

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

**MARCH 26, 2014 AT 9:00 A.M.**

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.**  
NITA WINDSOR, **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.
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### **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 {**NCS.D.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	2014-1331
	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) DIRECTOR OF ENGINEERING AND OPERATIONS  
RE: Summary of Activities

C-2) REPORT ON MARCH 12, 2014 REGULAR MEETING CLOSED SESSION  
Announcement of actions, if any, taken in Closed Session

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C-3) 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-4) 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 MARCH 12, 2014 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]

D-3) DECLARE 250 KW GENERATOR SURPLUS AND AUTHORIZE SALE [RECOMMEND DECLARE SURPLUS AND AUTHORIZE STAFF TO DISPOSE OF BY SALE]

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER GRANT REQUEST FROM NIPOMO CHAMBER OF COMMERCE IN AMOUNT OF \$24,552.00 FOR SOLID WASTE REMOVAL IN NIPOMO COMMUNITY COMMON AREAS [RECOMMEND CONSIDER REQUEST]

E-2) CONSIDER WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN [RECOMMEND CONSIDER RESPONSE PLAN, PROVIDE DIRECTION TO STAFF]

E-3) AUTHORIZE CONTRACT FOR EUREKA WELL REPAIR [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE RESOLUTION AUTHORIZING STAFF TO EXECUTE CONTRACT IN THE AMOUNT OF \$63,180 WITH FISHER PUMP AND WELL SERVICE INC. AND AUTHORIZING CHANGE ORDER CONTINGENCY IN THE AMOUNT OF \$30,000]

E-4) AUTHORIZE CHANGE ORDER FOR SUPPLEMENTAL WATER PROJECT PHASE 1 BID PACKAGE 4 [RECOMMEND AUTHORIZE STAFF TO ISSUE CHANGE ORDER IN THE AMOUNT OF \$529,670 TO SPIESS CONSTRUCTION INC. FOR CONSTRUCTION OF FLOW METER AND FLOW CONTROL STATION AS PART OF SUPPLEMENTAL WATER PROJECT PHASE 1 BID PACKAGE 4]

E-5) CONSIDER REQUEST BY DEVELOPER OF HILLSIDE TERRACE APARTMENT PROJECT [RECOMMEND CONSIDER REQUEST AND DIRECT STAFF]

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The following item will be considered at approximately 1 P.M.

E-6) STRATEGIC PLAN PRESENTATION AND ADOPTION [RECOMMEND RECEIVE PRESENTATION BY CONSULTANT, APPROVE RESOLUTION ADOPTING STRATEGIC PLAN]

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 Troesh et. al. SLOCSC# CV130175

2. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(d)(2)&(e)(1):  
Significant Exposure to Litigation - 1 case.

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 APRIL 9, 2014.**