

TO: BOARD OF DIRECTORS
FROM: DON SPAGNOLO
GENERAL MANAGER
DATE: OCTOBER 21, 2010




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 be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately.

**Questions or clarification may be made by the Board members
without removal from the Consent Agenda.**

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) BOARD MEETING MINUTES OF OCTOBER 13, 2010 [RECOMMEND APPROVAL]
- D-3) CANCELLATION OF NOVEMBER 24, 2010 BOARD MEETING [RECOMMEND APPROVAL]
- D-4) INVESTMENT POLICY – THIRD QUARTER REPORT [RECOMMEND APPROVAL]
- D-5) WITHHOLD PUBLICATION OF PROPOSITION 218 NOTICE [RECOMMEND WITHHOLDING PUBLICATION OF THE NOTICE]

TO: BOARD OF DIRECTORS
 FROM: DON SPAGNOLO
 GENERAL MANAGER 
 DATE: OCTOBER 19, 2010

**AGENDA ITEM
 D-1
 OCTOBER 27, 2010**

**TOTAL COMPUTER
 CHECKS
 \$233,241.55**

HAND WRITTEN CHECKS

10-11-10	20168	JAMES HARRISON	SOUTHLAND WWTP UPGRADE COMMITTEE	\$100.00
10-11-10	20169	MICHAEL WINN	SOUTHLAND WWTP UPGRADE COMMITTEE	\$100.00
10-11-10	20170	LARRY VIERHEILIG	WATER CONSERVATION COMMITTEE	\$100.00
10-13-10	20171	PGE	ELECTRICITY	\$57,561.49
10-13-10	20172	KARYN STEVENS	WASHER REBATE	\$75.00
10-13-10	20173	SCOTT EAKER	WASHER REBATE	\$75.00
10-27-10	20174	RICHARD ROMERO	TURF REPLACEMENT REBATE	\$500.00

