TO:

BOARD OF DIRECTORS

FROM:

MICHAEL S. LEBRUN WY

GENERAL MANAGER

DATE:

OCTOBER 5, 2012

AGENDA ITEM D

OCTOBER 10, 2012

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 26, 2012 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]

TO:

BOARD OF DIRECTORS

FROM:

MICHAEL S. LEBRUN **GENERAL MANAGER**

DATE:

OCTOBER 5, 2012

AGENDA ITEM D-1

OCTOBER 10, 2012

TOTAL COMPUTER CHECKS \$110,783.70

HAND WRITTEN CHECKS

10-02-12 10085 **PGE** 10-10-12 10086 MARGARITA VALLEY RANCH LLC 10-10-12 10087

CHP

ELECTRICITY REFUND OF DEPOSIT ACCIDENT REPORT

\$66,532.79 \$1,200.00 \$10.00

VOIDS - NONE

COMPUTER GENERATED CHECKS

COI	HFUIER	GENE	KATED CHECKS					
21132 21132 21132 21133 21134	09/28/12 M 09/28/12 M 09/28/12 M 09/28/12 M 09/28/12 P	ID01 RAE ID01 RAE ID01 RAE ID02 RAE ER01 PER	BOBANK-PAYROLL TAX DEPOS B20 BOBANK-PAYROLL TAX DEPOS 1B20 BOBANK-PAYROLL TAX DEPOS 2B20 BOBANK-DIRECT DEPOSIT B20 RS RETIREMENT B20	09/24/12 09/24/12 09/24/12 09/24/12 09/24/12 09/24/12	MEDICARE (FIG	ME TAX CA) REMITTANCE	09-12 09-12 09-12 09-12 09-12 09-12 09-12	1309.75 1309.75 3712.57 83.20 966.34 4762.11 25232.48 25232.48 8629.45 8629.45 2005.00 2005.00
021136	10/10/12	ABA01	ABALONE COAST BACTERIOLOG	2064.00	.00	2064.00	1696	LAB TESTS
021137	10/10/12	ADV01	ADVANTAGE ANSWERING PLUS	147.03	.00	147.03	09252012	ANSWERING SERVICE
021138	10/10/12	ALX01	ALEXANDER'S CONTRACT SERV	2365.93	.00	2365.93	OCT 2012	METER READING SERVICES
021139	10/10/12	AME03	AMERI PRIDE	136.09 121.53	.00	136.09 121.53	726001 730295	UNIFORMS UNIFORMS
			Check Total:	257.62	.00	257.62		
021140	10/10/12	AME08	AMERICAN SOCIETY OF CIVIL	280.00	.00	280.00	B21003	SEVCIK-MEMBERSHIP RENEWAL
021141	10/10/12	ATT02	AT&T	148.20 24.11	.00	148.20 24.11	3719315 3719559	TELEPHONE TELEPHONE
				640.62	.00	640.62	3719629	2 NEW LINES/INSTALL/MONTH
			Check Total:	812.93	.00	812.93		
021142	10/10/12	BEL01	BELTRAN, KATHY	43.08	.00	43.08	B21002	REIMBURSEMENT UNIFORMS
021143	10/10/12	BRE02	BRENNTAG PACIFIC INC.	612.45 468.11 377.90 648.54	.00 .00 .00	468.11 377.90	BPI235979 BPI235980 BPI239052 BPI239053	SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE
			Check Total:	2107.00			Dt 1233033	SODION NIFOCHBORITE
021144	10/10/12	CAL03	CALIFORNIA ELECTRIC SUPPL		.00	190.59	501249	MOTOR LEADS-SUNDALE WELL
021145	10/10/12	CHA02	CHARTER COMMUNICATIONS	204.99	.00	204.99	OCT 2012	SHOP INTERNET
021146	10/10/12	CON03	CONTROLCO	3629.17	.00	3629.17	056843	L/S TRANSDUCERS
			_	1380.26	.00	1380.26	056947	L/S TRANSDUCERS
			Check Total:	5009.43	.00	5009.43		
021147	10/10/12	COR01	CORBIN WILLITS SYSTEMS	130.00 750.83	.00	130.00 750.83	B20915 B209151	TECHNICAL SUPPORT COMPUTER SUPPORT
			Check Total:	880.83	.00	880.83		
021148	10/10/12	COR04	CORIX WATER PRODUCTS (US)	178.46	.00	178.46	721313169	CLAVAL PART-EUREKA WELL
021149	10/10/12	CRY01	CRYSTAL SPRINGS	17.10	.00	17.10	SEP 2012	DISTILLED WATER FOR LAB
021150	10/10/12	DEP01	DEPARTMENT-HEALTH SERVICE	4953.61	.00	4953.61	1260561	WATER SYSTEM FEES 7-1-11
021151	10/10/12	DKF01	DKF SOLUTIONS GROUP, LLC	350.00	.00	350.00	1701	MONTHLY SAFETY SUBSCRIPTI
021152	10/10/12	EBY02	ED EBY	1668.98	.00	1668.98	B21003	REIMBURSEMENT-CSDA MEETIN
021153	10/10/12	FER01	FERGUSON ENTERPRISES INC	980.99 68.70 348.99	.00	980.99 68.70 348.99	8595932 8644123 8665035	PVC/MTR ADPT/COPPER GASKE PVC
			2	-280.09	.00	-280.09	CM840985C	MTR BOX/CNCRT LID/PVC ADP ORDER ENTRY ERROR
			Check Total	1118.59	.00	1118.59		
021154	10/10/12	FGL01	FGL ENVIRONMENTAL	397.00 47.00	.00	397.00 47.00	282836A 282956A	LAB TESTS LAB TESTS
			Check Total:	444.00	.00	444.00		

