

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

**FEBRUARY 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 {**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	2014-1331
	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 FEBRUARY 12, 2014 REGULAR MEETING CLOSED SESSION

Announcement of actions, if any, taken in Closed Session

Nipomo Community Services District  
REGULAR MEETING  
AGENDA

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 FEBRUARY 12, 2014 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

E-1) DISCUSS ALLOWANCE OF NEW WATER SERVICE DURING DROUGHT CONDITIONS [RECOMMEND DISCUSS AND DIRECT STAFF]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORTS

- a. FEBRUARY 5, 2014 WATER RESOURCES COMMITTEE MEETING MINUTES
- b. FEBRUARY 19, 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 SMVWCD VS. NCS (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- 2. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

§54956.9(a):

Existing litigation - 1 case: Mesa Community Alliance Vs. District, Case No. CV 130222

3. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(d)(2)&(e)(1):  
Significant Exposure to Litigation - 1 case.
4. 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

➤ **Next Regular Board Meeting is 9AM, Wednesday March 12, 2014.**

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: FEBRUARY 21, 2014

**AGENDA ITEM**  
**C**  
**FEBRUARY 26, 2014**

**PRESENTATIONS AND REPORTS**

The following presentations and reports are scheduled:

- C-1) DIRECTOR OF ENGINEERING AND OPERATIONS  
RE: Summary of Activities
- C-2) REPORT ON FEBRUARY 12, 2014 REGULAR MEETING CLOSED SESSION  
Announcement of actions, if any, taken in Closed Session
- 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

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER

DATE: FEBRUARY 21, 2014



**DISTRICT DIRECTOR OF ENGINEERING AND OPERATIONS  
SUMMARY OF ACTIVITIES**

**ITEM**

Report on recent engineering and operations activities [NO ACTION REQUESTED].

**BACKGROUND**

Director of Engineering and Operations, Peter Sevcik, will provide an update on District capital projects and operations.

**RECOMMENDATION**

Staff recommends that your Honorable Board receive the update and ask questions.

**ATTACHMENTS**

- A. Engineering and Operations Update for January 2014

FEBRUARY 26, 2014

ITEM C-1

ATTACHMENT A



# NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET  
POST OFFICE BOX 326  
NIPOMO, CA 93444 - 0326  
(805) 929-1133 FAX (805) 929-1932  
Web site address [www.ncsd.ca.gov](http://www.ncsd.ca.gov)

## MEMORANDUM

TO: MICHAEL S. LEBRUN, P.E., GENERAL MANAGER

FROM: PETER V. SEVCIK, P.E., DIRECTOR OF ENGINEERING & OPERATIONS *805*

DATE: FEBRUARY 21, 2014

RE: ENGINEERING AND OPERATIONS UPDATE FOR JANUARY 2014

### PROJECTS IN CONSTRUCTION

- **Southland WWTF Phase 1 Improvement Project**
  - STATUS
    - Scheduled Contract Completion – July 5, 2014
    - Time Elapsed to Date – 78% (550 of 705 days)
    - Work Completed to Date – 86% (Based on approved pay requests)
    - Pre-commissioning of new plant facilities in progress
    - Cutover tentatively scheduled for March 2014

<b>Construction Contract Cost Summary</b>	
Original Contract Amount – Cushman Construction Co.	\$10,224,900
Change Order for Alternate Y, Additional Disposal Ponds	\$867,900
Other Change Orders to Date	\$175,613
Revised Contract Amount	\$11,268,413
<b>Completed to Date</b>	<b>\$9,651,346</b>

- **Supplemental Water Project Phase 1 Bid Package 4 – Joshua Road Pump Station**
  - SCOPE OF WORK – 1930 lineal feet of 24-inch diameter waterline, 400 gpm pump station with back-up power, controls, and instrumentation systems, a pressure reducing station and chloramination systems at 4 existing District wells.
  - STATUS
    - Scheduled Contract Completion – May 22, 2015
    - Time Elapsed to Date – 13% (69 of 519 days)
    - Work Completed to Date – .7% (Based on approved pay requests)

<b>SWP Bid Package 4 Construction Contract Cost Summary</b>	
Contract Amount – Spiess Construction Co. Inc.	\$4,364,030
Change Orders	\$0
Revised Contract Amount	\$4,364,030
<b>Completed to Date</b>	<b>\$29,796</b>

- **Blacklake Well #4 Pump Replacement Project**

- SCOPE OF WORK - Replacement of existing well pump, motor, column pipe and discharge piping assembly, downhole well video survey, installation of a new pump control valve, pressure relief and surge anticipating valve, gate valves, check valve, flow meter, air release valve, sounding tube, chlorination tube, transducer tube, service saddles, blowoff piping, and electrical system upgrade.
- STATUS
  - Pump pre-commissioning activities in progress
  - Start-up tentatively scheduled March 2014

<b>Construction Contract Cost Summary</b>	
Contract Amount – Sansone Company, Inc.	\$202,086
Change Orders	\$9,896
Revised Contract Amount	\$211,982
<b>Completed to Date</b>	<b>\$173,958</b>

- **Standpipe Tank Rehabilitation and Inlet Modification Project**

- SCOPE OF WORK - Piping for new inlet and new inlet connection, modification of existing tank inlet/outlet piping, removal and replacement of existing drain/overflow valves, new cathodic protection system, and interior tank coating.
- STATUS
  - Submittal review in progress
  - Notice to proceed pending