VOID #18195, 18531, #18606-18613

COMPUTER GENERATED CHECKS

18614	10/15/10	CAL19	CALIFORNIA STATE DISBURSE	371.29	.00	371.29	B01012	WITHHOLDING ORDER
18615	10/15/10	EMP01	EMPLOYMENT DEVELOP DEPT	1443.08	.00	1443.08	B01012	STATE INCOME TAX
18616	10/15/10	FRA01	FRANCHISE TAX BOARD	125.00	.00	125.00	B01012	WITHHOLDING ORDER
18617	10/15/10	MID01	RABOBANK-PAYROLL TAX DEPO	3855.22	.00	3855.22	B01012	FEDERAL INCOME TAX
				56.50	.00	56.50	1B01012	FICA
				1043.74	.00	1043.74	2B01012	MEDICARE (FICA)
			Check Total.....:	4955.46	.00	4955.46		
18618	10/15/10	MID02	RABOBANK-DIRECT DEPOSIT	28757.90	.00	28757.90	B01012	NET PAY
18619	10/15/10	PER01	PERS RETIREMENT	8691.36	.00	8691.36	B01012	PERS PAYROLL REMITTANCE
18620	10/15/10	STA01	ING-PERS 457 DEFERRED COM	875.00	.00	875.00	B01012	457 DEFERRED COMP
018621	10/27/10	ABA01	ABALONE COAST BACTERIOLOG	105.00	.00	105.00	10-3350	LAB TEST-SOUTHLAND WWTP
				147.00	.00	147.00	10-3351	LAB TEST-SOUTHLAND WWTP
				20.00	.00	20.00	10-3478	LAB TEST-BL WWTP
				140.00	.00	140.00	10-3479	LAB TEST-WATER SYSTEM
				70.00	.00	70.00	10-3515	LAB TEST-BL WWTP
				75.00	.00	75.00	10-3516	LAB TEST-BL WWTP
				20.00	.00	20.00	10-3517	LAB TEST-BL WWTP
				20.00	.00	20.00	10-3518	LAB TEST-SOUTHLAND WWTP
				176.00	.00	176.00	10-3520	LAB TEST-SOUTHLAND TTWP
				124.00	.00	124.00	10-3521	LAB TEST-BL WWTP
				147.00	.00	147.00	10-3522	LAB TEST-SOUTHLAND WWTP
				20.00	.00	20.00	10-3572	LAB TEST-BL WWTP
				20.00	.00	20.00	10-3591	LAB TEST-BL WWTP
				20.00	.00	20.00	10-3619	LAB TEST-BL WWTP
				20.00	.00	20.00	10-3674	LAB TEST-BL WWTP
				175.00	.00	175.00	10-3675	LAB TEST-WATER SAMPLES
				124.00	.00	124.00	10-3703	LAB TEST-BL WWTP
				176.00	.00	176.00	10-3704	LAB TEST-SOUTHLAND
				20.00	.00	20.00	10-3705	LAB TEST-BL WWTP
				14.40	.00	14.40	10-3747	LAB TEST-WATER SAMPLE
				20.00	.00	20.00	10-3748	LAB TEST-BLWWTP
				20.00	.00	20.00	10-3771	LAB TEST-BLWWTP
			Check Total.....:	1673.40	.00	1673.40		
018622	10/27/10	AME02	AMERICAN INDUSTRIAL SUPPL	311.76	.00	311.76	214197	OPERATING SUPPLIES
018623	10/27/10	AME03	AMERI PRIDE	126.07	.00	126.07	201622	UNIFORMS
018624	10/27/10	ATT01	AT&T/MCI	185.28	.00	185.28	1680726	TELEPHONE
018625	10/27/10	BLU02	BLUE SHIELD OF CALIFORNIA	836.55	.00	836.55	NOVEMBER	COBRA SUBSIDY-NOVEMBER
018626	10/27/10	BOB01	BOB'S RUBBER STAMPS	106.58	.00	106.58	34837	PRE-INKED STAMPS
018627	10/27/10	BRE02	BRENNTAG PACIFIC INC.	855.02	.00	855.02	BPI039503	SODIUM HYPOCHLORITE
				545.49	.00	545.49	BPI039504	SODIUM HYPOCHLORITE
			Check Total.....:	1400.51	.00	1400.51		
018628	10/27/10	CAL14	CALIFORNIA WATER	132.00	.00	132.00	B01019	MEMBERSHIP RENEWAL-DAVISO

