

TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER 

DATE: MARCH 2, 2017

AGENDA ITEM

D

MARCH 8, 2017

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 REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVAL]
- D-3) AMENDMENT TO PROJECT GRANT AGREEMENT BETWEEN THE NIPOMO
COMMUNITY SERVICES DISTRICT AND THE NIPOMO CHAMBER OF
COMMERCE FOR SOLID WASTE REMOVAL [RECOMMEND TERMINATE
PROJECT GRANT AGREEMENT]
- D-4) AWARD GRANT FUNDS TO ACHIEVEMENT HOUSE, INC. IN THE AMOUNT OF
\$4,600 FOR SOLID WASTE REMOVAL [RECOMMEND APPROVAL]
- D-5) ADOPT RESOLUTION ACCEPTING WATER LINE AND SEWER LINE EASEMENT
FOR TRACT 2441, APN 092-578-005 [RECOMMEND ADOPT RESOLUTION]
- D-6) ADOPT RESOLUTION OF APPRECIATION FOR MIKE SEITZ AND THE LAW
FIRM OF SHIPSEY & SEITZ [RECOMMEND ADOPT RESOLUTION]

TO: BOARD OF DIRECTOR

REVIEWED: MARIO IGLESIAS
GENERAL MANAGER




FROM: LISA BOGNUDA
FINANCE DIRECTOR

DATE: MARCH 3, 2017



WARRANTS WILL BE DISTRIBUTED ON TUESDAY, MARCH 7, 2017

TO: BOARD OF DIRECTORS
FROM: MARIO IGLESIAS
GENERAL MANAGER 
DATE: MARCH 2, 2017

AGENDA ITEM
D-2
MARCH 8, 2017

**APPROVE FEBRUARY 22, 2017
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, 2017 draft Regular Board Meeting Minutes

March 8, 2017

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

DRAFT REGULAR MINUTES

FEBRUARY 22, 2017 AT 9:00 A.M.

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

BOARD of DIRECTORS

DAN ALLEN GADDIS, **PRESIDENT**
ED EBY, **VICE PRESIDENT**
BOB BLAIR, **DIRECTOR**
CRAIG ARMSTRONG, **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 Gaddis called the Regular Meeting of February 22, 2017 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:

Rudy Stowell, Nipomo Chamber of Commerce President, commented on changes with the Chamber and invited the Board to the Chamber's luncheon on 2/23/17.

00:01:35 C. PRESENTATIONS AND REPORTS

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

Director Woodson

- *Attended a meeting at Blacklake where Supervisor Lynn Compton discussed possible funds for recreation activities in Nipomo.*

Director Blair

- *Reported that his home received 4 inches of rain in the last storm.*

Director Eby

- *February 9, Attended a meeting with Supervisor Lynn Compton and Cal Trans regarding possible use of reclaimed water for Cal Trans irrigation.*
- *February 13, Attended the NCSD Board Officer's meeting.*
- *February 16, Attended the Local Area Formation Commission (LAFCO) meeting.*

Director Gaddis

- *February 9, Attended a meeting with Supervisor Lynn Compton and Cal Trans regarding possible use of reclaimed water for Cal Trans irrigation.*
- *February 13, Attended the NCSD Board Officer's meeting.*

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
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 Ed Eby and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.
Vote 5-0.*

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

00:03:30

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE FEBRUARY 8, REGULAR BOARD MEETING MINUTES
- D-3) APPROVE AGREEMENT FOR LEGAL SERVICES WITH RICHARD, WATSON, AND GERSHON

Director Gaddis requested clarification on the warrants. Mario Iglesias, General Manager, responded.

There were no public comments.

*Upon the motion of Director Craig Armstrong and seconded, the Board unanimously approved the consent Agenda.
Vote 5-0.*

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

E. ADMINISTRATIVE ITEMS

00:04:54

- E-1) REVIEW SERVICE REQUEST FOR 697 WEST TEFFT STREET, APN 092-577-008

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

Mr. Iglesias distributed the requestor's application, including the project's water calculator, to the Board (available for review at the District office).

Director Gaddis asked about capacity of the parcel's current meter. Peter Sevcik, Director of Engineering and Operations, responded.

