

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: AUGUST 8, 2014

**AGENDA ITEM
C
AUGUST 13, 2014**

PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-1) REPORT ON JULY 23, 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: AUGUST 8, 2014

AGENDA ITEM
C-1
AUGUST 13, 2014

**JULY 23, 2014 REGULAR MEETING
CLOSED SESSION REPORT**

ITEM

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

BACKGROUND

The July 23, 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 Troesh et. al. SLOCSC# CV130175
 - c) NCSD v County SLOCSC #CV090010

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

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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 JULY 23, 2014 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: AUGUST 8, 2014

MSL

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HAND WRITTEN CHECKS

07-28-14	10267	PGE
07-28-14	10268	PGE
07-29-14	10269	TROESH PROPERTIES & INVESTMENTS
08-13-14	10270	STEVE & MARY STACKHOUSE

**TOTAL COMPUTER CHECKS
 \$512,831.37**

ELECTRICITY	\$64,411.02
APPLICATION FEE	\$2,836.32
EASEMENT PURCHASE	\$100,000.00
WASHER REBATE	\$75.00

VOIDS - 23308

COMPUTER GENERATED CHECKS

23319	08/01/14	EMP01	EMPLOYMENT DEVELOP DEPT	1505.68	.00	1505.68	B40728	STATE INCOME TAX
23320	08/01/14	MID01	RABOBANK-PAYROLL TAX DEPO	4642.98	.00	4642.98	B40728	FEDERAL INCOME TAX
				111.60	.00	111.60	1B40728	FICA
				1052.40	.00	1052.40	2B40728	MEDICARE (FICA)
			Check Total.....:	5806.98	.00	5806.98		
23321	08/01/14	MID02	RABOBANK-DIRECT DEPOSIT	26951.87	.00	26951.87	B40728	NET PAY
23322	08/01/14	PER01	PERS RETIREMENT	9360.26	.00	9360.26	B40728	PERS PAYROLL REMITTANCE
23323	08/01/14	STA01	CALPERS 457 DEFERRED COMP	1580.00	.00	1580.00	B40728	457 DEFERRED COMP
023324	08/13/14	ABA01	ABALONE COAST BACTERIOLOG	4995.00	.00	4995.00	2276	LAB TESTS
023325	08/13/14	ADV01	ADVANTAGE ANSWERING PLUS	134.85	.00	134.85	AUG 2014	ANSWERING SERVICE
023326	08/13/14	ALX01	ALEXANDER'S CONTRACT SERV	2444.51	.00	2444.51	AUG 2014	METER READING
023327	08/13/14	AME03	AMERI PRIDE	137.06	.00	137.06	1168013	UNIFORMS
				157.48	.00	157.48	1172112	UNIFORMS
			Check Total.....:	294.54	.00	294.54		
023328	08/13/14	ASA01	ASAP REPROGRAPHICS	682.56	.00	682.56	17722	BLOSSER BID DOCUMENTS
023329	08/13/14	ATT01	AT&T	186.33	.00	186.33	5551530	TELEPHONE
				148.69	.00	148.69	5595685	TELEPHONE
				23.83	.00	23.83	5595929	TELEPHONE
				177.30	.00	177.30	5595999	TELEPHONE
			Check Total.....:	536.15	.00	536.15		
023330	08/13/14	BEN02	BENTLEY SYSTEMS, INC.	1705.25	.00	1705.25	47612426	WATER/SEWER GEMS SUBSCRIP
023331	08/13/14	BRE02	BRENTAG PACIFIC INC.	650.03	.00	650.03	BPI435829	SODIUM HYPOCHLORITE
				378.77	.00	378.77	BPI435830	SODIUM HYPOCHLORITE
				650.03	.00	650.03	BPI438199	SODIUM HYPOCHLORITE
				360.68	.00	360.68	BPI438200	SODIUM HYPOCHLORITE
				1714.42	.00	1714.42	BPI440713	CITRIC ACID
				378.77	.00	378.77	BPI440714	SODIUM HYPOCHLORITE
				469.19	.00	469.19	BPI440715	SODIUM HYPOCHLORITE
			Check Total.....:	4601.89	.00	4601.89		
023332	08/13/14	CAL03	CALIFORNIA ELECTRIC SUPPL	127.74	.00	127.74	574371	LOW-PEAK FUSE
023333	08/13/14	CAN02	CANNON CORPORATION	9931.16	.00	9931.16	56934	BL WELL #4 CONST MGMT
023334	08/13/14	CHA02	CHARTER COMMUNICATIONS	225.00	.00	225.00	B40805	INTERNET-SOUTHLAND
				225.00	.00	225.00	B40806	INTERNET-WILSON
			Check Total.....:	450.00	.00	450.00		
023335	08/13/14	CLE06	CNSSLO INC	2209.00	.00	2209.00	18503	MONTHLY SUPPORT
023336	08/13/14	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	B407151	MONTHLY SUPPORT
023337	08/13/14	CRO03	CROSNO CONSTRUCTION INC	38893.00	.00	38893.00	#5	PROGRESS PAYMENT #5
023338	08/13/14	CRY01	CRYSTAL SPRINGS	39.61	.00	39.61	JULY 2014	DISTILLED WATER
023339	08/13/14	CWE01	CWEA	79.00	.00	79.00	B40805	MALDONADO-COLLECTIONS GRA
023340	08/13/14	ELE03	ELECTRICRAFT, INC.	992.00	.00	992.00	13703	STANDPIPE
023341	08/13/14	EVE02	EVERYTHING RIGHT NOW, INC	125.00	.00	125.00	1355	WEBSITE SUPPORT

