

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

DECEMBER 9, 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 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**} 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
NEXT ORDINANCE

2020-1579
2020-133

B. SWEAR IN AND SEAT NEW DIRECTORS, 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. 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

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 28, 2020, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]

D-3) CONSIDER REQUEST FOR WATER, SEWER AND SOLID WASTE SERVICE (INTENT-TO-SERVE LETTER) FOR TRACT 3162, A 10 PARCEL RESIDENTIAL SUBDIVISION LOCATED AT THE CORNER OF THOMPSON AVE AND BRANCH ST [RECOMMEND CONSIDER INTENT-TO-SERVE LETTER AND APPROVE WITH CONDITIONS]

D-4) AUTHORIZE CONTRACT FOR CEQA COMPLIANCE SERVICES FOR BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT WITH SWCA ENVIRONMENTAL CONSULTANTS [RECOMMEND AUTHORIZE STAFF TO EXECUTE A CONTRACT IN THE AMOUNT OF \$32,351 WITH SWCA ENVIRONMENTAL CONSULTANTS FOR CEQA COMPLIANCE SERVICES FOR THE BLACKLAKE SEWER SYSTEM CONSOLIDATION PROJECT AND AUTHORIZE THE GENERAL MANAGER TO ISSUE CHANGE ORDERS WITH A TOTAL AGGREGATE AMOUNT NOT TO EXCEED \$5000]

D-5) ACCEPT FIRST QUARTER FISCAL YEAR 2020-2021 QUARTERLY FINANCIAL REPORT [RECOMMEND RECEIVE AND FILE]

D-6) APPROVE NEWTON GEO-HYDROLOGY 2021 CONSULTING SERVICES CONTRACT SCOPE AND \$90,000 BUDGET [RECOMMEND APPROVE SCOPE AND BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES]

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D-7) APPROVE PURCHASE OF COMPOST AERATOR AND AMEND FY 2020/2021 BUDGET [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION AUTHORIZING PURCHASE OF COMPOST AERATOR AND BUDGET AMENDMENT]

D-8) APPROVE 2021 BOARD MEETING SCHEDULE [RECOMMEND REVIEW AND APPROVE 2021 BOARD MEETING SCHEDULE]

E. ADMINISTRATIVE ITEMS

E-1) ELECT 2021 BOARD PRESIDENT AND VICE PRESIDENT [RECOMMEND DIRECTORS ELECT BOARD OFFICERS FOR 2021 CALENDAR YEAR]

E-2) CONSIDER FIRST AMENDMENT TO GENERAL MANAGER'S EMPLOYMENT CONTRACT REGARDING LEAVE ACCUMULATION AND CARRY-OVER LIMITS [RECOMMEND CONSIDER MODIFICATIONS, DISCUSS AND IF AGREEABLE, APPROVE MODIFICATIONS TO THE GENERAL MANAGER'S EMPLOYMENT CONTRACT]

E-3) ADOPT RESOLUTION COMMENDING FORMER DIRECTOR CRAIG ARMSTRONG [RECOMMEND ADOPT RESOLUTION]

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. 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, January 13, 2021, 9AM