

TO: BOARD OF DIRECTORS
FROM: RAY DIENZO, P.E. R.D.
GENERAL MANAGER
DATE: MAY 2, 2024



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 Consent 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 APRIL 29, 2024 SPECIAL BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) AUTHORIZE CONTRACT WITH SWCA ENVIRONMENTAL CONSULTANTS FOR ENVIRONMENTAL COMPLIANCE SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT [RECOMMEND AUTHORIZE STAFF TO EXECUTE A CONTRACT IN THE AMOUNT OF \$184,908 WITH SWCA ENVIRONMENTAL CONSULTANTS FOR ENVIRONMENTAL COMPLIANCE SERVICES FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT]
- D-4) AUTHORIZE PURCHASE OF CONTROLS PANELS FOR SUPPLEMENTAL WATER PROJECT INTERCONNECTS [RECOMMEND ADOPT RESOLUTION APPROVING PURCHASE]
- D-5) INVESTMENT POLICY- QUARTERLY REPORT [RECOMMEND ACCEPT AND FILE REPORT]
- D-6) ADOPT RESOLUTION ENDING THE APPOINTMENT OF MARIO E. IGLESIAS TO AN INTERIM ROLE, EFFECTIVE APRIL 29, 2024 [RECOMMEND APPROVE RESOLUTION]

TO: BOARD OF DIRECTORS
REVIEWED: RAY DIENZO, P.E. *R.D.*
GENERAL MANAGER
FROM: JANA ETTEDDGUE *JW*
FINANCE DIRECTOR
DATE: MAY 3, 2024

AGENDA ITEM
D-1
MAY 8, 2024

WARRANTS

COMPUTER CHECKS GENERATED – SEE ATTACHED	\$69,329.90
HAND WRITTEN CHECKS	NONE
VOIDED CHECKS	NONE

Item D-1

Warrants MAY 8, 2024

Nipomo Community Services District

By Payment Number

Payment Dates 05/08/2024 - 05/08/2024

Vendor Name	Description (Payable)	Payable Number	Payment	Amount
Payment: 12303				
Alexander's Contract Services,	Meter reading	202404260012	05/08/2024	4,388.32
Payment 12303 Total:				4,388.32
Payment: 12304				
Allweather Landscape	LMD	51034	05/08/2024	325.00
Payment 12304 Total:				325.00
Payment: 12305				
American Industrial Supply	Ball valves, couplings	0394584-IN	05/08/2024	440.40
Payment 12305 Total:				440.40
Payment: 12306				
Ayala, Sandro	Travel reimbursement - CRWA	APR2024B	05/08/2024	260.00
Ayala, Sandro	Per diem for CADC Summit	SEPT2023A	05/08/2024	50.00
Payment 12306 Total:				310.00
Payment: 12307				
Beasley, Caroline	Per diem - Notary class	AUG2023A	05/08/2024	15.00
Payment 12307 Total:				15.00
Payment: 12308				
Brenntag Pacific, Inc.	Sodium hypochlorite	BPI425177	05/08/2024	1,066.95
Payment 12308 Total:				1,066.95
Payment: 12309				
Brewer, Reed	Travel reimbursement - Class B	APR2024A	05/08/2024	952.79
Payment 12309 Total:				952.79
Payment: 12310				
Cahua, Luisa	Per diem - Notary training and CADC AUG/SEPT2023		05/08/2024	65.00
Payment 12310 Total:				65.00
Payment: 12311				
Calleja, Derek	CWEA membership and CSM-3	APR2024	05/08/2024	329.00
Payment 12311 Total:				329.00
Payment: 12312				
CivicPlus LLC	Office supplies	300163	05/08/2024	3,425.97
Payment 12312 Total:				3,425.97
Payment: 12313				
Clever Ducks	Computer expense	36057	05/08/2024	4,999.72
Payment 12313 Total:				4,999.72
Payment: 12314				
Etteddgue, Jana	Travel reimbursement - CSDA SLO	APR2024B	05/08/2024	32.16
Etteddgue, Jana	Per diem - CSMFO conference	FEB2024B	05/08/2024	30.00
Payment 12314 Total:				62.16
Payment: 12315				
Famcon Pipe and Supply Inc.	PVC cutter, saw blades	S100126323.001	05/08/2024	591.60
Famcon Pipe and Supply Inc.	(24) - 1" service line couplings	S100123943.002	05/08/2024	1,174.50
Payment 12315 Total:				1,766.10
Payment: 12316				
Farm Supply Company	Copper sulfate fine	96792	05/08/2024	2,356.29
Payment 12316 Total:				2,356.29
Payment: 12317				
FGL Environmental	Lab tests	481047A	05/08/2024	885.00
Payment 12317 Total:				885.00

Item D-1 Warrants MAY 8, 2024

Payment Dates: 05/08/2024 - 05/08/2024

Vendor Name	Description (Payable)	Payable Number	Payment	Amount
Payment: 12318				
Flo-Systems, Inc.	(8) - 6" I-ring seals	F19388-24X005-7	05/08/2024	2,434.45
Payment 12318 Total:				2,434.45
Payment: 12319				
GLM Landscape Management	Landscape maintenance	CI-3516	05/08/2024	935.00
Payment 12319 Total:				935.00
Payment: 12320				
Great Western Alarm and	Alarm monitoring service	240402107101	05/08/2024	80.00
Great Western Alarm and	Alarm monitoring service	240402062101	05/08/2024	80.00
Payment 12320 Total:				160.00
Payment: 12321				
Iglesias, Mario	Travel reimbursement - SLO County	APR2024	05/08/2024	89.50
Payment 12321 Total:				89.50
Payment: 12322				
Maycotte, Jaime	Per diem - D1 and T1 testing	APR2024	05/08/2024	75.00
Payment 12322 Total:				75.00
Payment: 12323				
Miner's Ace Hardware	Supplies	APR2024	05/08/2024	1,104.50
Payment 12323 Total:				1,104.50
Payment: 12324				
Mission Uniform Service	Uniforms	521494563	05/08/2024	220.00
Payment 12324 Total:				220.00
Payment: 12325				
Newton Geo-Hydrology	Litigation support to 04-30-24	APR2024	05/08/2024	5,087.46
Payment 12325 Total:				5,087.46
Payment: 12326				
Nipomo Community Services	Water	APR2024	05/08/2024	1,793.25
Payment 12326 Total:				1,793.25
Payment: 12327				
Office Depot	Office supplies	364253032001	05/08/2024	462.75
Payment 12327 Total:				462.75
Payment: 12328				
Olivas, Silas	D3 review course	APR2024	05/08/2024	275.00
Olivas, Silas	Per diem - D2 exam	MAY2023B	05/08/2024	25.00
Payment 12328 Total:				300.00
Payment: 12329				
O'Reilly Automotive Inc.	2-cycle oil, BlueDEF, brake cleaner	MAR/APR2024	05/08/2024	845.38
Payment 12329 Total:				845.38
Payment: 12330				
Perry's Electric Motors &	2HP Baldor motor	27490	05/08/2024	1,384.09
Payment 12330 Total:				1,384.09
Payment: 12331				
R. Baker, Inc.	Labor and materials – Dana Well	705	05/08/2024	7,500.00
Payment 12331 Total:				7,500.00
Payment: 12332				
ReadyRefresh by Nestle	Distilled water	04D0900023136	05/08/2024	85.97
Payment 12332 Total:				85.97
Payment: 12333				
Riley, Thomas	Per diem - D1 and T1 tests	DEC2023B	05/08/2024	50.00
Payment 12333 Total:				50.00
Payment: 12334				
South County Sanitary Services,	Solid Waste Tax Liens	MAY2024	05/08/2024	1,474.09
Payment 12334 Total:				1,474.09

