

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

DATE: MARCH 8, 2013



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 27, 2013 REGULAR BOARD MEETING MINUTES:
[RECOMMEND APPROVAL]
- D-3) ADOPT RESOLUTION ACCEPTING DEDICATION OF IMPROVEMENTS, MARIA
VISTA ESTATES [RECOMMEND ADOPT RESOLUTION]

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN *MSL*
 GENERAL MANAGER
 DATE: MARCH 8, 2013

**AGENDA ITEM
 D-1
 MARCH 13, 2013**

HAND WRITTEN CHECKS

02-27-13 10117 PGE
 03-13-13 10118 LC LAVINE
 03-13-13 10119 PAM QUINN
 03-13-13 10120 MARGARITA VALLEY RANCH LLC

ELECTIRCITY \$35,011.06
 WASHER REBATE \$75.00
 WASHER REBATE \$75.00
 REFUND-OVERPAYMENT OF NMWCF \$2,250.00

**TOTAL COMPUTER CHECKS
 \$165,243.33**

VOIDS - NONE

COMPUTER GENERATED CHECKS

21634	03/01/13	EMP01	EMPLOYMENT DEVELOP DEPT	1326.02	.00	1326.02	B30225	STATE INCOME TAX
21635	03/01/13	MID01	RABOBANK-PAYROLL TAX DEPO	3815.87	.00	3815.87	B30225	FEDERAL INCOME TAX
				62.00	.00	62.00	1B30225	FICA
				964.90	.00	964.90	2B30225	MEDICARE (FICA)
			Check Total.....:	4842.77	.00	4842.77		
21636	03/01/13	MID02	RABOBANK-DIRECT DEPOSIT	24754.80	.00	24754.80	B30225	NET PAY
21637	03/01/13	PER01	PERS RETIREMENT	8750.09	.00	8750.09	B30225	PERS PAYROLL REMITTANCE
21638	03/01/13	STA01	CALPERS 457 DEFERRED COMP	2205.00	.00	2205.00	B30225	457 DEFERRED COMP
021639	03/13/13	ABA01	ABALONE COAST BACTERIOLOG	4732.00	.00	4732.00	1839	LAB TESTS
021640	03/13/13	ADV01	ADVANTAGE ANSWERING PLUS	125.80	.00	125.80	022513	ANSWERING SERVICE
021641	03/13/13	ALX01	ALEXANDER'S CONTRACT SERV	3374.73	.00	3374.73	MAR 2013	METER READING SERVICES
021642	03/13/13	AME02	AMERICAN INDUSTRIAL SUPPL	1042.12	.00	1042.12	0248756IN	WIRE ROPE/CABLE CLAMP/THI
021643	03/13/13	AME03	AMERI PRIDE	137.81	.00	137.81	829447	UNIFORMS
				128.29	.00	128.29	834104	UNIFORMS
			Check Total.....:	266.10	.00	266.10		
021644	03/13/13	AQU01	AQUA-METRIC SALES CO.	2501.65	.00	2501.65	46733-IN	4" IRRIGATION METER
021645	03/13/13	ASA01	ASAP REPROGRAPHICS	1400.63	.00	1400.63	150804	SWP BID PACKAGE #1
				2378.08	.00	2378.08	150807	SWP BID PACKAGE #3
				3788.93	.00	3788.93	150809	SWP BID PACKAGE #4
				611.12	.00	611.12	151059	SWP BID PACKAGE #4
			Check Total.....:	8178.76	.00	8178.76		
021646	03/13/13	ATT02	AT&T	148.29	.00	148.29	4129528	TELEPHONE
				26.70	.00	26.70	4129772	TELEPHONE
				151.72	.00	151.72	4129842	TELEPHONE
			Check Total.....:	326.71	.00	326.71		
021647	03/13/13	AVC01	AVCO FIRE EXTINGUISHER C.	92.09	.00	92.09	6109	FIRE EXT RECHARGES
021648	03/13/13	BIG01	BIG BRAND TIRE & SERVICE	211.80	.00	211.80	207717	09' FORD-OIL CHANGE/REAR
021649	03/13/13	BRE02	BRENTTAG PACIFIC INC.	487.28	.00	487.28	BPI281504	SODIUM HYPOCHLORITE
				704.27	.00	704.27	BPI281505	SODIUM HYPOCHLORITE
			Check Total.....:	1191.55	.00	1191.55		
021650	03/13/13	CAL16	CALPERS	28600.00	.00	28600.00	MARCH	OPEB-QUARTERLY CONTRIBUTI
021651	03/13/13	CHA02	CHARTER COMMUNICATIONS	204.99	.00	204.99	MAR 2013A	SHOP-INTERNET SERVICES
				204.99	.00	204.99	MAR 2013B	OFFICE-INTERNET SERVICES
			Check Total.....:	409.98	.00	409.98		
021652	03/13/13	CLE06	CNSSLO INC	470.28	.00	470.28	16076	TECHNICAL SUPPORT
021653	03/13/13	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	B302151	COMPUTER SUPPORT
021654	03/13/13	COR04	CORIX WATER PRODUCTS (US)	951.38	.00	951.38	731303130	100-5/8" METER ADAPTER
021655	03/13/13	CRY01	CRYSTAL SPRINGS	31.82	.00	31.82	FEB 2013	DISTILLED WATER FOR LAB
021656	03/13/13	ENV06	ENV LAB ACCRED PROG BRANC	1455.00	.00	1455.00	0613-2797	LABORATORY FEES
021657	03/13/13	FAR01	FARM SUPPLY COMPANY	151.98	.00	151.98	4435	CALCIUM NITRATE