Director Eby requested that the distributed application be attached to the minutes.

There were no public comments.

Nipomo Community Services District
REGULAR MEETING
MINUTES

Upon the motion of Director Craig Armstrong and seconded, the Board unanimously agreed and directed staff to issue the Verification of Water and Wastewater Service for 697 West Tefft Street and directed staff to include the application as part of the official meeting minutes.

Vote 5-0.

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

00:11:06

E-2) REVIEW BOARD BY-LAWS AND DISCUSS BOARD OF DIRECTOR'S SELF-EVALUATION WORKBOOK

Mario Iglesias, General Manager, reviewed the report as presented in the Board Packet and requested that the Self-Evaluation Workbook be removed from the Board By-Laws and included in the District's Strategic Plan.

Mr. Iglesias answered questions from the Board.

Mike Seitz, District Legal Counsel, certified that the Board By-Laws are up-to-date and current.

There were no public comments.

Upon the motion of Director Ed Eby and seconded, the Board unanimously agreed and directed staff to remove the Self-Evaluation Workbook from the Board By-Laws and include in the District's Strategic Plan.

Vote 5-0.

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

Upon the motion of Director Ed Eby and seconded, the Board unanimously agreed no edits were needed to the Board By-Laws.

Vote 5-0.

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

00:15:40

E-3) REVIEW AND DISCUSS DISTRICT'S STRATEGIC PLAN

Mario Iglesias, General Manager, reviewed the District's Strategic Plan and suggested scheduling a day for the Board to work with staff and consultant on updating the Plan.

Mr. Iglesias answered questions from the Board.

The Board discussed and agreed to hold a half-day Strategic Plan workshop in August 2017. Director Gaddis directed staff to coordinate the date with the Board.

There were no public comments.

00:32:01 F. MANAGER'S REPORT

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

Mr. Iglesias also reported the following:

- *He heard back from Cal Trans following the February 9th meeting with Supervisor Lynn Compton and they have decided not to pursue the use of reclaimed water due to funds.*
- *The District has been notified that the final Prop 84 grant payment for the Nipomo Supplemental Water Project Phase I has been processed by the County. Peter Sevcik, Director of Engineering and Operations, commented on the grant and reported that, to-date, the District is the only grant recipient to complete a project.*

Mr. Iglesias answered questions from the Board.

The Board directed staff to prepare an Agenda Item to review reclaimed water options.

There were no public comments.

00:45:19 G. COMMITTEE REPORTS

Director Blair reviewed the Administration Committee minutes as presented in the Board Packet and reported that the Committee directed staff to bring more information back to the Committee at its next meeting.

Director Armstrong reviewed the Finance & Audit Committee minutes as presented in the Board Packet.

00:52:42 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Blair

- *Requested staff register him for the Nipomo Chamber luncheon on 2/23/17.*

00:53:04 I. CLOSED SESSION ANNOUNCEMENTS

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

- a) SMVWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- b) BENING VS. NCSO SAN LUIS OBISPO COUNTY CASE NO 14CV0069
- c) NCSO VS. LOS PRIMOS PROPERTIES LLC, SAN LUIS OBISPO COUNTY CASE NO. 16CV0512

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

Nipomo Community Services District
REGULAR MEETING
MINUTES

K. ADJOURN TO CLOSED SESSION

President Gaddis adjourned to closed session at 10:19 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 10:23 AM.

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

Mario Iglesias, General Manager, announced that an Ad-Hoc Committee consisting of Director Eby and Director Woodson will be meeting to review MKN & Associates's Blacklake Facilities Report on February 27, 2017. The Ad-Hoc Committee will provide a recommendation to the Facilities & Water Resources Committee.

Director Eby reported that he will be attending the Nipomo Mesa Management Area's (NMMA) meeting on February 24, 2017.

