

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER

DATE: July 7, 2016

AGENDA ITEM

C

JULY 13, 2016

PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & 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: July 7, 2016

AGENDA ITEM

D

JULY 13, 2016

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 JUNE 22 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]
- D-3) ACCEPT PHASE 1 OF THE SUPPLEMENTAL WATER PROJECT [RECOMMEND ACCEPT PHASE 1 OF SUPPLEMENTAL WATER PROJECT]
- D-4) ACCEPT OFFER OF WATER AND SEWER IMPROVEMENTS FOR APN 090-111-008, ST. JOSEPH'S CHURCH, 298 SOUTH THOMPSON AVENUE, NIPOMO [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF IMPROVEMENTS]

TO: BOARD OF DIRECTOR

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER




FROM: LISA BOGNUDA
FINANCE DIRECTOR



DATE: JULY 8, 2016

AGENDA ITEM
D-1
JULY 13, 2016

WARRANTS WILL BE DISTRIBUTED ON TUESDAY, JULY 12, 2016

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS 
GENERAL MANAGER
DATE: JULY 8, 2016

AGENDA ITEM
D-2
JULY 13, 2016

**APPROVE JUNE 22, 2016
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. June 22, 2016 draft Regular Board Meeting Minutes

July 13, 2016

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

DRAFT REGULAR MINUTES

JUNE 22, 2016 AT 9:00 A.M.

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

BOARD of DIRECTORS

CRAIG ARMSTRONG, **PRESIDENT**
DAN ALLEN GADDIS, **VICE PRESIDENT**
BOB BLAIR, **DIRECTOR**
ED EBY, **DIRECTOR**
DAN WOODSON, **DIRECTOR**

PRINCIPAL STAFF

MARIO IGLESIAS, **GENERAL MANAGER**
LISA BOGNUDA, **FINANCE DIRECTOR**
MICHAEL W. SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**
JESSICA MATSON, **BOARD CLERK**

Mission Statement: The Nipomo Community Services District's mission is to provide its customers with reliable, quality, and cost-effective services now and in the future.

00:00:00 A. CALL TO ORDER AND FLAG SALUTE

President Armstrong called the Regular Meeting of June 22, 2016 to order at 9:00 a.m. and led the flag salute.

00:00:33 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Directors were present.

The following members of the public spoke:

Noel Heal, Blacklake resident, commented on the new utility bill format. Mario Iglesias, General Manager, responded.

Brad Anderson, developer of Nipomo Oaks Assisted Living, commented on the project and what is still needed from NCSD before he can proceed. Mr. Iglesias and Mike Seitz, District Legal Counsel, responded. Mr. Iglesias stated that he would follow-up with Mr. Anderson.

President Armstrong announced that the Board would go into closed session next and would resume open session at 10:00 AM.

00:13:24 I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9

- a) SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- b) HEAL VS. NCSD (SAN LUIS OBISPO COUNTY CASE NO CV 15-0539)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 9:13 a.m.

SUBJECT TO BOARD APPROVAL

- 00:13:37 L. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 10:00 a.m.

Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1(a) and 1(b), heard a report, but took no reportable action.

President Armstrong announced that the Board would return to Item C.

C. PRESENTATIONS AND REPORTS

- 00:14:04 C-1) DIRECTOR OF ENGINEERING AND OPERATIONS SUMMARY OF ACTIVITIES

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board Packet. Mr. Sevcik answered questions from the Board.

There were no public comments.

- 00:15:50 C-2) RECEIVE AMERICAN SOCIETY OF CIVIL ENGINEERS SAN LUIS OBISPO BRANCH 2016 AWARDS AND RECOGNIZE DISTRICT AND STAFF

President Armstrong presented staff with the awards and commended staff for their efforts.

Peter Sevcik, Director of Engineering and Operations, gave some background on the project and awards.

- 00:17:41 C-3) RECEIVE GOVERNMENT FINANCE OFFICERS ASSOCIATION AWARD AND RECOGNIZE DISTRICT STAFF

President Armstrong presented staff with the award and commended Lisa Bognuda, Finance Director, and staff for their efforts.

- 00:19:14 C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.

