

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MINUTES

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.

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 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.

A. CALL TO ORDER AND FLAG SALUTE

Vice President Armstrong called the Regular Meeting of October 14, 2020, to order at 9:00 a.m. and led the flag salute.

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

At Roll Call, Director Woodson, Eby, Blair and Armstrong were present. President Gaddis was absent.

Bob Blair, NCS D customer, stated cost to sign up for new service is too expensive.

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]

Peter Sevcik, Director of Engineering and Operations, presented the item and answered questions from the Board

There were no public comments.

- 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

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Director Woodson

- October 5, attended SCAC meeting.

Director Eby

- September 9, attended NMMA TG meeting remotely.
- October 6, attended BLMA meeting remotely.
- October 13, met with Mario Iglesias and Peter Sevcik regarding NSWP.

C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

There were no public comments.

Upon the motion of Director Eby and seconded, the Board unanimously approved receiving and filing presentations and reports.

Vote 4-0.

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

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE SEPTEMBER 23, 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 AWARDDING 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]

There were no public comments.

Upon the motion of Director Eby and seconded, the Board unanimously approved the Consent Agenda.

Vote 4-0.

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

RESOLUTION NO. 2020-1574

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING A TASK ORDER FOR THE ADMINISTRATION COMPUTER SYSTEM'S SERVER REPLACEMENT PROJECT WITH CLEVER DUCKS

RESOLUTION NO. 2020-1575

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AWARDDING THE BID FOR THE CONSTRUCTION OF THE SOUTHLAND WASTEWATER TREATMENT FACILITY SCREW PRESS PROJECT TO CUSHMAN CONTRACTING CORPORATION IN THE AMOUNT OF \$969,200, AUTHORIZING A CONSTRUCTION CONTINGENCY OF \$90,000 AND APPROVING A BUDGET ADJUSTMENT IN THE AMOUNT OF \$251,000

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]

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

The Board of Directors requested additional information to be presented at the next Board Meeting, including:

- *Return on initial investment*
- *Schedule of multi-phase program, including cost and return on investment for each subsequent phase*

Phil Henry, NCSD customer, asked about the annual support contract and capacity of system to add additional levels of service.

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].**

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

There were no public comments.

Upon the motion of Director Blair and seconded, the Board unanimously moved to adopt and read by title only Ordinance 2020-132, ORDINANCE 2020-132, AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING NIPOMO COMMUNITY SERVICES DISTRICT CODE SECTION 4.12 ADDING PROVISIONS RELATED TO SEWER SERVICE FEES FOR ACCESSORY DWELLING UNITS, waive further reading of the ordinance and direct District counsel and staff to prepare and publish a summary of the ordinance in accordance with Government Code section 25124.

Vote 4-0.

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

ORDINANCE 2020-132

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING NIPOMO COMMUNITY SERVICES DISTRICT CODE SECTION 4.12 ADDING PROVISIONS RELATED TO SEWER SERVICE FEES FOR ACCESSORY DWELLING UNITS.

F. GENERAL MANAGER'S REPORT

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

Phil Henry, NCSD customer, commented on social media such as Nipomo Neighbors, and the messages that are distributed on these types of platforms.

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G. COMMITTEE REPORTS

None

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby requested a Supplemental Water master plan and capacity study be initiated to study how to implement and define the incremental increase in capacity to 6200 acre feet of water. Director Eby believes this is necessary before the District can consider annexation of parcels outside the current District boundaries.

I. CLOSED SESSION ANNOUNCEMENTS

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

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

District Legal Counsel, Craig Steele, stated there was no need for Closed Session.

ADJOURN MEETING

Vice President Armstrong adjourned the meeting at 10:36 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 36 minutes
Closed Session	0 hour 00 minutes
TOTAL HOURS	1 hour 36 minutes

Respectfully submitted,



 Mario Iglesias, General Manager and Secretary to the Board 10/28/2020 Date