ADJOURN

President Gaddis adjourned the meeting at 10:39 AM.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 35 minutes
Closed Session	4 minutes
TOTAL HOURS	1 hour 39 minutes

Respectfully submitted,

Mario Iglesias, General Manager and Secretary to the Board

Date

Attachment to
February 22, 2017
Regular Board Meeting Minutes



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932
Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:
RECEIVED

JAN 12 2017
NIPOMO COMMUNITY
SERVICES DISTRICT

INTENT-TO-SERVE APPLICATION

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: _____
- Attach a copy of SLO County application.
- Project location: 699 west TERT st. NIPOMO, CA, 93444
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-577-008
- Owner Name: DAVID MASHAYEKAN
- Mailing Address: _____
- Email: _____
- Phone: _____ FAX: _____
- Agent's Information (Architect or Engineer):
Name: CEBULLA and ASSOCIATES
Address: 171 N 13th st SUITE B, GROVER BEACH, CA
Email: mtceb@Yahoo.com
Phone: 805 440 5016 FAX: _____

11. Type of Project: (check box) (see Page 3 for definitions)

<input type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input checked="" type="checkbox"/> Mixed Use (Commercial and Residential)

- Total Number of Dwelling Units 3 Number of Low Income Units _____
- Does this project require a sub-division? Yes No
If yes, number of new lots created _____

14. Site Plan:
For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:

- more than four dwelling units
- property requiring sub-divisions
- higher than currently permitted housing density
- commercial developments

All other projects, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").

Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

Note: NCSD only provides one domestic meter per Assessor Parcel Number

15. RESIDENTIAL SERVICE

Single Family Residential (SFR)

Number of APN's created		Number of SFR to be built	
-------------------------	--	---------------------------	--

Multi-Family Residential (MFR)

Number of APN's created			
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

16. Commercial Projects Service Demand Estimates:

Commercial and Mixed Use

Number of APN's created			
Number of Domestic Meter(s)		Estimated Meter Size(s)	
Number of Landscape Meter(s)		Estimated Meter Size(s)	
Number of Fire System(s)		Estimated Meter Size(s)	

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect.

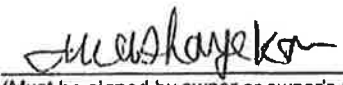
Agreement:

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule on Page 4

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 1/10/17 Signed 
(Must be signed by owner or owner's agent)
Print Name DAVID MASHAYEKHAN

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Commercial – all non-residential and mixed-use projects.

**APPLICATION FEES AND CHARGES
Effective July 1, 2016**

PROJECT SIZE/TYPE	TOTAL AMOUNT DUE AT TIME OF APPLICATION**
Residential <4 units	\$1,119.33
Residential 4-20 units	\$1,537.50
Residential > 20 units	\$1,810.21
Commercial <1 acre	\$1,537.50
Commercial 1-3 acres	\$1,810.21
Commercial > 3 acres	\$2,501.08
Mixed Use with less than 4 Dwelling Units	\$1,810.21
Mixed Use with four or more Dwelling Units	\$2,501.08
*Outside Consulting and Legal fees will be billed to the Applicant at direct rate.	

**Commencing on July 1, 2008 and each year thereafter the Application Fees shall be adjusted by a Consumer Price Index formula.



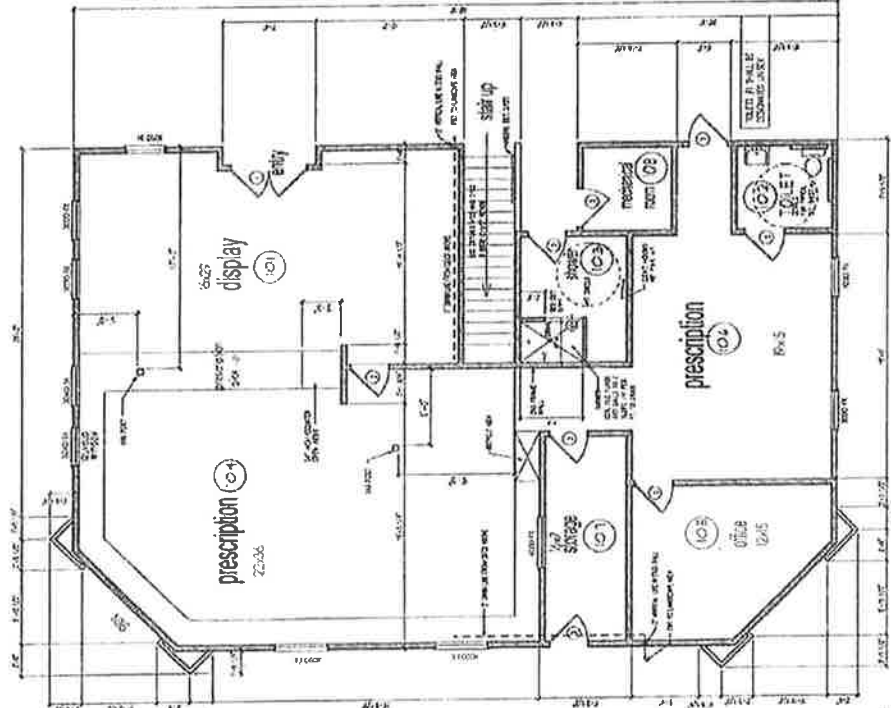
CEBULKA ASSOCIATES
 100 N. 10th St.
 Phoenix, AZ 85004
 (602) 254-1234
 www.cebulka.com

