

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

**JANUARY 22, 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.

### ***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	2014-1330
	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) SAN LUIS OBISPO COUNTY SHERIFF COMMANDER JAY DONOVAN  
Update Report re: South County Law Enforcement and Department News

C-2) CAL FIRE BATTALION CHIEF PAUL VAN GERWEN  
Update Report re: South County Cal Fire Activity and Department News

- C-3) DIRECTOR OF ENGINEERING AND OPERATOINS  
RE: Summary of Activities
- C-4) REPORT ON JANUARY 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 DECEMBER 11, 2013 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVAL]
- D-3) RECEIVE QUARTERLY INVESTMENT REPORT [RECOMMEND RECEIVE REPORT]
- D-4) SUPPLEMENTAL WATER PROJECT PHASE 1 BID PACKAGE 1 – SANTA MARIA  
RIVER CROSSING PROJECT ACCEPTANCE [RECOMMEND, BY MOTION AND ROLL  
CALL VOTE, ACCEPT PROJECT AND DIRECT STAFF TO FILE NOTICE OF  
COMPLETION]

E. ADMINISTRATIVE ITEMS

- E-1) REVIEW BOARD BY-LAWS AND POLICES AND PROPOSE EDITS FOR  
CONSIDERATION [RECOMMEND REVIEW OF BY-LAWS AND DIRECT STAFF TO  
RETURN WITH REVISIONS FOR FUTURE BOARD APPROVAL]
- E-2) REVIEW AND DISCUSS SLO COUNTY DRAFT CHANGES TO RESOURCE  
MANAGEMENT SYSTEM [RECOMMEND REVIEW AND DIRECT STAFF]

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 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.

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

K. ADJOURN TO CLOSED SESSION

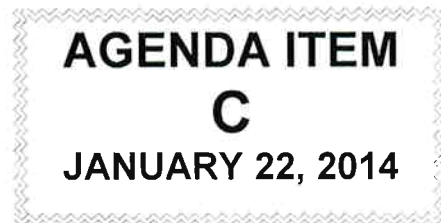
L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

- **Strategic Plan Workshop (Public Welcome), Monday February 3, 2014, 8:30 AM – 3PM. This workshop will be held at 509 Southland Street, Nipomo (District Field Office). No action items are scheduled.**
- **Next Regular Board Meeting is 9AM, Wednesday February 12, 2014.**

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *msl*  
GENERAL MANAGER  
DATE: JANUARY 17, 2014



## PRESENTATIONS AND REPORTS

The following presentations and reports are scheduled:

- C-1) SAN LUIS OBISPO COUNTY SHERIFF COMMANDER JAY DONOVAN  
Update Report re: South County Law Enforcement and Department News
- C-2) CAL FIRE BATTALION CHIEF PAUL VAN GERWEN  
Update Report re: South County Cal Fire Activity and Department News
- C-3) DIRECTOR OF ENGINEERING AND OPERATOINS  
RE: Summary of Activities
- C-4) REPORT ON JANUARY 8, 2014 REGULAR MEETING CLOSED SESSION  
Announcement of actions, if any, taken in Closed Session
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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

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER



DATE: JANUARY 17, 2014

**AGENDA ITEM**

**C-3**

**JANUARY 22, 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, provide an update on District capital projects and operations.

**RECOMMENDATION**

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

**ATTACHMENTS**

- Written materials will be provided at the meeting.

