

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *msl*  
GENERAL MANAGER  
DATE: JANUARY 9, 2015



## **PRESENTATIONS AND REPORTS**

The following presentations and reports are scheduled:

- C-1) REPORT ON DECEMBER 10, 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  
DATE: JANUARY 9, 2015

**AGENDA ITEM  
C-1  
JANUARY 14, 2015**

**CLOSED SESSION REPORT**

**ITEM**

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

**BACKGROUND**

The December 10, 2014 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

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

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: JANUARY 9, 2015

**AGENDA ITEM**

**D**

**JANUARY 14, 2015**

**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 DECEMBER 10, 2014 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVAL]
- D-3) ADOPT RESOLUTION APPROVING LABOR COMPLIANCE [RECOMMEND ADOPT  
RESOLUTION]

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER

*MSL*

DATE: JANUARY 8, 2015

# AGENDA ITEM D-1

## JANUARY 14, 2015

### HAND WRITTEN CHECKS

12-10-14	10297	DAVID OLIVER
12-10-14	10298	JUANA IBARRA
01-02-15	10299	PGE
01-14-15	10300	DEREK MCLEOD

NOTE: NEW SEQUENCE NUMBERS FOR HAND CHECKS

01-14-15	20351	CORNELIO NIEVEZ
01-14-15	20352	LARRY SOUZA
01-14-15	20353	MARY SQUELLATI
01-14-15	20354	CAPSLO

01-14-15	20355	STATE WATER RESOURCES
01-14-15	20356	STATE WATER RESOURCES

VOIDS - NONE

### COMPUTER GENERATED CHECKS

23788	12/19/14	EMP01	EMPLOYMENT DEVELOP DEPT	66.00	.00	66.00	B41212	STATE INCOME TAX
				1674.54	.00	1674.54	1B41212	STATE INCOME TAX
			Check Total.....:	1740.54	.00	1740.54		
23789	12/19/14	MID01	RABOBANK-PAYROLL TAX DEPO	250.00	.00	250.00	B41212	FEDERAL INCOME TAX
				29.00	.00	29.00	1B41212	MEDICARE (FICA)
				5254.56	.00	5254.56	2B41212	FEDERAL INCOME TAX
				62.00	.00	62.00	3B41212	FICA
				1160.62	.00	1160.62	4B41212	MEDICARE (FICA)
			Check Total.....:	6756.18	.00	6756.18		
23790	12/19/14	MID02	RABOBANK-DIRECT DEPOSIT	31237.23	.00	31237.23	B41212	NET PAY
23791	12/19/14	PER01	PERS RETIREMENT	.00	.00	.00	B41212	PERS PAYROLL REMITTANCE
				9947.66	.00	9947.66	1B41212	PERS PAYROLL REMITTANCE
			Check Total.....:	9947.66	.00	9947.66		
23792	12/19/14	STA01	CALPERS 457 DEFERRED COMP	80.00	.00	80.00	B41212	457 DEFERRED COMP
23793	12/22/14	EMP01	EMPLOYMENT DEVELOP DEPT	405.66	.00	405.66	B41219	STATE INCOME TAX
23794	12/22/14	MID01	RABOBANK-PAYROLL TAX DEPO	1736.59	.00	1736.59	B41219	FEDERAL INCOME TAX
				178.24	.00	178.24	1B41219	MEDICARE (FICA)
			Check Total.....:	1914.83	.00	1914.83		
23795	12/22/14	PER01	PERS RETIREMENT	.00	.00	.00	B41219	PERS PAYROLL REMITTANCE
023796	12/22/14	AME03	AMERI PRIDE	218.24	.00	218.24	264217	UNIFORMS
				164.93	.00	164.93	268408	UNIFORMS
			Check Total.....:	383.17	.00	383.17		
023797	12/22/14	ATT01	AT&T	186.94	.00	186.94	023583	TELEPHONE
				150.05	.00	150.05	970362	TELEPHONE
				22.88	.00	22.88	970606	TELEPHONE
				182.28	.00	182.28	970675	TELEPHONE
			Check Total.....:	542.15	.00	542.15		
023798	12/22/14	BRE02	BRENTAG PACIFIC INC.	244.11	.00	244.11	476271	SODIUM HYPOCHLORITE
				244.11	.00	244.11	476272	SODIUM HYPOCHLORITE
				253.16	.00	253.16	477832	SODIUM HYPOCHLORITE
				325.49	.00	325.49	477833	SODIUM HYPOCHLORITE
				262.20	.00	262.20	479875	SODIUM HYPOCHLORITE
			Check Total.....:	1329.07	.00	1329.07		
023799	12/22/14	BUR01	BURDINE PRINTING	1093.15	.00	1093.15	25675	UTILITY BILLS
				229.47	.00	229.47	25697	DOORHANGERS
			Check Total.....:	1322.62	.00	1322.62		
023800	12/22/14	CLE06	CNSSLO INC	2209.00	.00	2209.00	19204	MONTHLY COMPUTER SUPPORT
				2113.95	.00	2113.95	19248	FIRE WALL UPGRADES
			Check Total.....:	4322.95	.00	4322.95		