Item D-1, Warrants MAY 8, 2024

Payment Dates: 05/08/2024 - 05/08/2024

Vendor Name	Description (Payable)	Payable Number	Payment	Amount
Payment: 12335				
Tuckfield & Associates	Rate consultant	0736	05/08/2024	12,285.00
Payment 12335 Total:				12,285.00
Payment: 12336				
US Bank National Association	Storage unit	APR2024D	05/08/2024	257.00
US Bank National Association	Operating supplies	APR2024I	05/08/2024	860.15
US Bank National Association	Software subscriptions and website	APR2024C	05/08/2024	251.87
US Bank National Association	Training seminars and materials	APR2024H	05/08/2024	2,209.50
US Bank National Association	Safety meeting and materials	APR2024F	05/08/2024	607.52
US Bank National Association	Travel and meals	APR2024B	05/08/2024	118.44
US Bank National Association	Board meeting supplies	APR2024A	05/08/2024	35.75
US Bank National Association	Postage	APR2024E	05/08/2024	138.35
US Bank National Association	Office supplies	APR2024J	05/08/2024	275.15
US Bank National Association	CSDA chapter meeting	APR2024G	05/08/2024	60.00
Payment 12336 Total:				4,813.73
Payment: 12337				
USA Bluebook	Chlorine reagents for chlorine	INV00344123	05/08/2024	4,421.62
USA Bluebook	Stenner pump and tubing	INV00339964	05/08/2024	1,650.53
Payment 12337 Total:				6,072.15
Payment: 12338				
Waste Connections	Waste collection - Office	8506324U120	05/08/2024	67.77
Waste Connections	Waste collection - Southland	8507424U120	05/08/2024	317.71
Waste Connections	Waste collection - Old Town	8507118U120	05/08/2024	359.40
Payment 12338 Total:				744.88
Payment: 12339				
White, Christian	Per diem - WW Grade 3 exam	FEB2024D	05/08/2024	25.00
Payment 12339 Total:				25.00

TO: BOARD OF DIRECTORS
FROM: RAY DIENZO, P.E. R.D.
GENERAL MANAGER
DATE: MAY 2, 2024



**APPROVE APRIL 29, 2024
SPECIAL BOARD MEETING MINUTES**

ITEM

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

BACKGROUND

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

RECOMMENDATION

Approve Minutes

ATTACHMENT

- A. April 29, 2024 draft Special Board Meeting Minutes

MAY 8, 2024

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

DRAFT SPECIAL MEETING MINUTES

APRIL 29, 2024 AT 10:00 A.M.

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

BOARD of DIRECTOR PH, FH, RM, DAGS

ED EBY, **PRESIDENT**
DAN ALLEN GADDIS, **VICE PRESIDENT**
GARY HANSEN, **DIRECTOR**
PHIL HENRY, **DIRECTOR**

PRINCIPAL STAFF

RAY DIENZO, **GENERAL MANAGER**
JANA ETTEDDGUE, **FINANCE DIR/ASSIST GM**
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 Special Meeting of April 29, 2024, to order at 10:00 a.m. and led the flag salute.

B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS ON THE AGENDA

At Roll Call, all Directors were present. President Eby stated that public comment for item E-1 would be taken with that item.

There were no public comments for other items on the Agenda.

C. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE APRIL 10, 2024 REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE MINUTES]

Jana Eteddgue, Finance Director, answered questions from the Board regarding Item D-1.

Upon the motion of Director Hansen and seconded, the Board approved the Consent Agenda. Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Hansen, Henry, Gaddis, and Eby	None	None

SUBJECT TO BOARD APPROVAL

E. ADMINISTRATIVE ITEMS

- E-1) APPOINTMENT OF DIRECTOR TO FILL VACANCY ON THE BOARD FOR THE REMAINDER OF DIRECTOR MALVAROSE'S TERM [RECOMMEND APPOINTING A QUALIFIED INDIVIDUAL AT THE PLEASURE OF THE BOARD TO FILL VACANCY, ADMINISTER THE OATH OF OFFICE, AND SEAT THE NEW DIRECTOR]

Ray Dienzo, General Manager, presented the item and answered questions from the Board.

James Wejrowski, Nipomo resident, addressed the Board regarding his candidacy and answered questions.

Mario Iglesias, Nipomo resident, addressed the Board regarding his candidacy and answered questions.

Dena Paschke, Nipomo resident, addressed the Board during public comment regarding David Paschke's candidacy.

Upon the nomination of Director Eby, and seconded, the Board appointed Mario Iglesias to fill the vacancy on the District's Board of Directors.

Vote 4-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Eby, Gaddis, Henry, and Hansen</i>	<i>None</i>	<i>None</i>

Ray Dienzo, General Manager, administered the Oath of Office, and Mario Iglesias was seated as the new Director for the Board.

- E-2) REPORT FROM STAFF ON COUNTY OF SLO ACTIONS RELATING TO PROPOSED DANA RESERVE PROJECT [RECOMMEND RECEIVE AND FILE STUDY]

Ray Dienzo, General Manager, presented the item.

Craig Steele, District Legal Counsel, answered questions from the Board.

Director Eby created an ad hoc committee for the Dana Reserve with two functions:

- 1. Negotiate with San Luis Obispo County regarding the property tax revenue sharing agreement.*
- 2. Negotiate a development and annexation agreement with the Developer to ensure project-specific infrastructure improvement costs are fairly shared.*

Director Eby appointed himself as Chair for the Dana Reserve Ad Hoc committee, with Director Iglesias also serving on the committee.

Director Henry asked about the tax-sharing agreements.

