

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: NOVEMBER 7, 2014

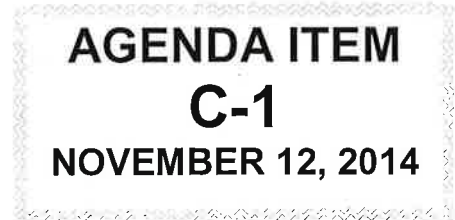
**AGENDA ITEM
C
NOVEMBER 12, 2014**

PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-1) REPORT ON OCTOBER 22, 2014 REGULAR MEETING CLOSED SESSION
Announcement of actions, if any, taken in Closed Session
- C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & 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

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
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CLOSED SESSION REPORT

ITEM

Announcement of actions, if any, taken during Closed Session at previous Board Meetings [NO ACTION REQUESTED]

BACKGROUND

The October 22, 2013 Regular Meeting Closed Session included:

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a) SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
 - b) NCSD v County SLOCSC #CV090010
 - c) Bening v NCSD SLOCSC #14CV-0069

2. CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIM PURSUANT TO SECTION 54956.95:
Claimant: Specialty Construction
Agency: NCSD

Staff will report on closed session action taken, if any.

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
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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. 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.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda.**

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE OCTOBER 22, 2014 REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS
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**AGENDA ITEM
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HAND WRITTEN CHECKS

10-28-14	10287	PGE
10-28-14	10288	SLO COUNTY CLERK-RECORDER
11-12-14	10289	LUISA CAHUA
11-12-14	10290	GINA GLUYAS

**TOTAL COMPUTER CHECKS
 \$655,847.46**

ELECTRICITY	\$60,054.25
LIEN RELEASE	\$12.00
ELECTION-LOCK BUILDING	\$50.00
CUSTOMER REFUND	\$469.99

VOIDS - 23623

COMPUTER GENERATED CHECKS

23624	11/07/14	EMP01	EMPLOYMENT DEVELOP DEPT	1524.92	.00	1524.92	B41103	STATE INCOME TAX
23625	11/07/14	MID01	RABOBANK-PAYROLL TAX DEPO	4844.94	.00	4844.94	B41103	FEDERAL INCOME TAX
				49.60	.00	49.60	1B41103	FICA
				1119.56	.00	1119.56	2B41103	MEDICARE (FICA)
			Check Total.....:	6014.10	.00	6014.10		
23626	11/07/14	MID02	RABOBANK-DIRECT DEPOSIT	29363.77	.00	29363.77	B41103	NET PAY
23627	11/07/14	PER01	PERS RETIREMENT	9725.10	.00	9725.10	B41103	PERS PAYROLL REMITTANCE
23628	11/07/14	STA01	CALPERS 457 DEFERRED COMP	1080.00	.00	1080.00	B41103	457 DEFERRED COMP
023629	11/12/14	ABA01	ABALONE COAST BACTERIOLOG	6220.00	.00	6220.00	14-3534	UCMR SPECIAL SAMPLING
				5098.00	.00	5098.00	OCT 2014	LAB TESTS
			Check Total.....:	11318.00	.00	11318.00		
023630	11/12/14	ADV01	ADVANTAGE ANSWERING PLUS	144.85	.00	144.85	NOV 2014	ANSWERING SERVICE
023631	11/12/14	ALX01	ALEXANDER'S CONTRACT SERV	3387.97	.00	3387.97	OCT 2014	METER READING
023632	11/12/14	AME03	AMERI PRIDE	160.64	.00	160.64	1230004	UNIFORMS
				147.67	.00	147.67	1234869	UNIFORMS
				160.64	.00	160.64	1240271	UNIFORMS
			Check Total.....:	468.95	.00	468.95		
023633	11/12/14	ATT01	AT&T	154.71	.00	154.71	5866134	TELEPHONE
				26.70	.00	26.70	5866378	TELEPHONE
				182.49	.00	182.49	5866447	TELEPHONE
			Check Total.....:	363.90	.00	363.90		
023634	11/12/14	BEN02	BENTLEY SYSTEMS, INC.	1739.75	.00	1739.75	47634135	GEMS SOFTWARE SUBSCRIPTIO
023635	11/12/14	BRE02	BRENNTAG PACIFIC INC.	373.40	.00	373.40	BPI463811	SODIUM HYPOCHLORITE
				364.34	.00	364.34	BPI463812	SODIUM HYPOCHLORITE
				608.49	.00	608.49	BPI465704	SODIUM HYPOCHLORITE
				373.40	.00	373.40	BPI465705	SODIUM HYPOCHLORITE
				337.23	.00	337.23	BPI468032	SODIUM HYPOCHLORITE
				400.52	.00	400.52	BPI468033	SODIUM HYPOCHLORITE
			Check Total.....:	2457.38	.00	2457.38		
023636	11/12/14	BUR01	BURDINE PRINTING	648.00	.00	648.00	25436	FLUSHING A-FRAME SIGNS
023637	11/12/14	CHA02	CHARTER COMMUNICATIONS	225.00	.00	225.00	NOV 2014A	INTERNET-SOUTHLAND
				225.00	.00	225.00	NOV 2014B	INTERNET-WILSON
			Check Total.....:	450.00	.00	450.00		
023638	11/12/14	COR04	CORIX WATER PRODUCTS (US)	134.51	.00	134.51	1328210	GLUE/TAPE/BLADES
023639	11/12/14	CRO02	CROSBY COMPANY	7800.00	.00	7800.00	6/30/14	AUDIT SERVICES FY 6/30/14
023640	11/12/14	DEP06	DEPARTMENT OF JUSTICE	196.00	.00	196.00	153854	FINGERPRINTING
023641	11/12/14	DEW01	J B DEWAR INC	1103.47	.00	1103.47	105771	OIL
023642	11/12/14	DKA01	D-KAL ENGINEERING, INC.	509756.65	.00	509756.65	1	PROGRESS PAYMENT #1
023643	11/12/14	DLT01	DLT SOLUTIONS INC	354.87	.00	354.87	4402323	AUTOCAD SUBSCRIPTION
023644	11/12/14	ELE03	ELECTRICRAFT, INC.	2292.00	.00	2292.00	7859	ELECTRICAL CONDUITS
023645	11/12/14	FAR01	FARM SUPPLY COMPANY	222.00	.00	222.00	21240	HYDRATED LIME
023646	11/12/14	FER01	FERGUSON ENTERPRISES INC	3150.90	.00	3150.90	1176107	PIPE AND FITTINGS

