

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: SEPTEMBER 25, 2015

**AGENDA ITEM  
C  
SEPTEMBER 30, 2015**

**PRESENTATIONS AND REPORTS**

The following presentations and reports are scheduled:

- C-1) DIRECTOR OF ENGINEERING AND OPERATIONS  
Summary of recent activities
- C-2) REPORT ON PREVIOUS MEETING CLOSED SESSION  
Announcement of actions, if any, taken during Closed Session at previous Board Meeting
- 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  
GENERAL MANAGER

*MGL*

DATE: SEPTEMBER 25, 2015

**AGENDA ITEM  
C-1  
SEPTEMBER 30, 2015**

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

**ITEM**

Engineering and Operations update for August 2015 [NO ACTION REQUESTED].

**BACKGROUND**

Director of Engineering and Operations, Peter Sevcik will overview his update (attached) and discuss recent activities in engineering and operations.

**RECOMMENDATION**

Staff recommends that your Honorable Board receive the update.

**ATTACHMENTS**

- A. Engineering and Operations Update for August 2015

September 30, 2015

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  
DATE: SEPTEMBER 24, 2015  
RE: ENGINEERING AND OPERATIONS UPDATE FOR AUGUST 2015

### PROJECTS IN CONSTRUCTION

- **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 5 existing District wells. Work also includes Blosser Road flow control and metering station.
  - STATUS
    - Water delivery began July 2, 2015
    - Knollwood Well chloramination system under construction
    - Scheduled Contract Completion – January 2016

<b>SWP Bid Package 4 Construction Contract Cost Summary</b>	
Contract Amount – Spiess Construction Co. Inc.	\$4,364,030
Change Orders	\$1,113,798
Revised Contract Amount	\$5,477,828
<b>Completed to Date</b>	<b>\$4,982,675</b>

### PROJECTS IN DESIGN

- **Supplemental Water Project – Joshua Road Pump Station Reservoir**
  - SCOPE OF WORK – construction of a partially buried 500,000 gallon circumferentially strand wrapped pre-stressed concrete reservoir at the District's Joshua Road Pump Station; approximately 120 LF of 24-inch ductile iron pipe, valves, and fittings; electrical, instrumentation and controls improvements; and site grading, aggregate road and fencing.
  - STATUS
    - Bid document preparation in progress
    - Pre-qualification document preparation in progress

**OPERATIONS**

• **Wells and Water Distribution System – August 2015**

<u>GROUNDWATER</u>	<u>PURCHASED WATER</u>	<u>TOTAL WATER PRODUCTION</u>
41.0 Million Gallons	17.9 Million Gallons	58.9 Million Gallons
126 Acre Feet	55 Acre Feet	181 Acre Feet

- Via Concha Well – pump replaced and well placed back into service

• **Southland Wastewater Treatment Facility and Collection System – August 2015**

<u>TOTAL EFFLUENT TREATED</u>	<u>AVERAGE DAILY FLOW TREATED</u>	<u>BOD<sub>5</sub></u>	<u>TSS</u>
17.3 Million Gallons	.56 Million Gallons Per Day	3 mg/l Monthly Average	3 mg/l Monthly Average
53.1 Acre Feet	1.7 Acre Feet Per Day	3 mg/l Daily Maximum	4 mg/l Daily Maximum

- All effluent parameters within permit limits
- No reportable sewer system overflow

• **Blacklake Wastewater Reclamation Facility and Collection System – August 2015**

<u>TOTAL EFFLUENT TREATED</u>	<u>AVERAGE DAILY FLOW TREATED</u>	<u>BOD<sub>5</sub></u>	<u>TSS</u>
.97 Million Gallons	.031 Million Gallons Per Day	26 mg/l Monthly Average	17 mg/l Monthly Average
3.0 Acre Feet	.10 Acre Feet Per Day	29 mg/l Daily Maximum	22 mg/l Daily Maximum

- All effluent parameters within permit limits
- No reportable sewer system overflow

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER



DATE: SEPTEMBER 25, 2015

**AGENDA ITEM**  
**C-2**  
**SEPTEMBER 30, 2015**

**CLOSED SESSION REPORT**

**ITEM**

Announcement of actions, if any, taken during Closed Session at previous Board Meetings [NO ACTION REQUESTED]