<b>Construction Contract Cost Summary</b>	
Contract Amount – Crosno Construction, Inc.	\$263,350
Change Orders	\$0
Revised Contract Amount	\$263,350
<b>Completed to Date</b>	<b>\$0</b>

**OPERATIONS**

- **Wells and Water Distribution System – January 2014**

<u>YEAR</u>	<u>TOTAL JANUARY MONTHLY PRODUCTION</u>	<u>AVERAGE JANUARY DAILY PRODUCTION</u>
2014	195 Acre Feet	6.3 Acre Feet Per Day
2013	124 Acre Feet	4.0 Acre Feet Per Day
5 Year Average	142 Acre Feet	4.6 Acre Feet Per Day

- Daily maintenance and operation of 8 wells
- 16 distribution system routine coliform monitoring samples
- 8 raw water samples
- 40 distribution system disinfectant residual monitoring samples
- Unregulated Contaminant Monitoring Rule 3 (UCMR3) sample results received
- Eureka Well shaft leak – pump scheduled to be pulled late February 2014



- **Southland Wastewater Treatment Facility and Collection System – January 2014**

<b>TOTAL EFFLUENT TREATED</b>	<b>AVERAGE DAILY FLOW TREATED</b>
19.9 Million Gallons	.643 Million Gallons Per Day
61.1 Acre Feet	2.0 Acre Feet Per Day

- Daily maintenance and operation of .9 MGD treatment plant and 10 lift stations
- No sewer system overflows
- Effluent biochemical oxygen demand (BOD) requirement for monthly average of 60mg/L met and daily maximum of 100 mg/L requirement met
- Effluent total suspended solids (TSS) requirement for monthly average of 60mg/L met and daily maximum of 100 mg/L requirement met
- 17 Influent BOD, TSS samples
- 17 Effluent BOD, TSS samples
- 31 Effluent Settleable Solids samples
- 5 Effluent pH, dissolved oxygen samples

- **Blacklake Wastewater Reclamation Facility and Collection System – January 2014**

<b>TOTAL EFFLUENT TREATED</b>	<b>AVERAGE DAILY FLOW TREATED</b>
1.8 Million Gallons	.059 Million Gallons Per Day
5.6 Acre Feet	.18 Acre Feet Per Day

- Daily maintenance and operation of .2 MGD treatment plant and 3 lift stations
- Effluent biochemical oxygen demand (BOD) requirement for monthly average of 40 mg/L met and daily maximum 100 mg/L requirement met
- Effluent total suspended solids (TSS) requirement for monthly average of 30 mg/L met and daily maximum of 100 mg/L requirement met
- No sewer system overflows
- 5 Effluent BOD, TSS samples
- 22 Effluent total coliform samples
- 22 Effluent settleable solids samples
- 22 Effluent pH samples
- 22 Chlorine residual samples
- 22 Effluent dissolved oxygen samples

- **Compliance Reporting**

- January Monthly Distribution System Coliform Monitoring Summary to California Department of Public Health
- Quarterly Raw Water Monitoring Summary to California Department of Public Health
- December Wastewater Monitoring Report for the Blacklake Wastewater Reclamation Facility to Central Coast Regional Water Quality Control Board
- December Monthly Wastewater Monitoring Report for the Southland Wastewater Treatment Facility to Central Coast Regional Water Quality Control Board
- December Monthly 'No-Spill' Certification for California Integrated Water Quality System (CIWQS) for both Southland and Blacklake Sewer Collection Systems
- Annual Wastewater Monitoring Report for the Blacklake Wastewater Reclamation Facility to Central Coast Regional Water Quality Control Board
- Annual Wastewater Monitoring Report for the Southland Wastewater Treatment Facility to Central Coast Regional Water Quality Control Board

- **Maintenance Program – January 2014**

<u>Maintenance Measure</u>	<u>Goal</u>	<u>January Totals</u>	<u>Year to Date Totals</u>
Water meter replacement	35 per month	0 meters	0/420=0%
Fire hydrant service	55 per month	63 hydrants	63/660=9.5%
Valve exercising	153 per month	0 valves	0/1840=0%
Sewer line cleaning	8000 ft per month	39,664 ft	39,664/96,000= 41%

- All portable generators serviced

- **Personnel**

- Wastewater Supervisor recruitment on-going until position is filled

**PROJECTS IN DESIGN AND PLANNING STAGES**

- **Supplemental Water Project Phase 1 Bid Package 3 – Blosser Road Waterline**

- SCOPE OF WORK – 5700 lineal feet of 24-inch diameter waterline, 300 lineal feet levee crossing jack and bore, flow meter and flow control station with instrumentation.
- STATUS
  - Bid document revision in progress

- **Blacklake Wastewater Master Plan**

- Technical evaluation of existing wastewater plant and sewer collection system in progress
- Work to correct electrical safety issue identified at treatment plant is pending
- Treatment plan operations and maintenance manual update in progress

**OTHER PROJECTS AND PROGRAMS**

- **Safety Program**

- Weekly operations tailgate safety meeting
- On-line safety training for all District employees

- **Development Review**

- Water Will Serve Issued - 1
- Sewer Will Serve Issued - 2

**ATTACHMENTS**

- January 2014 Southland WWTF Improvements Phase 1 Project Monthly Construction Progress Report
- January 2014 Supplemental Water Project Phase 1 Bid Package 4 Monthly Construction Progress Report

# **Nipomo Community Services District**



## **Southland WWTF Improvements Phase 1 Project Monthly Progress Report**



Prepared By:  
MNS Engineers, Inc.