Craig Steele, District Legal Counsel, answered questions regarding the history of the District's tax-sharing agreements with the County and the Board's current policy on such agreements.

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT SPECIAL MEETING
MINUTES

There were no public comments.

The Board received and filed the report with minor corrections.

E-3) CONSIDER BOARD COMMITTEE ASSIGNMENTS [RECOMMEND APPROVE COMMITTEE ASSIGNMENTS]

Ray Dienzo, General Manager, presented the item.

President Eby appointed Director Hansen as the Chair for the Administration Committee, with Director Iglesias as a member, with all other committee assignments to remain the same.

Upon the motion of Director Eby, and seconded, the Board approved the updated 2024 Board Committee assignments.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Eby, Henry, Iglesias, Hansen, and Gaddis</i>	<i>None</i>	<i>None</i>

ADJOURN MEETING

President Eby adjourned the meeting at 10:43 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hours 43 minutes
Closed Session	0 hours 0 minutes
TOTAL HOURS	0 hours 43 minutes

Respectfully submitted,

Ray Dienzo, General Manager and Secretary to the Board Date

TO: BOARD OF DIRECTORS
REVIEWED: RAY DIENZO, P.E. R.D.
GENERAL MANAGER
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: MAY 2, 2024

AGENDA ITEM
D-3
MAY 8, 2024

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

ITEM

Authorize contract for Environmental Compliance Services with SWCA Environmental Consultants in the amount of \$184,908 for Blacklake Sewer System Consolidation Project [RECOMMEND AUTHORIZE STAFF TO EXECUTE A CONTRACT IN THE AMOUNT OF \$184,908 WITH SWCA ENVIRONMENTAL CONSULTANTS FOR ENVIRONMENTAL 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 ("Blacklake WRF").

During the California Environmental Quality Act ("CEQA") evaluation of the Project, SWCA, the District's environmental consultant, discovered that there was 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 recommended 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 was initially expected to delay construction completion of the overall Project for 12 to 16 months. The US Fish and Wildlife Service issued the Section 10 ITP in April 2024.

In order to mitigate some of the delay in constructing the Project, staff split the Project into two construction projects – force main and lift station. Construction of the force main was completed in 2023.

The lift station portion of the Project work involves, but is not limited to, the construction of Blacklake Lift Station, approximately 700 feet of gravity sewer, approximately 400 feet of force

main, various site improvements, associated appurtenances, and decommissioning of the Blacklake WRF. The Project also includes construction of a replacement lift station for the existing Woodgreen Lift Station, which has reached the end of its life.

Construction of the lift station portion of the Project can now begin since the Section 10 ITP has been issued. The Section 10 ITP requires the District to implement the Blacklake Habitat Conservation Plan that is part of the permit as well as other conditions identified in the Initial Study/Mitigated Negative Declaration CEQA document.

SWCA prepared the Initial Study/Mitigated Negative Declaration CEQA document for the Project as well as the Blacklake Habitat Conservation Plan. SWCA also assisted the District in securing the Section 10 ITP. Staff requested that SWCA provide a proposal to assist the District in complying with the environmental conditions for construction of the lift station and decommissioning of the Blacklake WRF. Attached is SWCA's proposed scope of work and budget for environmental compliance services.

FISCAL IMPACT

The Blacklake Sewer System Consolidation Project budget is \$10,300,000. The Woodgreen Lift Station Replacement Project budget is \$1.25 million.

Funding is provided from Nipomo Community Services District Assessment District No. 2020-1 (Blacklake Sewer System Consolidation) bond proceeds.

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.

RECOMMENDATION

Staff recommends that the Board authorize staff to execute a contract in the amount of \$184,908 with SWCA Environmental Consultants for environmental compliance services for the Blacklake Sewer System Consolidation Project.

ATTACHMENTS

A. SWCA Project Scope and Budget

MAY 8, 2024

ITEM D-3

ATTACHMENT A



Sound Science. Creative Solutions.®

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San Luis Obispo, California 93401
Tel 805.543.7095 Fax 805.543.2367
www.swca.com

2/36

April 30, 2024

Peter Sevcik, Director of Engineering and Operations
Nipomo Community Services District
P.O. Box 326
Nipomo, California 93444-0326
submitted via email: psevck@ncsd.ca.gov

Re: Proposal to Provide Environmental Services to Implement the Blacklake Habitat Conservation Plan / P89481

Dear Mr. Sevcik:

SWCA Environmental Consultants (SWCA) appreciates the opportunity to provide you with our scope of work and cost estimate for environmental services to implement the measures in the Habitat Conservation Plan (HCP) for the Blacklake Sewer System Consolidation Project in Nipomo, California. It is our understanding that this project will require the following: 1) preparation of a Mitigation Monitoring and Reporting Program (MMRP), Relocation Plan, Worker Environmental Awareness Program (WEAP) and preconstruction coordination with the U.S. Fish and Wildlife Service (USFWS); 2) Preconstruction Surveys; 3) Biological construction monitoring and monthly compliance monitoring reports; 4) Annual Report preparation and submission per the terms of the Nipomo Community Services District's (NCSD's) permit; and 4) a Final Mitigation Report.

The cost to complete these tasks, as described in the attached scope of work, is a time-and-materials budget not-to-exceed without client approval a total of **\$184,907.25**. The cost estimate is valid for ninety (90) days from the date of the proposal, after which time we reserve the right to create a new cost estimate.

Thank you for providing us with the opportunity to work with you. We are prepared to start work upon notice to proceed. Please contact me at (805) 399-9886 or Emily Creel at (805) 539-2870 if you have any questions regarding this proposal.

Sincerely,

Rebecca Doubledee
Senior Biologist

SCOPE OF WORK

Nipomo Community Services District (NCSD) is decommissioning and demolishing the existing Blacklake Wastewater Reclamation Facility (WRF) and building a new 160-gallon-per-minute (gpm) lift station and associated facilities in the same location, which is located in the community of Nipomo, San Luis Obispo County, California. SWCA has assisted NCSD with obtaining the environmental permits necessary for construction of the Project. This includes an Initial Study/Mitigated Negative Declaration (IS/MND) as required by the California Environmental Quality Act (CEQA) and preparation of a Habitat Conservation Plan (HCP) for California red-legged frogs (CRLF) (*Rana draytonii*) for issuance of a Federal Endangered Species Act (FESA) Incidental Take Permit (ITP) pursuant to Section 10(a)(1)(B) of FESA. These environmental documents contain avoidance and mitigation measures that are required to be implemented by NCSD as conditions of their permits. This scope of work provides the environmental services necessary to comply with the terms of these permits as they pertain to the area of the Blacklake WRF north of Willow Road.