### TOTAL COMPUTER CHECKS

.\$940,813.12

WASHER REBATE	\$75.00
WASHER REBATE	\$75.00
ELECTRICITY	\$34,507.72
WASHER REBATE	\$75.00
WASHER REBATE	\$75.00
WASHER REBATE	\$75.00
REIMBURSEMENT FOR OVERPAYMENT OF DEPOSIT ON FIRE SYSTEM	\$18,091.50
GRADE 2 CERT-MALDONADO	\$80.00
GRADE 1 CERT-CALLEJA	\$70.00

TO: BOARD OF DIRECTORS

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GENERAL MANAGER

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023801	12/22/14	COR02	CORRPRO COMPANIES, INC.	2440.00	.00	2440.00	284206	TANK INSPECTIONS
023802	12/22/14	COR04	CORIX WATER PRODUCTS (US)	75.78	.00	75.78	331342	SUPPLIES
023803	12/22/14	CRY01	CRYSTAL SPRINGS	31.75	.00	31.75	DEC 2014	DISTILLED WATER
023804	12/22/14	CWE01	CWEA	84.00	.00	84.00	B41219	CERTIFICATION RENEWAL-GER
023805	12/22/14	GWA01	GWA INC	50.00	.00	50.00	062201	ADD USER
023806	12/22/14	IND01	INDUSTRIAL MEDICAL GROUP	155.00	.00	155.00	24324	PREEMPLOYMENT PHYSICAL/DR
023807	12/22/14	INT02	INTEGRATED INDUSTRIAL SUP	21.87	.00	21.87	28710	VEHICLE FIRST AID KIT
023808	12/22/14	MAT01	MATSON, JESSICA	23.18	.00	23.18	DEC 2014	MILEAGE REIMBURSEMENT
				714.64	.00	714.64	DEC2014B	POSTER/VIDEO CONTEST
			Check Total.....:	737.82	.00	737.82		
023809	12/22/14	MOR02	MORE OFFICE SOLUTIONS	743.11	.00	743.11	794229	COPIER MAINTENANCE
				331.13	.00	331.13	800988	COLOR/B&W COPIES
			Check Total.....:	1074.24	.00	1074.24		
023810	12/22/14	NIP05	NIPOMO CHAMBER OF COMMERC	180.00	.00	180.00	1576	MEMBERSHIP DUES
023811	12/22/14	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	109200	RODENT CONTROL
				75.00	.00	75.00	109202	RODENT CONTROL
			Check Total.....:	340.00	.00	340.00		
023812	12/22/14	OFF01	OFFICE DEPOT	375.75	.00	375.75	141001	OFFICE SUPPLIES
				150.32	.00	150.32	470001	OFFICE SUPPLIES
				17.18	.00	17.18	531001	OFFICE SUPPLIES
			Check Total.....:	543.25	.00	543.25		
023813	12/22/14	POO01	POOR RICHARD'S PRESS	213.60	.00	213.60	263396	POSTAGE FOR BILLS
				844.32	.00	844.32	263422	POSTAGE FOR BILLS
				58.04	.00	58.04	263396B	MAIL LATE NOTICES
