 2020-1550 provides that the Board shall take action to terminate the local emergency and additional authority granted to the Executive Director “following the latest of all of the following occurrences: 1) a declaration by the Governor that the State of Emergency has ended; 2) the County Health Officer’s declaration that the Public Health Emergency has ended, and 3) the County Emergency Services Director declaration that the Local Emergency has ended;” and

**WHEREAS**, all of the items listed in Section 7 of Resolution 2020-1550 have now occurred, with Governor’s declaration of a State of Emergency having expired on February 28, 2023 and both San Luis Obispo County emergency declarations having been repealed on February 25th, 2022.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the Board of Directors of the Nipomo Community Services District, as follows:

1. The Board of Directors declares that the local State of Emergency in the Nipomo Community Services District as a result of the threat of Novel Coronavirus 2019 (“COVID-19”) is terminated.
2. Resolution 2020-1550 is repealed, and the additional authority vested in the General Manager by said resolution is terminated.



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

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT TERMINATING THE LOCAL  
STATE OF EMERGENCY ARISING OUT OF THE COVID-19 PANDEMIC  
AND REPEALING RESOLUTION NO. 2020-1550**

Upon motion of Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on the following roll call vote, to wit:

**AYES:  
NOES:  
ABSENT:  
ABSTAIN:**

the foregoing resolution is hereby passed and adopted this 8<sup>th</sup> day of March, 2023.

\_\_\_\_\_  
RICHARD MALVAROSE  
Board President  
Nipomo Community Services  
District

ATTEST:

APPROVED:

\_\_\_\_\_  
MARIO IGLESIAS  
General Manager and Secretary to the Board

\_\_\_\_\_  
CRAIG A. STEELE  
District Legal Counsel

**MARCH 8, 2023**

**ITEM D-3**

**ATTACHMENT B**

**ORDER TO TERMINATE DECLARATION OF LOCAL HEALTH  
EMERGENCY  
COUNTY OF SAN LUIS OBISPO**

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to the presence of and threat of corona virus (COVID-19); and

WHEREAS, on March 13, 2020, the County Health Officer of San Luis Obispo County declared a local health emergency pursuant to Health and Safety Code, Section 101080, because of the worldwide COVID-19 pandemic; and

WHEREAS, on March 17, 2020, the Board of Supervisors for the County of San Luis Obispo ratified the County Health Officers of Declaration of Local Health Emergency and delegated authority to terminate the local health emergency at the earliest possible date that conditions warrant such termination; and

WHEREAS, COVID-19 conditions continue to improve across the State of California as cases and rate of community transmission have steadily declined since early February; and

WHEREAS, the emergency powers necessary to respond to COVID-19, such as utilization of Disaster Service Workers, expedited contracting, and marshalling of supplies and services are no longer necessary to address COVID-19; and

WHEREAS, should COVID-19 conditions change such that cases and rate of community transmission increase, and hospitalizations rise to a level that there is a significant danger to the for the health and safety of the community and the ability to provide adequate healthcare,

this Order will be reinstated and thereafter reviewed and ratified by the Board of Supervisors.

NOW THEREFORE, under the authority of California Health and Safety Code section 101080 the Health Officer hereby orders:

1. That the Declaration of Local Health Emergency dated March 13, 2020, is hereby terminated.

2. Nothing in this order is intended to affect, modify or alter any orders or guidance issued by the Governor of the State of California or the State Public Health Officer relating to COVID-19.

3. Copies of this order shall promptly be: (1) posted on all outside public access doors of the new County Government Center for a period of 30 days; (2) made available at the Health Agency Division of Public Health located at 2191 Johnson Ave., San Luis Obispo, CA 93401 for a period of 30 days; (3) provided to any member of the public requesting a copy of this order.

