

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

DECEMBER 14, 2022 AT 9:00 A.M.

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

ED EBY, **PRESIDENT**
RICHARD MALVAROSE, **VICE PRESIDENT**
DAN ALLEN GADDIS, **DIRECTOR**
DAN WOODSON, **DIRECTOR**
GARY HANSEN, **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:

- 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 {**NCS.D.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.

A. CALL TO ORDER AND FLAG SALUTE NEXT RESOLUTION 2022-1647

 NEXT ORDINANCE 2022-136

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

B-1) SWEAR IN AND SEAT NEW DIRECTORS, ROLL CALL

B-2) PUBLIC COMMENT: Any member of the public may address the Board 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 NOVEMBER 9, 2022, REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE MINUTES]
- D-3) REJECT ALL BIDS FOR EUREKA WELL [RECOMMEND REJECT ALL BIDS]
- D-4) FIRST QUARTER FINANCIAL REPORT [RECOMMEND RECEIVE AND FILE]
- D-5) ADOPT RESOLUTION TO AMEND BUDGET IN THE AMOUNT OF \$30,000 FOR THE CONSTRUCTION MANAGEMENT AGREEMENT WITH MNS [RECOMMEND ADOPT RESOLUTION]
- D-6) APPROVE NEWTON GEO-HYDROLOGY 2023 CONSULTING SERVICES CONTRACT SCOPE AND \$90,000 BUDGET [RECOMMEND APPROVE SCOPE AND BUDGET FOR NEWTON GEO-HYDROLOGY TO PROVIDE 2023 CONSULTING SERVICES TO NIPOMO COMMUNITY SERVICES DISTRICT]
- D-7) APPROVE 2023 BOARD MEETING SCHEDULE [RECOMMEND REVIEW AND APPROVE 2023 BOARD MEETING SCHEDULE]

E. ADMINISTRATIVE ITEMS

- E-1) AWARD CONSTRUCTION CONTRACT FOR BRANCH STREET WATER MAIN REPLACEMENT PROJECT TO RAMINHA CONSTRUCTION, INC., IN THE AMOUNT OF \$793,864, APPROVE CONSTRUCTION MANAGEMENT AGREEMENT WITH MNS IN THE AMOUNT OF \$248,140, APPROVE AGREEMENT WITH MKN FOR DESIGN ENGINEERING DURING CONSTRUCTION IN THE AMOUNT OF \$25,822, AUTHORIZE CONTINGENCY IN THE AMOUNT OF \$160,000 AND APPROVE BUDGET AMENDMENT IN THE AMOUNT OF \$378,000 [RECOMMEND ADOPT RESOLUTION]
- E-2) ELECT 2023 NIPOMO COMMUNITY SERVICES DISTRICT BOARD PRESIDENT AND VICE PRESIDENT [RECOMMEND DIRECTORS ELECT BOARD PRESIDENT AND VICE PRESIDENT FOR CALENDAR YEAR 2023]

- 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 11, 2023, 9AM