				318.89	.00	318.89	263422B	MAIL BILLS
			Check Total.....:	1434.85	.00	1434.85		
023814	12/22/14	QUI03	QUINN COMPANY	1009.33	.00	1009.33	000860	EQUIPMENT REPAIR/MAINTENA
023815	12/22/14	SLO02	DIV OF ENVIRON HEALTH	826.30	.00	826.30	092583	BACKFLOW PROGRAM
023816	12/22/14	SPE01	SPECIAL DISTRICT RISK	7605.00	.00	7605.00	49695	WORKERS' COMP PROGRAM
023817	12/22/14	STA05	STATE WATER RESOURCES CB	90.00	.00	90.00	B41219	DISTRIBUTION CERTIFICATIO
023818	12/22/14	THE02	THE TRIBUNE SLO CO NEWSPAP	250.86	.00	250.86	1388672	PUBLIC NOTICE
023819	12/22/14	USA01	USA BLUEBOOK	69.22	.00	69.22	509199	LAB SUPPLIES
023820	12/22/14	VER03	VERIZON WIRELESS	439.61	.00	439.61	NOV 2014	CELLULAR
023821	12/22/14	STA05	STATE WATER RESOURCES CB	50.00	.00	50.00	SLY	WATER DISTRIBUTION D1 EXA
23822	01/02/15	EMP01	EMPLOYMENT DEVELOP DEPT	1416.07	.00	1416.07	B41229	STATE INCOME TAX
23823	01/02/15	MID01	RABOBANK-PAYROLL TAX DEPO	4530.07	.00	4530.07	B41229	FEDERAL INCOME TAX
				1143.38	.00	1143.38	1B41229	MEDICARE (FICA)
			Check Total.....:	5673.45	.00	5673.45		
23824	01/02/15	MID02	RABOBANK-DIRECT DEPOSIT	29171.53	.00	29171.53	B41229	NET PAY
23825	01/02/15	PER01	PERS RETIREMENT	9935.95	.00	9935.95	B41229	PERS PAYROLL REMITTANCE
23826	01/02/15	STA01	CALPERS 457 DEFERRED COMP	2580.00	.00	2580.00	B41229	457 DEFERRED COMP
023827	01/14/15	ABA01	ABALONE COAST BACTERIOLOG	5653.20	.00	5653.20	2398	LAB TESTS
023828	01/14/15	ADV01	ADVANTAGE ANSWERING PLUS	154.80	.00	154.80	252014	ANSWERING SERVICE
023829	01/14/15	AEC01	AECOM USA INC	47239.20	.00	47239.20	496279	SUPPLEMENTAL WATER
				3625.41	.00	3625.41	496289	SOUTHLAND WWTF UPGRADE
			Check Total.....:	50864.61	.00	50864.61		
023830	01/14/15	ALX01	ALEXANDER'S CONTRACT SERV	3387.99	.00	3387.99	310871	METER READING
023831	01/14/15	AME02	AMERICAN INDUSTRIAL SUPPL	283.48	.00	283.48	275109	TANK TRUCK HOSE
023832	01/14/15	AME03	AMERI PRIDE	151.96	.00	151.96	273656	UNIFORMS
				164.93	.00	164.93	278239	UNIFORMS
				142.49	.00	142.49	282315	UNIFORMS
			Check Total.....:	459.38	.00	459.38		