**BACKGROUND**

The September 9, 2015 Regular Meeting Closed Session included:

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) BENING VS. NCSD 14CV-0069
2. CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIMS PURSUANT TO SECTION 54956.95:  
Claimants: Rojas  
Agency: NCSD
3. ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54957
4. PUBLIC EMPLOYEE RELEASE/RESIGNATION PURSUANT TO GOVERNMENT CODE SECTION 54957
5. [ITEM ADDED AT ONSET OF MEETING] CONFERENCE WITH LEGAL COUNSEL RE: ANTICIPATED LITIGATION PURSUANT TO GC §54956.9(B): Heal

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

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER

*MSL*

DATE: SEPTEMBER 24, 2015

**AGENDA ITEM**  
**D**  
**SEPTEMBER 30, 2015**

## **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 SEPTEMBER 9, 2015 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVAL]

TO: BOARD OF DIRECTOR

REVIEWED: MICHAEL S. LEBRUN  
GENERAL MANAGER

FROM: LISA BOGNUDA  
FINANCE DIRECTOR

**AGENDA ITEM  
D-1  
SEPTEMBER 30, 2015**

DATE: SEPTEMBER 22, 2015

PAGE ONE

**HAND WRITTEN CHECKS**

09 09 15 20427 STEPHEN WEEKLY  
09-11-15 20428 SLO COUNTY CLERK  
09-16-15 20429 MARGARITA VALLEY RANCH  
09-16-15 20430 EMANUEL MAGANA  
09-17-15 20431 AUDIO CD & CASSETTE  
09-21-15 20432 SLO COUNTY CLERK  
VOIDS - 24787, 20426

**TOTAL COMPUTER CHECKS**

\$181,491.04  
CUSTOMER REFUND-OVER PAID \$170.00  
FILING FEE \$50.00  
INTERIM FEE RECONCILIATION \$130,592.00  
CUSTOMER REFUND-OVER PAID \$411.88  
DEPOSIT FOR VHS CONVERSIONS \$1,000.00  
RECORDING FEE \$71.00

**COMPUTER GENERATED CHECKS**

24810	09/11/15	EMP01	EMPLOYMENT DEVELOP DEPT	1793.94	.00	1793.94	B50908	STATE INCOME TAX
24811	09/11/15	MID01	RABOBANK-PAYROLL TAX DEPO	5579.31 1279.64	.00 .00	5579.31 1279.64	B50908 1B50908	FEDERAL INCOME TAX MEDICARE (FICA)
			Check Total.....:	6858.95	.00	6858.95		
24812	09/11/15	MID02	RABOBANK-DIRECT DEPOSIT	34149.36	.00	34149.36	B50908	NET PAY
24813	09/11/15	PER01	PERS RETIREMENT	7958.51	.00	7958.51	B50908	PERS PAYROLL REMITTANCE
24814	09/11/15	STA01	CALPERS 457 DEFERRED COMP	480.00	.00	480.00	B50908	457 DEFERRED COMP
24815	09/25/15	EMP01	EMPLOYMENT DEVELOP DEPT	1865.18	.00	1865.18	B50921	STATE INCOME TAX
24816	09/25/15	MID01	RABOBANK-PAYROLL TAX DEPO	5725.24 80.60 1315.92	.00 .00 .00	5725.24 80.60 1315.92	B50921 1B50921 2B50921	FEDERAL INCOME TAX FICA MEDICARE (FICA)
			Check Total.....:	7121.76	.00	7121.76		
24817	09/25/15	MID02	RABOBANK-DIRECT DEPOSIT	35139.42	.00	35139.42	B50921	NET PAY
24818	09/25/15	PER01	PERS RETIREMENT	7919.96	.00	7919.96	B50921	PERS PAYROLL REMITTANCE
24819	09/25/15	STA01	CALPERS 457 DEFERRED COMP	480.00	.00	480.00	B50921	457 DEFERRED COMP
024820	09/30/15	AEC01	AECOM USA INC	14542.20 23276.70	.00 .00	14542.20 23276.70	37618786 37618789	SUPPLEMENTAL WATER PHASE SUPPLEMENTAL WATER PHASE
			Check Total.....:	37818.90	.00	37818.90		
024821	09/30/15	AME03	AMERI PRIDE	238.98 183.80 202.72 214.65	.00 .00 .00 .00	238.98 183.80 202.72 214.65	150141040 150142970 150144926 150145398	UNIFORMS UNIFORMS UNIFORMS UNIFORMS
			Check Total.....:	840.15	.00	840.15		
024822	09/30/15	ATT01	AT&T	192.73	.00	192.73	7025466	TELEPHONE
024823	09/30/15	BIG01	BIG BRAND TIRE & SERVICE	330.07	.00	330.07	246034	TIRES -13 F550
024824	09/30/15	BRE02	BRENNTAG PACIFIC INC.	250.71 205.50 171.54 135.38 341.14 341.14 214.54 160.30	.00 .00 .00 .00 .00 .00 .00 .00	250.71 205.50 171.54 135.38 341.14 341.14 214.54 160.30	555865 556218 556219 556697 557548 558085 558086 558087	SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE
			Check Total.....:	1820.25	.00	1820.25		
024825	09/30/15	CAL03	CALIFORNIA ELECTRIC SUPPL	69.05	.00	69.05	622514	VINYL TAPE, STRIPPER, INS
024826	09/30/15	CAL06	CALIFORNIA MUNICIPAL	775.00	.00	775.00	14090803	CAFR DATA 6/30/14
024827	09/30/15	CLE06	CNSSLO INC	135.00 2535.00	.00 .00	135.00 2535.00	20625 20699	UPS FOR PHONE CLOSET MONTHLY COMPUTER SUPPORT
			Check Total.....:	2670.00	.00	2670.00		
024828	09/30/15	COA02	COASTAL ROLLOFF	971.75	.00	971.75	4986257	WASTE COLLETION - 509 SOU