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: MARCH 8, 2013

AGENDA ITEM
D-1
MARCH 13, 2013
PAGE TWO

021658	03/13/13	FAR02	FAR WEST EXPRESS	39.50	.00	39.50	FEB 2013	DELIVERY
021659	03/13/13	FGL01	FGL ENVIRONMENTAL	396.26	.00	396.26	380380A	LAB TEST
				41.50	.00	41.50	380502A	LAB TEST
				16.50	.00	16.50	380561A	LAB TEST
				19.80	.00	19.80	380576A	LAB TEST
				19.80	.00	19.80	380577A	LAB TEST
			Check Total.....:	493.86	.00	493.86		
021660	03/13/13	FIS01	FISHER PUMP SERVICE	19241.00	.00	19241.00	2676	KNOLLWOOD WELL REPLACEMEN
021661	03/13/13	FRE03	FRED PRYOR SEMINARS	199.00	.00	199.00	B30307	SEVCIK-CAL/OSHA COMPLIANC
021662	03/13/13	GIB01	GIBBS INTERNATIONAL	980.49	.00	980.49	39285	ANNUAL MAINTENANCE VACCON
021663	03/13/13	GIL01	GLM, INC.	340.00	.00	340.00	FEB 2013	LANDSCAPE MAINTENANCE
021664	03/13/13	GWA01	GWA INC	85.00	.00	85.00	MAR 2013A	SHOP-MONITORING
				85.00	.00	85.00	MAR 2013B	UTILITY OFFICE-MONITORING
				53.00	.00	53.00	MAR 2013C	OFFICE-MONITORING
			Check Total.....:	223.00	.00	223.00		
021665	03/13/13	HAC01	HACH COMPANY	250.48	.00	250.48	8173659	COD DIGESTION VIAL
021666	03/13/13	HAM02	HAMNER JEWELL & ASSOCIATE	5550.00	.00	5550.00	6136	WATERLINE INTERTIE PROJEC
021667	03/13/13	HAY01	HAYES ADVANCED DESIGN	550.00	.00	550.00	502209	ASPHALT REPAIR ON WILSON
021668	03/13/13	IWA01	IWATER	2000.00	.00	2000.00	6195	INFRAMAP ANNUAL MAINT/SOF
021669	03/13/13	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	FEB 2013	LANDSCAPE MAINTENANCE
021670	03/13/13	LEE02	LEE CENTRAL COAST NEWSPAP	355.25	.00	355.25	00200236	PUBLIC NOTICE-BID PACKAGE
021671	03/13/13	LIP01	TONY LIPKA	3000.00	.00	3000.00	NIPO-1301	TRAINING-LOCKOUT/TAGOUT C
021672	03/13/13	MIN02	MINER'S ACE HARDWARE	85.36	.00	85.36	FEB 2013	OPERATING SUPPLIES
021673	03/13/13	NIP05	NIPOMO CHAMBER OF COMMERCE	1476.95	.00	1476.95	B30305	CHAMBER OF COMMERCE GRANT
021674	03/13/13	NIP11	NIPOMO CHAMBER DIRECTORY	845.00	.00	845.00	204-5380	1/2 PAGE COLOR DISPLAY AD
021675	03/13/13	NUN01	NUNLEY, MICHAEL K. & ASSO	7843.40	.00	7843.40	3/1/13	SWAEC CHAIRMAN SERVICES
021676	03/13/13	OFF01	OFFICE DEPOT	84.57	.00	84.57	647498541	OFFICE SUPPLIES
021677	03/13/13	POO01	POOR RICHARD'S PRESS	1013.81	.00	1013.81	250736A	MAIL-NEWSLETTERS
				779.11	.00	779.11	250736B	POSTAGE-NEWSLETTERS
			Check Total.....:	1792.92	.00	1792.92		
021678	03/13/13	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	233	JANITORIAL SERVICES
