

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

DECEMBER 12, 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, **DIRECTOR OF ENG. & OPS.**

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.

A. CALL TO ORDER AND FLAG SALUTE

Vice President Gaddis called the Regular Meeting of December 12, 2018, to order at 9:00 a.m. and led the flag salute.

B. SWEAR IN AND SEAT NEW DIRECTORS, ROLL CALL, AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

Mario Iglesias, Secretary to the Board and General Manager, administered the Oath of Office to Director Gaddis and Director Woodson. Director Eby was administered the Oath of Office on November 27, 2018.

At Roll Call, Directors Woodson, Armstrong, Blair and Gaddis were present. President Eby had a planned absence.

There were no public comments.

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

Director Gaddis

- December 3, attended Board Officer's meeting.

There were no public comments.

D. CONSENT AGENDA

D-1) WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE NOVEMBER 28, 2018 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

- D-3) ACCEPT FIRST QUARTER FISCAL YEAR 2018-2019 QUARTERLY FINANCIAL REPORT [RECOMMEND RECEIVE AND FILE]
- D-4) AWARD CONSTRUCTION CONTRACT FOR SUPPLEMENTAL WATER PROJECT JOSHUA ROAD PUMP STATION PUMP #4 IMPROVEMENTS TO SPIESS CONSTRUCTION CO., INC. [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ADOPT RESOLUTION AWARDDING CONTRACT TO SPIESS CONSTRUCTION CO., INC. IN THE AMOUNT OF \$238,800, AUTHORIZE STAFF TO EXECUTE CONTRACT, AND AUTHORIZE CHANGE ORDER CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$12,000]
- D-5) APPROVE 2019 BOARD MEETING SCHEDULE [RECOMMEND REVIEW AND APPROVE 2019 BOARD MEETING SCHEDULE]
- D-6) APN 091-325-022 FIRE SERVICE REQUEST, SANDYDALE DRIVE AND NORTH FRONTAGE ROAD, NIPOMO [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS].
- D-7) APPROVE NEWTON GEO-HYDROLOGY 2019 CONSULTING SERVICES CONTRACT SCOPE AND BUDGET [RECOMMEND APPROVE SCOPE AND \$90,000 BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES]

There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved the Consent Agenda with a correction to Item D-2, (Item E-3 of the minutes, adding reference to the proposed Jim O. Miller Park).
Vote 4-0.*

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

RESOLUTION NO. 2018 1496

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AWARDDING THE BID FOR THE CONSTRUCTION OF SUPPLEMENTAL WATER PROJECT JOSHUA ROAD PUMP STATION PUMP #4 IMPROVEMENTS TO SPIESS CONSTRUCTION CO., INC. IN THE AMOUNT OF \$238,800, AND AUTHORIZING CONSTRUCTION CONTINGENCY OF \$12,000

- E-1) ELECTION OF 2019 BOARD PRESIDENT AND VICE PRESIDENT [RECOMMEND DIRECTORS ELECT BOARD OFFICERS FOR 2019 CALENDAR YEAR]

Director Blair nominated Director Eby for President. Director Armstrong seconded the nomination. There were no other nominations for President.

There were no public comments.

*Upon the motion of Director Blair and seconded, the Board unanimously approved Director Eby for President.
Vote 4-0.*

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

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

Director Armstrong nominated Director Gaddis for Vice President. Director Blair seconded the nomination. There were no other nominations for Vice President.

There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board unanimously approved Director Gaddis for Vice President.
Vote 4-0.*

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

- E-2) INTRODUCE ORDINANCE AMENDING NIPOMO COMMUNITY SERVICES DISTRICT CODE SECTION 3.24 [RECOMMEND INTRODUCE, READ FULL TITLE, WAIVE FURTHER READING OF THE ORDINANCE, AND DIRECT DISTRICT COUNSEL AND STAFF TO PREPARE AND PUBLISH SUMMARY OF ORDINANCE PER WATER CODE SECTION 376]

Mario Iglesias, General Manager, presented the item and answered questions from the Board.

There were no public comments.

*Upon the motion of Director Armstrong and seconded, the Board introduced an Ordinance of the Board of Directors of the Nipomo Community Services District Amending Nipomo Community Services District Code Chapter 3.24, waive further reading of the ordinance, and direct District Counsel and staff to prepare and publish a summary of the ordinance in accordance with Water Code Section 376.
Vote 4-0.*

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Blair and Gaddis	Woodson	Eby

ORDINANCE 2019-128

**AN ORDINANCE OF BOARD OF THE DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING NIPOMO COMMUNITY SERVICES DISTRICT
CODE CHAPTER 3.24**

F. MANAGER’S REPORT

Mario Iglesias, General Manager, presented the item and answered questions from the Board.

There were no public comments

G. COMMITTEE REPORTS

None

Nipomo Community Services District
REGULAR MEETING
MINUTES

H. DIRECTORS' REQUEST TO STAFF AND SUPPLEMENTAL REPORTS

Director Woodson inquired about the cost of providing monthly garbage service for the Olde Town trash cans.

There were no public comments.

I. CLOSED SESSION ANNOUNCEMENTS

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

- a) SMWWCD V. NCSD (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. NCSD (SAN LUIS OBISPO COUNTY SUPERIOR COURT, CASE NO. 18LC-0908)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

K. ADJOURN TO CLOSED SESSIONS

L. OPEN SESSION
ANNOUNCEMENTS OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

Whitney McDonald, District Legal Counsel, announced that the Board discussed Items 1(a) and 1(b). The Board took no reportable action

ADJOURN

Vice President Gaddis adjourned the meeting at 11:11 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hours 25 minutes
Closed Session	1 hours 46 minutes
TOTAL HOURS	2 hours 11 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board Date 1-9-19