PROJECT
 PHARMACY
 100 N. 10th St.
 Phoenix, AZ 85004



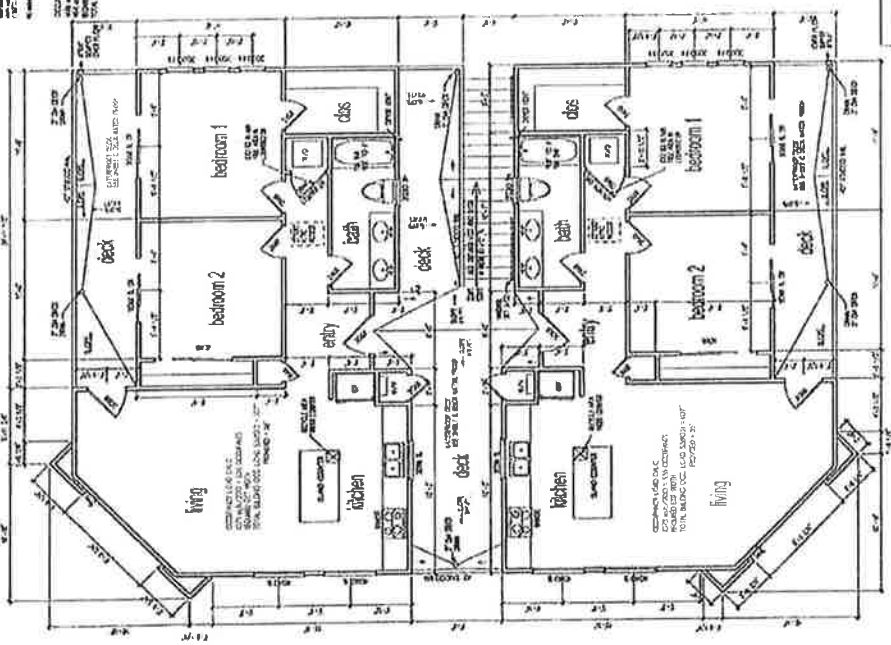
REVISIONS
 1. 10/15/14 - REVISED PLAN NO. 02
 2. 11/19/14 - PLAN NO. 03
 3. 12/15/14 - PLAN NO. 04

SHEET
 2



FIRST FLOOR PLAN
 PHARMACY 2,155 SF

1. ALL WALLS TO BE CONCRETE ON GRADE.
 2. ALL WALLS TO BE 8" THICK CONCRETE ON GRADE.
 3. ALL WALLS TO BE 12" THICK CONCRETE ON GRADE.
 4. ALL WALLS TO BE 16" THICK CONCRETE ON GRADE.
 5. ALL WALLS TO BE 20" THICK CONCRETE ON GRADE.
 6. ALL WALLS TO BE 24" THICK CONCRETE ON GRADE.
 7. ALL WALLS TO BE 28" THICK CONCRETE ON GRADE.
 8. ALL WALLS TO BE 32" THICK CONCRETE ON GRADE.
 9. ALL WALLS TO BE 36" THICK CONCRETE ON GRADE.
 10. ALL WALLS TO BE 40" THICK CONCRETE ON GRADE.



