

Serving the Community Since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

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:

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

NOTE:

- All comments concerning any item on the agenda 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 {**NCSD.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 at the District Secretary's Office, 148 S. Wilson Street, Nipomo, CA, during normal business hours, and may be posted on the District's web site at <http://www.ncsd.ca.gov>.
- Items may be taken out of order. 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	2014-1359
	NEXT ORDINANCE	2014-120

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

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) SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY McMURCHIE EXCELLENCE
IN SAFETY 2014 AWARD PRESENTATION
Receive Award

C-2) CAL FIRE UPDATE

South County Battalion Chief VanGerwen is scheduled to provide an update on recent Cal Fire activity in the Nipomo area.

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- C-3) DIRECTOR OF ENGINEERING AND OPERATIONS
Summary of recent activities

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

- 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

- C-6) 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 OCTOBER 8, 2014 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]

- D-3) SOUTHLAND WASTEWATER TREATMENT FACILITY PHASE 1 IMPROVEMENT
PROJECT ACCEPTANCE [RECOMMEND ACCEPT PROJECT AND DIRECT STAFF
TO FILE NOTICE OF COMPLETION]

- D-4) RECEIVE 3RD QUARTER INVESTMENT REPORT [RECOMMEND RECEIVE REPORT]

E. ADMINISTRATIVE ITEMS

- E-1) SERVICE REQUEST - BLACKLAKE RESORT LODGE, BUNGALOWS, AND
RETIREMENT VILLAGE [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND
APPROVE]

- E-2) CONSIDER SAN LUIS OBISPO COUNTY DRAFT ORDINANCE REGULATING THE
EXPORT OF GROUNDWATER [RECOMMEND CONSIDER DRAFT ORDINANCE AND
DIRECT STAFF]

- E-3) CONSIDER LETTER FROM CITIES OF ARROYO GRANDE, GROVER BEACH, AND
PISMO BEACH RE: SANTA MARIA GROUND WATER BASIN [CONSIDER LETTER
AND DIRECT STAFF]

- E-4) ANNUAL REVIEW OF SUSPENDED DISTRICT ORDINANCE 2012-117 [RECOMMEND
CONSIDER ORDINANCE 2012-117 AND DIRECT STAFF]

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E-5) CONSIDER SOLID WASTE RESERVE EXPENDITURE – DISCOUNT TO CUSTOMER SOLID WASTE BILL [RECOMMEND CONSIDER PROPOSAL AND DIRECT STAFF]

E-6) CONSIDER LOCAL AREA FORMATION COMMISSION SPECIAL DISTRICT SEAT NOMINATION [CONSIDER MAKING NOMINATION AND DIRECT STAFF]

F. GENERAL MANAGER’S REPORT

G. COMMITTEE REPORTS

- October 9, 2014 Finance and Audit Committee Meeting Minutes

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 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

K. ADJOURN TO CLOSED SESSION

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

- **Next Regular Board Meeting is 9AM, Wednesday November 12, 2014**
- **Supplemental Water Rate Hearing is 2PM, Friday November 21, 2014**