021679	03/13/13	RIC01	RICHARDS, WATSON, GERSHON	1062.50	.00	1062.50	188348	WATER RIGHTS ADJUDICATION
021680	03/13/13	SOU01	SOUTH COUNTY SANITARY	38.98	.00	38.98	3997558	GARBAGE SERVICE
				188.70	.00	188.70	3998841	OLDE TOWNE GARBAGE SERVIC
			Check Total.....:	227.68	.00	227.68		
021681	03/13/13	SOU03	SAN LUIS GARBAGE COMPANY	499.50	.00	499.50	FEB 2013	SOLID WASTE TAX LIENS
021682	03/13/13	SPE01	SPECIAL DISTRICT RISK	4520.00	.00	4520.00	42867	WORKERS' COMP APR-JUN 201
021683	03/13/13	STA08	STAPLES	146.53	.00	146.53	923760392	OFFICE SUPPLIES
021684	03/13/13	TAF01	TAFT ELECTRIC	760.00	.00	760.00	31058-1	TEST GENERATORS/TEST PUMP
021685	03/13/13	THE01	THE GAS COMPANY	16.39	.00	16.39	FEB 2013A	SHOP-HEAT
				73.50	.00	73.50	FEB 2013B	OFFICE-HEAT
			Check Total.....:	89.89	.00	89.89		
021686	03/13/13	TIT01	TITAN INDUSTRIAL & SAFETY	23.95	.00	23.95	1053196	EYEWASH/BURN SPRAY
021687	03/13/13	TOW01	TOWN & COUNTRY FENCING	250.00	.00	250.00	3324	SWWTP-REPAIR 2 HOLES IN C
021688	03/13/13	TUC01	TUCKFIELD & ASSOCIATES	5130.00	.00	5130.00	0335	COP OFFICIAL STATEMENT AS

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AGENDA ITEM
D-1
MARCH 13, 2013
PAGE THREE

021689	03/13/13	UND01	UNDERGROUND SERVICE ALERT	145.50	.00	145.50	13020026	UNDERGROUND SERVICE ALERT
021690	03/13/13	UPS01	UPS STORE #6031	21.11	.00	21.11	B30301	SHIPPING
021691	03/13/13	USB01	US BANK (VISA)	247.48	.00	247.48	022213A	MEETINGS
				4907.97	.00	4907.97	022213B	COMPUTER EXPENSE
				130.77	.00	130.77	022213C	OFFICE SUPPLIES
				122.00	.00	122.00	022213D	SUNWOOD PCI
				87.85	.00	87.85	022213E	TRAVEL/MILEAGE
			Check Total.....:	5496.07	.00	5496.07		
021692	03/13/13	VER01	VERIZON	47.56	.00	47.56	B30301	TELEPHONE
021693	03/13/13	WAS03	WASTEWATER TECHNOLOGY TRA	865.00	.00	865.00	137	S. GERMAN-TRAINING GRADES
021694	03/13/13	YOU01	YOUR PEOPLE PROFESSIONALS	3000.00	.00	3000.00	MAR 2013	MAR DEPOSIT-EMPLOYMENT AG

**FUNDS TO BE WIRED (IN LIEU OF CHECKS) FOR
 SOUTHLAND WWTF IMPROVEMENTS PHASE 1 PROJECT**

Cushman Contracting	Period 2/1/13 to 2/28/13	\$283,527.51
First Republic Bank	Period 2/1/13 to 2/28/13 Retention	\$14,922.50
	TOTAL	\$298,450.01

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

D2

REGULAR MINUTES

FEBRUARY 27, 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
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DIRECTOR OF ENG. & OPS.
MERRIE WALLRAVIN, 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 February 27, 2013, to order at 9:00 a.m. and led the flag salute.

