NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

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, DIRECTOR

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:

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 2014-1361
NEXT ORDINANCE 2014-120

B. SWEAR IN AND SEAT NEW DIRECTORS, 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 <u>not</u> 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) REPORT ON NOVEMBER 12, 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

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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
- 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 NOVEMBER 12, 2014 REGULAR BOARD MEETING MINUTES AND NOVEMBER 21, 2014 SPECIAL MEETING MINUTES [RECOMMEND APPROVAL]
 - D-3) ADOPT RESOLUTION RECOGNIZING SERVICE OF FORMER DIRECTOR HARRISON [RECOMMEND ADOPT RESOLUTION]
 - D-4) ADOPT RESOLUTION RECOGNIZING SERVICE OF FORMER DIRECTOR VIERHEILIG [RECOMMEND ADOPT RESOLUTION]
 - D-5) CONSIDER PURCHASE ORDER WITH DOW DIVERSIFIED INC. FOR LABORATORY IMPROVEMENTS [RECOMMEND AUTHORIZE PURCHASE ORDER]

E. ADMINISTRATIVE ITEMS

- E-1) SERVICE REQUEST 699 WEST TEFFT STREET APN 092-577-008 MIXED USE DEVELOPMENT [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS]
- E-2) SERVICE REQUEST 719 WEST TEFFT STREET APN 092-577-001 COMMERCIAL DEVELOPMENT [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS]
- E-3) SERVICE REQUEST TRACT 2441 38 LOT RESIDENTIAL DEVELOPMENT [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS]
- E-4) ACCEPT QUARTERLY FINANCIAL REPORT [RECOMMEND ACCEPT AND APPROVE FIRST QUARTERLY FINANCIAL REPORT]

The following Item (E-5) will be considered at approximately 10:30AM

E-5) RECEIVE FALL 2014 GROUNDWATER INDEX REPORT BY BRAD NEWTON, PH.D, PG [RECOMMEND RECEIVE AND FILE REPORT]

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- E-6) APPROVE TASK ORDER SCOPE AND \$90,000 BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES FOR 2015 [RECOMMEND APPROVE SCOPE AND \$90,000 BUDGET WITH NEWTON GEO-HYDROLOGY CONSULTING SERVICES LLC, AUTHORIZE STAFF TO EXECUTE TASK ORDERS]
- E-7) ELECTION OF 2015 BOARD PRESIDENT AND VICE PRESIDENT [RECOMMEND DIRECTORS ELECT BOARD OFFICERS FOR 2015 CALENDAR YEAR]
- E-8) APPROVE 2015 BOARD MEETING SCHEDULE [RECOMMEND APPROVE MEETING CALENDAR]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORTS
- 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
- 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

- > The December 24, 2014 Regular Board Meeting is cancelled.
- > Next Regular Board Meeting is 9AM, Wednesday January 14, 2015.