## **January 2014**

# Schedule and Budget Summary

## Schedule Summary

Notice to Proceed	July 30, 2012
Original Contract Days	645
Contract Days Added	60
Revised Contract Days	705
Elapsed Time (Days)	(550)
Remaining Time (Days)	155
Contract Completion Date	July 5, 2014
Time Elapsed to Date	78%
Work Completed to Date	86%
Approved Change Orders (Days)	60 days

## Budget Summary

Original Contract Amount	\$10,224,900.47
Approved Change Orders (Cost)	\$1,043,513.08
Revised Contract Amount	\$11,268,413.55
Previous Payments	\$9,444,542.69
Current Month Pay Request	\$206,803.36
Total Work Completed	\$9,651,346.05
Work Remaining	\$1,617,067.50

# Progress Summary

## General Site Work – Piping and Electrical

### Summary of Work:

Cushman completed forming and pouring the concrete splash pads at Infiltration Pond # 3. They also completed installation of 1-inch and 2-inch non-potable water piping to the hose and wash down locations, including pouring the concrete pads. They installed the 6-inch potable water line, then disinfected and pressure tested it before connecting it to the existing 6-inch waterline. Cushman also installed several valve cans and utility boxes at clean-out locations, and are working on rough grading of the project site. Bergelectric excavated and installed pull boxes at PB00, PB01, PB02, then installed the duct bank between these pull boxes, completing all underground electrical except for the street lighting. They excavated and installed the duct bank to the existing fiber optic pull box and pulled power and control wire to Process 10 and 20. They are currently completing termination of the wires at Process 10.

### Pictures:



Cushman pouring the concrete pad at the overflow in Infiltration Pond #3.





Cushman installing 2-inch non-potable water line.



Cushman installing the 6-inch potable water line.



Cushman installing 6-inch potable waterline near Influent Pump Station.



Cushman installing the 6-inch potable waterline with valves.





Cushman backfilling and compacting at the 6-inch potable water line.



Cushman performing site grading work to the west of the Electrical/Blower Building and Sodium Hypochlorite Storage Building.





Cushman performing site grading to the north west of the Electrical/Blower Building.



Cushman grading the future road to the west of the Electrical/Blower Building.



Cushman and Bergelectric setting boxes for PB01.

## **Process 10 Influent Pump Station**

### **Summary of Work:**

Cushman's sub-contractor, Bienscroth Masonry, completed installation of masonry wall at the truck wash down station. Cushman completed installation of hose bibs and installed pumps at the Influent Pump Station. They also placed concrete at the added sidewalk and sampler pad. Bergelectric installed aluminum control panel racks along with control panels and disconnect switches, completing most of the termination for control and power.

### **Pictures:**



Bienscroth Masonry grouting and installing wall caps at truck wash down station.





Truck wash down station wall completed.



Bergelectric installing under slab conduits to the control panel for the Influent Pump Station.





Cushman pouring concrete at the control panel pad for the Influent Pump Station.



KNK Coating applying primer to the RW piping between the Influent Pump Station and the Headworks.





Forms and rebar for sidewalk between the control panel pad and the Influent Pump Station.



Cushman pouring sidewalk section between Influent Pump **Station** and the control panel pad.





Bergelectric installing conduit at the Influent Sampler.



Cushman pouring valve operator pad and sampler pad.



Bergelectric installing the aluminum stand and conduit for the control panel at the Influent Pump Station.



Pull boxes, level transmitters and disconnect switches installed at the control panel rack at the Influent Pump Station.



## **Process 20 & 30 Headworks Screening System & Grit Removal System**

### **Summary of Work:**

Cushman installed all non-potable water piping and hose bibs and completed installation of the Grit Pump and Grit Classifier. They also installed grating and grating beam supports. Bergelectric completed installation and termination of the control and power wire at panels and all electric switches and instruments along the Headworks structure.

### **Pictures:**



Cushman installing the non-potable water to the Headworks.



Cushman pouring the pad for the Grit Pump.



Cushman mounting the Grit Pump on the new concrete pad.





Cushman installing the Grit Pump for the Grit Classifier.



Cushman installing the piping from the Grit Pump to the Grit Classifier.



Cushman preparing forms for pipe support pad for the grit piping.



Bergelectric installing conduit to the solenoid valve at the Grit Classifier.

