

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

MARCH 24, 2021 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**
DAN WOODSON, **DIRECTOR**
RICHARD MALVAROSE, **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

2021-1588
2021-133

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. Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.

C. PRESENTATIONS AND REPORTS

- C-1) PRESENTATION ON TRANSITIONING FROM BI-MONTHLY TO MONTHLY BILLING CYCLE [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 MARCH 10, 2021, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) DECLARE 2007 FORD PICKUP TRUCK SURPLUS AND AUTHORIZE SALE [RECOMMEND DECLARE 2007 FORD PICKUP SURPLUS AND AUTHORIZE STAFF TO DISPOSE OF BY SALE]
- D-4) AWARD CONSTRUCTION CONTRACT FOR NIPOMO PALMS LIFT STATION REPLACEMENT PROJECT TO BROUGH CONSTRUCTION, INC. [RECOMMEND ADOPT RESOLUTION AWARDED CONTRACT TO BROUGH CONSTRUCTION, INC. IN THE AMOUNT OF \$918,368, AUTHORIZING STAFF TO EXECUTE CONTRACT, AUTHORIZING CHANGE ORDER CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$60,000, AND APPROVING BUDGET ADJUSTMENT IN THE AMOUNT OF \$431,000]
- D-5) APPROVE TASK ORDER WITH MNS ENGINEERS INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR NIPOMO PALMS LIFT STATION REPLACEMENT PROJECT [RECOMMEND BY MOTION AND ROLL CALL APPROVE TASK ORDER WITH MNS ENGINEERS, INC. IN THE AMOUNT OF \$190,000 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]

D-6) APPROVE TASK ORDER WITH CANNON FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR NIPOMO PALMS LIFT STATION REPLACEMENT PROJECT [RECOMMEND BY MOTION AND ROLL CALL APPROVE TASK ORDER WITH CANNON IN THE AMOUNT OF \$35,850 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]

D-7) AUTHORIZE TASK ORDER FOR SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM INTEGRATION SERVICES FOR NIPOMO PALMS LIFT STATION REPLACEMENT PROJECT [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION AUTHORIZING STAFF TO EXECUTE TASK ORDER IN THE AMOUNT OF \$44,896 WITH TESCO CONTROLS, INC.]

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER LANDSCAPE IMPROVEMENTS AT SOUTHLAND WASTEWATER TREATMENT FACILITY, ADOPT RESOLUTION ADJUSTING FY2020-21 BUDGET, AND AWARD CONTRACT TO INSTALL LANDSCAPE IMPROVEMENTS [RECOMMEND CONSIDER IMPORVEMENTS, ADOPT BUDGET ADJUSTMENT RESOLUTION AND APPROVE CONTRACT WITH CONTINGENCY TO INSTALL LANDSCAPE IMPROVEMENTS AT SWWTF]

E-2) CONSIDER MAKING A NOMINATION FOR LOCAL AGENCY FORMATION COMMISION'S SPECIAL DISTRICT MEMBER SEAT [RECOMMEND THE BOARD CONSIDER NOMINATION AND DIRECT STAFF]

E-3) APPROVE QUITCLAIM OF EASEMENT OUTSIDE THE DISTRICT'S SPHERE OF INFLUENCE [RECOMMEND ADOPT RESOLUTION APPROVING THE QUITCLAIM OF AN EASEMENT OVER APN 091-121-051]

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. NCS D (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750, AND ALL CONSOLIDATED CASES

2. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION PURSUANT TO GOV. CODE SECTION 54956.9(D)(4) TWO (2) POTENTIAL 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, April 14, 2021, 9AM