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023342	08/13/14	FAR01	FARM SUPPLY COMPANY	18.76	.00	18.76	18566	BALL VALVE/NIPPLE
				169.39	.00	169.39	18617	HYDRATED LIME
			Check Total.....	188.15	.00	188.15		
023343	08/13/14	FAR02	FAR WEST EXPRESS	23.00	.00	23.00	JULY 2014	DELIVERY
023344	08/13/14	FEN01	FENCE FACTORY SANTA MARIA	147.30	.00	147.30	914579	FENCE RENTAL
023345	08/13/14	FER01	FERGUSON ENTERPRISES INC	64.26	.00	64.26	872188	PVC PIPE
023346	08/13/14	FGL01	FGL ENVIRONMENTAL	417.70	.00	417.70	481796A	LAB TEST
				26.00	.00	26.00	481824A	LAB TEST
				417.70	.00	417.70	481833A	LAB TEST
				21.45	.00	21.45	482490A	LAB TEST
				228.78	.00	228.78	482491A	LAB TEST
				203.78	.00	203.78	482492A	LAB TEST
				539.80	.00	539.80	482493A	LAB TESTS
				68.48	.00	68.48	482494A	LAB TEST
				193.88	.00	193.88	482624A	LAB TEST
			Check Total.....	2117.57	.00	2117.57		
023347	08/13/14	GIL01	GLM, INC.	340.00	.00	340.00	JULY 2014	LANDCAPE MAINTENANCE
023348	08/13/14	GWA01	GWA INC	87.00	.00	87.00	AUG A	ALARM-SOUTHLAND
				87.00	.00	87.00	AUG B	ALARM-SHOP
				55.00	.00	55.00	AUG C	ALARM-WILSON
				229.00	.00	229.00		
023349	08/13/14	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	62396	LANDSCAPE MAINT DISTRICT
023350	08/13/14	LEB02	LeBRUN, MICHAEL	65.00	.00	65.00	AUGUST	CELL PHONE REIMBURSEMENT
023351	08/13/14	LEE02	LEE CENTRAL COAST NEWSPAP	1329.44	.00	1329.44	JULY	CONSERVATION ADVERTISING
				460.00	.00	460.00	35489	NOTICE INVITING BID
			Check Total.....	1789.44	.00	1789.44		
023352	08/13/14	MAR04	MARIS, LLC	180.00	.00	180.00	25966	COMPUTER TESTING
023353	08/13/14	MET03	METTLER-TOLEDO, LLC	498.05	.00	498.05	641124035	CALIBRATION
023354	08/13/14	MIN02	MINER'S ACE HARDWARE	337.19	.00	337.19	JULY 2014	SUPPLIES
023355	08/13/14	MNS01	MNS ENGINEERS INC	12730.00	.00	12730.00	64560	SOUTHLAND WWTF
				36230.07	.00	36230.07	64561	SUPPLEMENTAL WATER
			Check Total.....	48960.07	.00	48960.07		
023356	08/13/14	MUN03	MUNICIPAL MAINTENANCE EQU	223.54	.00	223.54	93037	VACON PARTS
023357	08/13/14	NEW05	NEWTON GEO-HYDROLOGY CONS	2405.00	.00	2405.00	JUL 2014A	GENERAL CONSULTATION
				2128.33	.00	2128.33	JUL 2014B	LITIGATION SUPPORT
			Check Total.....	4533.33	.00	4533.33		
023358	08/13/14	NEX03	NEXTRAQ	408.50	.00	408.50	1050113	GPS SERVICE
023359	08/13/14	NIP05	NIPOMO CHAMBER OF COMMERC	160.00	.00	160.00	1524	WATER CONSERVAITON ADS
				2902.35	.00	2902.35	72514	CHAMBER GRANT
				165.00	.00	165.00	72914	CHAMBER GRANT
			Check Total.....	3227.35	.00	3227.35		
023360	08/13/14	NUN01	NUNLEY, MICHAEL K. & ASSO	660.00	.00	660.00	395	SEWER CAD MODEL
023361	08/13/14	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	106107	RODENT CONTROL
				75.00	.00	75.00	106108	RODENT CONTROL
			Check Total.....	340.00	.00	340.00		
023362	08/13/14	OFF01	OFFICE DEPOT	147.15	.00	147.15	1453001	OFFICE SUPPLIES
023363	08/13/14	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	250	JANITORIAL
023364	08/13/14	RAB02	RABOBANK PETTY CASH	12.98	.00	12.98	81314A	POSTAGE
				17.19	.00	17.19	81314B	SUPPLIES
				71.00	.00	71.00	81314C	RECORDING FEE-PCIA
			Check Total.....	101.17	.00	101.17		
023365	08/13/14	RIC01	RICHARDS, WATSON, GERSHON	1315.00	.00	1315.00	196877	WATER RIGHT ADJUDICATION
023366	08/13/14	SCH02	SCHNEIDER ELECTRIC USA, I	7107.90	.00	7107.90	35306477	SCADA MAINTENANCE
023367	08/13/14	SLO10	SLOACTTC	22624.73	.00	22624.73	2014-15	LAFCO 2014-15