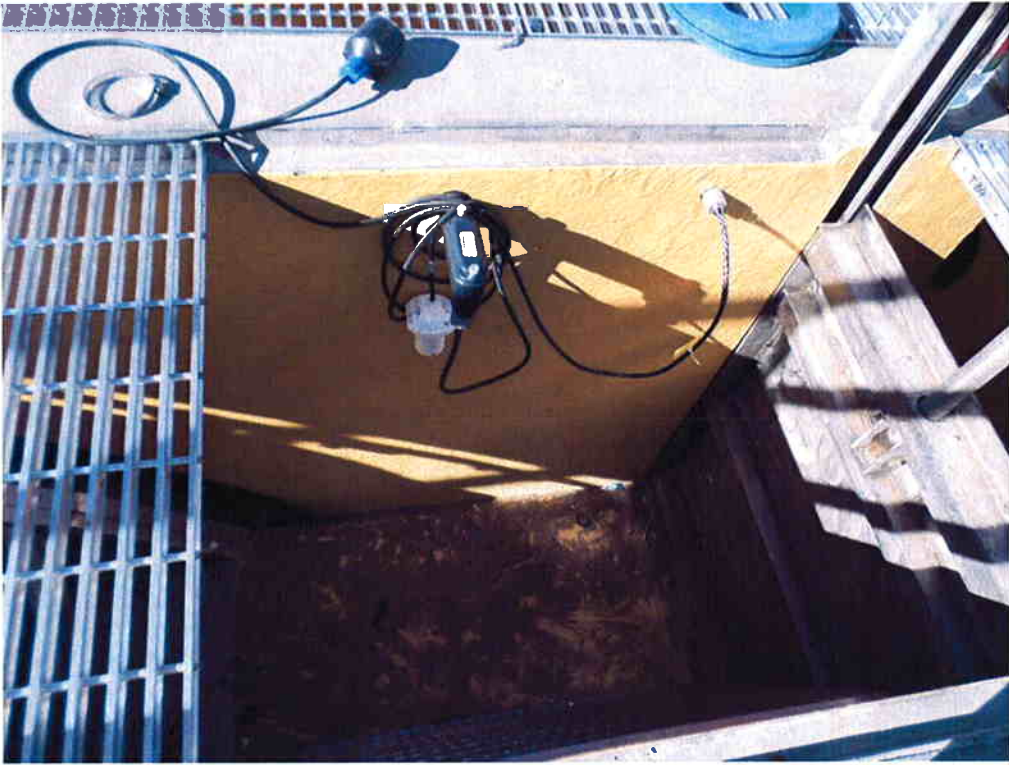




Cushman installing grating support beams.



Bergelectric terminating wires at the Headworks control panel.



Installing the float and level sensor at the Headworks channels.

## **Process 40 Aeration Basin**

### **Summary of Work:**

No work occurred in Process 40 this month.

## **Process 45 Electrical/Blower Building**

### **Summary of Work:**

Bergelectric continued to terminate both power and control wiring in ICP, MCC, VFD panels. They use a lock out tag/out system during this process. They also pulled power wire and terminated it in the new Emergency Generator. Cushman performed grading around the Electrical/Blower Building and the PG&E transformer.

### **Pictures:**



Bergelectric installing conduit and terminating at the new Emergency Generator.





Bergelectric pulling generator feed cables in the MCC Room.



Bergelectric pulling generator feed cables at the new Emergency Generator.





Cushman grading around the Electrical/Blower Building.

## **Process 50 – Secondary Clarifier No. 1 and 2.**

### **Summary of Work:**

Cushman sub-contractor KNK Coating was on site correcting coating defects on clarifier mechanisms in both clarifiers. Cushman also performed grading around and between the clarifiers.

### **Pictures:**



Grading between the clarifiers.

## **Process 60 – Sludge Thickening System**

### **Summary of Work:**

There was no work at Process 60 this month.

## **Process 70 – Process Water Pump Station and Sodium Hypochlorite Storage**

### **Summary of Work:**

Cushman installed the chemical piping from the tank to pump along with injection points on NPW piping. They also completed a majority of the plumbing in the Sodium Hypochlorite Storage Building. Bergelectric installed and terminated electrical switches and instruments on the Hydropneumatic Tank.

### **Pictures:**



Cushman installing the sink and water heater in the bathroom at the Sodium Hypochlorite Storage Building.

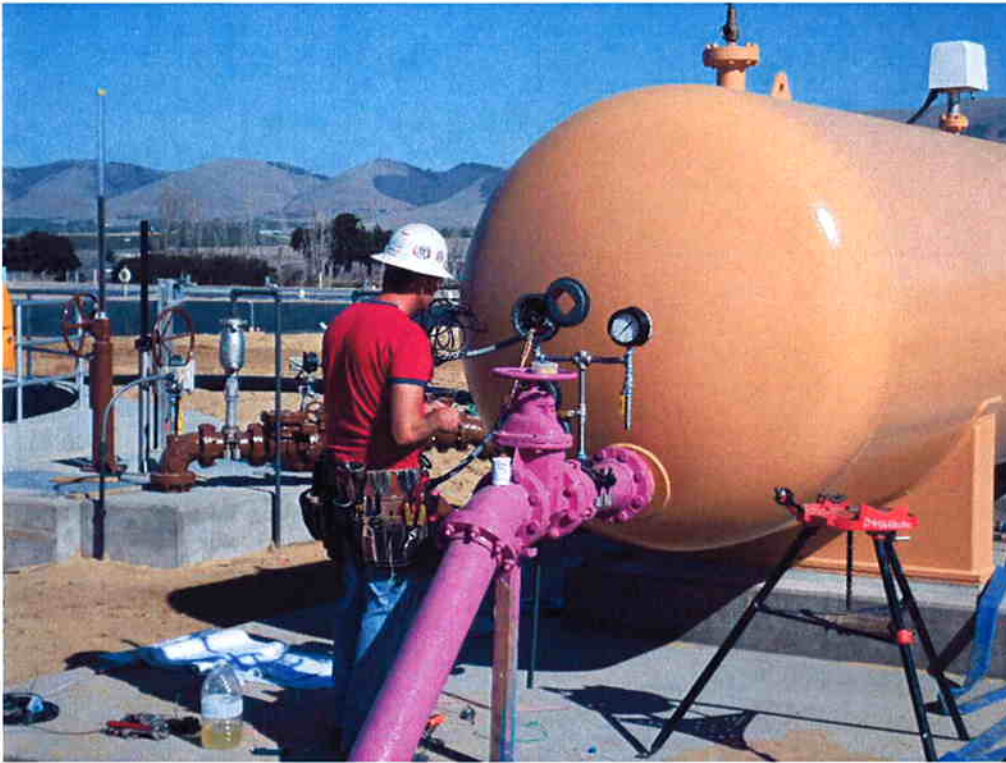




Cushman grading around the Sodium Hypochlorite Storage Building.