This scope is broken down into four phases. The first being project management and coordination to cover the costs of SWCA staff to coordinate with NCSD and their contractor to determine needs and scheduling. Phase 2 covers preconstruction tasks, including preparation of a Mitigation, Monitoring and Reporting Program (MMRP), Relocation Plan, coordination with the U.S. Fish and Wildlife Service (USFWS) and preconstruction surveys. Phase 3 covers tasks required during construction, such as biological monitoring and submission of monthly compliance reports. Phase 4 covers the annual and final reporting requirement for the Federal ITP, assuming the project will be completed by the end of 2025.

PHASE 1. PROJECT MANAGEMENT AND COORDINATION

TASK 1.1 PROJECT MANAGEMENT AND COORDINATION

SWCA will coordinate with NCSD and the contractor to accomplish all required preconstruction surveys, monitoring and reporting tasks as specified in the Blacklake environmental documents and permits. This task also includes time to review the proposed schedule and documents provided by the contractor and ongoing communication and coordination with the USFWS as needed if listed species are observed in the project area and requests for potentially reducing future monitoring requirements based on the results of previous survey efforts. Project invoicing, meetings with NCSD and their contractors, scheduling, and other project coordination tasks may be billed under Phase 1.

Cost to complete Phase 1: \$17,851.96

PHASE 2. PRECONSTRUCTION TASKS

This phase covers preconstruction tasks as required by the permits, including coordination with USFWS to get approval of the MMRP and Relocation Plan.

TASK 2.1 PREPARATION OF THE MITIGATION MONITORING AND REPORTING PROGRAM AND RELOCATION PLAN.

SWCA will develop a MMRP, as required by Measure 15 in the HCP, to ensure that the impact minimization and mitigation measures required are properly implemented. The MMRP with notes showing the current implementation status of each mitigation measure will be used in the monthly compliance reports, the annual status report, and the final mitigation report submitted to USFWS.

SWCA will prepare a Covered Species Relocation Plan, per the requirements of Measure 18, and submit it to the USFWS for approval prior to the beginning of Covered Activities. The Relocation Plan will include capture, handling, and relocation methods of CRLF and identify appropriate relocation areas.

TASK 2.2. WORKER ENVIRONMENTAL AWARENESS PROGRAM TRAINING AND COORDINATION WITH THE USFWS

SWCA will develop and deliver a Worker Environmental Awareness Program (WEAP) training for all construction workers and their contractors to minimize potential impacts to sensitive species and their habitat. Training will occur prior to initial construction activities and be repeated as needed for new workers for the duration of the project. The training program will include a description of: (1) important biological resources within the project site that have potential to occur within or adjacent to work areas; (2) the applicable Avoidance and Minimization Measures; (3) the roles and responsibilities of personnel; and (4) communication protocols if Covered Species or special-status species are detected. SWCA will also prepare a construction monitoring notebook. The construction monitoring notebook will be left on-site throughout the construction period and shall include a copy of the federal ITP with attachments and a list of signatures of all personnel who have successfully completed the education program. SWCA will also provide WEAP material to comply with cultural resources measure CR-1 and geology and soils measure GS-1 for cultural and paleontological resources as specified in the IS/MND.

This task also includes coordinating with the USFWS prior to the start of construction to get biologists approved under NCSA's permit as Designated Biologists and Designated Monitors to implement the measures in the HCP. This includes compiling and submitting resumes of qualified individuals to USFWS for approval at least 30 days prior to ground-disturbing activities.

TASK 2.3 PRECONSTRUCTION SURVEYS

SWCA will provide a Designated Biologist to conduct a preconstruction survey for CRLF of the treatment basins at the Blacklake WRF, no more than 48 hours before the basins are drained, and work activities begin. If any life stage of CRLF is found and these individuals are likely to be killed or injured by work activities, the Designated Biologist will be allowed sufficient time to move them from the treatment basins to a location designated in the Relocation Plan, where construction activities will not occur. SWCA will prepare and submit a report documenting the results of the preconstruction survey to the USFWS within 5 days after performing the preconstruction survey.

In addition to the preconstruction survey for CRLF, SWCA will provide a qualified biologist to conduct surveys for Northern California legless lizards, Monarch butterflies, and nesting birds per the requirements of the IS/MND. Preconstruction surveys for Northern California legless lizards shall be conducted within suitable habitat areas along the right-of-way south of Willow Road immediately prior to construction of the force main.

Cost to complete Phase 2: \$16,225.90

PHASE 3. BIOLOGICAL CONSTRUCTION MONITORING

Phase 3 covers tasks required during construction.

TASK 3.1 BIOLOGICAL CONSTRUCTION MONITORING

Immediately prior to project activities on the first scheduled day of covered activities, SWCA will provide a USFWS Approved Designated Biologist or Designated Monitor to survey the perimeter of the project site and monitor the installation of the temporary exclusion fencing around the perimeter of the facility. The Designated Biologist or Designated Monitor will provide the WEAP to all onsite workers. The Designated Biologist or Designated Monitor will remain on-site full time to monitor for CRLF and potential compliance issues while the temporary exclusion fencing is being installed. SWCA will also provide a qualified cultural resources monitor to conduct cultural and paleontological resource awareness training for all construction personnel. Up to five trainings from a cultural resources monitor for the duration of the project are included in this scope.

SWCA will provide a Designated Biologist or Designated Monitor for CRLF to monitor the installation and removal of the pumps for dewatering the treatment basins. While the pumps are running, SWCA will provide a Designated Biologist or Designated Monitor to conduct daily spot checks. The Designated Biologist or Designated Monitor will survey the basins daily for CRLF while they are being dewatered. After the installation of the temporary exclusion fencing and while no treatment basins are being dewatered, SWCA will provide a Designated Biologist or Designated Monitor to conduct weekly spot checks throughout the construction period to check for compliance with all measures of the Federal ITP, check all exclusion zones, and ensure that signs, stakes, and fencing are intact, and that Covered Activities are only occurring in the designated project area.

SWCA will prepare and submit monthly compliance reports to the USFWS per the terms of measure 21 in NCSD's Federal ITP.

SWCA will also provide a biological monitor to survey for Northern California legless lizards during the initial vegetation disturbing activities to be conducted on the south side of Willow Road for completion the force main. While initial vegetation disturbing activities and excavation is occurring, the qualified biologist will walk behind the equipment to capture Northern legless lizards that are unearthed by the equipment and relocate them or any other reptiles observed during the survey effort outside of the area of disturbance. This task assumes that initial vegetation clearing, and excavation shall not exceed five days.