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023368	08/13/14	SOU01	SOUTH COUNTY SANITARY	38.98	.00	38.98	4561089	SOLID WASTE-WILSON
				188.70	.00	188.70	4561394	SOLID WASTE-OLD TOWN
				185.06	.00	185.06	4561953	SOLID WASTE-SOUTHLAND
			Check Total.....:	412.74	.00	412.74		
023369	08/13/14	SOU03	SOUTH COUNTY SANITARY	1160.00	.00	1160.00	JUNE 2014	FINAL TAX LIENS 2013-14
023370	08/13/14	SPI01	SPIESS CONSTRUCTION CO.	282023.08	.00	282023.08	6	PROGRESS PAYMENT #6
023371	08/13/14	SPI02	RABOBANK	14843.32	.00	14843.32	6	RETENTION #6
023372	08/13/14	STA03	STATEWIDE SAFETY & SIGNS	281.16	.00	281.16	7281	PAINT/TAPE
023373	08/13/14	THE01	THE GAS COMPANY	19.18	.00	19.18	72314	NATURAL GAS-WILSON
				16.88	.00	16.88	072114	NATURAL GAS-SHOP
			Check Total.....:	36.06	.00	36.06		
023374	08/13/14	THE02	THE TRIBUNE SLO CO NEWSPAP	576.30	.00	576.30	1169457	NOTICE INVITING BIDS
023375	08/13/14	UND01	UNDERGROUND SERVICE ALERT	283.44	.00	283.44	14070647	MEMBERSHIP
023376	08/13/14	USB01	US BANK (VISA)	148.61	.00	148.61	72214A	OFFICE SUPPLIES
				1100.00	.00	1100.00	72214B	CSDA CONFERENCE
				623.52	.00	623.52	72214C	CONSERVATION SIGNS
			Check Total.....:	1872.13	.00	1872.13		
023377	08/13/14	VER01	VERIZON	49.05	.00	49.05	B40805	TELEPHONE
023378	08/13/14	VER03	VERIZON WIRELESS	278.93	.00	278.93	177079	CELL SERVICE
023379	08/13/14	\M013	MASHAY INC,	277.36	.00	277.36	000B40701	DEPOSIT REFUND-FH METER
023380	08/13/14	\R008	RIGSBY, EMMA J	49.22	.00	49.22	000B40701	CUSTOMER REFUND FOR RIG00

TO: BOARD OF DIRECTORS
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GENERAL MANAGER
DATE: AUGUST 8, 2014

AGENDA ITEM
D-2
AUGUST 13, 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. July 23, 2014 draft Board Meeting Minutes

AUGUST 13, 2014

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

DRAFT REGULAR MEETING MINUTES

JULY 23, 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.