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *ML*  
GENERAL MANAGER  
DATE: JANUARY 17, 2014

**AGENDA ITEM**  
**C-4**  
**JANUARY 22, 2014**

**JANUARY 8, 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 January 8, 2014 Regular Meeting Closed Session included:

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 §54956.9(a):  
Existing litigation - 1 case: Mesa Community Alliance Vs. District, Case No. CV 130222

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

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: JANUARY 17, 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 DECEMBER 11, 2013 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]
- D-3) RECEIVE QUARTERLY INVESTMENT REPORT [RECOMMEND RECEIVE REPORT]
- D-4) RECEIVE NOTICE OF COMPLETION SUPPLEMENTAL WATER PROJECT PHASE 1, BID PACKAGE 1 [RECOMMEND RECEIVE NOTICE]

TO: BOARD OF DIRECTORS  
 FROM: MICHAEL S. LEBRUN *MSL*  
 GENERAL MANAGER  
 DATE: JANUARY 17, 2014

**AGENDA ITEM  
 D-1  
 JANUARY 22, 2014**

**HAND WRITTEN CHECKS**

01-08-14	10221	BRIDGELINE HOSTING
01-08-14	10222	PATRICK & LINDA SANSOM
01-08-14	10223	DAVID & ASTRA WEITZEL
01-08-14	10224	DAVID CASTRO
01-22-14	10225	RON OR MARY CARSTENBROCK
01-22-14	10226	MARIAN MORRISON

**TOTAL COMPUTER CHECKS  
 \$108,919.79**

WEB HOSTING	\$133.00
WASHER REBATE	\$75.00
WASHER REBATE	\$75.00
WASHER REBATE	\$75.00
WASHER REBATE	\$75.00
WASHER REBATE	\$75.00

VOIDS - 22654

**COMPUTER GENERATED CHECKS**

022645	01/08/14	\H008	HERMRECK, GAIL	491.55	.00	491.55	000B40101	MQ CUSTOMER REFUND FOR HE
022646	01/08/14	\M011	MACK, JUSTIN	81.20	.00	81.20	000B40101	MQ CUSTOMER REFUND FOR MA
022647	01/08/14	\N009	NEWDOLL CONSTRUCTION,	477.93	.00	477.93	000B40101	MQ CUSTOMER REFUND FOR NE
022648	01/08/14	\R007	RADER, DONALD P	262.97	.00	262.97	000B40101	MQ CUSTOMER REFUND FOR RA
22649	01/17/14	EMP01	EMPLOYMENT DEVELOP DEPT	1127.24	.00	1127.24	B40113	STATE INCOME TAX
22650	01/17/14	MID01	RABOBANK-PAYROLL TAX DEPO	3629.75	.00	3629.75	B40113	FEDERAL INCOME TAX