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023833	01/14/15	ATT01	AT&T	152.18	.00	152.18	072147	TELEPHONE
				25.02	.00	25.02	072391	TELEPHONE
				183.81	.00	183.81	072460	TELEPHONE
			Check Total.....	361.01	.00	361.01		
023834	01/14/15	BES01	BEST BEST & KRIEGER	337.48	.00	337.48	739248	WATER
				9917.06	.00	9917.06	739249	SUPPLEMENTAL WATER
			Check Total.....	10254.54	.00	10254.54		
023835	01/14/15	BRE02	BRENNTAG PACIFIC INC.	352.62	.00	352.62	481320	SODIUM HYPOCHLORITE
				298.36	.00	298.36	481631	SODIUM HYPOCHLORITE
				325.49	.00	325.49	482532	SODIUM HYPOCHLORITE
				2114.81	.00	2114.81	482533	CITRIC ACID
				325.49	.00	325.49	484795	SODIUM HYPOCHLORITE
			Check Total.....	3416.77	.00	3416.77		
023836	01/14/15	BRE03	BREWER, REED	140.71	.00	140.71	B50106	WORK BOOT REIMBURSEMENT
023837	01/14/15	CAL08	CALIFORNIA RURAL WATER A	250.00	.00	250.00	SLY	DISTRIBUTION GRADE 1 COUR
023838	01/14/15	CAN03	CANVAS SOLUTIONS, INC.	210.00	.00	210.00	944857	CANVAS SUBSCRIPTION
023839	01/14/15	CAS01	CASSIA LANDSCAPE	1530.00	.00	1530.00	121404	LANDSCAPE AND IRRIGATION
023840	01/14/15	CHA02	CHARTER COMMUNICATIONS	225.00	.00	225.00	JAN2015A	INTERNET SHOP
				225.00	.00	225.00	JAN2015B	INTERNET OFFICE
			Check Total.....	450.00	.00	450.00		
023841	01/14/15	CIT04	CITY OF ARROYO GRANDE	52.92	.00	52.92	14-023	WATER METER TESTING
023842	01/14/15	CLE06	CNSSLO INC	540.00	.00	540.00	19325	POWER SUPPLY REPLACEMENT
				495.00	.00	495.00	19328	CPO WORKSTATION
			Check Total.....	1035.00	.00	1035.00		
023843	01/14/15	COA02	COASTAL ROLLOFF	736.64	.00	736.64	4725247	WASTE COLLECTION 509 SOUT
023844	01/14/15	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	412151	MONTHLY COMPUTER SUPPORT
023845	01/14/15	COR04	CORIX WATER PRODUCTS (US)	5989.63	.00	5989.63	331982	MANHOLE FRAMES AND COVERS