Cushman installing the chemical injection post and assembly.



Bergelectric terminating the pressure transmitters and magnetic gauges at the Hydropneumatic Tank.



## **Process 90 – Sludge Drying Beds**

### **Summary of Work:**

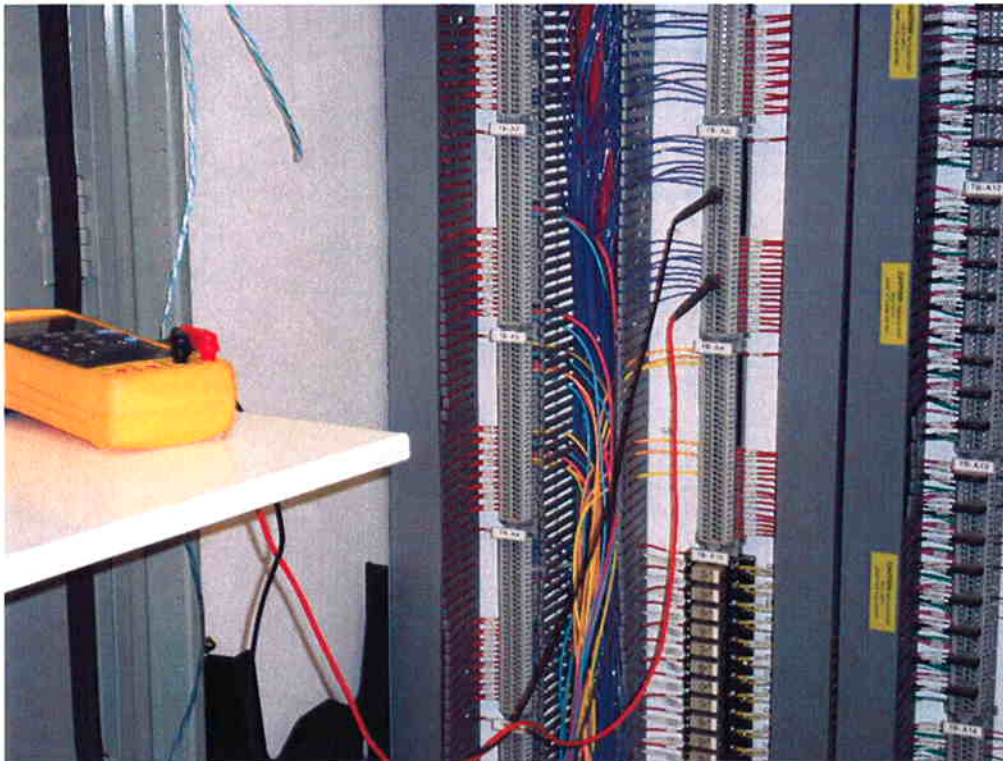
Cushman has completed installation of 4" DR risers with cam lock along drying beds.

## **Commissioning and Testing**

### **Summary of Work:**

The RAS/WAS pumps, Scum Pump Station Pumps and Vertical Turbine Pumps were all tested per the specifications and the Commissioning Plan and data was submitted to AECOM for approval. Tesco personal were on site conducting electrical loop checks and calibration of instruments. Quinn personal verified the installation and started up the generator.

### **Pictures:**



Performing loop checks.

# **Nipomo Community Services District**



## **Supplemental Water Project Bid Package 4**

### **Monthly Progress Report**



Prepared By:  
MNS Engineers, Inc.

**January 2014**

# Schedule and Budget Summary

## Schedule Summary

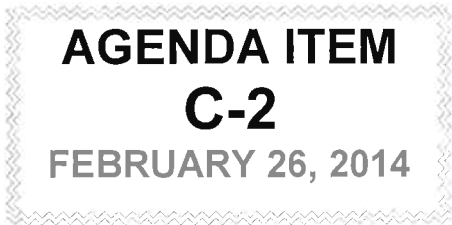
Notice to Proceed	December 19, 2013
Original Contract Days	519
Contract Days Added	0
Revised Contract Days	0
Elapsed Time (Days)	(69)
Remaining Time (Days)	450
Contract Completion Date	May 22, 2015
Time Elapsed to Date	13.0%
Work Completed to Date	0.7%
Approved Change Orders (Days)	0 days

## Budget Summary

Original Contract Amount	\$4,364,030.00
Approved Change Orders (Cost)	\$0.00
Revised Contract Amount	\$4,364,030.00
Previous Payments	\$29,796.00
Current Month Pay Request	\$0.00
Total Work Completed	\$29,796.00
Work Remaining	\$4,334,234.00



TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: FEBRUARY 21 2014



**FEBRUARY 12, 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 February 12, 2014 Regular Meeting Closed Session included:

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 PURSUANT TO GOVT. CODE §54956.9(a):  
Existing litigation - 1 case: Mesa Community Alliance Vs. District, Case No. CV 130222
3. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(d)(2)&(e)(1):  
Significant Exposure to Litigation - 1 case.
4. 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

Staff will report on closed session action taken, if any.