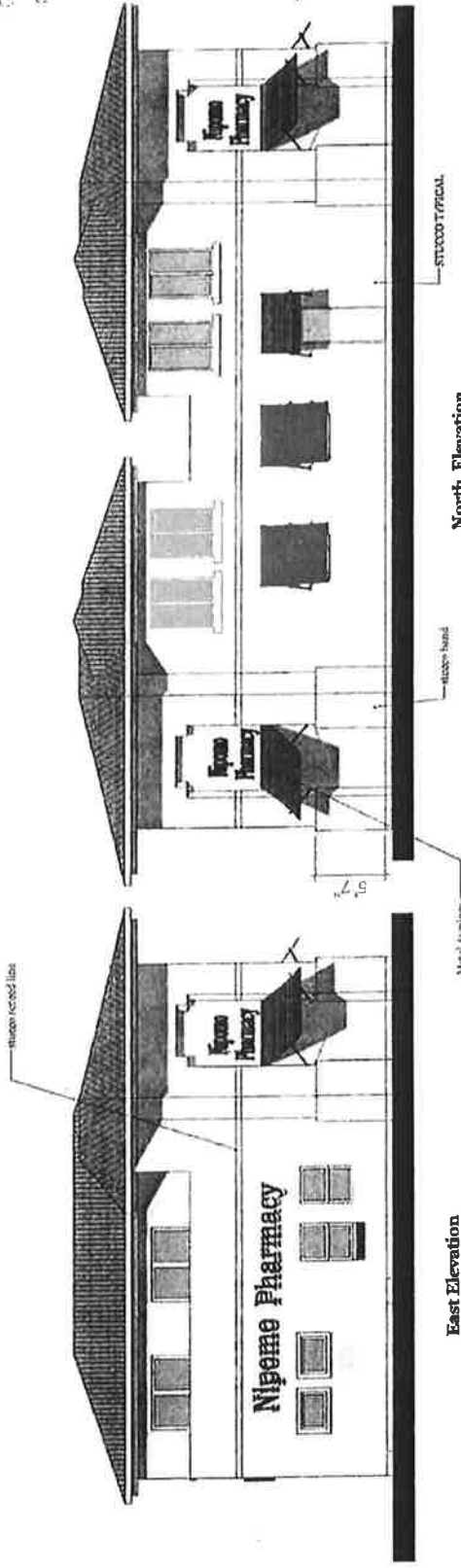
SECOND FLOOR PLAN
 RESIDENTIAL UNIT 867 SF