023846	01/14/15	DKA01	D-KAL ENGINEERING, INC.	427586.66	.00	427586.66	3	PROGRESS PAYMENT #3
023847	01/14/15	ELE03	ELECTRICRAFT, INC.	294.66	.00	294.66	8106	REMOVE AND REPLACE BALLAS
023848	01/14/15	FAR01	FARM SUPPLY COMPANY	222.29	.00	222.29	22389	HYDRATED LIME
				35.13	.00	35.13	22489	CAMLOCK, MALE ADAPTER
			Check Total.....	257.42	.00	257.42		
023849	01/14/15	FAR02	FAR WEST EXPRESS	23.00	.00	23.00	DEC 2014	DELIVERY
023850	01/14/15	FGL01	FGL ENVIRONMENTAL	417.70	.00	417.70	483306A	LAB TESTS
023851	01/14/15	GIL01	GLM, INC.	360.00	.00	360.00	DEC 2014	LANDSCAPING OFFICE
023852	01/14/15	GOL01	GOLDEN STATE MAILING	117.18	.00	117.18	37575	POSTAGE METER SUPPLIES
023853	01/14/15	GWA01	GWA INC	87.00	.00	87.00	2015C	ALARM - 509 SOUTHLAND
				87.00	.00	87.00	JAN2015A	ALARM - SHOP
				55.00	.00	55.00	JAN2015B	ALARM - OFFICE
			Check Total.....	229.00	.00	229.00		
023854	01/14/15	INT02	INTEGRATED INDUSTRIAL SUP	39.03	.00	39.03	28991	VEHICLE FIRST AID KIT
023855	01/14/15	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	63693	LANDSCAPE MAINTENANCE DIS
023856	01/14/15	LEE02	LEE CENTRAL COAST NEWSPAP	664.72	.00	664.72	DEC 2014	WATER CONSERVATION ADS 44
023857	01/14/15	MIN02	MINER'S ACE HARDWARE	112.54	.00	112.54	DEC2014	SUPPLIES
023858	01/14/15	MNS01	MNS ENGINEERS INC	3511.37	.00	3511.37	64971	SOUTHLAND WWTF
				47785.76	.00	47785.76	64972	SUPPLEMENTAL WATER
			Check Total.....	51297.13	.00	51297.13		
023859	01/14/15	NEW05	NEWTON GEO-HYDROLOGY CONS	7955.00	.00	7955.00	DEC 2014	LITIGATION SUPPORT
023860	01/14/15	NEX03	NEXTRAQ	408.50	.00	408.50	087028	GPS SERVICE
023861	01/14/15	NIP05	NIPOMO CHAMBER OF COMMERC	165.00	.00	165.00	1412	CHAMBER GRANT
				180.00	.00	180.00	1579	QUARTERLY BILLING FOR ADS
				2530.00	.00	2530.00	2014-27	CHAMBER GRANT
			Check Total.....	2875.00	.00	2875.00		