				124.00	.00	124.00	1B40113	FICA
				997.60	.00	997.60	2B40113	MEDICARE (FICA)
			Check Total.....:	4751.35	.00	4751.35		
22651	01/17/14	MID02	RABOBANK-DIRECT DEPOSIT	25629.63	.00	25629.63	B40113	NET PAY
22652	01/17/14	PER01	PERS RETIREMENT	8451.54	.00	8451.54	B40113	PERS PAYROLL REMITTANCE
22653	01/17/14	STA01	CALPERS 457 DEFERRED COMP	2555.00	.00	2555.00	B40113	457 DEFERRED COMP
022655	01/22/14	AEC01	AECOM USA INC	3385.80	.00	3385.80	37406100	SOUTHLAND WWTf UPGRADE
022656	01/22/14	ALX01	ALEXANDER'S CONTRACT SERV	2401.61	.00	2401.61	B40114	METER READING DECEMBER
022657	01/22/14	AME03	AMERI PRIDE	169.72	.00	169.72	31613	UNIFORMS
				140.80	.00	140.80	36660	UNIFORMS
			Check Total.....:	310.52	.00	310.52		
022658	01/22/14	ATT01	AT&T/MCI	186.33	.00	186.33	5023359	TELEPHONE
022659	01/22/14	BES01	BEST BEST & KRIEGER	92.04	.00	92.04	714824	SWP CONTRACTS
				1363.44	.00	1363.44	714825	MCA VS NCSD
			Check Total.....:	1455.48	.00	1455.48		
022660	01/22/14	BIG01	BIG BRAND TIRE & SERVICE	26.90	.00	26.90	220981	OIL CHANGE 2008 FORD
022661	01/22/14	BRE02	BRENNTAG PACIFIC INC.	330.86	.00	330.86	BPI377534	SODIUM HYPOCHLORITE
				466.50	.00	466.50	BPI377535	SODIUM HYPOCHLORITE
			Check Total.....:	797.36	.00	797.36		
022662	01/22/14	CAL17	CALIF STATE UNIVERSITY, S	103.04	.00	103.04	VOELKER	WATER DISTRIBUTION COURSE
022663	01/22/14	CAN02	CANNON CORPORATION	14977.33	.00	14977.33	55868	BL WELL #4
022664	01/22/14	CAR04	CAR QUEST AUTO PARTS	180.47	.00	180.47	849202	LATEX GLOVES
				-17.39	.00	-17.39	849527C	RETURNED ITEM
			Check Total.....:	163.08	.00	163.08		
022665	01/22/14	CLE06	CNSSLO INC	2209.00	.00	2209.00	17615	MONTHLY SUPPORT
022666	01/22/14	COR02	CORRPRO COMPANIES, INC.	2220.00	.00	2220.00	209564	TANK INSPECTIONS
022667	01/22/14	CRY01	CRYSTAL SPRINGS	23.45	.00	23.45	DEC 2013	DISTILLED WATER-LAB
022668	01/22/14	CUS01	CUSTOM PRINTING	346.74	.00	346.74	127062	DOOR HANGERS
022669	01/22/14	DEW01	J B DEWAR INC	365.05	.00	365.05	394880	DEEP WELL OIL
022670	01/22/14	FAR02	FAR WEST EXPRESS	23.00	.00	23.00	DEC 2013	DELIVERY