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN GENERAL MANAGER

DATE: OCTOBER 5, 2012

AGENDA ITEM D-1 OCTOBER 10, 2012 PAGE TWO

021155	10/10/12	GIL01	GLM, INC.	333.00	.00	333.00	SEP 2012	LANDSCAPE MAINTENANCE
021156	10/10/12	GWA01	GWA INC	53.00 85.00	.00	53.00 85.00	OCT 2012A OCT 2012B	MONITORING-OFFICE MONITORING-SHOP
				85.00	.00	85.00		MONITORING-UTILITY OFFICE
			Check Total:	223.00	.00	223.00		
021157	10/10/12		HAMNER JEWELL & ASSOCIATE	551.25	.00	551.25	5912	WATERLINE INTERTIE PROJEC
021158	10/10/12	JAC01	JACK'S REPAIR & SALES	277.66 188.42 61.79 73.77 116.77 79.17	.00	277.66 188.42 61.79 73.77 116.77 79.17	562778 562779 562780 562781 562782 562800	FUEL HOSE/SPARK PLUGS/AIR CARB KIT/AIR&FUEL FILTER/ TRIGGER/SPARK PLUG/AIR&FU SIR & FUEL FILTER/SPARK P CARB/SPARK PLUGS/AIR & FU FUEL FILTER & CAP/PRIMER
			Check Total:	797.58	.00	797.58		
021159	10/10/12	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	57426	LANDSCAPE MAINTENANCE DIS
021160	10/10/12	LEE02	LEE CENTRAL COAST NEWSPAP	1506.88	.00	1506.88	1080563	ADVERTISING
021161	10/10/12	MAL01	MALDONADO, FRANCISCO	118.52	.00	118.52	B20924	REIMBURSEMENT-BOOTS
021162	10/10/12	MET03	METTLER-TOLEDO, LLC	594.00	.00	594.00	00592546	LAB-ANNUAL CALIBRATION
021163	10/10/12	MIN02	MINER'S ACE HARDWARE	109.78	.00	109.78	SEP 2012	OPERATING SUPPLIES
021164	10/10/12	MOR02	MORE OFFICE SOLUTIONS	145.31 82.01	.00	145.31 82.01	313465 322481	B/W AND COLORED COPIES COLORED COPIES
			Check Total:	227.32	.00	227.32		
021165	10/10/12	NEX01	NEXTEL COMMUNICATIONS	440.25	.00	440.25	SEP 2012	CELLULAR SERVICE
021166	10/10/12	NEX03	NEXTRAQ	308.50	.00	308.50	OCT 2012	GPS SERVICES
021167	10/10/12	NUN01	NUNLEY, MICHAEL K. & ASSO	4652.50	.00	4652.50	9/29/12	SWAEC CHAIRMAN SERVICE
021168	10/10/12	NUT01	NU TECH PEST MGMT	265.00 75.00	.00	265.00 75.00	93512 93513	PEST CONTROL RODENT CONTROL
			Check Total:	340.00	.00	340.00		
021169	10/10/12	PER04	PERRY'S ELECTRIC MOTORS	3929.87	.00	3929.87	14499	MOTOR BEARINGS REPLCD/ROT
021170	10/10/12	POR01	PORTABLE JOHNS, INC.	95.83	.00	95.83	182510	PORTABLE JOHNS-CREEK DAY
021171	10/10/12	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	SEP 2012	JANITORIAL SERVICES
021172	10/10/12	RIC01	RICHARDS, WATSON, GERSHON	5704.25	.00	5704.25	185747	WATER RIGHTS ADJUDICATION