**AGENDA ITEM D-1 Warrants  
SEPTEMBER 30, 2015**

024829	09/30/15	COR01	CORBIN WILLITS SYSTEMS	1285.00	.00	1285.00	50831	BILLING SOFTWARE CHANGES
				755.83	.00	755.83	509151	MONTHLY SOFTWARE SUPPORT
			Check Total.....:	2040.83	.00	2040.83		
024830	09/30/15	CRY01	CRYSTAL SPRINGS	16.30	.00	16.30	AUG2015	DISTILLED WATER
024831	09/30/15	ELE03	ELECTRICRAFT, INC.	203.00	.00	203.00	8769	SERVICE AND REPAIR BEVERL
024832	09/30/15	ENG02	ENGEL AND GRAY, INC.	3287.85	.00	3287.85	76034	BIOSOLIDS COLLECTION
024833	09/30/15	FAR02	FAR WEST EXPRESS	24.00	.00	24.00	AUG2015	PACKAGE DELIVERY SERVICE
024834	09/30/15	FGL01	FGL ENVIRONMENTAL	203.78	.00	203.78	582490	LAB TESTS
				203.78	.00	203.78	582491	LAB TESTS
			Check Total.....:	407.56	.00	407.56		
024835	09/30/15	GAD02	GADDIS, DAN	40.93	.00	40.93	B50922	MILEAGE AND PARKING REIMB
024836	09/30/15	GIL01	GLM, INC.	360.00	.00	360.00	AUG2015	LANDSCAPE MAINTENANCE
024837	09/30/15	HAC01	HACH COMPANY	652.65	.00	652.65	9563488	CHLORINATING SOLUTION,CHE
024838	09/30/15	INT02	INTEGRATED INDUSTRIAL SUP	600.10	.00	600.10	33937	BLACK POLY PLUG, HOSE DOU
				283.12	.00	283.12	33954	DISPOSABLE GLOVES
			Check Total.....:	883.22	.00	883.22		
024839	09/30/15	LEB02	LeBRUN, MICHAEL	65.00	.00	65.00	B50922	CELL PHONE REIMBURSEMENT
024840	09/30/15	MOR02	MORE OFFICE SOLUTIONS	145.24	.00	145.24	1011362	B&W/COLOR COPIES
				310.27	.00	310.27	1016698	B&W/COLOR COPIES
			Check Total.....:	455.51	.00	455.51		
024841	09/30/15	MUL02	MULTI W SYSTEMS, INC.	32.25	.00	32.25	31530960	PARTS FOR PUMP
024842	09/30/15	NIP08	NIPOMO CSD	1123.01	.00	1123.01	SEPT2015	WATER-SOUTHLAND WWTF
				238.36	.00	238.36	SEPT2015B	LANDSCAPE MAINTENANCE DIS
			Check Total.....:	1361.37	.00	1361.37		
024843	09/30/15	OFF01	OFFICE DEPOT	366.68	.00	366.68	793997782	OFFICE SUPPLIES
				8.05	.00	8.05	793998051	OFFICE SUPPLIES
			Check Total.....:	374.73	.00	374.73		