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023862	01/14/15	NUN01	NUNLEY, MICHAEL K. & ASSO	660.00	.00	660.00	511	GIS MAINTENANCE PROJECT
				5555.00	.00	5555.00	526	GIS UPDATE/WW FLOW ANALYS
				1265.00	.00	1265.00	527	WATER/SEWER SERVICE MAPPI
				7014.12	.00	7014.12	534	SWP CHLORAMINATION/OPERAT
				2190.00	.00	2190.00	538	DEVELOPMENT OF OPERATIONS
				3812.50	.00	3812.50	540	BRANCH AND AVOCADO WATERL
			Check Total.....:	20496.62	.00	20496.62		
023863	01/14/15	OFF01	OFFICE DEPOT	189.71	.00	189.71	478001	OFFICE SUPPLIES
023864	01/14/15	POO01	POOR RICHARD'S PRESS	1078.17	.00	1078.17	263405A	NEWSLETTER
				1163.72	.00	1163.72	263405B	POSTAGE FOR NEWSLETTER
			Check Total.....:	2241.89	.00	2241.89		
023865	01/14/15	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	255	JANITORIAL SERVICE
023866	01/14/15	RAB01	RABOBANK	90.00	.00	90.00	B50106	DEPOSIT BOX RENTAL
023867	01/14/15	RIC01	RICHARDS, WATSON, GERSHON	2505.00	.00	2505.00	199302	WATER RIGHTS ADJUDICATION
023868	01/14/15	ROD01	RODRIGUEZ, RIGOBERTO	150.00	.00	150.00	B50106	WORK BOOT REIMBURSEMENT
023869	01/14/15	SCI01	SCIENCE DISCOVERY	888.14	.00	888.14	760NCSD	WATER CONSERVATION EDUCAT
023870	01/14/15	SOU01	SOUTH COUNTY SANITARY	19.49	.00	19.49	4711840	OFFICE WASTE COLLECTION
				94.35	.00	94.35	4713013	OLD TOWN WASTE COLLECTION
				12140.81	.00	12140.81	4713343	JANUARY ONE-TIME 50% DISC
				92.52	.00	92.52	4713551	SOUTHLAND WASTE COLLECTIO
			Check Total.....:	12347.17	.00	12347.17		
023871	01/14/15	SOU03	SOUTH COUNTY SANITARY	640.45	.00	640.45	DEC 2014	SOLID WASTE TAX LIENS
023872	01/14/15	SPI01	SPIESS CONSTRUCTION CO.	176018.42	.00	176018.42	11	PROGRESS PAYMENT #11
023873	01/14/15	SPI02	RABOBANK	9264.13	.00	9264.13	11	RETENTION-PROGRESS PAYMEN
023874	01/14/15	STA11	SWRCB ACCOUNTING OFFICE	1581.00	.00	1581.00	88544	SWWTP ANNUAL PERMIT
023875	01/14/15	THE01	THE GAS COMPANY	38.72	.00	38.72	DEC2014B	HEAT OFFICE
				19.71	.00	19.71	DEC 2014A	HEAT SHOP
			Check Total.....:	58.43	.00	58.43		
023876	01/14/15	UND01	UNDERGROUND SERVICE ALERT	127.50	.00	127.50	120021	UNDERGROUND SERVICE ALERT
023877	01/14/15	USA01	USA BLUEBOOK	1236.66	.00	1236.66	522769	CONTRACTORS PUMP
023878	01/14/15	USB01	US BANK (VISA)	120.15	.00	120.15	DEC2014A	OFFICE SUPPLIES, FRAMES
				370.00	.00	370.00	DEC2014B	DUES/SUBSCRIPTIONS
				74.84	.00	74.84	DEC2014C	MEETING SUPPLIES
				458.90	.00	458.90	DEC2014D	TRAVEL/MEALS
				2273.50	.00	2273.50	DEC2014E	VEHICLE WRAPS
				403.78	.00	403.78	DEC2014F	UNIFORMS
			Check Total.....:	3701.17	.00	3701.17		
023879	01/14/15	VER01	VERIZON	56.37	.00	56.37	DEC 2014	TELEPHONE
023880	01/14/15	VER03	VERIZON WIRELESS	1368.25	.00	1368.25	DEC 2014	CELLULAR
023881	01/14/15	WAL01	WALLACE GROUP	633.76	.00	633.76	38197	FOG PERMIT AND INSPECTION
023882	01/14/15	YOU01	YOUR PEOPLE PROFESSIONALS	1000.00	.00	1000.00	JAN 2015	EMPLOYMENT AGENCY-DEPOSIT
023883	01/14/15	\N010	GREG NESTER CONSTRUCTION,	467.46	.00	467.46	000B50101	MQ CUSTOMER REFUND