Mission Statement:

Provide our customers with reliable, quality, and cost-effective services now and in the future.

00:00

A. CALL TO ORDER AND FLAG SALUTE

President Armstrong called the Regular Meeting of July 23, 2014 to order at 9:00 a.m. and led the flag salute.

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

At Roll Call, all Board Members were present.

Public Comment

Dan Hall, BLMA representative, stated home owner's association has a backlog of applications from homeowners requesting approval to remove lawns and landscapes at Blacklake. CalFire conducted a survey of open space areas for fire hazards.

The Board thanked Mr. Hall for his comments.

02:42

C. PRESENTATIONS AND REPORTS

C-1) CAL FIRE BATTALION CHIEF PAUL VAN GERWEN Update Report re: South County Cal Fire Activity and Department News

Fire Battalion Chief Paul Van Gerwen did not attend meeting.

C-2) REPORT ON JULY 9, 2014 REGULAR MEETING CLOSED SESSION Announcement of actions, if any, taken in Closed Session

Michael Seitz, District Legal Counsel, announced that the Board discussed Item 1(a) (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 1(b) (NCSD v. Troesh, et al.) in closed session, but took no reportable action.

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

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

C-2) REPORT ON JULY 9, 2014 REGULAR MEETING CLOSED SESSION
(Continued)

Mr. Seitz reported that the Board discussed Item 1(d) (NCSD v. DeGroot) in closed session and voted 5-0 to deny Mr. DeGroot's request regarding the payment of fees required by the final judgment of CV 070066.

Mr. Seitz reported that the Board discussed Item 2 (Conference with Legal Counsel pursuant to Govt. Code §54956.95), in closed session; the Board gave direction, but took no reportable action.

Mr. Seitz reported that the Board discussed Item 3 (Annual Performance Review of District General Manager) pursuant to Govt. Code §54957, in closed session; the Board completed Mr. LeBrun's Performance Review.

C-3) DIRECTOR OF ENGINEERING AND OPERATIONS
Report on 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. The Board thanked Mr. Sevcik for his report.

There was no public comment.

C-4) 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 Gaddis

- ◊ Attended July 14, 2014 Finance and Audit Committee Meeting
- ◊ Attended July 17, 2014 Personnel Committee Meeting

Director Harrison

- ◊ Attended the Fire Safe Council Executive Board Meeting

Director Vierheilig

- ◊ Attended July 14, 2014 Finance and Audit Committee Meeting
- ◊ Attended July 17, 2014 Personnel Committee Meeting

Director Armstrong

- ◊ Attended July 17, 2014 Nipomo Mesa Management Area Meeting

C-5) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

There was no public comment.

Upon the motion of Director Vierheilig and seconded by Director Blair, the Board voted to receive and file the presentations and reports as submitted.

Vote 5-0.

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

SUBJECT TO BOARD APPROVAL

22:00

D. CONSENT AGENDA

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE JULY 9, 2014 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]
- D-3) RECEIVE QUARTERLY INVESTMENT REPORT [RECOMMEND RECEIVE REPORT]
- D-4) APPROVE AMENDED DISTRICT GENERAL MANAGER CONTRACT [RECOMMEND APPROVE CONTRACT]
- D-5) RE-ADOPT RESOLUTION TO AUTHORIZE COLLECTION OF FY 2014-15 BLACKLAKE STREET LIGHT DISTRICT ASSESSMENTS [RECOMMEND - BY MOTION AND ROLL CALL VOTE RE-ADOPT RESOLUTION APPROVING ASSESSMENT REPORT AND AUTHORIZING COLLECTION OF ASSESSMENTS]
- D-6) AUTHORIZE REAL PROPERTY PURCHASE AGREEMENT IN SUPPORT OF SUPPLEMENTAL WATER PROJECT APN 090-341-033 TROESH [RECOMMEND BY MOTION AND ROLL CALL VOTE AUTHORIZE STAFF TO EXECUTE PURCHASE AGREEMENT FOR APN 090-341-033 IN AMOUNT OF \$100,000]

Director Blair requested Item D-4 be pulled for separate consideration.