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: FEBRUARY 21, 2014

**AGENDA ITEM**  
**D**  
**FEBRUARY 26, 2014**

**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 FEBRUARY 12, 2014 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS  
 FROM: MICHAEL S. LEBRUN *MSL*  
 GENERAL MANAGER  
 DATE: FEBRUARY 21, 2014

**AGENDA ITEM  
 D-1  
 FEBRUARY 26, 2014**

**HAND WRITTEN CHECKS**

02-12-14 10229 DEPT OF HEALTH SERVICES  
 02-12-14 10230 MIDSTATE CONCRETE  
 02-12-14 10231 SLO CHAPTER OF CSDA

**TOTAL COMPUTER CHECKS**

\$126,455.13  
 D1 EXAM FEE \$50.00  
 CONCRETE VAULTS \$28,651.61  
 ANNUAL MEETING \$80.00

VOIDS - 22699,22709

**COMPUTER GENERATED CHECKS**

22760	02/14/14	EMP01	EMPLOYMENT DEVELOP DEPT	1186.06	.00	1186.06	B40210	STATE INCOME TAX
22761	02/14/14	MID01	RABOBANK-PAYROLL TAX DEPO	3889.98	.00	3889.98	B40210	FEDERAL INCOME TAX
				86.80	.00	86.80	1B40210	FICA
				1059.12	.00	1059.12	2B40210	MEDICARE (FICA)
			Check Total.....:	5035.90	.00	5035.90		
22762	02/14/14	MID02	RABOBANK-DIRECT DEPOSIT	27130.71	.00	27130.71	B40210	NET PAY
22763	02/14/14	PER01	PERS RETIREMENT	8706.86	.00	8706.86	B40210	PERS PAYROLL REMITTANCE
22764	02/14/14	STA01	CALPERS 457 DEFERRED COMP	2580.00	.00	2580.00	B40210	457 DEFERRED COMP
022765	02/26/14	AEC01	AECOM USA INC	11709.90	.00	11709.90	37412984	SOUTHLAND WWTF UPGRADE
022766	02/26/14	AME03	AMERI PRIDE	166.21	.00	166.21	59155	UNIFORMS
				306.90	.00	306.90	63755	UNIFORMS
			Check Total.....:	473.11	.00	473.11		
022767	02/26/14	AQU01	AQUA-METRIC SALES CO.	2087.29	.00	2087.29	50637	WATER METERS
022768	02/26/14	ATT01	AT&T/MCI	186.53	.00	186.53	5110854	TELEPHONE
022769	02/26/14	BIG01	BIG BRAND TIRE & SERVICE	48.29	.00	48.29	222008	OIL CHANGE/FILTER-2013 FO
				26.85	.00	26.85	222044	OIL CHANGE-2009 FORD F150
			Check Total.....:	75.14	.00	75.14		
022770	02/26/14	BRE02	BRENNTAG PACIFIC INC.	383.60	.00	383.60	BPI379367	SODIUM HYPOCHLORITE
				556.91	.00	556.91	BPI387705	SODIUM HYPOCHLORITE
				466.50	.00	466.50	BPI387706	SODIU, HYPOCHLORITE
				511.70	.00	511.70	BPI389762	SODIUM HYPOCHLORITE
				466.50	.00	466.50	BPI389763	SODIUM HYPOCHLORITE
			Check Total.....:	2385.21	.00	2385.21		
022771	02/26/14	BRI02	BRIDGELINE DIGITAL, INC.	266.00	.00	266.00	FEB/MAR	WEB HOSTING-FEB & MARCH
022772	02/26/14	CAL08	CALIFORNIA RURAL WATER A	250.00	.00	250.00	CALLEJA	DISTRIBUTION CLASS-CALLEJ
				250.00	.00	250.00	MALDONADO	DISTRIBUTION CLASS-MALDON
			Check Total.....:	500.00	.00	500.00		
022773	02/26/14	CLE06	CNSSLO INC	2451.64	.00	2451.64	17700	REPLACEMENT WORKSTATIONS
				2209.00	.00	2209.00	17763	COMPUTER SUPPORT-FEBRUARY
			Check Total.....:	4660.64	.00	4660.64		
022774	02/26/14	CUW01	CALIFORNIA URBAN WATER	2506.56	.00	2506.56	2014-0784	MEMBERSHIP DUES
022775	02/26/14	FEN01	FENCE FACTORY SANTA MARIA	873.00	.00	873.00	910139	FENCE RENTAL-BLOSSER
022776	02/26/14	FGL01	FGL ENVIRONMENTAL	539.80	.00	539.80	480108A	LAB TESTS
				85.80	.00	85.80	480282A	LAB TESTS
			Check Total.....:	625.60	.00	625.60		
022777	02/26/14	GWA01	GWA INC	85.00	.00	85.00	021314	SERVICE CALL
				50.00	.00	50.00	120513	REMOTE PROGRAMMING
			Check Total.....:	135.00	.00	135.00		
022778	02/26/14	HEW01	HEWLETT-PACKARD CO	1024.48	.00	1024.48	68556850	PLOTTER REPAIR
022779	02/26/14	IRO01	IRON MOUNTAIN RECORDS MGT	33.47	.00	33.47	JYU4612	SHREDDING SERVICE
022780	02/26/14	LEB02	LeBRUN, MICHAEL	65.00	.00	65.00	FEB 2014	CELL PHONE REIMBURSEMENT