Receive Announcements and Reports from Directors

Director Eby

- ◇ *June 16, Attended the Local Area Formation Committee (LAFCO) meeting as Representative alternate where they discussed the formation of a new water district in the Shandon/San Juan aquifer area.*
- ◇ *June 17, Attended the California Special District Association (CSDA) chapter meeting.*
- ◇ *The CSDA Annual Conference this year is October 10-13, which will conflict with the October 12th Regular Board Meeting. He would like to attend the conference.*

Director Gaddis

- ◇ *June 20, Attended the Nipomo Mesa Management Area (NMMA) Technical Group meeting.*

Director Blair

- ◇ June 17, Attended the CSDA Chapter meeting where they promoted the "SLO Self-help County Initiative."

Director Woodson

- ◇ Will be attending the South County Advisory Council (SCAC) meeting on June 27th.

C-5) 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 Dan Woodson and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.
 Vote 5-0.*

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

00:23:06

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- JUNE 8, 2016 REGULAR MEETING

Directors Woodson and Gaddis requested clarification on warrants. Peter Sevcik, Director of Engineering and Operations, responded.

There were no public comments.

*Upon the motion of Director Dan Allen Gaddis and seconded, the Board unanimously approved the Consent Items.
 Vote 5-0.*

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

E. ADMINISTRATIVE ITEMS

00:25:16

E-1) CALIFORNIA SPECIAL DISTRICT ASSOCIATION 2016 BOARD ELECTION

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet.

Director Eby stated that he would like to vote for Jeff Hodge. The Board discussed the candidates.

There were no public comments.

Upon the motion of Director Ed Eby and seconded, the Board unanimously agreed to vote for Jeff Hodge on the California Special District Association 2016 Board Election ballot. Vote 5-0.

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

E-2) REVIEW NCSD WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN (WSRMP)

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet.

Mike Seitz, District Legal Counsel, commented regarding the adoption of the original Plan and the Board's ability to add or amend the Plan.

The Board discussed the Plan and commented on the District's projected 47% reduction in groundwater pumping. Mr. Iglesias answered questions from the Board.

Director Eby suggested edits to the Plan.

Mr. Seitz clarified language in the Plan.

President Armstrong opened up a discussion on the District's current Intent-to-Serve (ITS) Policy. The Board discussed.

The following members of the public spoke:

Noel Heal, Blacklake resident, requested clarification on the Nipomo Mesa Management Area (NMMA) Technical Group's groundwater data. Directors Gaddis and Armstrong responded that the Group will be publishing a public notice in the coming days.

Jim Harrison, SLO County Planning Commissioner and former NCSD Director, commented on current development, the District's conservation efforts, and the need for review of its ITS Policy.

Karen Palmer, local developer, commented on the discussion and support of a timeframe for ITS and Will-Serve letters.

President Armstrong recommended that staff place a discussion of the District's ITS Policy on the next Board meeting Agenda.

00:28:04

00:59:50

01:09:29

F. GENERAL MANAGER'S REPORT

Mario Iglesias, General Manager, reviewed the report as presented in the Board packet. Mr. Iglesias answered questions from the Board.

There were no public comments.

G. COMMITTEE REPORTS

None.

01:16:30 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Armstrong

- Asked staff how many Intent-to-Serve (ITS) Letters the District currently has for single-family residences. Peter Sevcik, Director of Engineering and Operations, responded that there are currently none.

Director Gaddis

- Requested that staff make hotel reservations this week for Directors attending the California Special District Association (CSDA) Annual Conference.

Director Eby

- Commented that the CSDA Annual Conference conflicts with the October 12th Regular Board Meeting.

Mike Seitz, District Legal Counsel, suggested including a review of the current ITS policy on a July meeting Agenda.

ADJOURN

President Armstrong adjourned the meeting at 11:06 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 19 minutes
Closed Session	47 minutes
TOTAL HOURS	2 hours 6 minutes

Respectfully submitted,

 Mario Iglesias, General Manager and Secretary to the Board

 Date

TO: BOARD OF DIRECTORS
REVIEWED: MARIO IGLESIAS
GENERAL MANAGER *MI*
FROM: PETER V. SEVCIK, P.E. *P.V.S.*
DIRECTOR OF
ENGINEERING & OPERATIONS
DATE: JULY 7, 2016

AGENDA ITEM
D-3
JULY 13, 2016

**SUPPLEMENTAL WATER PROJECT PHASE 1
BID PACKAGE 4 – JOSHUA ROAD PUMP STATION ACCEPTANCE**

ITEM

Accept Work Performed by Spiess Construction Co. Inc. for Supplemental Water Project Phase 1 Bid Package 4 – Joshua Road Pump Station and Authorize Staff to File Notice of Completion [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ACCEPT PROJECT AND DIRECT STAFF TO FILE NOTICE OF COMPLETION].