00:00:38 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

At Roll Call, all Board members were present.

The following member of the public spoke:

Bob Rampton, NCSO customer, asked several questions on receiving Supplemental Water from the City of Santa Maria.

President Harrison and Michael LeBrun, General Manager, answered Mr. Rampton's questions.

00:09:39 C. PRESENTATIONS AND PUBLIC COMMENT

C-1) SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE
PRESENTATION OF DRAFT-FINAL REPORT

Receive report from Citizen's Committee

Michael LeBrun, General Manager, introduced the item. Michael Nunley, SWAEC non-voting member and Chairman, handed out the SWAEC's Alternative Evaluation Draft Final Report (See Exhibit A) and introduced the members of the SWAEC.

Dave Watson, SWAEC voting member and spokesperson, outlined the SWAEC's draft final report. Sam Saltoun, SWAEC voting member and spokesperson, gave a detailed report of the SWAEC's Draft Final Report. Mr. Saltoun answered questions from the Board. The Board thanked the SWAEC for an outstanding job and report.

The SWAEC received a round of applause from the Board, staff, and the audience.

C-2) DISTRICT UTILITIES SUPERINTENDENT TINA GRIETENS

Receive 2012 Annual Summary and January 2013 Monthly Summary

Tina Grietens, Utilities Superintendent, reviewed the report as presented in the Board packet. Michael LeBrun, General Manager, and Ms. Grietens answered questions from the Board. The Board thanked Ms. Grietens for her report.

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 Gaddis

- ◇ March 4, Application deadline for candidates for SCAC election and Town Hall meeting at NCSD to meet the candidates.
- ◇ March 18, SCAC Election, open for voters from 5:00 to 8:00 p.m. at NCSD.
- ◇ March 24, Dixieland Jazz Band will perform at the Pismo Beach Vets Hall at 1:00 p.m. and 3:45 p.m.

Director Vierheilg

- ◇ March 5, Finance and Audit Committee Meeting at 2:00 p.m. at NCSD.
- ◇ March 6, WRAC will meet at 1:30 p.m. at the San Luis Obispo Library.
- ◇ March 8-10, Santa Barbara Orchid Show at the Earl Warren Showground.
- ◇ April 5, Orchid Show Preview Benefit for the Guadalupe-Nipomo Dunes Center. Contact Director Vierheilg for Tickets.
- ◇ April 6 and 7, Central Coast Orchid Show at the South County Regional Center.

Director Harrison

- ◇ February 20, Attended the Nipomo Olde Towne Association Meeting about Miller Park.
- ◇ February 22, Attended the Supplemental Water Alternatives Committee Meeting.
- ◇ Met with the Nipomo Chamber of Commerce President in regards to grant money.

00:24:30

- 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 Vierheilg and seconded by Director Armstrong, the Board unanimously approved to receive and file the presentations and reports as submitted.
Vote 5-0.*

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

Nipomo Community Services District
REGULAR MEETING
MINUTES

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE FEBRUARY 13, 2013 REGULAR BOARD MEETING MINUTES

D-3) APPROVE BOARD BY-LAWS AND POLICES

Michael LeBrun, General Manager, announced 3 corrections to the February 13, 2013, minutes.

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 Vierheilg, the Board unanimously approved the Consent Agenda as amended.
Vote 5-0.*

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

RESOLUTION NO. 2013-1293

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING AMENDED BOARD BY-LAWS AND POLICIES (2013)

E. ADMINISTRATIVE ITEMS

01:16:52

E-1) SUSPEND ORDINANCE 2012-117 TO ALLOW PROCESSING OF APPLICATIONS FOR NEW DISTRICT WATER SERVICE

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mike Seitz, Deputy District Legal Counsel and Mr. LeBrun answered questions from the Board.