TO: BOARD OF DIRECTORS  
 FROM: MICHAEL S. LEBRUN  
 GENERAL MANAGER  
 DATE: JANUARY 17, 2014

**AGENDA ITEM**  
**D-1**  
**JANUARY 22, 2014**  
**PAGE TWO**

022671	01/22/14	FER01	FERGUSON ENTERPRISES INC	168.57	.00	168.57	124724	REPAIR CLAMP
				1791.67	.00	1791.67	86264-1	SAND ENCLOSURE
			Check Total.....:	1960.24	.00	1960.24		
022672	01/22/14	FUG01	FUGRO WEST, INC.	645.00	.00	645.00	621300461	BL WELL #4
022673	01/22/14	GIL01	GLM, INC.	340.00	.00	340.00	DEC 2013	LANDSCAPE MAINTENANCE
022674	01/22/14	HAR02	HARRISON, JAMES	70.00	.00	70.00	B40114	REIMBURSEMENT-CHAMBER INS
022675	01/22/14	LEB02	LeBRUN, MICHAEL	65.00	.00	65.00	JAN 2014	CELL PHONE REIMBURSEMENT
022676	01/22/14	MIN02	MINER'S ACE HARDWARE	95.28	.00	95.28	DEC 2013	VALVE BALL/BUSHINGS
022677	01/22/14	MOR02	MORE OFFICE SOLUTIONS	558.32	.00	558.32	563591	COPIER MAINTENANCE
				145.60	.00	145.60	568780	COLOR & B/W COPIES
				528.56	.00	528.56	570821	COLOR AND B/W COPIES
			Check Total.....:	1232.48	.00	1232.48		
022678	01/22/14	MUL01	MULLAHEY FORD	162.96	.00	162.96	2302	FORD REPAIR
				125.23	.00	125.23	21274	LAMP ASSEMBLY
			Check Total.....:	288.19	.00	288.19		
022679	01/22/14	NEW05	NEWTON GEO-HYDROLOGY CONS	3053.23	.00	3053.23	DEC2013-1	GENERAL CONSULTATION
				3423.23	.00	3423.23	DEC2013-2	LITIGATION SUPPORT
			Check Total.....:	6476.46	.00	6476.46		
022680	01/22/14	NIP08	NIPOMO CSD	485.21	.00	485.21	DEC 2013	LANDSCAPE MAINT DISTRICT
022681	01/22/14	OFF01	OFFICE DEPOT	347.70	.00	347.70	2527001	OFFICE SUPPLIES
022682	01/22/14	POO01	POOR RICHARD'S PRESS	162.38	.00	162.38	257426 A	POSTAGE FOR LATE NOTICES
				41.13	.00	41.13	257426 B	MAIL LATE NOTICES
				1244.30	.00	1244.30	257541 A	POSTAGE FOR BILLS
				315.15	.00	315.15	257541 B	MAIL BILLS
			Check Total.....:	1762.96	.00	1762.96		
022683	01/22/14	SAN20	SANTA BARBARA COUNTY	500.00	.00	500.00	B40114	SB COUNTY LICENSE AGREEME
022684	01/22/14	SCH02	SCHNEIDER ELECTRIC USA, I	5611.49	.00	5611.49	34367014	CLEARSCADA SUPPORT
022685	01/22/14	SHI01	SHIPSEY & SEITZ, INC	5611.50	.00	5611.50	DEC 2013	LEGAL FEES THRU 12/31/13
022686	01/22/14	SOU01	SOUTH COUNTY SANITARY	38.98	.00	38.98	4333699	WASTE COLLECTION OFFICE
				188.70	.00	188.70	4334939	OLDE TOWNE WASTE COLLECTI
			Check Total.....:	227.68	.00	227.68		
022687	01/22/14	SPE01	SPECIAL DISTRICT RISK	1126.81	.00	1126.81	45896	INSURANCE-NEW GENERATOR &
022688	01/22/14	TAF01	TAFT ELECTRIC	210.00	.00	210.00	31058-10	WOODGREEN L/S
022689	01/22/14	TUC01	TUCKFIELD & ASSOCIATES	6041.25	.00	6041.25	363	RATE STUDY PROGRESS PAYME
022690	01/22/14	USA01	USA BLUEBOOK	449.57	.00	449.57	236687	FUNCTION VALVE/REPAIR KIT
				45.04	.00	45.04	236925	VALVE SEAT
			Check Total.....:	494.61	.00	494.61		
022691	01/22/14	VOE01	VOELKER, TYLER	120.00	.00	120.00	B40115	BOOT REIMBURSEMENT
022692	01/22/14	WAL01	WALLACE GROUP	2384.83	.00	2384.83	36347	FOG OUTREACH/INSPECTION

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: JANUARY 17, 2014

**AGENDA ITEM**  
**D-2**  
**JANUARY 22, 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. December 11, 2013 draft Regular Board Meeting Minutes

JANUARY 22, 2014

ITEM D-2

ATTACHMENT A

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MINUTES

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.
--

00:00:00

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

*President Harrison called the Regular Meeting of December 11, 2013, to order at 9:00 a.m. and led the flag salute.*

00:00:40

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

At roll call, Directors Armstrong, Blair, Vierheilig and Harrison were present.

00:10:19

#### C. PRESENTATIONS AND PUBLIC COMMENT

##### C-1) REPORT ON NOVEMBER 11, 2013 REGULAR MEETING CLOSED SESSION Announcement of actions, if any, taken in Closed Session

00:04:53

Acting District Legal Counsel, Jeffrey Minnery of Adamski Moroski Madden Cumberland & Green, announced no reportable action.