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023647	11/12/14	FGL01	FGL ENVIRONMENTAL	265.00	.00	265.00	482824A	LAB TEST
				85.80	.00	85.80	483272A	LAB TEST
				417.70	.00	417.70	483279A	LAB TEST
				68.48	.00	68.48	483287A	LAB TESTS
			Check Total.....:	836.98	.00	836.98		
023648	11/12/14	GIL01	GLM, INC.	426.79	.00	426.79	184	LANDCAPE AND IRRIGATION R
023649	11/12/14	GRA01	GRANDFLOW, INC.	154.26	.00	154.26	129660	W-2/1099 FORMS
023650	11/12/14	GWA01	GWA INC	87.00	.00	87.00	NOV 14A	ALARM-SHOP
				226.00	.00	226.00	NOV 14B	ALARM/REPAIR-SOUTHLAND
				55.00	.00	55.00	NOV 14C	ALARM-WILSON
			Check Total.....:	368.00	.00	368.00		
023651	11/12/14	HOD03	HODGE CONSULTING	1072.50	.00	1072.50	OCT 2014	SUPPLEMENTAL WATER
023652	11/12/14	KOE01	KOEHLER PLUMBING, INC	125.00	.00	125.00	7188	BACK FLOW TEST/REPORT
023653	11/12/14	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	63179	LANDSCAPE MAINT DIST
				2160.00	.00	2160.00	63316	LM-D-FALL CLEAN UP
			Check Total.....:	2374.00	.00	2374.00		
023654	11/12/14	LEB02	LeBRUN, MICHAEL	65.00	.00	65.00	NOV 2014	CELL PHONE REIMBURSEMENT
023655	11/12/14	LEE02	LEE CENTRAL COAST NEWSPAP	222.00	.00	222.00	OCT 2014A	PUBLIC NOTICE
				997.08	.00	997.08	OCT 2014B	CONSERVATION ADS
			Check Total.....:	1219.08	.00	1219.08		
023656	11/12/14	MIN02	MINER'S ACE HARDWARE	242.77	.00	242.77	OCT 2014	SUPPLIES
023657	11/12/14	MNS01	MNS ENGINEERS INC	9289.35	.00	9289.35	64816	SOUTHLAND WWTF
				59350.13	.00	59350.13	64817	SUPPLEMENTAL WATER
			Check Total.....:	68639.48	.00	68639.48		
023658	11/12/14	NAT03	NATIONAL SAFETY COUNCIL	395.00	.00	395.00	1076153	MEMBERSHIP RENEWAL
023659	11/12/14	NEW05	NEWTON GEO-HYDROLOGY CONS	3931.98	.00	3931.98	OCT 2014	LITIGATION SUPPORT
023660	11/12/14	NIP05	NIPOMO CHAMBER OF COMMERC	165.00	.00	165.00	SEP 2014A	CHAMBER ADOPT-A-HIGHWAY G
				2920.50	.00	2920.50	SEPT 2014	CHAMBER GRANT
			Check Total.....:	3085.50	.00	3085.50		
023661	11/12/14	OFF01	OFFICE DEPOT	258.58	.00	258.58	42318001	OFFICE SUPPLIES
				177.36	.00	177.36	44284001	OFFICE SUPPLIES
				1.84	.00	1.84	46593001	OFFICE SUPPLIES
				4.62	.00	4.62	46594001	OFFICE SUPPLIES
			Check Total.....:	442.40	.00	442.40		
023662	11/12/14	POL02	POLYDYNE, INC.	570.83	.00	570.83	920498	CLARIFLOC
023663	11/12/14	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	253	JANITORIAL
023664	11/12/14	PRO01	PROTO DIE MANUFACTURING	275.00	.00	275.00	811	REFABRICATION
023665	11/12/14	PWS01	PROTECTIVE WEATHER STRUCT	1500.00	.00	1500.00	528-F	RE-INSTALL STEEL BLDG
023666	11/12/14	QUI03	QUINN COMPANY	49.62	.00	49.62	23751	COOLANT
023667	11/12/14	RAU01	RAUCH COMMUNICATION CONSU	7959.60	.00	7959.60	AUG 2014	OUTREACH
				2449.40	.00	2449.40	OCT 2014	OUTREACH
				7693.75	.00	7693.75	SEPT 2014	OUTREACH
			Check Total.....:	18102.75	.00	18102.75		
023668	11/12/14	SAG02	SAGE DESIGNS, INC	395.00	.00	395.00	9033918	SOFTWARE MAINT/SUPPORT SU
023669	11/12/14	SHI01	SHIPSEY & SEITZ, INC	12996.00	.00	12996.00	OCT 2014	LEGAL SERVICES THRU 10/31
023670	11/12/14	SLO06	SAN LUIS OBISPO TAX COLL	1047.42	.00	1047.42	2014/15 A	PROPERTY TAXES
				7.00	.00	7.00	2014/15 B	PROPERTY TAXES
			Check Total.....:	1054.42	.00	1054.42		
023671	11/12/14	SOU01	SOUTH COUNTY SANITARY	188.70	.00	188.70	NOV 2014A	OLDE TOWN TRASH COLLECTIO
				185.06	.00	185.06	NOV 2014B	SOUTHLAND WASTE COLLECTIO
				38.98	.00	38.98	NOV 2014C	OFFICE TRASH COLLECTION
			Check Total.....:	412.74	.00	412.74		