The following member of the public spoke:

Ed Eby, NCSD customer, spoke in opposition of allowing the processing of new applications for District water service.

Greg Nester, NCSD customer, spoke in support of allowing the processing of new applications for District water service.

*Upon the motion of Director Armstrong and seconded by Director Blair, the Board unanimously authorized staff to read the proposed Ordinance by title only.
Vote 5-0.*

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

Nipomo Community Services District
REGULAR MEETING
MINUTES

Item E-1 (Continued)

Mike Seitz, Deputy District Legal Counsel read aloud the proposed Ordinance by title only: "An Ordinance of the Board of Directors of the Nipomo Community Services District suspending enforcement of Ordinance Number 2012-117."

Upon the motion of Director Armstrong and seconded by Director Blair, the Board introduced the Ordinance and set the hearing date of March 13, 2013 for adoption.
Vote 4-1.

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

The Board took a break from 10:35 to 10:45 a.m.

01:32:31

E-2) INTRODUCE ORDINANCE TO CHANGE DISTRICT WATER CODE ALLOWING FOR GENERAL MANAGER TO GRANT RELIEF UNDER CERTAIN CIRCUMSTANCES WHEN CUSTOMER LEAKS LEAD TO HIGH WATER BILLS

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Peter Sevcik, Director of Engineering and Operations, and Mr. LeBrun answered questions from the Board.

There was no public comment.

Upon the motion of Director Armstrong and seconded by Director Blair, the Board unanimously authorized staff to read the proposed Ordinance by title only.
Vote 5-0.

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

Mike Seitz, Deputy District Legal Counsel read aloud the proposed Ordinance by title only: "An Ordinance of the Board of Directors of the Nipomo Community Services District amending Nipomo District code section 3.03.110 and adding section 3.03.120 to allow consideration of relief from water leak related high water bills."

Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board unanimously introduced the Ordinance and set the hearing date of March 13, 2013 for adoption.
Vote 5-0.

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

Nipomo Community Services District
REGULAR MEETING
MINUTES

01:47:46

E-3) AWARD CONTRACT FOR BLACKLAKE WELL 4 PUMP REPLACEMENT PROJECT

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet. Michael LeBrun, General Manager, and Mr. Sevcik answered questions from the Board.

There was no public comment.

Upon the motion of Director Vierheilg and seconded by Director Gaddis, the Board adopted Resolution 2013-1294, a Resolution awarding the bid for the Blacklake Well 4 Pump replacement project to Sansone Company, Inc. in the amount of \$202,086.25 and authorizing a construction contingency of \$10,000.

Vote 5-0.

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

RESOLUTION NO. 2013-1294

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AWARDING THE BID FOR THE BLACKLAKE WELL 4 PUMP REPLACEMENT PROJECT TO SANSONE COMPANY, INC. IN THE AMOUNT OF \$202,086.25 AND AUTHORIZING CONSTRUCTION CONTINGENCY OF \$10,000

E-4) AUTHORIZE TASK ORDER FOR CONSTRUCTION MANAGEMENT SERVICES FOR BLACKLAKE WELL 4 PUMP REPLACEMENT PROJECT

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

There was no public comment.

Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board unanimously adopted Resolution 2013-1295, a Resolution authorizing a task order for Blacklake Well 4 Pump replacement project construction management services with Cannon in the amount of \$38,860 and authorizing a contingency of \$5,000.

Vote 5-0.

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

RESOLUTION NO. 2013-1295

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING TASK ORDER FOR BLACKLAKE WELL 4 PUMP REPLACEMENT PROJECT CONSTRUCTION MANAGEMENT SERVICES WITH CANNON IN THE AMOUNT OF \$38,860 AND AUTHORIZING CONTINGENCY OF \$5,000

02:01:02

E-5) REVIEW DISTRICT STRATEGIC PLAN

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.

The Board reviewed the materials and gave direction to staff.

02:16:10

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 REPORT

There were no committee reports.

02:29:01

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 PURSUANT TO GOVT. CODE §54956.9(b):
Anticipated litigation - 1 case
4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to closed session at 11:45 a.m.

Nipomo Community Services District
REGULAR MEETING
MINUTES

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

The Board came back into Open Session at 12:45 p.m.

