

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

NOVEMBER 14, 2018 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, P.E., **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 2018-1490
 NEXT ORDINANCE 2018-127

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) FLUME COMPANY METER LEAK DETECTION AND USAGE PRESENTATION
[RECOMMEND RECEIVE AND FILE PRESENTATION]

C-2) 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
- 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 OCTOBER 24, 2018, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- E. ADMINISTRATIVE ITEMS
- E-1) APPROVE FINAL DRAFT OF THE BLACKLACK SEWER RATE STUDY REPORT AND DIRECT STAFF TO INITIATE A PROP 218 PROCESS TO INCLUDE SETTING THE PUBLIC HEARING FOR JANUARY 23, 2019 [RECOMMEND APPROVE REPORT, DIRECT STAFF TO INITIATE PROP 218 PROCESS AND SET JANUARY 23, 2019 FOR PUBLIC HEARING]
- E-2) ADOPT ORDINANCE ADDING CHAPTER 2.43 TO THE NIPOMO COMMUNITY SERVICES DISTRICT CODE REGARDING THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT AND ADOPT RESOLUTION ELECTING TO BECOME SUBJECT TO THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT
RECOMMEND:
(1) SECOND READING: READ FULL TITLE, WAIVE FURTHER READING OF THE ORDINANCE, ADOPT ORDINANCE, AND DIRECT DISTRICT COUNSEL AND STAFF TO PREPARE AND PUBLISH SUMMARY OF ORDINANCE PER GOVERNMENT CODE SECTION 25124.
(2) ADOPT RESOLUTION ELECTING TO BECOME SUBJECT TO THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT PROCEDURES
- E-3) AUTHORIZE TASK ORDER FOR SUPPLEMENTAL WATER PROJECT JOSHUA ROAD PUMP STATION PUMP #4 IMPROVEMENTS INSTRUMENTATION AND SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM INTEGRATION [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION AUTHORIZING STAFF TO EXECUTE TASK ORDER IN THE AMOUNT OF \$49,750 WITH TESCO CONTROLS, INC.]
- E-4) ADOPT POLICY GOVERNING THE USE OF FRANCHISE FEES GENERATED FROM THE SOLID WASTE FRANCHISE AGREEMENT BETWEEN THE NIPOMO COMMUNITY SERVICES DISTRICT AND SOUTH COUNTY SANITARY SERVICES [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION THAT ADOPTS THE POLICY GOVERNING THE USE OF FRANCHISE FEES]

- E-5) REVIEW AND DISCUSS UPCOMING 2019 BOARD OFFICER ELECTION.
[RECOMMEND DISCUSS UPCOMING BOARD OFFICER ELECTIONS AND DIRECT STAFF]
- 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. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND A LITIGATION PURSUANT TO GC §54956.9 ALL CONSOLIDATED CASES)
 - b) SMART, ET AL. V. NCSO (SAN LUIS OBISPO COUNTY SUPERIOR COURT, CASE NO. 18LC-0908)
 - 2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code 54956.8)
Property: [APN 091-301-038]
Agency negotiator: Mario Iglesias
Negotiating parties: Sprint PCS Assets
Under negotiation: Price, terms of payment, or both
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS
- K. ADJOURN TO CLOSED SESSION
- L. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN MEETING

Next Regular Board Meeting is Wednesday, November 28, 2018, 9AM