BACKGROUND

On June 20, 2013, the Board awarded a construction contract for Supplemental Water Project Phase 1 Bid Package 4 – Joshua Road Pump Station to Spiess Construction Co., Inc. Construction began in December 2013. The approved contract amount was \$4,364,030 and the Board also authorized a construction contingency of \$430,000. The Board subsequently authorized Change Orders totaling \$779,570 for the Blosser Road Flow Metering Station and Knollwood Well Chloramination Improvements. Change Orders in the total amount of \$395,030 were issued during the construction of the project from the construction contingency authorized by the Board. The final contract amount was \$5,538,630. Construction has been completed and all inspections have been completed.

FISCAL IMPACT

Construction Contract Cost Summary	
Original Contract Amount – Spiess Construction Co. Inc.	\$4,364,030
Change Orders	\$1,174,600
Revised Contract Amount	\$5,538,630

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.

RECOMMENDATION

Staff recommends that the Board, by motion and roll call vote, accept the project and authorize the General Manager to file a Notice of Completion for the project.

ATTACHMENTS

None

TO: BOARD OF DIRECTORS

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER

FROM: PETER V. SEVCIK, P.E.
DIRECTOR OF
ENGINEERING & OPERATIONS

DATE: July 7, 2016

AGENDA ITEM
D-4
JULY 13, 2016

**ACCEPT OFFER OF WATER AND SEWER IMPROVEMENTS
FOR ST. JOSEPH'S CHURCH**

ITEM

Accept offer of water and sewer improvements for APN 090-111-008, St. Joseph's Church, 298 South Thompson Avenue, Nipomo [RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF IMPROVEMENTS].

BACKGROUND

Upon completion of an applicant's project, the District accepts improvements for the project after all requirements have been met. St. Joseph's Church, 298 South Thompson Avenue, APN 090-111-008, has met the District's standard conditions:

- Installed water and sewer improvements that are to be dedicated to the District
- Paid associated capacity charges
- Provided an Offer of Dedication
- Provided project as-built drawings
- Provided an Engineer's certification

Regarding the Plan Check and Inspection costs, the applicant may owe the District for inspection and other costs, some of which have yet to be billed by the District. Historically, the District has recovered these costs after the Board accepts the project as part of staff's project close out procedure.

FISCAL IMPACT

The developer paid a District Capacity Fee Deposit in the amount of \$19,839 for the project. The project's plan check and inspection account has a positive balance of approximately \$566.

RECOMMENDATION

By motion and roll call vote, adopt Resolution accepting improvements.

ATTACHMENTS

- A. Resolution 2016-XXXX Accept St. Joseph's Church Water and Sewer Improvements

July 13, 2016

ITEM D-4

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2016-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING WATER AND SEWER IMPROVEMENTS FOR ST. JOSEPH'S CHURCH**

WHEREAS, the District approved the construction plans on January 21, 2015, for the water and sewer improvements to be constructed to serve St. Joseph's Church; and

WHEREAS, the water and sewer improvements have been constructed and said improvements are complete and certified by the Owners' Engineer; and

WHEREAS, on June 1, 2016, the Roman Catholic Bishop of Monterey, (herein the "Owner") offered the water and sewer improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law; and

WHEREAS, all water and sewer capacity fees for service, required in conformance with District ordinances, have been paid.

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

1. That the water and sewer improvements to serve St. Joseph's Church in Nipomo are accepted by the District.
2. That staff is authorized to set water meters to serve the project once all legal costs and the Plan Check and Inspection Agreement costs have been paid by the Owner.

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

AYES:
NOES:
ABSENT:
CONFLICTS:

the foregoing resolution is hereby adopted this 13th day of July 2016.

CRAIG AMSTRONG
President, Board of Directors

ATTEST:

APPROVED AS TO FORM:

MARIO IGLESIAS
General Manager and Secretary to the Board

MICHAEL W. SEITZ
District Legal Counsel