024844	09/30/15	PMC00	PMC ENGINEERING, LLC	3020.05	.00	3020.05	087384	WIRE VENTED CABLES, SINK
024845	09/30/15	PO001	POOR RICHARD'S PRESS	845.17	.00	845.17	267463A	MAIL BILLS
				1451.61	.00	1451.61	267463B	POSTAGE FOR BILLS
				486.94	.00	486.94	267096-1	POSTAGE FOR BILLS
			Check Total.....:	2783.72	.00	2783.72		
024846	09/30/15	RAB02	RABOBANK PETTY CASH	6.74	.00	6.74	SEPT2015A	POSTAGE
				7.50	.00	7.50	SEPT2015B	BOARD MEETING
				118.38	.00	118.38	SEPT2015C	SUPPLIES FOR RIBBON CUTTI
			Check Total.....:	132.62	.00	132.62		
024847	09/30/15	RIC01	RICHARDS, WATSON, GERSHON	2802.51	.00	2802.51	203373	WATER RIGHTS ADJUDICATION
024848	09/30/15	ROD01	RODRIGUEZ, RIGOBERTO	150.00	.00	150.00	B50922	WORK BOOT REIMBURSEMENT
024849	09/30/15	SHI01	SHIPSEY & SEITZ, INC	10375.00	.00	10375.00	108005	LEGAL SERVICES THROUGH AU
024850	09/30/15	SPE02	SPECIAL DISTRICT FINANCI	1500.00	.00	1500.00	12813	ASSESSMENT DISTRICT ADMIN
024851	09/30/15	THE02	THE TRIBUNE SLO CO NEWSPAP	133.34	.00	133.34	B50922	PUBLICATION OF ORDINANCE
024852	09/30/15	USA01	USA BLUEBOOK	459.96	.00	459.96	734957	CLAMP ON METER
				46.91	.00	46.91	741353	DESSICANT FILTER
			Check Total.....:	506.87	.00	506.87		
024853	09/30/15	WAL01	WALLACE GROUP	626.75	.00	626.75	39940	FOG INSPECTION

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *msl*  
GENERAL MANAGER  
DATE: SEPTEMBER 24, 2015

**AGENDA ITEM**  
**D-2**  
**SEPTEMBER 30, 2015**

**APPROVE SEPTEMBER 9, 2015 REGULAR BOARD MEETING  
MINUTES**

**ITEM**

Approve action minutes from previous Board meetings. [RECOMMEND APPROVE MINUTES]

**BACKGROUND**

The draft minutes are a written record of the previous Board Meeting action.

**RECOMMENDATION**

Approve Minutes

**ATTACHMENT**

- A. September 9, 2015, draft Regular Board Meeting Minutes

September 30, 2015

ITEM D-2

ATTACHMENT A

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## DRAFT REGULAR MINUTES

SEPTEMBER 9, 2015, AT 9:00 A.M.