021173	10/10/12	RIC05	RICK ENGINEERING COMPANY	485.00	.00	485.00	0028450	BL-GIS MAPPING
021174	10/10/12	SHI01	SHIPSEY & SEITZ, INC	3514.90 7505.40	.00	3514.90 7505.40	AUG 2012 SEP 2012	LEGAL SERVICES-AUGUST LEGAL SERVICES SEPTEMBER
			Check Total:	11020.30	.00	11020.30		
021175	10/10/12	SOU01	SOUTH COUNTY SANITARY	34.92 169.12 1353.00	.00	34.92 169.12 1353.00	3848211 3849517 3849934	GARBAGE SERVICES OLDE TOWNE GARBAGE SERVIC RATE DEFERRAL-COMMERCIAL
			Check Total:	1557.04	.00	1557.04		
021176	10/10/12	SOU07	SOUTH COUNTY SANITARY	8694.00	.00	8694.00	3846581	2 MONTH DEFERRAL-RESIDENT
021177	10/10/12	THE01	THE GAS COMPANY	15.78 18.27	.00	15.78 18.27	SEP 2012 SEP 2012B	SHOP-HEAT OFFICE-HEAT
			Check Total:	34.05	.00	34.05		
021178	10/10/12	UND01	UNDERGROUND SERVICE ALERT	165.00	.00	165.00	12090029	UNDERGROUND SERVICE ALERT
021179	10/10/12	USB01	US BANK (VISA)	53.00 100.57 125.00 547.99 214.97 415.06	.00 .00 .00 .00	53.00 100.57 125.00 547.99 214.97 415.06	9242012A 9242012B 9242012C 9242012D 9242012E 9242012F	MEETINGS TRAVEL/MILEAGE DUES/SUBCRIPTIONS OPERATING SUPPLIES LEAK DETECTION DYE TABLET OFFICE SUPPLIES
			Check Total:	1456.59	.00	1456.59		
021180	10/10/12	VER01	VERIZON	42.23	.00	42.23	B21002	TELEPHONE
021181	10/10/12	YOU01	YOUR PEOPLE PROFESSIONALS	1500.00	.00	1500.00	OCT 2012	DEPOSIT-EMPLOYMENT AGENCY

TO:

BOARD OF DIRECTORS

FROM:

MICHAEL S. LEBRUN

GENERAL MANAGER

DATE:

OCTOBER 5, 2012

AGENDA ITEM
D-1
OCTOBER 10, 2012
PAGE THREE

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

Cushman Contracting	Period 8/31/12 to 9/30/12	\$249,916.50
First Republic Bank	Period 8/31/12 to 9/30/12 Retention	\$13,153.50
	TOTAL	\$263,070.00

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

SEPTEMBER 26, 2012, AT 9:00 A.M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, PRESIDENT

LARRY VIERHEILIG, VICE PRESIDENT

MICHAEL WINN, DIRECTOR

ED EBY, DIRECTOR

DAN A. GADDIS, DIRECTOR

PRINCIPAL STAFF
MICHAEL S. LEBRUN, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT GENERAL MANAGER
MERRIE WALLRAVIN, SECRETARY/CLERK
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DISTRICT ENGINEER

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 September 26, 2012, to order at 9:00 a.m. and led the flag salute.