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

*Peter Sevcik, Director of Engineering and Operations, gave an update of recent activities. Mr. Sevcik answered questions from the Board. The Board thanked Mr. Sevcik for his report.*

##### 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

#### Director Armstrong

- ◇ November 25, Attended SCAC meeting
- ◇ November 15, Attended SWAEC presentation to Supervisor Ray

#### Director Blair

- ◇ November 15, Attended SWAEC presentation to Supervisor Ray
- ◇ Showed the Board a poster used in classrooms regarding water conservation

#### Director Vierheilig

- ◇ January 8, 2014, WRAC will meet at 1:30 p.m. at SLO County Library
- ◇ January 14, 2014, BLMA Board Meeting at 2:00 p.m. at Community Room

SUBJECT TO BOARD APPROVAL

**ITEM C-3 (CONTINUED)**

Director Harrison

- ◇ Served Thanksgiving dinners in Nipomo and Pismo Beach
- ◇ Fire Safe Council toured Los Osos brush removal project
- ◇ Read thank you notes received from the Miller Family and former NCSD Billing Clerk Kathy Beltran

C-4) 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 Armstrong, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 4-0.*

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

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE NOVEMBER 13, 2013 REGULAR BOARD MEETING MINUTES
- D-3) APPROVE SERVICE REQUEST - 545 GRANDE AVENUE NIPOMO, 18-LOT RESIDENTIAL DEVELOPMENT

Director Harrison pulled Item D-3 for discussion.

There was no public comment on Items D-1 and D-2.

*Upon the motion of Director Vierheilig and seconded by Director Blair, the Board unanimously approved Items D-1 and D-2. Vote 4-0.*

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

*Item D-3*

*The following members of the public spoke:*

Jennifer Martin, Project Architect, answered questions about the project.

*Upon the motion of Director Vierheilig and seconded by Director Armstrong, the Board approved Item D-3. Vote 3-1.*

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Armstrong, and Blair	Harrison	Gaddis

E. ADMINISTRATIVE ITEMS

00:37:19

E-1) FINANCIAL AUDIT REPORT FOR FISCAL 2012-2013

Michael LeBrun, General Manager, introduced auditor, Robert Crosby, CPA, who presented the FY 2012-2013 Audit Report. This is the first year the audit is presented in the Comprehensive Annual Financial Report (CAFR) format.

There was no public comment.

Upon the motion of Director Armstrong and seconded by Director Vierheilig the Board unanimously approved the FY 2012-2013 Audit Report  
Vote 4-0.

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

00:46:51

E-2) AWARD CONTRACT FOR STANDPIPE TANK MODIFICATION AND REHABILITATION PROJECT

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet.

There was no public comment.

Upon the motion of Director Armstrong and seconded by Director Blair, the Board unanimously approved Resolution 2013-1325.  
Vote 4-0.

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

RESOLUTION 2013-1325

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AWARDING THE BID FOR THE STANDPIPE TANK MODIFICATION  
AND REHABILITATION PROJECT TO CROSNO CONSTRUCTION, INC.  
IN THE AMOUNT OF \$263,350 AND AUTHORIZING CONSTRUCTION  
CONTINGENCY OF \$25,000

00:52:12

E-2) AUTHORIZE TASK ORDER WITH CANNON ASSOCIATES FOR CONSTRUCTION MANAGEMENT SERVICES FOR STANDPIPE TANK MODIFICATION AND REHABILITATION PROJECT

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet.

The following members of the public spoke:

Rob Morrow, Cannon Representative, commented on the project.

Upon the motion of Director Armstrong and seconded by Director Vierheilig, the Board unanimously approved Resolution 2013-1326.  
Vote 4-0.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

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

RESOLUTION 2013-1326

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AUTHORIZING TASK ORDER FOR STANDPIPE TANK  
MODIFICATION AND REHABILITATION PROJECT  
CONSTRUCTION MANAGEMENT SERVICES WITH CANNON  
IN THE AMOUNT OF \$54,591 AND AUTHORIZING  
CONTINGENCY OF \$5,000

The Board took a 15 minute break at 9:58 a.m. and reconvened at 10:13 a.m.