SCALE	TYPE
1/8" = 1'-0"	GENERAL
1/4" = 1'-0"	DETAILED
1/2" = 1'-0"	SECTION
3/4" = 1'-0"	SECTION
1" = 1'-0"	SECTION

SEE SHEET 1 FOR PENETRATION DETAILS FOR 1-HOUR OCCUPANCY SEPARATIONS

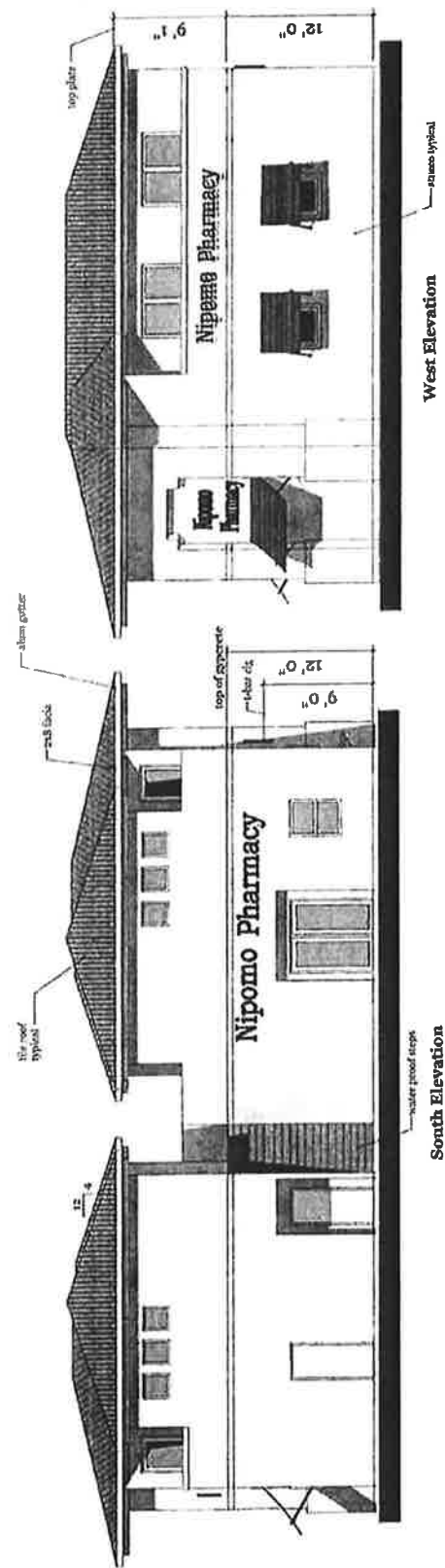
Colwell

CDILLA ARCHITECTS
 10000 BUCKLE LA DRIVE
 FT. PEAKE, OK 73452
 TEL: (405) 779-2488
 AND: (405) 779-2489
 FAX: (405) 779-2489
 WWW: WWW.CDILLAARCHITECTS.COM



East Elevation

North Elevation



South Elevation

West Elevation

SCALE: 1/4" = 1'-0"

Sheet

3



Keynotes

July 7 2013

Date: 10/17/13

RECEIVED
FEB 08 2017
NIPOMO COMMUNITY
SERVICES DISTRICT

ARCHITECTURE / DESIGN
P.O. Box 42
Pismo Beach, CA 93448
PH. (805) 473-1298
Fax (805) 473-8203

www.cebullaassociates.net

January 30, 2017

Pipe size for Buildings D, E and Pharmacy at 691 West Tefft, Nipomo CA.

Fixture Units - Building D:

W.C. - No. of fixtures = 2 at 5 F.U. = 10 F.U.
Lavs. - No. of fixtures = 12 at 1 F.U. = 12 F.U.

Total = 22 F.U.

Fixture Units - Building E:

First Floor Office - W.C. - No. of fixture = 2 at 5 F.U. = 10 F.U.
Lavs. - No. of fixtures - 10 at 1 F.U. = 10 F.U.

Total = 20 F.U.

Second Floor Residences: - W.C. - No. of fixtures = 2 at 3 F.U. = 6 F.U.
Lavs. - No. of fixtures = 4 at 1 F.U. = 4 F.U.
K.Sink - No. of fixtures - 2 at 2 F.U. = 4 F.U.
TubShwr - No. of fixtures = 2 at 2 F.U. = 4 F.U.
Dishwash - No. of fixtures = 2 at 2 F.U. = 4 F.U.
Washer - No. of fixtures = 2 at 2 F.U. = 4 F.U.

Total = 26 F.U.

Fixture Units - Pharmacy Building

First Floor Pharmacy - W.C. - No. of fixtures = 1 at 5 F.U. = 5 F.U.
Lavs. - No. of fixtures = 1 at 1 F.U. = 1 F.U.
Shower - No. of fixtures = 1 at 2 F.U. = 2 F.U.

Total = 8 F.U.

Second Floor Residences: - W.C. - No. of fixtures = 2 at 3 F.U. = 6 F.U.
Lavs. - No. of fixtures = 4 at 1 F.U. = 4 F.U.
K.Sink - No. of fixtures - 2 at 2 F.U. = 4 F.U.
TubShwr - No. of fixtures = 2 at 2 F.U. = 4 F.U.
Dishwash - No. of fixtures = 2 at 2 F.U. = 4 F.U.
Washer - No. of fixtures = 2 at 2 F.U. = 4 F.U.

Total = 26 F.U.

Total for three buildings = 102 F.U.

Street Main Pressure = 80 psi

Fixture Height = 20 ft.

Pipe length = 150 ft.

Pipe length for fittings = 75 ft.

Fixture pressure = 8 psi

Static Head (.43x20) = 8.6

Meter loss = 8 psi

$80 - 8 - 8.6 - 8 = 55.4$

Friction loss per 100 ft. of pipe = $55.4 \times (100/225) = 24.6$

102 F.U. = 45 gpm water flow

45 gpm at 24.6 friction loss requires 1 1/4" pipe size.