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS OCTOBER 19, 2010**

**AGENDA ITEM
D-1
OCTOBER 27, 2010
PAGE TWO**

018629	10/27/10	CAN02	CANNON ASSOCIATES	5935.76	.00	5935.76	49476	WILLOW ROAD PHASE 2
				5450.00	.00	5450.00	49478	WILLOW ROAD PHASE 1
				187.00	.00	187.00	49497	SCADA REPAIR
				472.50	.00	472.50	49498	JUNIPER L/S
				310.00	.00	310.00	49499	SUNDALE WELL
				1350.00	.00	1350.00	49566	TANK SITING
			Check Total.....:	13705.26	.00	13705.26		
018630	10/27/10	CLE06	CNSSLO INC	1996.00	.00	1996.00	11240	COMPUTER SUPPORT-SEPTEMBE
018631	10/27/10	CRO03	CROSNO CONSTRUCTION INC	45989.82	.00	45989.82	5	PROGRESS BILL-TANK REAHB
018632	10/27/10	DEP02	DEPT OF CONSUMER AFFAIRS	200.00	.00	200.00	B01018	LICENSE RENEWAL
018633	10/27/10	DWI01	DWIGHT'S AUTOMOTIVE	15.00	.00	15.00	B01011	TIRE REPAIR
018634	10/27/10	EBY01	EBY, ED	100.00	.00	100.00	102710	BOARD MEETING 10-27-10
018635	10/27/10	FER01	FERGUSON ENTERPRISES INC	10.99	.00	10.99	64361373	OPERATING SUPPLIES
				101.48	.00	101.48	64361374	OPERATING SUPPLIES
			Check Total.....:	112.47	.00	112.47		
018636	10/27/10	FGL01	FGL ENVIRONMENTAL	49.00	.00	49.00	0802484A	LAB TEST-WATER
018637	10/27/10	FIS02	FISHER SCIENTIFIC	62.04	.00	62.04	5731889	LAB SUPPLIES
				157.76	.00	157.76	5944552	LAB SUPPLIES
				767.23	.00	767.23	5982324	LAB SUPPLIES
				569.77	.00	569.77	6027163	LAB SUPPLIES
			Check Total.....:	1556.80	.00	1556.80		
018638	10/27/10	FUG01	FUGRO WEST, INC.	3252.50	.00	3252.50	3596.5-21	PASQUINI PHASE 2
018639	10/27/10	GLO02	GLOBAL EQUIPMENT CO INC	194.67	.00	194.67	103743898	SHELF BINS
018640	10/27/10	HAC01	HACH COMPANY	140.24	.00	140.24	6933974	LAB SUPPLIES
018641	10/27/10	HAM02	HAMNER JEWELL & ASSOCIATE	3178.75	.00	3178.75	5008	WATERLINE INTERTIE PROJEC
018642	10/27/10	KOE01	KOEHLER PLUMBING, INC	75.00	.00	75.00	4832	BACK FLOW TEST
018643	10/27/10	LAY01	LAYFIELD ENVIRONMENTAL	2520.00	.00	2520.00	E02662	POND LINER REPAIR
018644	10/27/10	LIN02	LINC DELIVERY	253.00	.00	253.00	2668	DELIVERY-SEPT
018645	10/27/10	MAI02	MAINLINE UTILITY COMPANY	750.00	.00	750.00	4448	VIDEO INSPECTIONS
018646	10/27/10	MOR02	MORE OFFICE SOLUTIONS	754.71	.00	754.71	582799	COLOR COPIES
				420.48	.00	420.48	582875	COPIER MAINTENANCE
			Check Total.....:	1175.19	.00	1175.19		
018647	10/27/10	NEL01	NELSON, WILLIAM J	100.00	.00	100.00	102710	BOARD MEETING 10-27-10
018648	10/27/10	PWS01	PROTECTIVE WEATHER STRUCT	77967.00	.00	77967.00	2-2010	METAL STORAGE BUILDING
018649	10/27/10	QUI03	QUINN RENTAL SERVICES	141.16	.00	141.16	1228533	OPERATING SUPPLIES
018650	10/27/10	SAN09	SAN LUIS MAILING SERVICE	58.76	.00	58.76	215444	MAIL LATE NOTICES
				136.19	.00	136.19	215540	MAIL BILLS
				263.56	.00	263.56	215444P	POSTAGE FOR LATE NOTICES
				658.67	.00	658.67	215540P	POSTAGE FOR BILLS
			Check Total.....:	1117.18	.00	1117.18		
018651	10/27/10	TIT01	TITAN INDUSTRIAL & SAFETY	276.58	.00	276.58	1042954	OPERATING SUPPLIES
				142.27	.00	142.27	1043029	OPERATING SUPPLIES
				219.96	.00	219.96	1043060	OPERATING SUPPLIES
			Check Total.....:	638.81	.00	638.81		
018652	10/27/10	TOW01	TOWN & COUNTRY FENCING	150.00	.00	150.00	2832	FENCE REPAIR
				745.00	.00	745.00	2834	REPAIR GATE
			Check Total.....:	895.00	.00	895.00		
018653	10/27/10	USA01	USA BLUEBOOK	1256.72	.00	1256.72	246311	FLOAT SWITCHES
				127.64	.00	127.64	255439	OPERATING SUPPLIES
			Check Total.....:	1384.36	.00	1384.36		
018654	10/27/10	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	102710	BOARD MEETING 10-27-10
018655	10/27/10	WAG01	WAGNER & BONSIGNORE	4367.95	.00	4367.95	091060011	SM GROUNDWATER ADJUDICATI
				7152.40	.00	7152.40	101060011	SM GROUNDWATER ADJUDICATI
			Check Total.....:	11520.35	.00	11520.35		
018656	10/27/10	WAL01	WALLACE GROUP	7209.46	.00	7209.46	30712	ASSESSMENT DISTRICT
018657	10/27/10	WIN01	WINN, MICHAEL	100.00	.00	100.00	102710	BOARD MEETING 10-27-10
018658	10/27/10	WSC01	WSC	6813.29	.00	6813.29	0186	URBAN WATER MGMT PLAN UPD

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 45 Years of Service 1965 - 2010

D2

DRAFT MINUTES

OCTOBER 13, 2010 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
BILL NELSON, DIRECTOR

PRINCIPAL STAFF

DON SPAGNOLO, GENERAL MANAGER
LISA BOGNUDA, ASSIST. 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 October 13, 2010, to order at 9:00 a.m. and led the flag salute.

