

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community since 1965*

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

**OCTOBER 14, 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:**

- Pursuant to Governor Newsom's Executive Order N-25-20, members of the Nipomo Community Services District Board or staff may participate in this meeting in person, or via teleconference. To protect the health and safety of the public, Board members, and staff, social distancing will be practiced at the District's physical location, 148 S. Wilson Street. Members of the public may choose to participate in person at this location or monitor the audio portion of the meeting and any public hearings telephonically by calling (800) 567-5900 (code 242-2614#). Pursuant to Governor Newsom's Executive Order N-29-20, members of the public may also comment – on items on this agenda or items not on the agenda but within the jurisdiction of the Board – via email sent to [info@ncsd.ca.gov](mailto:info@ncsd.ca.gov) prior to the 9:00 am meeting start time. All emails received by that time will be distributed to the Board. Public participation in the meeting and public hearings will be taken only as described above. If any individual with a disability requires assistance to observe or participate in the meeting, please contact the District office by telephone at least 24 hours in advance.
- All comments concerning any item 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](http://www.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 on the District's web site at <http://www.ncsd.ca.gov>.
- Items may be taken out of order. If necessary, 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.
- Pursuant to the Guidance issued by the California Department of Public Health on June 18, 2020 all persons attending the meeting in person are required to wear a face covering.

A. CALL TO ORDER AND FLAG SALUTE

NEXT RESOLUTION

2020-1574

NEXT ORDINANCE

2020-132

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

Any member of the public may address the Board via email relating to any matter within the Board's jurisdiction but not on the Board's agenda.

C. PRESENTATIONS AND REPORTS

C-1) QUARTERLY ENGINEER'S REPORT, DIRECTOR OF ENGINEERING AND OPERATIONS REPORT ON DISTRICT PROJECTS SYSTEM-WIDE [RECOMMEND RECEIVE AND FILE]

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-3) 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 SEPTEMBER 9, 2020, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

D-3) ACCEPT EUREKA WELL REPLACEMENT PROJECT [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ACCEPT PROJECT AND DIRECT STAFF TO FILE NOTICE OF COMPLETION]

D-4) AUTHORIZE STAFF TO ISSUE REQUEST FOR PROPOSALS FOR CEQA COMPLIANCE SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT [RECOMMEND AUTHORIZE STAFF TO ISSUE REQUEST FOR PROPOSALS]

D-5) ACCEPT SUPPLEMENTAL WATER PROJECT NIPOMO AREA PIPELINE IMPROVEMENTS [RECOMMEND BY MOTION AND ROLL CALL VOTE, ACCEPT PROJECT AND DIRECT STAFF TO FILE NOTICE OF COMPLETION]

D-6) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR TRACT 3148, A MIXED USE SUBDIVISION LOCATED AT 691 TEFFT STREET [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]

- D-7) AUTHORIZE TASK ORDER FOR NIPOMO COMMUNITY SERVICES DISTRICT'S ADMINISTRATION COMPUTER SYSTEM SERVER REPLACEMENT PROJECT [RECOMMEND ADOPT RESOLUTION AUTHORIZING STAFF TO EXECUTE TASK ORDER IN THE AMOUNT OF \$36,220 WITH CLEVER DUCKS, AND AUTHORIZE CHANGE ORDER CONTINGENCY IN THE AMOUNT OF \$2,000]
- D-8) AWARD CONSTRUCTION CONTRACT FOR SOUTHLAND WASTEWATER TREATMENT FACILITY SCREW PRESS PROJECT TO CUSHMAN CONTRACTING CORPORATION [RECOMMEND ADOPT RESOLUTION AWARDED CONTRACT TO CUSHMAN CONTRACTING CORPORATION IN THE AMOUNT OF \$969,200, AUTHORIZING STAFF TO EXECUTE CONTRACT, AND AUTHORIZING CHANGE ORDER CONSTRUCTION CONTINGENCY IN AN AMOUNT UP TO \$90,000 AND APPROVING BUDGET ADJUSTMENT IN THE AMOUNT OF \$251,000]
- D-9) APPROVE TASK ORDER WITH MNS ENGINEERS INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR SOUTHLAND WASTEWATER TREATMENT FACILITY SCREW PRESS PROJECT [RECOMMEND BY MOTION AND ROLL CALL APPROVE TASK ORDER WITH MNS ENGINEERS, INC. IN THE AMOUNT OF \$165,000 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]
- D-10) APPROVE TASK ORDER WITH MKN & ASSOCIATES INC. FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR SOUTHLAND WASTEWATER TREATMENT FACILITY SCREW PRESS PROJECT [RECOMMEND BY MOTION AND ROLL CALL APPROVE TASK ORDER WITH MKN & ASSOCIATES INC. IN THE AMOUNT OF \$26,737 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER AUTHORIZING THE GENERAL MANAGER TO DISPENSE WITH COMPETITIVE SOLICITATION REQUIREMENTS FOR THE PURCHASE AND INSTALLATION OF THE SENSUS DISTRIBUTION LEAK DETECTION AND AUTOMATED METER READING SYSTEM [RECOMMEND ADOPT RESOLUTION AUTHORIZE THE GENERAL MANAGER TO DISPENSE WITH COMPETITIVE SOLICITATION REQUIREMENTS FOR THE PURCHASE AND INSTALLATION OF THE SENSUS DISTRIBUTION LEAK DETECTION AND AUTOMATED METER READING SYSTEM AND ENTER INTO AN PROFESSIONAL SERVICES AGREEMENT WITH AQUA METRICS FOR THE PURPOSE THERE OF]
- E-2) ADOPT ORDINANCE TO AMENDING CHAPTER 4.12 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO ADD PROVISIONS RELATING TO SEWER SERVICES FEES FOR ACCESSORY DWELLING UNITS [RECOMMEND CONDUCT SECOND READING OF THE ORDINANCE, READ BY TITLE ONLY, WAIVE FURTHER READING OF THE ORDINANCE, AND DIRECT DISTRICT COUNSEL AND STAFF TO PREPARE AND PUBLISH SUMMARY OF ORDINANCE PER GOVERNMENT CODE SECTION 25124].

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. SMWWCD V. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214,  
SIXTH APPELLATE COURT CASE NO. H032750, AND ALL  
CONSOLIDATED CASES

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, October 28, 2020, 9AM