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023672	11/12/14	SPI01	SPIESS CONSTRUCTION CO.	299216.10	.00	299216.10	9	PROGRESS PAYMENT #9
023673	11/12/14	SPI02	RABOBANK	15748.22	.00	15748.22	9	RETENTION PMT #9
023674	11/12/14	STA05	STATE WATER RESOURCES CB	70.00	.00	70.00	VOELKER	GRADE 1 CERTIFICATION
023675	11/12/14	STA08	STAPLES	169.29	.00	169.29	B41028	OFFICE SUPPLIES
023676	11/12/14	STA11	SWRCB ACCOUNTING OFFICE	2636.31	.00	2636.31	1460555	WATER SYSTEM PERMIT FEES
023677	11/12/14	STE01	STERLING COMMUNICATIONS	297.44	.00	297.44	28930	RADIO PROGRAMMING
023678	11/12/14	STR02	STREATOR PIPE & SUPPLY	67.47	.00	67.47	S1308643	PVC FITTINGS
023679	11/12/14	TES01	TESCO CONTROLS, INC.	144360.00	.00	144360.00	55395	RADIO SYSTEM IMPROVEMENT
023680	11/12/14	THE01	THE GAS COMPANY	16.82	.00	16.82	OCT 2014A	HEAT-OFFICE
				14.82	.00	14.82	OCT 2014B	HEAT-SHOP
			Check Total.....:	31.64	.00	31.64		
023681	11/12/14	THE02	THE TRIBUNE SLO CO NEWSPAP	257.64	.00	257.64	1367264	PUBLIC NOTICE
023682	11/12/14	USA01	USA BLUEBOOK	352.95	.00	352.95	480369	ADAPTERS/PH BUFFER
				1380.98	.00	1380.98	481630	PROBE/LAB SUPPLIES
				63.76	.00	63.76	481681	UNION BLEACH
			Check Total.....:	1797.69	.00	1797.69		
023683	11/12/14	USB01	US BANK (VISA)	98.00	.00	98.00	OCT 2014A	POSTAGE
				469.29	.00	469.29	OCT 2014B	WATER CONSERVATION
				205.96	.00	205.96	OCT 2014C	SUPPLIES
				500.00	.00	500.00	OCT 2014D	WATER CERT COURSES
			Check Total.....:	1273.25	.00	1273.25		
023684	11/12/14	VER01	VERIZON	49.10	.00	49.10	101914	TELEPHONE
023685	11/12/14	VER03	VERIZON WIRELESS	275.43	.00	275.43	OCT 2014	CELLULAR
023686	11/12/14	YOU01	YOUR PEOPLE PROFESSIONALS	1624.00	.00	1624.00	NOV 2014	EMPLOYMENT AGENCY-DEPOSIT

