

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## SPECIAL MEETING MINUTES

**JANUARY 10, 2014, AT 9:00 A.M.**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

### BOARD of DIRECTORS

CRAIG ARMSTRONG, **PRESIDENT**  
JAMES HARRISON, **VICE PRESIDENT**  
LARRY VIERHEILIG, **DIRECTOR**  
DAN GADDIS, **DIRECTOR**  
BOB BLAIR, **DIRECTOR**

### PRINCIPAL STAFF

MICHAEL S. LEBRUN, **GENERAL MANAGER**  
LISA BOGNUDA, **FINANCE DIRECTOR**  
MICHAEL W. SEITZ, **GENERAL COUNSEL**  
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**  
NITA WINDSOR, **BOARD CLERK**

Mission Statement: The Nipomo Community Services District's mission is to provide its customers with reliable, quality, and cost-effective services now and in the future.

00:00:00

#### 1. CALL TO ORDER AND FLAG SALUTE AND ROLL CALL

*President Armstrong called the Special Meeting of January 10, 2014, to order at 9:04 a.m. and led the flag salute.*

*At Roll Call, all Board members were present.*

#### 2. CLOSED SESSION ANNOUNCEMENT

##### a. **CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(d)(2) &(e)(1):**

Significant Exposure to Litigation - 1 case.

#### 3. PUBLIC COMMENT ON CLOSED SESSION ITEMS.

*There was no public comment.*

#### 4. ADJOURN TO CLOSED SESSION

*President Armstrong adjourned to closed session at 9:08 a.m.*

01:10:00

#### 5. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board came back into Open Session at 10:10 a.m.*

*Michael Seitz, District Legal Counsel, announced that there was no reportable action on closed session items.*

#### 6. CONSIDER TERMINATION FOR CONVENIENCE OF THE CONSTRUCTION CONTRACT FOR SUPPLEMENTAL WATER PROJECT PHASE 1, BID PACKAGE 3 WITH SPECIALTY CONSTRUCTION INC. INCLUDING ALTERNATE BID ITEM GROUP A

*Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Michael Seitz, District Legal Counsel and Mr. LeBrun answered questions from the Board.*

**Nipomo Community Services District  
SPECIAL MEETING  
MINUTES**

ITEM 6 (CONTINUED)

*The following members of the public spoke:*

Rudy Bachmann, Specialty Construction, commented on and expressed concerns as to the Contract termination.

Michael LeBrun, General Manager, and Michael Seitz, District Legal Counsel, commented on Mr. Bachmann's concerns, and Mr. LeBrun agreed to meet with Mr. Bachmann on Monday, January 13 at 3:00 p.m. to discuss further.

Upon the motion of Director Harrison and seconded by Director Vierheilig, the Board unanimously approved Resolution No. 2014-1329, and directed Staff to meet with Specialty Construction.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Vierheilig, Blair, Gaddis and Armstrong	None	None

**RESOLUTION NO. 2014-1329**

**CONSIDER TERMINATION FOR CONVENIENCE  
OF THE CONSTRUCTION CONTRACT FOR SUPPLEMENTAL WATER PROJECT  
PHASE 1, BID PACKAGE 3 WITH SPECIALTY CONSTRUCTION INC.  
INCLUDING ALTERNATE BID ITEM GROUP A**

01:25:00

**ADJOURN**

*President Armstrong adjourned the meeting at 10:25 a.m*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	0 hour 19 minutes
Closed Session	1 hour 02 minutes
<b>TOTAL HOURS</b>	<b>1 hour 21 minutes</b>