00:57:21

E-4) RECEIVE FALL 2013 GROUNDWATER INDEX REPORT BY BRAD NEWTON,  
PH.D, PG

*Michael LeBrun, General Manager, introduced Dr. Newton. Dr. Newton presented the Fall Groundwater Index and answered questions of the Board. Dr. Newton also commented briefly on the Fourth Quarter 2013 Sentry Well Monitoring Report Northern Cities Management Area prepared by Fugro.*

*The following members of the public spoke:*

Mike Winn, NCSD customer, stated SLO County should be solving regional problem and the Board should consider discontinuing the Groundwater Index because it causes confusion with the NMMA Key Well Index. The NMMA Key Well Index is the only index recognized by the Courts.

Ed Eby, NCSD customer, expressed concern about Northern Cities Sentry Wells and their effect on NCSD.

Acting District Counsel, Jeffrey Minnery of Adamski Moroski Madden Cumberland & Green, disclosed for the record that he has been serving as District Counsel for Oceano Community Services District for the past two months.

Bill Kengel, NCSD customer, asked if we had data on Santa Maria Valley groundwater levels.

Dave Watson, stated we should find a way to work collaboratively across the artificial regional boundaries for the good of the entire groundwater basin.

President Harrison directed Staff to bring back an item on a future agenda to discuss the possibility of discontinuing the semi-annual groundwater index report.

*Upon the motion of Director Armstrong and seconded by Director Vierheilig, the Board unanimously agreed to receive and file the report.*

*Vote 4-0.*

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

02:10:00

E-5) APPROVE TASK ORDER SCOPE AND \$90,000 BUDGET FOR NEWTON GEO-HYDROLOGY CONSULTING SERVICES FOR 2014

*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.

*Upon the motion of Director Armstrong and seconded by Director Vierheilig, the Board unanimously agreed to approve the Task Order scope and \$90,000 budget. Vote 4-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Vierheilig, Blair, and Harrison</i>	<i>None</i>	<i>Gaddis</i>

02:19:00

E-6) CONSIDER DRAFT WATER POLICY STATEMENT

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

Ed Eby, NCSD customer, suggested graphics should be included in the policy and commented on items # 2, 3 and 6.

Dave Watson, commented on items #2, 5 and 6.

Staff will engage NMMA, meet with Supervisor Ray, present policy to the WRAC in March and ultimately present the policy to the SLO County Board of Supervisors.

No action was taken.

E-7) ELECTION OF 2014 BOARD OFFICERS

President Harrison called for nominations for President. Director Vierheilig nominated Director Armstrong. Director Blair nominated Director Harrison. Director Harrison declined the nomination.

There was no public comment.

Upon the motion of Director Vierheilig and seconded by Director Harrison, the Board unanimously approved Director Armstrong as President for 2014. Vote 4-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Vierheilig, Harrison, Blair and Armstrong</i>	<i>None</i>	<i>Gaddis</i>

President Harrison called for nominations for Vice President. Director Vierheilig nominated Director Harrsion.

There was no public comment.



Upon the motion of Director Vierheilig and seconded by Director Armstrong, the Board unanimously approved Director Harrison as Vice President for 2014.  
Vote 4-0.

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

02:40:00

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

*There was no public comment.*

K. ADJOURN TO CLOSED SESSION

*President Harrison adjourned to closed session at 11:55 a.m.*

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board came back into Open Session at 1:40 p.m.*

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

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

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

SUBJECT TO BOARD APPROVAL

*There was no public comment.*

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*Director Blair asked that the newsletter mailing database be corrected so that he would receive a single copy of the District's newsletter. He is currently getting four.*

ADJOURN

*President Harrison adjourned the meeting at 2:07 p.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	3 hour 30 minutes
Closed Session	1 hour 40 minutes
TOTAL HOURS	5 hours10 minutes

TO: BOARD OF DIRECTORS  
 FROM: MICHAEL S. LEBRUN *MSL*  
 GENERAL MANAGER  
 DATE: JANUARY 17, 2014

**AGENDA ITEM  
 D-3  
 JANUARY 22, 2014**

**INVESTMENT POLICY – FOURTH QUARTER REPORT**

**ITEM**

Review Investment Policy Fourth Quarter Report [RECOMMEND ACCEPT]

**BACKGROUND**

The Board of Directors have adopted an Investment Policy for NCSD which states that the Finance Officer shall file a quarterly report that identifies the District's investments and their compliance with the District's Investment Policy. The quarterly report must be filed with the District's auditor and considered by the Board of Directors.