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: NOVEMBER 7, 2014

**AGENDA ITEM
D-2
NOVEMBER 12, 2014**

APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

ITEM

Approve action minutes from previous Board meetings. [RECOMMENDED APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board Meeting action.

RECOMMENDATION

Approve minutes as part of Consent Agenda.

ATTACHMENT

- A. October 22, 2014, draft Regular Board Meeting Minutes

November 12, 2014

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

DRAFT REGULAR MINUTES

OCTOBER 22, 2014, AT 9:00 A.M.

JON S. SEITZ 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.**
JESSICA MATSON, **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 A. CALL TO ORDER AND FLAG SALUTE

President Armstrong called the Regular Meeting of October 22, 2014, to order at 9:00 a.m. and led the flag salute.

00:00:26 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, Directors Gaddis, Vierheilig, Blair and Armstrong were present. Director Harrison was absent.

There were no public comments.

00:00:36 C. PRESENTATIONS AND REPORTS

- C-1) SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY McMURCHIE EXCELLENCE IN SAFETY 2014 AWARD PRESENTATION
Receive award

Director Armstrong presented Peter Sevcik, Director of Engineering and Operations and the District's Safety Officer, with the safety award. Mr. Sevcik addressed Operations and Administrative staff and commended them for their efforts.

- C-2) CAL FIRE UPDATE
South County Battalion Chief VanGerwen did not attend the meeting.

President Armstrong announced that Item E-3 would be heard next.

- 00:02:22 E-3) CONSIDER LETTER FROM CITIES OF ARROYO GRANDE, GROVER BEACH, AND PISMO BEACH RE: SANTA MARIA GROUND WATER BASIN

Michael LeBrun, General Manager, reviewed the letter as presented in the Board packet. Shelly Higginbotham, Mayor of Pismo Beach, addressed the Board regarding concern for the area's groundwater basin and answered questions from the Board.

The following members of the public spoke:

00:22:30 *Ben Fine, City of Pismo Beach Director of Public Works, commented on public agencies responsibility to bring in water and urged the District to issue another moratorium.*

Ed Eby, NCSA Customer, commented on the letter and suggested a meeting between the Nipomo Mesa Management Area (NMMA) and Northern Cities Management Area (NCMA).

SUBJECT TO BOARD APPROVAL

ITEM E-3 (Continued)

Director Armstrong directed staff to contact County Supervisor, Caren Ray, and arrange a meeting between representatives of the entities in management areas.

President Armstrong announced that Item E-1 would be heard next.

00:39:16 E-1) SERVICE REQUEST - BLACKLAKE RESORT LODGE, BUNGALOWS, AND RETIREMENT VILLAGE

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board.

Mike Seitz, District Legal Counsel, commented that, if the drought moves into Severe criterion, the Board should reference the District's Water Shortage Response and Management Plan.

00:58:09 *The following members of the public spoke:
Rob Rossi, Blacklake Developer, commented on the project.*

Ben Fine, City of Pismo Beach Director of Public Works, recommended the Board not allow new water connections until supplemental water is delivered.

Dan Hall, NCSD Customer, expressed concerns regarding Blacklake property values if the golf course closes and voiced his support for the project.

Upon the motion of Director Blair and seconded by Director Armstrong, the Board approved the Intent-to-Serve Letter for Blacklake Resort Lodge, Bungalows, and Retirement Village subject to District Water Shortage Response and Management Plan. Vote 4-0.

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

President Armstrong announced that the Board would return to Presentations and Reports and hear Item C-3 next.

01:08:19 C-3) DIRECTOR OF ENGINEERING AND OPERATIONS
Summary of recent activities

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board Packet. Mr. Sevcik answered questions from the Board.

