# NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

# REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

## **DECEMBER 11, 2019 AT 9:00 A.M.**

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

BOARD of DIRECTORS
ED EBY, PRESIDENT
DAN ALLEN GADDIS, VICE PRESIDENT
BOB BLAIR, DIRECTOR
CRAIG ARMSTRONG, DIRECTOR
DAN WOODSON, DIRECTOR

PRINCIPAL STAFF
MARIO IGLESIAS, GENERAL MANAGER
LISA BOGNUDA, FINANCE DIRECTOR
WHITNEY MCDONALD, GENERAL COUNSEL
PETER SEVCIK, DIRECTOR OF ENG. & OPS.

#### Mission Statement:

Provide our customers with reliable, quality, and cost-effective services now and in the future.

### NOTE:

- All comments concerning any item on the agenda are to be directed to the Board President.
- Consistent with the Americans with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the below referenced public meeting by contacting the District General Manager at 805-929-1133.
- District-prepared staff reports and documents are generally posted on the District's website {NCSD.CA.GOV} on the same date the agenda is posted.
- Any writing or document pertaining to an open session item on this agenda which is
  distributed to the Board of Directors after the posting of this agenda will be available for
  public inspection at the time the subject writing or document is distributed. The writing or
  document will be available for public review at the District Secretary's Office, 148 S. Wilson
  Street, Nipomo, CA, during normal business hours, and may be posted on the District's web
  site at http://www.ncsd.ca.gov.
- Items may be taken out of order. The Board typically breaks for lunch at approximately 12 noon and conducts Closed Session at that time, reconvening to public session at approximately 1:00 p. m.
- Please silence all cell phones during the meeting, as a courtesy to others.

A. CALL TO ORDER AND FLAG SALUTE NEXT RESOLUTION 2019-1534 NEXT ORDINANCE 2019-130

## B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

Any member of the public may address the Board relating to any matter within the Board's jurisdiction but not on the Board's agenda. Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.

- C. PRESENTATIONS AND REPORTS
  - C-1) DIRECTORS' ANNOUNCEMENTS OF DISTRICT AND COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS.

    Receive Announcements and Reports from Directors
  - C-2) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

## Nipomo Community Services District REGULAR MEETING AGENDA

- D. 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. Questions or clarification may be made by the Board members without removal from the Consent Agenda. 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.
  - D-1) WARRANTS [RECOMMEND APPROVAL]
  - D-2) APPROVE NOVEMBER 27, 2019, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
  - D-3) AUTHORIZE STAFF TO BID SOUTHLAND WASTEWATER TREATMENT FACILITY SCREW PRESS PROJECT [RECOMMEND AUTHORIZE STAFF TO BID PROJECT AND FILE CEQA NOTICE OF EXEMPTION].
  - D-4) AUTHORIZE STAFF TO BID EUREKA WELL REPLACEMENT PROJECT [RECOMMEND AUTHORIZE STAFF TO BID PROJECT AND FILE CEQA NOTICE OF EXEMPTION].
  - D-5) APPROVE NEWTON GEO-HYDROLOGY 2020 CONSULTING SERVICES CONTRACT SCOPE AND \$90,000 BUDGET [RECOMMEND APPROVE SCOPE AND BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES]

## E. ADMINISTRATIVE ITEMS

- E-1) ELECT 2020 BOARD PRESIDENT AND VICE PRESIDENT [RECOMMEND DIRECTORS ELECT BOARD OFFICERS FOR 2020 CALENDAR YEAR]
- E-2) AWARD CONSTRUCTION CONTRACT FOR SUPPLEMENTAL WATER PROJECT NIPOMO AREA PIPELINE IMPROVEMENTS TO R. BAKER INC. [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ADOPT RESOLUTION AWARDING CONTRACT TO R. BAKER, INC. IN THE AMOUNT OF \$2,667,674, AUTHORIZE STAFF TO EXECUTE CONTRACT, AUTHORIZE CHANGE ORDER #1 IN THE AMOUNT OF \$234,433, AND AUTHORIZE ADDITIONAL CHANGE ORDER CONSTRUCTION CONTINGENCY IN AN AMOUNT UP TO \$170,000]
- E-3) APPROVE TASK ORDER WITH MNS ENGINEERS INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR SUPPLEMENTAL WATER PROJECT NIPOMO AREA PIPELINE IMPROVEMENTS [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE TASK ORDER WITH MNS ENGINEERS, INC. IN THE AMOUNT OF \$523,678 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER].
- E-4) APPROVE TASK ORDER WITH AECOM FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR SUPPLEMENTAL WATER PROJECT NIPOMO AREA PIPELINE IMPROVEMENTS [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE TASK ORDER WITH AECOM IN THE AMOUNT OF \$98,612 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER].

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- E-5) AWARD CONSTRUCTION CONTRACT FOR SOUTHLAND WASTEWATER TREATMENT FACILITY STORAGE BUILDING PROJECT TO PWS CONSTRUCTION INC. [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ADOPT RESOLUTION AWARDING CONTRACT TO PWS CONSTRUCTION INC. IN THE AMOUNT OF \$175,000, AUTHORIZE STAFF TO EXECUTE CONTRACT, AUTHORIZE CHANGE ORDER CONSTRUCTION CONTINGENCY IN THE AMOUNT OF UP TO \$15,000, AND APPROVE BUDGET ADJUSTMENT].
- E-6) APPROVE TASK ORDER WITH CANNON CORPORATION FOR CONSTRUCTION MANAGEMENT SERVICES FOR SOUTHLAND WASTEWATER TREATMENT FACILITY STORAGE BUILDING PROJECT [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE TASK ORDER WITH CANNON CORPORATION IN THE AMOUNT OF \$39,690 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER].
- E-7) ADOPT ORDINANCE AMENDING CHAPTER 3.03 OF THE DISTRICT CODE AND ADOPT RESOLUTION APPROVING DISTRICT'S DISCONTINUANCE OF RESIDENTIAL WATER SERVICE POLICY [RECOMMEND ADOPT ORDINANCE AMENDING CHAPTER 3.03 OF THE DISTRICT CODE AND ADOPT RESOLUTION APPROVING DISTRICT'S DISCONTINUANCE OF RESIDENTIAL WATER SERVICE POLICY]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORTS
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. CLOSED SESSION ANNOUNCEMENTS
  - 1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
    - a. SMVWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES
  - 2. DISCUSSION AND POSSIBLE ACTION REGARDING PUBLIC EMPLOYEE APPOINTMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(B) POSITION: DISTRICT COUNSEL
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS
- K. ADJOURN TO CLOSED SESSION
- L. OPEN SESSION
  ANNOUNCEMENT OF REPORTABLE ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

### ADJOURN MEETING

Next Regular Board Meeting is Wednesday, January 8, 2019, 9AM