Below is the December 31, 2013 Quarterly Report for your review. As District Finance Officer and Treasurer, I am pleased to inform the Board of Directors that the District is in compliance with the 2013 Investment Policy and that the objectives of safety, liquidity, and yield have been met. The District has the ability to meet cash flow requirements for the next six months.

**INVESTMENT POLICY-FOURTH QUARTER REPORT 12/31/13**

Investment	Institution	Amount of Deposit 12/31/13	Rate of Interest	Quarterly Interest Earned or Accrued 12/31/13	Amount of Deposit 12/31/12	Rate of Interest	Quarterly Interest Earned or Accrued 12/31/12
Public Checking	Rabaobank	\$222,775.16	0.00%	\$0.00	\$188,762.16	0.00%	\$0.00
Savings-Improvement Bonds	Rabobank	\$172,646.19	0.26%	\$132.86	\$166,698.94	0.06%	\$18.94
Savings-Performance Bonds	Rabobank	\$200,355.20	0.26%	\$114.49	\$0.00	n/a	n/a
Pooled Money Investment	Local Agency Investment Fund (LAIF)	\$23,205,863.88	0.26%	\$15,006.47	\$21,999,982.75	0.32%	\$17,534.01
Certificate of Deposit Account Registry Service (CDARS)	Mission Community Bank	\$0	n/a	n/a	\$924,185.11	0.09 %	\$237.43

**RECOMMENDATION**

After Board consideration and public comment, it is recommended that your Honorable Board accept the quarterly report by motion and minute order and direct staff to file the Report with District Auditor.

**ATTACHMENTS**

None

TO: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER

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

DATE: JANUARY 15, 2014

**AGENDA ITEM**  
**D-4**  
**JANUARY 22, 2014**

**SUPPLEMENTAL WATER PROJECT PHASE 1  
BID PACKAGE 1 – SANTA MARIA RIVER CROSSING  
PROJECT ACCEPTANCE**

**ITEM**

Accept Work Performed by ARB, Inc. for Supplemental Water Project Phase 1 Bid Package 1 – Santa Maria River Crossing and Authorize Staff to File Notice of Completion. [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ACCEPT PROJECT AND DIRECT STAFF TO FILE NOTICE OF COMPLETION].

**BACKGROUND**

At the June 20, 2013 Board meeting, the Board approved a contract with ARB Inc. for construction of the Supplemental Water Project Phase 1 Bid Package 1 – Santa Maria River Crossing. The approved contract amount was \$5,847,090 and the Board also authorized a construction contingency of \$580,000. Change Orders in the total amount of \$221,187.57 were issued during the construction of the project from the construction contingency authorized by the Board. The final contract amount was \$6,068,227.57.

Construction was completed on December 18, 2013 and all inspections have been completed. AECOM is in the process of preparing record drawings based on the contractor's and construction manager's notes documenting actual field conditions.

**FISCAL IMPACT**

The FY 13-14 Budget included \$6,427,090 for construction of the Supplemental Water Project Phase 1 Bid Package 1 in Fund 500, Supplemental Water Fund.

**STRATEGIC PLAN**

Strategic Plan Goal 1.2 – Secure New Water Supplies

**RECOMMENDATION**

Staff recommends that your Honorable Board accept the project and authorize the General Manager to file a Notice of Completion for the project.

**ATTACHMENTS**

None