This task assumes full-time construction monitoring will be required for no more than 14 days for the installation of the temporary exclusion fence, 6 days for the installation and removal of the equipment to dewater the basins, and five days for the vegetation clearance and excavation for the force main south of Willow Road. This task assumes daily spot-checks will be required for 30 days to dewater the basins (10 days for each basin). This task assumes only one site visit per week will be required after the temporary exclusion fence is installed and when the basins are not being dewatered, for a total of 53 additional site visits. This task assumes a 15-month total monitoring timeframe.

TASK 3.2 PRECONSTRUCTION SURVEYS AND BIOLOGICAL CONSTRUCTION MONITORING FOR RAIN EVENTS

Per condition 30 of the Federal ITP, SWCA will also provide a Designated Biologist or Designated Monitor to conduct a pre-activity survey before construction begins each day it rains or when a 70% or greater chance of rainfall is predicted. If precipitation begins, then SWCA will provide a Designated Biologist or Designated Monitor to monitor construction activities until either Covered Activities cease (rain exceeds 1/2 inch during a 24-hour period) or precipitation ends. SWCA assumes up to 15 additional pre-activity surveys and 8 additional days of full-time monitoring may be necessary to comply with this permit condition.

Cost to complete Phase 3: \$133,391.49

PHASE 4. ANNUAL REPORT AND FINAL MITIGATION REPORT

SWCA will prepare and submit an Annual Report to the USFWS by January 31, 2025 and a Final Mitigation Report, assuming project completion occurs prior to December 2025. The final mitigation report will be submitted to the USFWS no later than 45 days after the completion of all mitigation measures. This task covers the cost of submitting one Annual Report, one Final Mitigation Report and includes response to one round of comments from NCSD prior to submission to the USFWS.

Cost to complete Phase 4: \$17,437.90

COST ESTIMATE AND ASSUMPTIONS

Based on thoughtful consideration of the project requirements and a thorough estimate of the required labor and direct costs, SWCA proposes a time-and-materials (T&M), not-to-exceed (NTE) total of **\$184,907.25** to complete the scope of work, as presented in the Table 1.

To accommodate project changes and scheduling, it is assumed that SWCA will be able to use the overall project funding and will not be held to phase and task limits so long as the overall budget is not exceeded. This cost estimate is valid for ninety (90) days from the date of the proposal.

Table 1. Scope of Work Cost Estimate

PHASE	LABOR \$	EXPENSES \$	T&M NTE TOTAL \$
Phase 1. Project Management and Coordination	\$17,851.96	\$0	\$17,851.96
Phase 2. Preconstruction Tasks	\$ 16,147.31	\$78.59	\$16,225.90
Phase 3. Biological Construction Monitoring	\$128,152.09	\$5,239.40	\$133,391.49
Phase 4. Annual Report and Final Mitigation Report	\$17,437.90	\$0	\$17,437.90
PROJECT TOTAL	\$179,589.26	\$5,317.99	\$184,907.25

ASSUMPTIONS

For budgeting purposes, we are making the following assumptions because some of these items are beyond SWCA's control, and these factors could significantly affect project schedule and cost:

- Estimated Period of Performance is May 2024 – March 31, 2026.
- SWCA staff will bill at their standard rate of service.
- Mileage will be billed at the current IRS rate at time of service.
- NCSD and/or their contractors will provide the labor and materials for installation of all temporary fencing and signs for compliance with the measures in the Federal ITP.
- Full-time construction monitoring assumes a 10-hour workday and will be required for no more than 25 days for the installation of the temporary exclusion fence, installation and removal of the equipment to dewater the basins, and initial vegetation clearing and excavation activities for the construction of the force main south of Willow Road.
- This scope assumes the time it takes to dewater the basins will not exceed a total of 30 days (10 days for each basin) and that USFWS agrees that daily surveys of the basins will be sufficient to meet the monitoring requirements for measure 20.
- This scope assumes construction will be completed within 15 months and that only one round of preconstruction surveys will be required prior to the start of construction.
- This scope assumes a total of 53 additional site visits will be required to comply with the weekly site visit requirement in measure 20.
- This scope assumes up to 15 additional pre-activity surveys and 8 additional days of full-time monitoring may be necessary to comply with measure 30 (Precipitation) in the Federal ITP.
- All reports will be provided in electronic format; hard copies will not be necessary.
- One round of consolidated comments will be addressed for the reports.

- This scope of work is based on the measures listed in IS/MND, Federal ITP, and final HCP for the Blacklake Sewer System Consolidation Project. Implementation of Avoidance and Minimization Measures above and beyond the approved final project documents are not known and, thus, are not included in this scope of work.
- This scope only applies to measures in the IS/MND that apply to the decommissioning and demolition of the Blacklake WRF and construction of the lift station and does not apply to the measures for construction of the pipeline.

TO: BOARD OF DIRECTORS
REVIEWED: RAY DIENZO, P.E. R.D.
GENERAL MANAGER
FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: MAY 2, 2024

AGENDA ITEM
D-4
MAY 8, 2024

AUTHORIZE PURCHASE OF CONTROLS PANELS FOR SUPPLEMENTAL WATER PROJECT INTERCONNECTS

ITEM

Authorize purchase of control panels for Supplemental Water Project Interconnects from All Systems Electrical, Inc. in the amount of \$421,655 [RECOMMEND ADOPT RESOLUTION APPROVING PURCHASE].

BACKGROUND

The Nipomo Supplemental Water Project ("Project") delivers water purchased by the District from the City of Santa Maria and allows the District to reduce pumping from existing wells to reduce the potential for seawater intrusion on the Nipomo Mesa. The Project also increases the reliability of the District water supply by providing an additional source other than groundwater. The Project is consistent with the settlement agreement and the judgment related to the groundwater adjudication of the Santa Maria Groundwater Basin. Construction of the project is phased to manage the high capital cost of the project as well as track with the phased water delivery schedule.

The allocation of Nipomo Supplemental Water Project costs as well as the distribution and use of Nipomo Supplemental Water is governed by the *Nipomo Supplemental Water Project Supplemental Water Management and Groundwater Replenishment Agreement*, an agreement between the District, Golden State Water Company ("GSWC") and Woodlands Mutual Water Company ("WMWC"). At present, the District is offsetting its groundwater pumping with supplemental water. However, in July 2025, when the phased delivery increases to 2,500 acre-feet per year, the District will no longer be able to simply offset its groundwater pumping with supplemental water since the District's current total demand is in the range of 2,000 acre-feet per year. Thus, the District will need to deliver supplemental water to GSWC and WMWC starting in July 2025.

Before the District can deliver supplemental water to GSWC and WMWC, the existing GSWC interconnect at Primavera Lane and the existing WMWC interconnect at Via Concha Road need to be replaced to provide fully functional points of interconnection. In addition, a new interconnect at the end of the District's water system on Lyn Road needs to be constructed in order to provide water delivery to GSWC Cypress Ridge ("GSWC-CR"). Pipeline improvements to the District's water system in the Summit Station vicinity are also required for the GSWC-CR connection. Each interconnect will include a precast concrete vault, flow control valve, flowmeter, piping, valves, electrical and instrumentation control panel, and communication system.