TO: BOARD OF DIRECTORS  
 FROM: MICHAEL S. LEBRUN  
 GENERAL MANAGER  
 DATE: FEBRUARY 21, 2014

**AGENDA ITEM**  
**D-1**  
**FEBRUARY 26, 2014**  
**PAGE TWO**

022781	02/26/14	LIP01	TONY LIPKA	5500.00	.00	5500.00	1401	SAFETY TRAINING/HAZARD AS
022782	02/26/14	MOR02	MORE OFFICE SOLUTIONS	61.68	.00	61.68	584028	COLOR & B/W COPIES
				146.28	.00	146.28	589711	COPIER MAINTENANCE
			Check Total.....:	207.96	.00	207.96		
022783	02/26/14	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	103292	RODENT CONTROL
				75.00	.00	75.00	103295	RODENT CONTROL
			Check Total.....:	340.00	.00	340.00		
022784	02/26/14	OCT01	OCT WATER QUALITY ACADEMY	575.00	.00	575.00	B40220	WASTEWATER CLASS-FERNADE
022785	02/26/14	OFF01	OFFICE DEPOT	70.03	.00	70.03	1413001	OFFICE SUPPLIES
022786	02/26/14	POO01	POOR RICHARD'S PRESS	305.61	.00	305.61	254814	PRINT BILL INSERT
				67.94	.00	67.94	258048A	MAIL LATE BILLS
				252.48	.00	252.48	258048B	POSTAGE FOR LATE BILLS
				224.22	.00	224.22	258067A	MAIL BILLS
				833.28	.00	833.28	258067B	POSTAGE FOR BILLS
			Check Total.....:	1683.53	.00	1683.53		
022787	02/26/14	PRI02	PRICE, POSTEL & PARMA, LL	9612.04	.00	9612.04	115134	RIGHT OF WAY-SWP
022788	02/26/14	QUI03	QUINN COMPANY	604.35	.00	604.35	30000465	GENERATOR MAINT-WASTEWATE
				728.24	.00	728.24	30000466	GENERATOR MAINT-WASTEWATE
				728.24	.00	728.24	30000467	GENERATOR MAINT-WASTEWATE
				785.05	.00	785.05	30000468	GENERATOR MAINT-SOUTHLAND
				679.39	.00	679.39	30000469	GENERATOR MAINT-WATER
				553.25	.00	553.25	30000470	GENERATOR MAINT-MV L/S
				470.37	.00	470.37	30000471	GENERATOR MAINT-SHOP
				664.36	.00	664.36	30000472	GENERATOR MAINT-TEFFT L/S
				829.76	.00	829.76	30000473	GENERATOR MAINT-SUNDALE W
			Check Total.....:	6043.01	.00	6043.01		
022789	02/26/14	RIC01	RICHARDS, WATSON, GERSHON	685.00	.00	685.00	194554	GROUDWATER LITIGATION
022790	02/26/14	SEC02	SECURITY METRICS	749.59	.00	749.59	680041	CREDIT CARD COMPLIANCE
022791	02/26/14	SHI01	SHIPSEY & SEITZ, INC	15594.00	.00	15594.00	JAN 2014	LEGAL SERVICES THRU 1/31/
022792	02/26/14	SOF01	SOFTWARE SOLUTIONS TEAM	229.00	.00	229.00	14-6919	MS WORD CLASS-WINDSOR
022793	02/26/14	SOU10	SOUTHERN CALIFORNIA GAS C	1620.10	.00	1620.10	D2076591	SWP-ABANDON GAS LINE
022794	02/26/14	TOW01	TOWN & COUNTRY FENCING	250.00	.00	250.00	3595	FENCE REPAIR
022795	02/26/14	TUC01	TUCKFIELD & ASSOCIATES	5163.75	.00	5163.75	366	PROGRESS PAYMENT
022796	02/26/14	USA01	USA BLUEBOOK	1772.58	.00	1772.58	263725	FLOAT SWITCH/GLASS FIBER/
022797	02/26/14	WAL01	WALLACE GROUP	252.00	.00	252.00	36508	FOG OUTREACH & INSPECTION
				756.45	.00	756.45	36509	FOG PERMIT & INSPECTION
			Check Total.....:	1008.45	.00	1008.45		
022798	02/26/14	WSC01	WSC	149.63	.00	149.63	892	CUWCC SUPPORT SERVICES
022799	02/26/14	YOU01	YOUR PEOPLE PROFESSIONALS	2855.00	.00	2855.00	MAR 2014	MARCH DEPOSIT-EMPLOYMENT



TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: FEBRUARY 21, 2014

**AGENDA ITEM  
D-2  
FEBRUARY 26, 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. February 12, 2014 draft Board Meeting Minutes

FEBRUARY 26, 2014

ITEM D-2

ATTACHMENT A

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MINUTES

FEBRUARY 12, 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.
--

00:00

#### A. CALL TO ORDER AND FLAG SALUTE

*President Armstrong called the Regular Meeting of February 12, 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 Directors were present.*

*Frank Freitas, NCSO Customer, expressed his appreciation of the Board and District Staff, for working to bring supplemental water to the District.*