There was no public comment.

Upon the motion of Director Gaddis and seconded by Director Harrison, the Board voted to approve Item D-1, D-2, D-3, D-5 and D-6. Vote 5-0.

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

RESOLUTION 2014-1348 (re-adoption to correct Code Sections)
A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT ASSESSMENTS ON
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE
AND OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE BLACKLAKE VILLAGE

Item D-4

There was no public comment.

Upon the motion of Director Vierheilig and seconded by Director Blair, the Board voted to approve Item D-4. Vote 5-0.

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

E. ADMINISTRATIVE ITEMS

26:12

- E-1) CONSIDER CHANGES TO ORGANIZATIONAL STRUCTURE, DUTY STATEMENTS, AND SALARY RANGE – VARIOUS POSITIONS [RECOMMEND CONSIDER INFORMATION AND PERSONNEL COMMITTEE RECOMMENDATION, ADOPT CHANGES AND/OR DIRECT STAFF]

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

Item E-1 (continued)

Personnel Committee Members Gaddis and Vierheilig reviewed the proposed changes in Committee and stated they both support the recommended changes.

There was no public comment.

Upon the motion of Director Harrison and seconded by Director Vierheilig, the Board voted to approve the changes to the organizational structure, duty statements and salary ranges for various position.

Vote 5-0.

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

- E-2) CONSIDER MANDATORY WATER CONSERVATION REGULATIONS ADOPTED BY STATE WATER RESOURCES CONTROL BOARD [RECOMMEND CONSIDER REGULATIONS AND DIRECT STAFF]

General Manager, Michael LeBrun, and District Legal Counsel, Michael Seitz, reviewed the report and answered questions from the Board.

There was no public comment.

The Board took no action.

- E-3) CONSIDER CHANGES TO DISTRICT CONFLICT OF INTEREST CODE [RECOMMEND ADOPT RESOLUTION APPROVING DISTRICT CONFLICT OF INTEREST CODE AS AMENDED]

There was no public comment.

Upon the motion of Director Harrison and seconded by Director Armstrong, the Board voted to approve the Conflict of Interest Code.

Vote 5-0.

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

2014-1353
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING A CONFLICT OF INTEREST CODE

52:26

NCSD PUBLIC FACILITIES CORPORATION ANNUAL MEETING

President Armstrong adjourned to the NCSD Public Facilities Corporation Annual Meeting.

ROLL CALL

At roll call, all Board Members were present.

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

NCS D PUBLIC FACILITIES CORPORATION ANNUAL MEETING (continued)

A. APPROVE MINUTES OF THE JULY 24, 2013 MEETING

There was no public comment.

*Upon the motion of Director Harrison and seconded by Director Gaddis the Board unanimously approved the minutes of July 24, 2103.
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Harrison, Gaddis, Vierheilig, Blair, and Armstrong</i>	<i>None</i>	<i>None</i>

President Armstrong adjourned to NCS D Regular Board Meeting.

53:14 F. GENERAL MANAGER’S REPORT

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

There was no public comment.

57:16 G. COMMITTEE REPORTS

- July 7, 2014 Parks Committee Meeting Minutes
- July 14, 2014 Finance and Audit Committee Minutes

There was no public comment.

59:00 H. DIRECTORS’ REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

None

1:01:00 I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a) SMVWCD VS. NCS D (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
 - b) NCS D v Troesh et. al. SLOCSC# CV130175
 - c) NCS D v County SLOCSC #CV090010
2. CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIM PURSUANT TO SECTION 54956.95:
Claimant: Specialty Construction
Agency: NCS D

Nipomo Community Services District
DRAFT REGULAR MEETING
MINUTES

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Armstrong adjourned to closed session at 10:04 a.m.

02:15

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

The Board came back into Open Session at 10:50 a.m.

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

Mr. Seitz reported that the Board discussed Item 2 (Conference with Legal Counsel pursuant to Govt. Code §54956.95), in closed session; the Board unanimously agreed to deny the Claim. Vote 5-0

YES VOTES	NO VOTES	ABSENT
<i>Directors Blair, Gaddis, Vierheilig, Harrison and Armstrong</i>	<i>None</i>	<i>None</i>

ADJOURN

President Armstrong adjourned the meeting at 10:51 a.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 00 minutes
Closed Session	0 hour 51 minutes
TOTAL HOURS	1 hour 51 minutes