IT IS SO ORDERED:



PENNY BORENSTEIN, M.D.  
County Health Officer

Date: 2/25/2022  
Time: 09:40

MARCH 8, 2023

ITEM D-3

ATTACHMENT C

**ORDER TO TERMINATE PROCLAMATION OF  
LOCAL EMERGENCY  
COUNTY OF SAN LUIS OBISPO**

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a state of emergency due to the presence of and threat of corona virus (COVID-19); and

WHEREAS, on March 13, 2020, the Emergency Services Director of San Luis Obispo County proclaimed a local emergency pursuant to Emergency Services Act (Government Code, Sections 8558, subdivision (c) and 8630) and San Luis Obispo County Code Chapter 2.80 because of the worldwide COVID-19 pandemic; and

WHEREAS, on March 17, 2020, the Board of Supervisors for the County of San Luis Obispo ratified the Emergency Services Director's Proclamation of Local Emergency and delegated authority to terminate the local emergency at the earliest possible date that conditions warrant such termination; and

WHEREAS, the emergency powers necessary to respond to COVID-19, such as utilization of Disaster Service Workers, expedited contracting, and marshalling of supplies and services are no longer necessary to address COVID-19; and

WHEREAS, should COVID-19 conditions change such that cases and rate of community transmissions increase and hospitalizations rise to a level that there is a significant danger to the health and safety of the community and the ability to provide adequate healthcare, this Order will be reinstated and thereafter reviewed and ratified by the Board of Supervisors.

NOW THEREFORE, under the authority of California Emergency Services Act (Government Code, Section 8550 et seq.) and San Luis

Obispo County Code Chapter 2.80, the Emergency Services Director of the County of San Luis Obispo orders:

1. That the Proclamation of Local Emergency dated March 17, 2020, is hereby terminated.

2. Nothing in this order is intended to affect, modify or alter any orders or guidance issued by the Governor of the State of California or the State Public Health Officer relating to COVID-19.

3. A copy of this Order shall be: (1) posted on all outside public access doors of the new County Government Center for a period of 30 days; (2) posted in one public place within any area of the County of San Luis Obispo for a period of 30 days; (3) provide copies to any member of the public and/or media requesting a copy.

IT IS SO ORDERED:



Wade Horton  
Emergency Services Director  
County of San Luis Obispo

Date: 25 FEB 2022

Time: 0940

MARCH 8, 2023

ITEM D-3

ATTACHMENT D



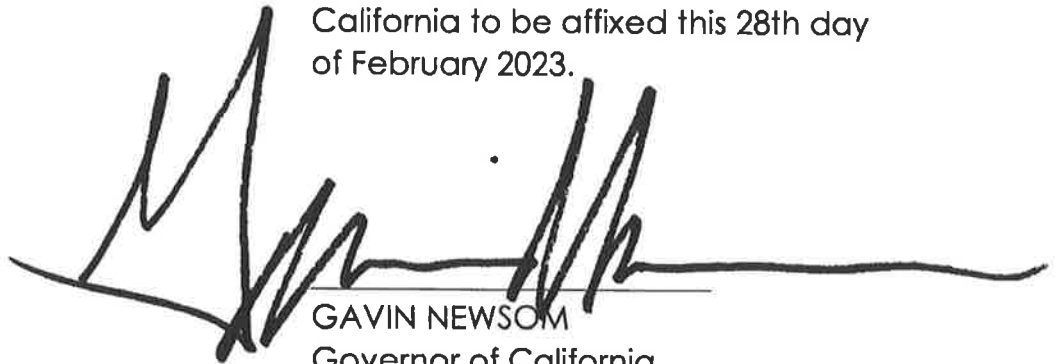
**A PROCLAMATION  
BY THE GOVERNOR OF THE STATE OF CALIFORNIA  
TERMINATING STATE OF EMERGENCY**

I, **GAVIN NEWSOM**, Governor of the State of California, having found pursuant to Government Code section 8629 that the conditions of extreme peril to the safety of persons and property declared in the State of Emergency proclamation listed below no longer exist, therefore proclaim that the State of Emergency proclaimed on the following date and in the following jurisdiction no longer exists, effective at 11:59 p.m. on February 28, 2023. Accordingly, any Executive Orders related to the terminated State of Emergency will also no longer be in effect as of 11:59 p.m. on February 28, 2023.

| PROCLAMATION |                 |              |
|--------------|-----------------|--------------|
| Emergency    | Date Proclaimed | Jurisdiction |
| COVID-19     | March 4, 2020   | Statewide    |

**I FURTHER DIRECT** that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of February 2023.



GAVIN NEWSOM  
Governor of California

**ATTEST:**

\_\_\_\_\_  
SHIRLEY WEBER, PH.D.