0:01:40

#### C. PRESENTATIONS AND REPORTS

##### C-1) REPORT ON JANUARY 22, 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 One (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSO) in closed session, but took no reportable action.*

*Mr. Seitz reported that the Board discussed Item Two (Conference with Legal Counsel pursuant to Govt. Code §54956.9(a): existing litigation – 1 case: Mesa Community Alliance vs. District, Case No. CV 130222 in closed session, but took no reportable action.*

*Mr. Seitz reported that the Board discussed Item Three (Conference with Legal Counsel pursuant to Govt. Code §54956.9(d)(2)&(e)(1): Significant Exposure to Litigation- 1 case in closed session, but took no reportable action.*

##### 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

SUBJECT TO BOARD APPROVAL

**PRESENTATIONS AND REPORTS (CONTINUED)**

**ITEM C-2 (CONTINUED)**

Director Blair

- ◇ Commented on recent rainfall in Marin County

Director Vierheilig

- ◇ Met with Ed Eby on January 29 regarding County Resource Management System
- ◇ Attended the Water Resource Committee Meeting with President Armstrong on February 5

Director Harrison

- ◇ Attended Fire Safe Council Board of Directors Meeting
- ◇ Attended a Rotary Club meeting on January 25
- ◇ Attended SCAC Meeting on January 27
- ◇ Attended the San Luis Obispo County Board of Supervisors Meeting on January 28
- ◇ Met with the Manager of ECOSLO
- ◇ Attended the Strategic Plan Workshop on February 3
- ◇ Attended the NMMA Meeting on February 4

Director Gaddis

- ◇ Attended the Strategic Plan Workshop on February 3
- ◇ Attended SCAC Meeting on January 27

Director Armstrong

- ◇ Attended the NMMA Meeting on February 4
- ◇ Attended the Water Resources Committee Meeting on February 5
- ◇ Attended the Water Resources Advisory Committee Meeting on February 5

**C-3) 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 Gaddis, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 5-0.*

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



0:09:31

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE JANUARY 8, 2014 REGULAR BOARD MEETING MINUTES
- D-3) APPROVE JANUARY 10, 2014 SPECIAL BOARD MEETING MINUTES
- D-4) APPROVE JANUARY 16, 2014 SPECIAL BOARD MEETING MINUTES
- D-5) APPROVE JANUARY 22, 2014 REGULAR BOARD MEETING MINUTES
- D-6) APPROVE FEBRUARY 3, 2014 SPECIAL BOARD MEETING MINUTES
- D-7) ADOPT RESOLUTION APPROVING 2014 BOARD BY-LAWS
- D-8) RECEIVE DECEMBER 2014 (MID FISCAL-YEAR) FINANCIAL SUMMARY

*President Armstrong asked if any Directors had any comments on Consent Agenda. Director Gaddis and Director Harrison requested clarification on warrants.*

*Michael LeBrun, General Manager, reported that two of the warrants listed (check no(s). 022699 and 022709) were to be voided, and a third would be added in the amount of \$28,651.51 to Mid State Concrete. Mr. LeBrun also stated that there was a revision to the Resolution Approving 2014 Board By-Laws, as the Board Packet version was incomplete.*

*There was no public comment.*

*Upon the motion of Director Vierheilg and seconded by Director Harrison, the Board unanimously approved the Consent Agenda, as amended.  
 Vote 5-0.*

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

RESOLUTION NO. 2014-1330

A RESOLUTION OF THE BOARD OF DIRECTORS  
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
 ADOPTING AMENDED BOARD BY-LAWS AND POLICIES (2014)

0:16:07

E. ADMINISTRATIVE ITEMS

E-1) REVIEW WATER SHORTAGE RESPONSE AND MANAGEMENT PLAN

*Michael LeBrun, General Manager, reviewed the report as presented in the Board packet, and answered questions from the Board.*

*The following member of the public spoke:*

*Mark Westfall, NCS D Customer, commented on the report and questioned whether the water use payment tiers would increase if the drought continues.*

*Upon the motion of Director Vierheilg and seconded by Director Armstrong, the Board approved the Water Shortage Response and Management Plan.  
 Vote 3-2.*

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

1:02:51 F. GENERAL MANAGER'S REPORT

*Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun answered questions from the board.*

*There was no public comment.*

G. COMMITTEE REPORTS

*Director Vierheilig reported that he attended the Water Resources Committee Meeting on February 5.*

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*There were no requests to staff.*

1:10:50 I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9 SMVWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(a):  
Existing litigation - 1 case: Mesa Community Alliance Vs. District, Case No. CV 130222
3. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(d)(2)&(e)(1):  
Significant Exposure to Litigation - 1 case.
4. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION  
(Paragraph (1) of subdivision (d) of Section 54956.9)  
Name of case: NCSO v Troesh et. al. SLOCSC# CV130175

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There was no public comment.*

K. ADJOURN TO CLOSED SESSION

*President Armstrong adjourned to closed session at 10:12 a.m. and announced that the Board would take a 10-minute break prior to the beginning of closed session.*

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

*The Board came back into Open Session at 10:51 a.m.*

L. OPEN SESSION (CONTINUED)

*Michael Seitz, District Legal Counsel, announced that the Board discussed Items One, Two, Three and Four listed above under closed session announcements, but took no reportable action.*

ADJOURN

*President Armstrong adjourned the meeting at 10:52 a.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 12 minutes
Closed Session	0 hour 40 minutes
TOTAL HOURS	1 hour 52 minutes