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

### **BOARD of DIRECTORS**

CRAIG ARMSTRONG, **PRESIDENT**  
DAN GADDIS, **VICE PRESIDENT**  
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: 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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#### A. CALL TO ORDER AND FLAG SALUTE

*President Armstrong called the Regular Meeting of September 9, 2015 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.*

*The following members of the public spoke:*

*Noel Heal, NCSD Customer, submitted "Demand to Cure or Correction Actions taken in Violation of the Ralph M. Brown Act".*

*Mike Seitz, District Legal Counsel, stated that pursuant to Government Code Section 54954.2(b), the Board of Directors, upon a 4/5 vote, could add this item to the Agenda based upon the findings that there is a need for immediate action and the need to take action "came to the attention of the local agency subsequent to the agenda being posted".*

*Upon the motion of Director Craig Armstrong and seconded, the Board approved adding this item to the Closed Session Agenda.  
Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
Directors Armstrong, Blair, Woodson, Eby and Gaddis	None	None

#### C. PRESENTATIONS AND REPORTS

##### C-1) DIRECTOR OF ENGINEERING AND OPERATIONS

Update on Pump Station Reservoir Construction Timeline

*Peter Sevcik, Director of Engineering and Operations, presented an update on the Pump Station Reservoir timeline. Mr. Sevcik stated that construction contract award is planned for the second meeting in February 2016.*

##### C-2) REPORT ON PREVIOUS MEETING CLOSED SESSION

Announcement of actions, if any, taken during Closed Session at previous Board Meeting

*Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1.1(a) from the August 12, 2015 Regular Meeting (conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, but took no reportable action.*

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District  
**REGULAR MEETING  
 MINUTES**

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 Eby

- ◇ August 13, Attended the South County Water Symposium.
- ◇ August 25, Board of Supervisors discussed the Diablo De Sal project.
- ◇ Jim Garing has been nominated for a position on WRAC.
- ◇ There will be a Local Area Formation Committee (LAFCO) meeting regarding the Paso Robles basin on September 17<sup>th</sup>.

Director Gaddis

- ◇ August 25, Board of Supervisors discussed the Diablo Desalination project and the proposed pipeline to Avila.
- ◇ September 2, Attended the the RWMG and WRAC meetings.

Director Blair

- ◇ August 13, Attended the South County Water Symposium.

Director Woodson

- ◇ Attended the South County Advisory Council (SCAC) meeting and presented NCSD Report.

Director Armstrong

- ◇ September 2, Attended WRAC meeting.

C-4) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE and FILE PRESENTATIONS AND REPORTS

*There were no public comments.*

*Upon the motion of Director Dan Allen Gaddis and seconded, the Board unanimously approved to receive and file the presentations and reports as submitted.*

*Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Eby, Blair, Armstrong, and Woodson	None	None

D. CONSENT AGENDA

D-1) WARRANTS

*There were no public comments.*

*Upon the motion of Director Ed Eby and seconded, the Board unanimously approved to item D-1.*

*Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
Directors Eby, Woodson, Blair, Woodson and Gaddis	None	None

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- AUGUST 12, 2015 REGULAR MEETING

*The following members of the public spoke:*

*Noel Heal, NCSD customer, requested an explanation for the basis of placing an item on today's Closed Session Agenda.*

*Mike Seitz, District Legal Counsel, stated the Board has limited time to respond and that due to a preplanned vacation there would be no meeting that he could attend prior to the running of the 30 days.*

*Upon the motion of Director Ed Eby and seconded, the Board unanimously approved the August 12, 2015 Regular Meeting minutes.*

*Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
Directors Eby, Gaddis, Woodson, Blair and Armstrong	None	None

E. ADMINISTRATIVE ITEMS

E-1) MARGARITA VALLEY RANCH DEVELOPMENT, CONSIDER REQUEST FOR INTERIM FEE RECONCILIATION [RECOMMEND CONSIDER PROPOSAL AND DIRECT STAFF]

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

*There were no public comments.*

*Upon the motion of Director Blair and seconded, the Board unanimously approved the issuance of a refund to Margarita Valley Ranch Development with the findings that a final reconciliation will be completed prior to setting water meters.*

*Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
Directors Blair, Gaddis, Eby, Woodson, and Armstrong	None	None

E-2) RECORDS RETENTION POLICY UPDATE [RECOMMEND ADOPT RESOLUTION APPROVING RECORDS RETENTION POLICY UPDATE]

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

*Director Woodson suggested some edits to the retention schedule.*

*Director Eby suggested the policy include direction on email retention.*

*There were no public comments.*

*The Board of Directors directed Staff to make edits and suggest verbiage for email retention for consideration at a future board meeting.*

President Armstrong announced that Item E-3 would be heard later in the meeting.