00:00:55 B. ROLL CALL AND PUBLIC COMMENT ON ITEMS NOT ON AGENDA

At Roll Call, Directors Gaddis, Winn, Vierheilig and Harrison were present. Director Eby was not present due to a scheduled absence.

The following members of the public spoke:

<u>Valerie Williams</u>, area developer, spoke in opposition of the water moratorium and requested the Board to reconsider water services.

Robert Lorance, Consultant to BenIng Company, LLC, handed out copies of a letter to the Board of Directors and addressed the Board.

Deputy District Legal Counsel, Mike Seitz, announced that he responded to the BenIng Company request from the previous Board meeting, via U.S. mail, yesterday. The BenIng Company faxes do not have a return fax number or email address on it, or the BenIng Company could have had the Districts response yesterday.

00:10:38 C. PRESENTATIONS AND PUBLIC COMMENT

C-1) CAL FIRE BATTALIONS CHIEF FISHER AND LEE Presentation on weed abatement program status and options.

Chief Battalion Lee was not present. Chief Battalion Fisher gave an update activity report for August 2012. Chief Fisher explained Cal Fire's policies and procedures for weed abatement within Nipomo. Chief Fisher answered questions from the Board. The Board thanked Chief Fisher for his report.

C-2) NCSD UTILITIES SUPERINTENDENT TINA GRIETENS Update Report re: Recent Activities

Tina Grietens, NCSD Utility 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.

D2

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 Winn

- ♦ September 21, 2012 Toured the Paso Robles Groundwater Basin.
- ♦ September 25, 2012 The Board of Supervisors met. Director Winn corrected a Planning Department comment that the District's pipeline project "had collapsed".
- ♦ October 3, 2012 The WRAC will host a workshop on DWR grant applications from 10:00 a.m. to 12:00 p.m. At 1:30 p.m. will be the regular monthly meeting of the WRAC.
- ♦ October 3, 2012 The SLO County Department of Planning and Building will host a workshop on "Complete Communities" at 6:30 p.m. at Trilogy.
- ♦ October 11, 2012 A WRAC subcommittee will meet and evaluate the various applicants for the Round 2 Prop 84 Integrated Regional Water Management Program Grant.
- ♦ October 13, 2012 OctoberFest at the Nipomo Community Park from 10:00 a.m. to 5:00 p.m.

Director Vierheilig

- ♦ September 26, 2012 Central Coast Chapter of Alzheimer's Association will meet at the Nipomo Library at 1:00 p.m.
- ♦ September 27 Nipomo Chamber Luncheon at Tahlia's Cucina at 11:45 p.m.
- ♦ October 2, 2012 The Personnel Committee will meet at 9:00 a.m. and the Finance Committee will meet at 10:00 a.m. at NCSD.
- ♦ October 7, 2012 The fall annual Nipomo Native Gardens plant sale from 9:00 a.m. to 3:00 p.m. at the Nipomo Native Gardens.

Director Gaddis

♦ October 3, 2012 – The SLO County Department of Planning and Building will host a workshop on "Complete Communities" at 6:30 p.m. at Trilogy.

Director Harrison

- ♦ September 27, 2012 Fire Safe Council will meet at 9:00 a.m.
- 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 Winn, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Winn, Gaddis, and Harrison	None	Director Eby

01:16:49

D. CONSENT AGENDA

- D-1) WARRANTS
- D-2) APPROVE SEPTEMBER 12, 2012 REGULAR BOARD MEETING MINUTES

Item D-1

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 motion of Director Vierheilig and seconded by Director Winn, the Board unanimously approved the warrants as submitted. Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Winn, Gaddis, and Harrison	None	Director Eby

Item D-2

Director Gaddis made one correction to the minutes.

