NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

MARCH 11, 2020 AT 9:00 A.M.

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

BOARD of DIRECTORS

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

PRINCIPAL STAFF

MARIO IGLESIAS, GENERAL MANAGER LISA BOGNUDA, FINANCE DIRECTOR PETER SEVCIK, DIRECTOR OF ENG. & OPS. CRAIG STEELE, GENERAL COUNSEL

Mission Statement:

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

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 2020-1545 NEXT ORDINANCE 2020-131

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

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- 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 FEBRUARY 26, 2020, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
 - D-3) AWARD CONSTRUCTION CONTRACT FOR EUREKA WELL REPLACEMENT PROJECT TO ZIM INDUSTRIES INC. [RECOMMEND ADOPT RESOLUTION AWARDING CONTRACT TO ZIM INDUSTRIES, INC. IN THE AMOUNT OF \$738,678, AUTHORIZING STAFF TO EXECUTE CONTRACT, AND AUTHORIZING CHANGE ORDER CONSTRUCTION CONTINGENCY IN AN AMOUNT UP TO \$70,000].
 - D-4) APPROVE TASK ORDER WITH CANNON CORPORATION FOR CONSTRUCTION MANAGEMENT SERVICES FOR EUREKA WELL REPLACEMENT PROJECT [RECOMMEND APPROVE TASK ORDER WITH CANNON CORPORATION IN THE AMOUNT OF \$52,160 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER].
 - D-5) ADOPT RESOLUTION AMENDING CHAPTER 7, SECTION 7040 OF THE NIPOMO COMMUNITY SERVICES DISTRICT EMPLOYEE HANDBOOK [RECOMMEND ADOPT RESOLUTION AMENDING THE NCSD EMPLOYEE HANDBOOK]

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER ADOPTING RESOLUTIONS RELATING TO THE FORMATION OF ASSESSMENT DISTRICT NO. 2020-1 (BLACKLAKE SEWER CONSOLIDATION), INCLUDING DECLARATION OF INTENTION, REVIEW AND PRELIMINARY APPROVAL OF THE ASSESSMENT ENGINEER'S REPORT, AND ADOPTION OF BALLOT PROCEDURES FOR THE ASSESSMENT DISTRICT [RECOMMEND REVIEW ATTACHED RESOLUTIONS, ENGINEER'S REPORT AND BOUNDARY MAP FOUND THEREIN, BALLOT PROCEDURES, DRAFT NOTICE AND BALLOT, TAKE PUBLIC COMMENT, PROVIDE EDITS AS NECESSARY, AND ADOPT RESOLUTIONS]
- E-2) INTRODUCE ORDINANCE AMENDING CHAPTER 5.01 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO PROVIDE FOR REIMBURSEMENT OF COSTS OF CONSTRUCTING IMPROVEMENTS FOR THE BENEFIT OF THE DISTRICT [RECOMMEND REVIEW AND DISCUSS REVISIONS, AND INTRODUCE, READ BY TITLE ONLY AND WAIVE FURTHER READING OF ORDINANCE]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORTS
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

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- I. CLOSED SESSION ANNOUNCEMENTS
 - 1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9(d)(1)
 - a. SMVWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES
 - 2. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(d)(2) One case
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS
- K. ADJOURN CLOSED SESSION
- L. OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN MEETING

Next Regular Board Meeting is Wednesday, March 25, 2020, 9AM