Charles Cebulla, Architect



TO: BOARD OF DIRECTORS

FROM: MARIO IGLESIAS
GENERAL MANAGER



AGENDA ITEM
D-3
MARCH 8, 2017

DATE: MARCH 2, 2017

**AMENDMENT TO PROJECT GRANT AGREEMENT BETWEEN THE
NIPOMO COMMUNITY SERVICES DISTRICT AND THE NIPOMO
CHAMBER OF COMMERCE FOR SOLID WASTE REMOVAL**

ITEM

Amendment to Project Grant Agreement with the Nipomo Chamber of Commerce for solid waste removal. [RECOMMEND APPROVAL AND AUTHORIZATION OF GENERAL MANAGER TO EXECUTE THE AMENDMENT TO PROJECT GRANT AGREEMENT]

BACKGROUND

Since 2012, the Nipomo Chamber of Commerce ("Chamber") and the Nipomo Community Services District ("District") have worked together under Project Grant Agreements to manage solid waste clean-up efforts on the streets and public common areas within the District's boundaries. In late 2016, the Chamber's business model changed. The Chamber no longer includes paid staff positions and functions only with volunteers to support the community's needs. The new business model cannot support the administrative needs of the Project Grant Agreement.

Attached is an amendment to the Project Grant Agreement drafted by the District.

Terminating the agreement is necessary as there is one month of service unpaid in the Grant Period as defined in the Project Grant Agreement. The District will look to other non-profit organizations as time allows for the purpose of continuing the solid waste management program as it has been established and greatly received by the community.

FISCAL IMPACT

Funding for the program is provided by the Solid Waste Fund #300. Unspent funds totaling approximately \$16,000 of the \$35,000 grant, will be left in Fund #300 and possibly allocated to this effort in the future.

STRATEGIC PLAN

Goal 8. Additional Community Services.

Staff should focus on meeting the goals and objectives of existing services. Adding new services will be considered on a case-by-case basis and entered into only if funding can be found and existing services are not harmed.

- 8.3 Solid Waste. Seek to maximize solid waste services for community and build understanding of services like hazardous waste, recycling, etc. and District's role.

RECOMMENDATION

Approve and authorize the General Manager to execute the Amendment to the Project Grant Agreement between the District and the Chamber for solid waste abatement in Nipomo common areas.

ATTACHMENT

- A. Amendment to Project Grant Agreement

March 8, 2017

ITEM D-3

ATTACHMENT A

Amendment to Project Grant Agreement

Date of Amendment: March 9, 2017
Grantee: Nipomo Chamber of Commerce
Purpose of Grant: Solid waste abatement in Nipomo common areas
Total Amount of Grant: \$35,000.00
Original Award Date: January 13, 2016
Grant Period: December 2015 – November 2016
Payment Schedule: No more frequent than monthly invoicing.

The Nipomo Community Services District (“District”) and the Nipomo Chamber of Commerce (“Grantee”), collectively referenced herein as “parties,” hereby agree to the following:

- A. The parties entered into that certain Project Grant Agreement dated January 13, 2016, for the purpose of performing solid waste abatement services within the common areas in Nipomo for the grant period December 2015-November 2016 (“Project Grant Agreement”).
- B. The parties now mutually agree to terminate the Project Grant Agreement effective November 1, 2016. Grantee expressly acknowledges and agrees that it shall not receive payment of any kind under the Project Grant Agreement as of the effective date of this termination. Grantee further acknowledges and agrees that it waives any right or entitlement to receive any payment of any kind under the Project Grant Agreement as of the effective date of this termination.
- C. The individuals executing this agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this agreement on behalf of the respective legal entities on whose behalf they are signing.

In witness of and in agreement with its terms, the parties, by their duly authorized representatives, affix their respective signatures to this agreement:

NIPOMO CHAMBER OF COMMERCE,
a California non-profit corporation

By: _____
Name: Rudy Stowell
Title: President

**NIPOMO COMMUNITY SERVICES
DISTRICT,**
a California municipal corporation

Mario Iglesias
General Manager