01:23:58 C-4) REPORT ON OCTOBER 8, 2014 REGULAR MEETING CLOSED SESSION
Announcement of actions, if any, taken in Closed Session

Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1(a) from the October 8, 2014, Regular Meeting (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, but took no reportable action.

Mr. Seitz reported that the Board discussed Item I.1(c) (Bening v. NCSD) in closed session, but took no reportable action.

SUBJECT TO BOARD APPROVAL

ITEM C-4 (Continued)

The Board discussed Item 1.2 from the October 8, 2014, Regular Meeting (Conference with District Legal Counsel re: liability claim pursuant to GC §54956.9 Specialty Construction and NCSD) in closed session, but took no reportable action.

01:24:43

- C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.
 Receive Announcements and Reports from Directors

Director Blair

- ◊ October 21, Attended pipeline certification class in Santa Maria.

Director Gaddis

- ◊ October 14, Attended San Luis Obispo County Water Summit.

Director Armstrong

- ◊ October 14, Attended San Luis Obispo County Water Summit.

01:36:06

- C-6) 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 Vierheilig and seconded by Director Gaddis, the Board approved to receive and file the presentations and reports as submitted.

Vote 4-0.

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

01:36:35

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS
 - OCTOBER 8, 2014 REGULAR MEETING
- D-3) SOUTHLAND WASTEWATER TREATMENT FACILITY PHASE 1 IMPROVEMENT PROJECT ACCEPTANCE
- D-4) RECEIVE 3RD QUARTER INVESTMENT REPORT

There were no public comments.

Upon the motion of Director Vierheilig and seconded by Director Gaddis, the Board approved the consent agenda.

Vote 4-0.

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

01:37:15

E. ADMINISTRATIVE ITEMS

ITEM E-1 WAS HEARD EARLIER IN THE MEETING

E-2) CONSIDER SAN LUIS OBISPO COUNTY DRAFT ORDINANCE REGULATING THE EXPORT OF GROUNDWATER

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun answered questions from the Board.

Mike Seitz, District Legal Counsel, commented regarding the District's position on the County Draft Ordinance.

*The following members of the public spoke:
Ed Eby, NCSD Customer, commented on the County Draft Ordinance.*

The Board directed staff to send a letter to the County requesting that a specific problem be identified and that the Ordinance cover an entire groundwater basin and not just political boundaries.

ITEM E-3 WAS HEARD EARLIER IN THE MEETING

01:59:56

E-4) ANNUAL REVIEW OF SUSPENDED DISTRICT ORDINANCE 2012-117

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun answered questions from the Board.

Mike Seitz, District Legal Counsel, commented that the District should leave the Ordinance in place until the Supplemental Water Project is complete.

*The following members of the public spoke:
Ed Eby, NCSD Customer, commented that the District should leave the Ordinance in place.*

The Board directed staff to leave Ordinance 2012-117 in affect.

02:05:09

E-5) CONSIDER SOLID WASTE RESERVE EXPENDITURE – DISCOUNT TO CUSTOMER SOLID WASTE BILL

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun answered questions from the Board.

There were no public comments.

Upon the motion of Director Armstrong and seconded by Director Blair, the Board approved a one-time 50% discount to customers' solid waste bill.

Vote 4-0.

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

02:21:46 E-6) CONSIDER LOCAL AREA FORMATION COMMISSION SPECIAL DISTRICT SEAT NOMINATION

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet.

There were no Board members interested in being nominated.

02:24:48 F. GENERAL MANAGER'S REPORT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet and reviewed handouts. Mr. LeBrun answered questions from the Board.

There were no public comments.

02:36:25 G. COMMITTEE REPORTS

There were no committee reports.

02:36:48 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Gaddis

- Requested that staff research funding opportunities under Proposition 1.

02:45:36 I. CLOSED SESSION ANNOUNCEMENTS

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

- a) SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- b) NCSD v County SLOCSC #CV090010
- c) Bening v NCSD SLOCSC #14CV-0069

2. CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIM PURSUANT TO SECTION 54956.95:

Claimant: Specialty Construction
Agency: NCSD

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments.

02:46:01 K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 11:57 a.m.

L. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 12:47 p.m.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1(a), Item 1(c) but took no reportable action.

Mr. Seitz announced that the Board discussed Item 2 in closed session and directed staff but took no reportable action.

ADJOURN

President Armstrong adjourned the meeting at 12:48 p.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	2 hours 58 minutes
Closed Session	50 minutes
TOTAL HOURS	3 hours 48 minutes