The design phase of the Interconnect Project is nearing completion. The District's design consultant reached out to various equipment vendors to confirm lead times for the various components required for the Project in order to determine the contract time that should be allowed

in the bid documents for construction of the Project. The lead time for the control panels from the District's normal vendor was identified as being an estimated duration of 60 weeks. District staff reached out to other control panel vendors and obtained a quote from All Systems Electrical, Inc. in the amount for \$421,655 for three control panels that could be delivered in 26 weeks from contract execution. Staff recommends that the Board authorize the purchase of the control panels directly by the District so that the panels would be available for the Project by the end of the year. The District plans to bid the remainder of the Project in June 2024 and complete the Project by April 2025. The District will furnish the control panels, for installation, to the General Contractor that will build all of the on-site improvements.

The District Board of Directors adopted a Mitigated Negative Declaration for the Project in compliance with the California Environmental Quality Act ("CEQA") on February 12, 2020.

FISCAL IMPACT

The District's 2023/2024 Budget includes \$1,000,000 for the construction of the Supplemental Water Project Interconnects.

Interconnect costs are to be shared with GSWC and WMWC in accordance with the provisions of the *Nipomo Supplemental Water Project Supplemental Water Management and Groundwater Replenishment Agreement*.

STRATEGIC PLAN

Goal 1 – WATER SUPPLY – Actively plan to provide reliable water supply of sufficient quality and quantity to serve both current customers and those in the long-term future.

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.

RECOMMENDATION

Staff recommends that your Board adopt the attached Resolution authorizing the purchase of control panels for the Supplemental Water Project Interconnects from All Systems Electrical, Inc. in the amount of \$421,655.

ATTACHMENTS

- A. Resolution 2024-XXXX SWP Interconnect Control Panels

MAY 8, 2024

ITEM D-4

ATTACHMENT A

RESOLUTION NO. 2024-XXXX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING
PURCHASE OF CONTROL PANELS FOR THE
SUPPLEMENTAL WATER PROJECT INTERCONNECTS**

WHEREAS, at present, the District is offsetting its groundwater pumping with 1000 acre-feet per year (AFY) of supplemental water; and

WHEREAS, in July 2025, when the phased delivery increases to 2,500 acre- feet per year, the District will no longer be able to simply offset its groundwater pumping with supplemental water since the District's current total demand is in the range of 2,000 acre-feet per year; and

WHEREAS, the District will need to deliver supplemental water to Golden State Water Company (GSWC) and Woodlands Mutual Water Company (WMWC) starting in July 2025; and

WHEREAS, the District needs to construct three new underground facilities: the GSWC Nipomo Interconnection Facility located at the intersection of Orchard Avenue and Primavera Lane, the GSWC Cypress Ridge Interconnection Facility located near the intersection of Lyn Road and Red Oak Way, and the WMWC Interconnection Facility located near the intersection of Via Concha Road and north of Trail View Place in order to deliver supplemental water to GSWC and WMWC; and

WHEREAS, each interconnect will include a precast concrete vault, flow control valve, flowmeter, piping, valves, electrical and instrumentation control panel, and communication system; and

WHEREAS, MKN, the District's design consultant, has identified the control panel lead time of 60 weeks from the District's normal vendor to exceed the limits of the Project schedule; and

WHEREAS, purchase of control panels from an alternate vendor will allow for the timelier completion of the Interconnect Project and ensure that the Interconnects are fully operational by July 1, 2025; and

WHEREAS, the District's Purchasing Policy, Section 3.4(B)(2)(d), allows the use of non-competitive negotiations to purchase items where the purchase price is reasonable and public exigency or emergency will not permit delay.

NOW THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE NIPOMO COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS AS FOLLOWS:

- 1) The above recitals are true and correct and constitute findings for the purchase of control panels for the Supplemental Water Project Interconnects.
- 2) The Board of Directors does hereby approve the purchase of control panels for the Supplemental Water Project Interconnects from All Systems Electrical, Inc. in the amount of \$421,655.

RESOLUTION NO. 2024-XXXX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING PURCHASE OF
CONTROL PANELS FOR THE SUPPLEMENTAL WATER PROJECT INTERCONNECTS**

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

**AYES:
NOES:
ABSENT:
CONFLICTS:**

the foregoing resolution is hereby adopted this 8TH day of May 2024.

ATTEST:

RAY DIENZO
General Manager and
Secretary to the Board

ED EBY
President, Board of
Directors
APPROVED AS TO FORM
AND LEGAL EFFECT

CRAIG A. STEELE
District Legal Counsel

TO: BOARD OF DIRECTORS

REVIEWED: RAY DIENZO, P.E. *R.D.*
GENERAL MANAGER

FROM: JANA ETTEDDGUE *Ju*
FINANCE DIRECTOR

DATE: MAY 2, 2024

AGENDA ITEM

D-5

MAY 8, 2024

INVESTMENT POLICY – QUARTERLY REPORT

ITEM

Review Investment Policy Quarterly Report [RECOMMEND ACCEPT AND FILE REPORT]

BACKGROUND

The District's Investment Policy requires the Treasurer/Finance Officer file a quarterly report that identifies the District's investments and their compliance with the policy. The quarterly report [Attachment A] is considered by the Board of Directors and is filed with the District's auditor.

As District Treasurer/Finance Officer, I am pleased to inform the Board of Directors that the District is in compliance with the Investment Policy and that the objectives of safety, liquidity, and yield have been met. The District has the ability to meet cash flow requirements for the next six months.

STRATEGIC PLAN

Goal 4. FINANCE. Maintain conservative, long-term financial management to minimize rate impacts on customers while meeting program financial needs.

RECOMMENDATION

After Board consideration and public comment, it is recommended that your Honorable Board accept the quarterly report and direct staff to file the Report with the District Auditor.

