

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

DECEMBER 11, 2013 AT 9:00 A.M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, **PRESIDENT**
LARRY VIERHEILIG, **VICE PRESIDENT**
DAN GADDIS, **DIRECTOR**
BOB BLAIR, **DIRECTOR**
CRAIG ARMSTRONG, **DIRECTOR**

PRINCIPAL STAFF

MICHAEL S. LEBRUN, **GENERAL MANAGER**
LISA BOGNUDA, **FINANCE DIRECTOR**
MICHAEL W. SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**
MERRIE WALLRAVIN, **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.

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	2013-1325
	NEXT ORDINANCE	2013-120

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) REPORT ON November 13, 2013 REGULAR MEETING CLOSED SESSION
Announcement of actions, if any, taken in Closed Session

C-2) DIRECTOR OF ENGINEERING AND OPERATIONS
RE: Summary of recent activities

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 NOVEMBER 13, 2013 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]

D-3) APPROVE SERVICE REQUEST - 545 GRANDE AVENUE NIPOMO, 18-LOT RESIDENTIAL DEVELOPMENT [RECOMMEND APPROVE INTENT TO SERVE LETTER]

E. ADMINISTRATIVE ITEMS

E-1) FINANCIAL AUDIT REPORT FOR FISCAL 2012-2013 [RECOMMEND ACCEPT 2012-2013 AUDIT REPORT AND DIRECT STAFF TO FILE]

E-2) AWARD CONTRACT FOR STANDPIPE TANK MODIFICATION AND REHABILITATION PROJECT [RECOMMEND ADOPT RESOLUTION AWARDED CONTRACT TO LOWEST RESPONSIVE AND RESPONSIBLE BIDDER CROSNO CONSTRUCTION, INC. IN THE AMOUNT OF \$263,350, AUTHORIZE STAFF TO EXECUTE CONTRACT, AND AUTHORIZE CHANGE ORDER CONSTRUCTION CONTINGENCY IN THE AMOUNT OF \$25,000]

E-3) AUTHORIZE TASK ORDER WITH CANNON ASSOCIATES FOR CONSTRUCTION MANAGEMENT SERVICES FOR STANDPIPE TANK MODIFICATION AND REHABILITATION PROJECT [RECOMMEND ADOPT RESOLUTION TO AUTHORIZE TASK ORDER WITH CANNON IN THE AMOUNT OF \$54,591, AUTHORIZE STAFF TO EXECUTE TASK ORDER, AND AUTHORIZE CHANGE ORDER CONTINGENCY IN THE AMOUNT OF \$5,000]

E-4) RECEIVE FALL 2013 GROUNDWATER INDEX REPORT BY BRAD NEWTON, PH.D, PG [RECOMMEND RECEIVE AND FILE REPORT]

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

- E-5) APPROVE TASK ORDER SCOPE AND \$90,000 BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES FOR 2014 [RECOMMEND APPROVE SCOPE AND \$90,000 BUDGET WITH NEWTON GEO-HYDROLOGY CONSULTING SERVICES LLC, AUTHORIZE STAFF TO EXECUTE TASK ORDERS]
- E-6) CONSIDER DRAFT WATER POLICY STATEMENT [RECOMMEND CONSIDER DRAFT POLICY STATEMENT AND DIRECT STAFF]
- E-7) ELECTION OF 2014 BOARD OFFICERS [RECOMMEND ELECT 2014 BOARD PRESIDENT AND VICE PRESIDENT]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORTS

- NOVEMBER 12, 2013 FINANCE AND AUDIT COMMITTEE
- NOVEMBER 19, 2013 WATER RESOURCES COMMITTEE

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 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9, WHITLOW/NCSD (CASE # E20112E1116-00-APS FILED WITH THE DEPARTMENT OF FAIR HOUSING AND EMPLOYMENT)
3. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)
Name of case: NCSD v Troesh et. al. SLOCSC# CV130175

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

- **December 25, 2013 meeting is cancelled (Happy Holidays)**
- **Next Regular Board Meeting is 9AM, Wednesday January 8, 2014**