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: JANUARY 9, 2015

**AGENDA ITEM  
D-2  
JANUARY 14, 2015**

**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. December 10, 2014, draft Regular Board Meeting Minutes



January 14, 2015

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ATTACHMENT A

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## DRAFT REGULAR MINUTES

DECEMBER 10, 2014, AT 9:00 A.M.

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

### **BOARD of DIRECTORS**

CRAIG ARMSTRONG, **PRESIDENT**  
DAN GADDIS, **VICE PRESIDENT**  
BOB BLAIR, **DIRECTOR**  
ED EBY, **DIRECTOR**  
DAN WOODSON, **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 December 10, 2014, to order at 9:00 a.m. and led the flag salute.*

00:00:40

#### B. SWEAR IN AND SEAT NEW DIRECTORS, ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

*Michael S. LeBrun, General Manager, administered the Oath of Office for Directors Dan A. Gaddis, Ed Eby, and Dan Woodson. At roll call, all Board members were present.*

*There were no public comments.*

00:03:06

#### C. PRESENTATIONS AND REPORTS

##### C-1) REPORT ON NOVEMBER 12, 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 November 12, 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 Items I.1(b) (NCSD v. County) and I.1(c) (Bening v. NCSD) in closed session, but took no reportable action.*

*The Board discussed Item I.2 from the November 12, 2014, Regular Meeting (Conference with District Legal Counsel re: liability claim pursuant to GC §54956.9 Specialty Construction and NCSD) in closed session and, by roll call vote, unanimously authorized a settlement of \$132,500.*

00:04:01

##### 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

##### Director Armstrong

◇ *December 3, Attended Water Resources Advisory Committee meeting.*

Nipomo Community Services District  
REGULAR MEETING  
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- C-3) 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 Gaddis and seconded by Director Eby, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Gaddis, Eby, Blair, Woodson, and Armstrong</i>	<i>None</i>	<i>None</i>

00:09:59

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS
  - NOVEMBER 12, 2014 REGULAR MEETING
  - NOVEMBER 21, 2014 SPECIAL MEETING
- D-3) ADOPT RESOLUTION RECOGNIZING SERVICE OF FORMER DIRECTOR HARRISON
- D-4) ADOPT RESOLUTION RECOGNIZING SERVICE OF FORMER DIRECTOR VIERHEILIG
- D-5) CONSIDER PURCHASE ORDER WITH DOW DIVERSIFIED INC. FOR LABORATORY IMPROVEMENTS

*President Armstrong requested to pull Item D-2 for separate consideration.*

**ITEMS D-1, D-3, D-4, AND D-5**

*Director Gaddis requested clarification on warrants.*

*There were no public comments.*

*Upon the motion of Director Gaddis and seconded by Director Blair, the Board unanimously approved the items. Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Gaddis, Blair, Eby, Woodson and Armstrong</i>	<i>None</i>	<i>None</i>

**RESOLUTION NO. 2014-1361**  
**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT**  
**COMMENDING JIM HARRISON FOR HIS DEDICATED SERVICE TO NIPOMO COMMUNITY SERVICES DISTRICT**

**RESOLUTION NO. 2014-1362**  
**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT**  
**COMMENDING LARRY VIERHEILIG FOR HIS DEDICATED SERVICE TO NIPOMO COMMUNITY SERVICES DISTRICT**

**ITEM D-2**

*There were no public comments.*

*Upon the motion of Director Armstrong and seconded by Director Blair, the Board unanimously approved the November 12, 2014 Regular Board Meeting Minutes and the November 21, 2014 Special Meeting Minutes.  
Vote 3-0. (Directors Eby and Woodson were not qualified to vote.)*

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

00:13:14

**E. ADMINISTRATIVE ITEMS**

**E-1) SERVICE REQUEST – 699 WEST TEFFT STREET APN 092-577-008 MIXED USE DEVELOPMENT**

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

*Director Armstrong requested changes to future Staff Reports regarding Intent-to-Serve letters.*

*Director Eby requested specific information when tracking development water usage. Michael Seitz, District Legal Counsel, commented on the tracking system.*

*There were no public comments.*

*Upon the motion of Director Eby and seconded by Director Gaddis, the Board approved staff's recommendation to issue an Intent To Serve Letter with conditions.  
Vote 4-1.*

YES VOTES	NO VOTES	ABSENT
Directors Eby, Gaddis, Woodson, and Armstrong	Director Blair	None

00:26:23

**E-2) SERVICE REQUEST – 719 WEST TEFFT STREET APN 092-577-001 COMMERCIAL DEVELOPMENT**

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

*Director Eby asked why there was no engineer or architect estimate of water and sewer demand as required in item 16 of applicant's Into-to-Serve Application. Staff indicated the phased nature of the proposed commercial project did not allow for reasonably accurate estimates of water and sewer demand at this time. Staff added conditions to the project that will allow accurate accounting for service levels once the project is better defined through the County development approval process.*

*The following members of the public spoke:*

*William Kengel, NCS Customer, commented on the project and its phases. Mr. Kengel handed out copies of his public comment to the Directors. (Available for review at the District office).*

00:46:21

Nipomo Community Services District  
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Upon the motion of Director Blair and seconded by Director Armstrong, the Board approved staff's recommendation to issue an Intent To Serve Letter with conditions.  
Vote 4-1.