ATTACHMENTS

- A. Quarterly Investment Report

MAY 8, 2024

ITEM D-5

ATTACHMENT A

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
INVESTMENT POLICY-QUARTERLY REPORT 3/31/2024**

UNRESTRICTED POOLED CASH ACCOUNTS							
<i>Investment</i>	<i>Institution</i>	<i>Amount of Deposit 3/31/24</i>	<i>Rate of Interest as of 3/31/24</i>	<i>Quarterly Interest Earned or Accrued 3/31/24</i>	<i>Amount of Deposit 3/31/23</i>	<i>Rate of Interest as of 3/31/23</i>	<i>Quarterly Interest Earned or Accrued 3/31/23</i>
<i>Public Checking (1)</i>	<i>Five Star Bank</i>	\$328,964.60	n/a	n/a	\$29,311.26	n/a	n/a
<i>Public Money Market</i>	<i>Five Star Bank</i>	\$197,943.52	4.12%	\$5,280.36	\$565,437.31	2.66%	\$437.31
<i>Public Money Market</i>	<i>Mechanics Bank</i>	\$328,890.55	4.39%	\$2,745.57	\$37,106.80	3.04%	\$17.25
<i>Pooled Money Investment</i>	<i>Local Agency Investment Fund (LAIF)</i>	\$13,861,338.97	4.30%	\$148,101.02	\$20,200,128.61	2.74%	\$134,599.73
<i>Pooled Money Investment</i>	<i>Multi Bank Securities</i>	\$5,652,507 See attached	5.15-5.35%	\$26,029.35	n/a	n/a	n/a
RESTRICTED CASH ACCOUNTS – DEVELOPER BOND FUNDS HELD IN TRUST							
<i>Money Mkt - Performance Bond</i>	<i>Five Star</i>	\$20,045.05	4.12%	\$199.68	\$19,430.81	2.63%	\$113.42
<i>Money Mkt - Performance Bond</i>	<i>Five Star</i>	\$17,004.75	4.12%	\$168.81	\$16,426.36	2.63%	\$95.97
<i>Money Mkt - Performance Bond</i>	<i>Five Star</i>	Closed – Deposit returned	n/a	n/a	\$28,079.69	2.63%	\$163.91
RESTRICTED CASH ACCOUNT – NIPOMO SUPPLEMENTAL WATER FUNDED REPLACEMENT HELD IN TRUST							
<i>Savings–NSWP Funded Replacement</i>	<i>Five Star</i>	\$1,886,842.13	4.12%	\$18,418.53	\$1,619,027.18	2.63%	\$9,337.33
RESTRICTED CASH ACCOUNTS – ASSESSMENT DISTRICT 2020-1 HELD IN TRUST							
<i>Public Checking - BL A/D 2020-1 (1)</i>	<i>Five Star</i>	\$251,180.33	n/a	n/a	\$302,934.66	2.63%	\$1,836.96
<i>Money Mkt - BL A/D 2020-1</i>	<i>Five Star</i>	\$2,058,207.11	4.12%	\$19,441.69	\$971,615.60	2.63%	\$5,671.49
<i>Money Mkt - BL Tax Roll Collections</i>	<i>Five Star</i>	\$243,804.93	4.12%	\$2,944.00	\$226,616.80	2.63%	\$1,632.89

(1) Analyzed Account
n/a Not applicable

Nipomo Communtiy Services District
Investments
March 31, 2024

<u>Type of Investment</u>	<u>CUSIP</u>	<u>Purchased</u>	<u>Maturity</u>	<u>Yield to Maturity</u>	<u>Par Value(1)</u>	<u>Effective Price</u>	<u>Market Value(2)</u>	<u>Cost Basis(3)</u>
6 Month Treasuries								
Treasury Bills	912797FS1	12/12/2023	6/13/2024	5.18%	\$ 2,415,000	98.942	\$ 2,389,449	\$ 2,354,254
6 Month Treasury Subtotal					\$ 2,415,000		\$ 2,389,449	\$ 2,354,254
12 Month Treasuries								
Treasury Notes	91282CCG4	6/21/2023	6/15/2024	5.15%	\$ 2,410,000	98.951	\$ 2,384,719	\$ 2,298,253
12 Month Treasury Subtotal					\$ 2,410,000		\$ 2,384,719	\$ 2,298,253
Treasuries Subtotal					\$ 4,825,000		\$ 4,774,168	\$ 4,652,507
12 Month Certificates of Deposit (CD's)								
Certificate of Deposit - CIBC Bank USA Chicago	12547CBY3	6/23/2023	6/21/2024	5.30%	\$ 200,000	99.939	\$ 199,878	\$ 200,000
Certificate of Deposit - Valley National Bank	919853JV4	6/26/2023	6/26/2024	5.35%	\$ 200,000	99.946	\$ 199,892	\$ 200,000
Certificate of Deposit - Bank of California Irvine	05961SRD8	6/29/2023	6/27/2024	5.30%	\$ 200,000	99.934	\$ 199,868	\$ 200,000
12 Month CD Subtotal					\$ 600,000		\$ 599,638	\$ 600,000
18 Month Certificates of Deposit (CD's)								
Certificate of Deposit - Alpine Bank Glenwood	02081QCN8	6/28/2023	12/30/2024	5.15%	\$ 200,000	99.962	\$ 199,924	\$ 200,000
Certificate of Deposit - Mercantile Bank Grand	587379AM0	6/30/2023	12/30/2024	5.15%	\$ 200,000	99.921	\$ 199,842	\$ 200,000
18 Month CD Subtotal					\$ 400,000		\$ 399,766	\$ 400,000
CD Subtotal					\$ 1,000,000		\$ 999,404	\$ 1,000,000
Investment Total					\$ 5,825,000		\$ 5,773,572	\$ 5,652,507