There was no public comment.

Upon the motion of Director Vierheilig and seconded by Director Gaddis, the Board unanimously approved the September 12, 2012, Regular Board Meeting minutes, as amended.

Vote 3-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Gaddis, and Winn	None	Director Eby

Director Harrison didn't vote due to not attending the meeting.

E. ADMINISTRATIVE ITEMS

01:26:37

E-1) CONSIDER PROPOSAL BY NIPOMO CHAMBER OF COMMERCE AND OLDE TOWNE NIPOMO ASSOCIATION FOR CLEANUP AND MAINTENANCE OF NIPOMO COMMUNITY COMMON AREAS

Rudy Stowell, Nipomo Chamber of Commerce President, gave an update of the proposal. Mike Seitz, Deputy District Legal Counsel, Michael LeBrun, General Manager, and Mr. Stowell answered questions from the Board.

There was no public comment.

Upon motion of Director Winn and seconded by Director Vierheilig, the Board unanimously approved forming an Ad Hoc Committee to discuss and refine the Chamber's proposal. President Harrison appointed himself as the Chairman and Director Winn as the member.

Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Winn, Vierheilig, Gaddis, and Harrison	None	Director Eby

The Board took a break from 10:50 to 11:10 a.m.

01:50:23

E-2) CONSIDER UPDATES AND CHANGES TO PERSONNEL POLICIES AND PROCEDURES TO REVISE THE JOB DESCRIPTION FOR UTILITY OPERATOR/WATER QUALITY TECHNICIAN, REVISE SALARY RANGE, AUTHORIZE STAFF TO ADVERTISE AND RECRUIT UTILITY OPERATOR

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 Gaddis and seconded by Director Vierheilig, the Board unanimously adopted Resolution 2012-1277, a revised Utility Operator job description and salary range, and authorized staff to recruit a Utility Operator. Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Vierheilig, Winn, and Harrison	None	Director Eby

RESOLUTION NO. 2012-1277

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING THE DISTRICT PERSONNEL POLICY TO REVISED UTILITY OPERATOR JOB DESCRIPTION

02:03:42

E-3) DISCUSS FINAL NIPOMO COMMUNITY PARK MASTER PLAN PROGRAM ENVIRONMENTAL IMPACT REPORT.

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Sheriff Commander Jim Taylor and Mr. LeBrun answered questions from the Board.

There was no public comment. There was no action taken.

SUBJECT TO BOARD APPROVAL

02:21:01 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.

02:38:45 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)
- CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(b): Anticipated litigation - 1 case
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to closed session at 12:00 p.m.

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

The Board came back into Open Session at 12:20 p.m.

Mike Seitz, Deputy District Legal Counsel, announced that the Board discussed items 1, 2, and 3, listed above for Closed Session but took no reportable action.

G. COMMITTEE REPORT

- SEPTEMBER 5, 2012 SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE MEETING MINUTES
- SEPTEMBER 10, 2012 WATER RESOURCES POLICY COMMITTEE MEETING MINUTES
- SEPTEMBER 20, 2012 PERSONNEL COMMITTEE MEETING MINUTES

The reports were as presented. There was no public comment.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Winn

- Requested staff brief County Planning Department on the status of the District's Supplemental Water effort.
- ♦ Requested staff to agendize a discussion of LAFCO Public Member seat on November 14, 2012, Regular Agenda.
- Requested staff suggest to Cal Fire limiting weed abatement Ordinance to areas within the unincorporated Urban and Village Reserve Lines which, represent less than 3% of County lands.

Director Harrison

Requested staff support Chamber of Commerce in setting up a debate/forum for candidates seeking election to NCSD Board of Directors.

ADJOURN

President Harrison adjourned the meeting at 12:40 p.m.

MEETING SUMMARY	HOURS
Regular Meeting	3.20
Closed Session	0.20
TOTAL HOURS	3.40