YES VOTES	NO VOTES	ABSENT
Directors Blair, Armstrong, Gaddis, and Woodson	Director Eby	None

00:57:07 E-3) SERVICE REQUEST – TRACT 2441 38 LOT RESIDENTIAL DEVELOPMENT

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

The following members of the public spoke:  
Terry Orton, Developer, asked the Board if there were any questions he could answer.

Upon the motion of Director Blair and seconded by Director Gaddis, the Board unanimously approved staff's recommendation to issue an Intent To Serve Letter with conditions.  
Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Blair, Gaddis, Woodson, Eby and Armstrong	None	None

01:03:12 E-4) ACCEPT QUARTERLY FINANCIAL REPORT

Lisa Bognuda, Finance Director, reviewed the report as presented in the Board packet. Ms. Bognuda answered questions from the Board.

There were no public comments.

Upon the motion of Director Gaddis and seconded by Director Eby, the Board unanimously accepted and approved the First Quarterly Financial Report.  
Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Eby, Blair, Woodson, and Armstrong	None	None

01:18:35 E-5) RECEIVE FALL 2014 GROUNDWATER INDEX REPORT BY BRAD NEWTON, PH.D, PG

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet and introduced Dr. Brad Newton, Geohydrology consultant.

Mr. Newton gave a presentation on the fall 2014 groundwater index and answered questions from the Board.

The following members of the public spoke:  
Rick Bacon, NCSD Customer, commented on the presentation and asked about index calculations.

Michael Seitz, District Legal Counsel, responded regarding index calculations and stated that the topic would be discussed during closed session.

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District  
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Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board unanimously received the Report and directed staff to file the Report.  
Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Gaddis, Blair, Woodson, and Eby	None	None

02:19:27

- E-6) APPROVE TASK ORDER SCOPE AND \$90,000 BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES FOR 2015

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 Gaddis, the Board unanimously approved the scope and \$90,000 budget and authorized staff to execute Task Orders.  
Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Gaddis, Blair, Woodson, and Eby	None	None

02:22:16

- E-7) ELECTION OF 2015 BOARD PRESIDENT AND VICE PRESIDENT

Director Gaddis nominated Director Armstrong for President. There were no other nominations for President.

There were no public comments.

A voice vote was taken and Director Armstrong was selected as President of the Board for 2015.

Director Armstrong nominated Director Gaddis for Vice President. There were no other nominations for Vice President.

There were no public comments.

A voice vote was taken and Director Gaddis was selected as Vice President of the Board for 2015.

02:23:36

- E-8) APPROVE 2015 BOARD MEETING SCHEDULE

The Board of Directors reviewed the 2015 Board Meeting schedule as presented in the Board Packet.

Upon the motion of Director Eby and seconded by Director Blair, the Board unanimously approved the 2015 Board Meeting schedule.  
Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Eby, Blair, Gaddis, Woodson, and Armstrong	None	None

02:25:13

F. GENERAL MANAGER'S REPORT

*Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun also handed out the Water Production Summary and reported the District had a 27% reduction in groundwater production for November. Mr. LeBrun answered questions from the Board.*

*There were no public comments.*

02:40:33

G. COMMITTEE REPORTS

*None*

*President Armstrong announced that he will be sending a list of committees to the Board members for consideration.*

02:42:42

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*None*

02:42:49

I. CLOSED SESSION ANNOUNCEMENTS

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

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

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

02:42:52

K. ADJOURN TO CLOSED SESSION

*President Armstrong adjourned to closed session at 11:56 a.m.*

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board came back into Open Session at 1:38 p.m.*

*Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1(a), 1(b), and 1(c) in closed session but took no reportable action.*

ADJOURN

*President Armstrong adjourned the meeting at 1:39 p.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	2 hours 57 minutes
Closed Session	1 hour 42 minutes
TOTAL HOURS	4 hours 39 minutes