Mike Seitz, District Deputy Legal Counsel, announced that the Board heard an update from Legal Counsel and the General Manager for item one, listed above for closed session but took no reportable action. Mr. Seitz announced the California Supreme Court has denied petition for review of the case.

The Board discussed Items two, three, and four listed above for closed session, but took no reportable action.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Armstrong

- ◇ *Questioned commenting on the SWAEC's Draft Final Report.*

Director Blair

- ◇ *Address customer concerns regarding a bollard the District installed on Dale Avenue.*
- ◇ *Questioned when duplicate billing will be available.*
- ◇ *Requested staff to look into acknowledging the founders of NCS D with a plaque in public view.*

ADJOURN

President Harrison adjourned the meeting at 12:55 p.m.

MEETING SUMMARY	HOURS
Regular Meeting	2.55
Closed Session	1.00
TOTAL HOURS	3.55

FEBRUARY 27, 2013

REGULAR BOARD MEETING MINUTES

EXHIBIT "A"

SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE

ALTERNATIVE EVALUATION DRAFT FINAL REPORT

IS POSTED TO THE DISTRICT WEBSITE (NCSD.CA.GOV)

**HARD COPIES ARE AVAILABLE FOR REVIEW AND/OR PURCHASE AT THE DISTRICT
OFFICE.**

NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET

NIPOMO, CA 93444

(805) 929-1133

TO: MICHAEL S. LEBRUN *Msl*
GENERAL MANAGER

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

DATE: MARCH 8, 2013



**ACCEPT WATER AND SEWER IMPROVEMENTS
FOR MARIA VISTA ESTATES DEVELOPMENT**

ITEM

Accept water and sewer improvements for Maria Vista Estates (A.K.A Tract 1802/Tract 1856), a seventy-seven lot subdivision located off Orchard Road at Joshua in Nipomo [RECOMMEND ADOPT RESOLUTION ACCEPTING IMPROVEMENTS]

BACKGROUND

Upon completion of a developer's project, the District accepts improvements for the project after all requirements have been met. The Owner of Maria Vista Estates has installed water and sewer improvements to District standards and has met the District's standard conditions:

- Installed the improvements
- Paid associated capacity fees
- Provided the necessary paperwork, including the Offer of Dedication.

Regarding the Plan Check and Inspection Fees, the developer may owe the District for inspection and other costs that have yet to be billed to the District. Historically, the District has recovered these costs after the Board accepts the project as part of staff's project close out procedure. Staff will not physically set the meters for the new units until all of these costs are paid in accordance with the Plan Check and Inspection Agreement.

FISCAL IMPACT

The developer has paid the District Capacity Fee Charges for the project.

STRATEGIC PLAN

N/A

RECOMMENDATION

Staff recommends that your Honorable Board approve Resolution 2013-XXXX Accept Maria Vista Estates, Accepting the Water and Sewer System Improvements for Maria Vista Estates.

ATTACHMENT

- A. Resolution 2013-XXXX Accept Maria Vista Estates

MARCH 13, 2013

ITEM D-3

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2013-XXXX**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING DEVELOPER BUILT IMPROVEMENTS FOR MARIA VISTA ESTATES
DEVELOPEMENT**

WHEREAS, the District approved the construction plans for the water and sewer improvements to be constructed; and

WHEREAS, the water and sewer improvements have been constructed and said improvements are complete and certified by the Owners' Engineer; and

WHEREAS, on January 10, 2013, the Owner offered the water and sewer improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law; and

WHEREAS, all water and sewer capacity fees for service, required in conformance with District ordinances and Agreements related to Maria Vista Estates have been paid.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. That the water and sewer improvements to serve Maria Vista Estates in Nipomo are accepted by this District.
2. That staff is authorized to set water meters to serve the project once all legal costs and the Plan Check and Inspection Agreement costs have been paid by the Owner.

On the motion by Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

CONFLICT:

the foregoing resolution is hereby adopted this 13th day of March 2013.

JAMES HARRISON,
President, Board of Directors

ATTEST:

APPROVED AS TO FORM:

MICHAEL S. LEBRUN
Secretary to the Board

MICHAEL W. SEITZ
Deputy District Legal Counsel