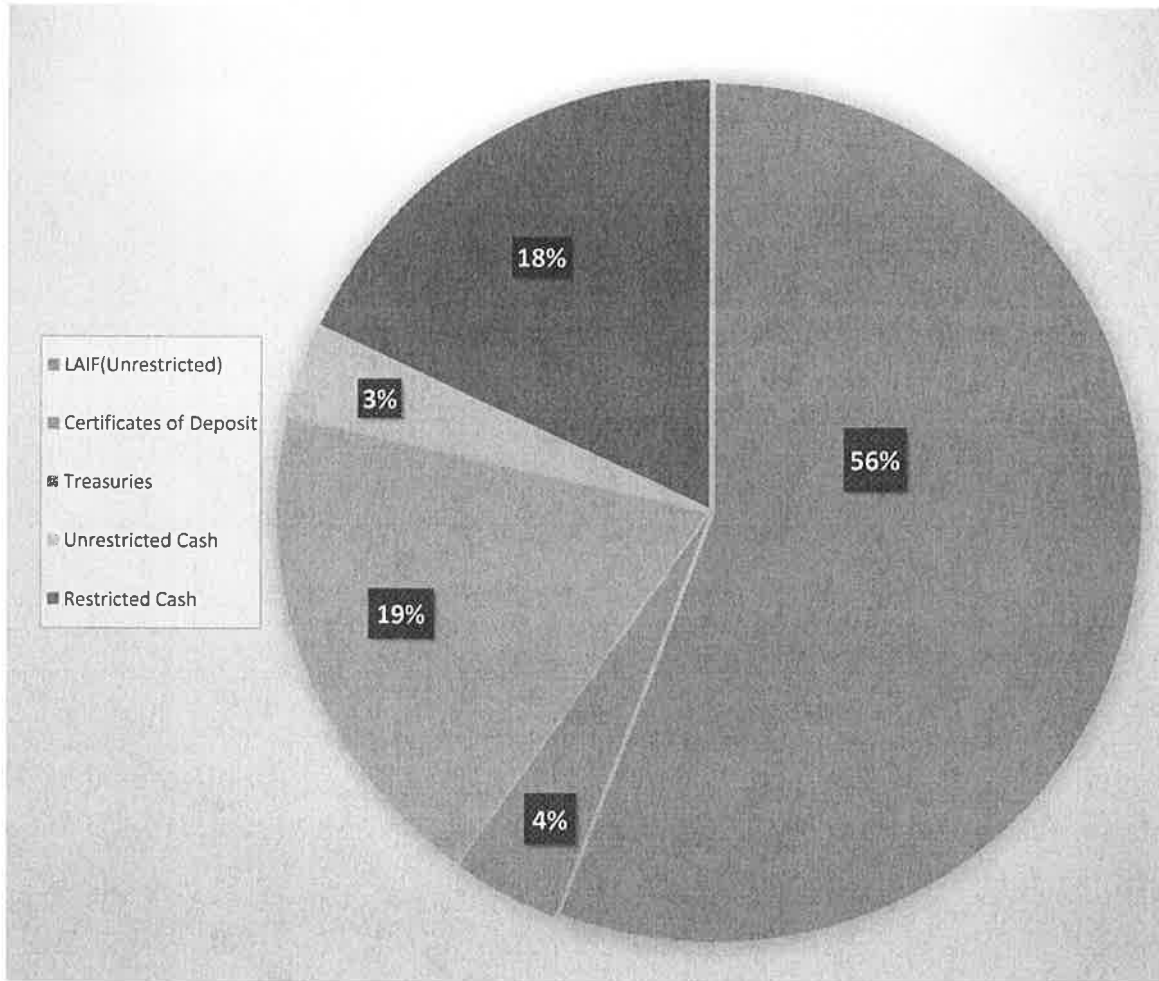
Market Value Source: eConnectDirect.com for the Certificates of Deposit and Treasuries

- (1) Par Value is the Face Value of the investment when it matures
- (2) Market Value of Certificates of Deposit is shown as of 03/31/2024
- (3) Cost Basis is the original purchase price of the investment

Notes to Mention

- Investments listed in this report comply with the California Government Codes 53600-53864 and the District's Statement of Investment Policy.
- Sufficient funds are available to meet the District's expenditure requirements for the next six months.
- All CDs are 100% FDIC insured and noncallable

**Nipomo Community Services District
Cash and Investment Allocation
March 31, 2024**



Cash and Investment Summary			
LAIF(Unrestricted)	\$	13,861,339	56%
Certificates of Deposit	\$	1,000,000	4%
Treasuries	\$	4,652,507	19%
Unrestricted Cash	\$	855,799	3%
Restricted Cash	\$	4,477,084	18%
Total	\$	24,846,729	100%

**Pursuant to Section 8.A. of the Investment Policy
Summary of Electronic Transfers (greater than \$500,000)**

<u>Transfer Date</u>	<u>Amount</u>	<u>Transfer From</u>	<u>Transfer To</u>
None			

TO: BOARD OF DIRECTORS

REVIEWED: RAY DIENZO *R.D.*
GENERAL MANAGER

FROM: CRAIG A. STEELE
GENERAL COUNSEL

DATE: May 2, 2024

AGENDA ITEM

D-6

MAY 8, 2024

ADOPT RESOLUTION ENDING THE APPOINTMENT OF MARIO E. IGLESIAS TO AN INTERIM ROLE, EFFECTIVE APRIL 29, 2024

ITEM

Adopt resolution ending the appointment of Mario E. Iglesias to an interim role, effective April 29, 2024. [RECOMMEND APPROVE RESOLUTION]

BACKGROUND

Mario Iglesias retired as General Manager of the District as of June 30, 2023. He was appointed by the Board as the interim General Manager through the end of 2023 during an active recruitment for his successor. Under these circumstances, State law permits the District to re-employ a retiree on a part-time, limited-term basis, and the Board approved that employment. The retiree can only serve once in the interim position, and cannot work more than 960 hours in a fiscal year. In early 2024, Mr. Iglesias provided a limited amount of services to assist in the transition to a new General Manager.

Mr. Iglesias was appointed as a Board Director at the April 29, 2024, Special Board Meeting to fill a vacancy that resulted from the resignation of Richard Malvarose. Due to this appointment, and because the need for interim services is at an end, the Board should end the interim employment with the District effective April 29, 2024.

FISCAL IMPACT

There will be a slight positive fiscal impact this fiscal year.

RECOMMENDATION

Staff recommends that your Honorable Board adopt the Resolution ending the interim employment of Mario Iglesias.

ATTACHMENT

- A. Resolution 2024-XXXX Ending the Appointment of Mario E. Iglesias to an Interim Role, Effective April 29, 2024

MAY 8, 2024

ITEM D-6

ATTACHMENT A

RESOLUTION 2024-XXXX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT ENDING THE
APPOINTMENT OF MARIO E. IGLESIAS TO AN INTERIM ROLE,
EFFECTIVE APRIL 29, 2024**

WHEREAS, Mario Iglesias retired from the position of General Manager of the Nipomo Community Services District ("District") as of June 30, 2023; and

WHEREAS, pursuant to Government Code Section 21221(h), this Board appointed Mr. Iglesias as interim General Manager while there was an active, publicly posted recruitment for a permanent replacement; and

WHEREAS, during the transition and orientation period for the District's new General Manager, Mr. Iglesias provided limited transitional services to assist in that process; and

WHEREAS, the Board now intends to end the interim staff relationship with Mario Iglesias, with the Board's thanks.

THEREFORE, BE IT RESOLVED THAT: the Board of Directors of the Nipomo Community Services District hereby ends the interim staff appointment of Mario E. Iglesias, effective April 29, 2024; and

BE IT FURTHER RESOLVED THAT: a copy of this resolution shall be made available to CALPERS, if requested.

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

- AYES:**
- NOES:**
- ABSENT:**
- CONFLICTS:**

the foregoing resolution is hereby adopted this 8TH day of May 2024.

ED EBY

President, Board of Directors

APPROVED AS TO FORM AND
LEGAL EFFECT

ATTEST:

RAY DIENZO
General Manager and
Secretary to the Board

CRAIG A. STEELE
District Legal Counsel