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 were no public comments.*

G. COMMITTEE REPORTS

*There were no comments on reports.*

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

*There were no requests.*

President Armstrong announced that the Board would go into Closed Session to consider Items I-2 and I-5 (added to agenda).

I. CLOSED SESSION ANNOUNCEMENTS

2. CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIMS PURSUANT TO SECTION 54956.95:

Claimants: Rojas

Agency: NCSD

5. CONFERENCE WITH LEGAL COUNSEL RE: ANTICIPATED LITIGATION PURSUANT TO GC §54956.9(B): Heal

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

K. ADJOURN TO CLOSED SESSION

*President Armstrong adjourned to closed session at 9:48 a.m.*

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board came back into Open Session at 10:04 a.m.*

*Mike Seitz, District Legal Counsel, announced the following:*

*Item 2 – The Board of Directors denied the Rojas claim.*

*Item 5 – The Board of Directors directed District Legal Counsel to respond to Mr. Heal in writing.*

President Armstrong announced the Board would recess to Joshua Road Pump Station (805 Alta Vista Way) to conduct Supplemental Water Project Phase 1 Ribbon Cutting and Open House.

Recessed at 10:06 a.m.

President Armstrong re-opened the Board Meeting at 12:48 p.m and announced they would go into Closed Session to discuss Items I-1(a) and I-1(b).

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9

- a. SMVWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- b. BENING VS. NCSO 14CV-0069

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

K. ADJOURN TO CLOSED SESSION

*President Armstrong adjourned to closed session at 12:49 p.m.*

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board came back into Open Session at 1:28 p.m.*

*Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1(a) and heard an update. The Board unanimously approved the water sales agreement with area purveyors subject to signature by purveyor parties.*

*Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1(b), heard an update, but took no reportable action.*

President Armstrong announced that Item E-3 would be heard next.

E-3) TOWN SEWER SYSTEM RATE STUDY PRESENTATION [RECOMMEND BY MOTION AND ROLL CALL VOTE, APPROVE RATE STUDY, SET DATE FOR RATE ADOPTION HEARING, AND APPROVE NOTICE OF RATE HEARING]

*Mr. Clayton Tuckfield, Rate Consultant, presented the Town Sewer Rate Study report to the Board and answered questions. Mr. Tuckfield's report recommends a 3.5% Town Sewer rate increase each year for five years.*

*The Finance and Audit Committee recommends a 3.2% rate increase each year for five years. The Board suggested edits to the Prop 218 Notice.*

*There were no public comments.*

*Upon the motion of Director Armstrong and seconded, the Board unanimously*

- 1. *Approved the Town Sewer Rate Study;*
  - 2. *Approved the Prop 218 notice, with edits and directed staff to initiate the Proposition 218 Notice with a 3.2% rate increase; and*
  - 3. *Set 9:00 a.m., Thursday, November 12, as the date and time for the Public Hearing.*
- Vote 5-0.*

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Woodson, Blair, Eby, and Gaddis</i>	<i>None</i>	<i>None</i>

SUBJECT TO BOARD APPROVAL



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

President Armstrong announced that the Board would go into Closed Session to discuss Items I-3 and I-4.

I. CLOSED SESSION ANNOUNCEMENTS

- 3. ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54957
- 4. PUBLIC EMPLOYEE RELEASE/RESIGNATION PURSUANT TO GOVERNMENT CODE SECTION 54957

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments*

K. ADJOURN TO CLOSED SESSION

*President Armstrong adjourned to closed session at 2:05 p.m.*

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

*The Board came back into Open Session at 2:45 p.m.*

*President Armstrong announced that the Board discussed Item I.3, gave direction, but took no reportable action.*

*President Armstrong announced that the Board had accepted the resignation of the General Manager and formed an Ad-Hoc Committee of Directors Eby and Gaddis to lead recruitment and report back to the Board on September 30, 2015.*

ADJOURN

*President Armstrong adjourned the meeting at 2:47 p.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 17 minutes
Closed Session	1 hour 28 minutes
TOTAL HOURS	2 hours 48 minutes

Respectfully submitted,

\_\_\_\_\_  
Michael S. LeBrun, General Manager and Secretary to the Board

\_\_\_\_\_  
Date