00:00:40

B. ROLL CALL

At Roll Call, all Board members were present.

00:01:17

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) SHERIFF COMMANDER KEN CONWAY

Update re: South County Law Enforcement Activities

Commander Conway was unable to attend this meeting.

C-2) CAL FIRE BATTALION CHIEF BILL FISHER

Update re: South County Cal Fire Activities

Battalion Chief Bill Fisher reviewed the activity report for September 2010.

- ◇ Last month they had a total of 98 calls in Nipomo.
 - ◇ They did low angle training with Conoco Phillips and some confined space training with NCSO. Cal OSHA requires a permit for confined space rescue. NCSO is using Cal Fire as a rescue agency; however they cannot do permitted confined space rescue. The nearest station that could respond is 20 to 25 minutes away at the San Luis Obispo airport. Most city Public Works Departments send employees to rescue training for about \$500.00 for each employee and it qualifies them as an onsite rescue team. This is what they would recommend NCSO to do.
 - ◇ They are still working on business inspections and preplans.
 - ◇ They just received Captain Dave Lithum back after two lower back disk fusions, which is very hard to come back from.
- The Board thanked Mr. Fisher for his report.

C-3) MIKE NUNLEY OF AECOM

Update re: Southland Wastewater Treatment Plant Upgrade

Mike Nunley, AECOM Engineering Project Manager, reviewed the report as presented in the Board packet. Jon Seitz, District Legal Counsel, and Mr. Nunley answered questions from the Board. The Board thanked Mr. Nunley for the report.

- C-4) NCSD DISTRICT ENGINEER PETER SEVCIK
Update re: Recent Activities
Peter Sevcik, District Engineer, reviewed the report as presented in the Board packet and answered questions from the Board. The Board thanked Mr. Sevcik for the report.
- C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
Receive Announcements from Directors Items of District & Community Interest

Director Winn

- ◇ There has been some public curiosity about the Oceano particulate matter. The Oceano Management Oversight Committee is accepting applications for a Technical Firm that will head up two efforts in Oceano. One is for short-term or immediate mitigation for small matter blowing inland off of the dunes, which will involve intensive monitoring devices. The other contract will be for the longer-term efforts.
- ◇ Water Conservation Committee met on October 11, 2010. They are scheduling a discussion on what kind of responses we should have to a potentially severe water year.
- ◇ On October 14, 2010, the Planning Commission will be looking at NCSD's request to turn one parcel to a public lot. It should go through without any resistance.
- ◇ October 18, 2010 – SCAC Land Use Committee Meeting at 9:00 a.m. here at NCSD.
- ◇ October 25, 2010 – SCAC Meeting at 6:30 p.m. here at NCSD.
- ◇ As far as I can tell, there is clear evidence of water theft out at Maria Vista that we need to get a handle on.
- ◇ On October 5, 2010, the Board of Supervisors considered a subdivision on South Tejas, one lot to be divided into two. The project needs to be conditioned to pay the in-lieu fees for supplemental water. Title 22 fee was not in place in time of the approval. Such a requirement was assured NCSD when the County settled by creating their Ordinance §3090.

Director Eby

- ◇ As for the public lot presented to the planning commission, we need to stress to them that the tanks are going to be mostly submerged, no more than three or four feet above the ground level, and they will be painted the color of the background.
- ◇ October 14, 2010 – There will be a NMMA meeting at 10:00 a.m. here at NCSD.
- ◇ As for this month's WRAC meeting, I didn't attend so there is nothing to report.

Director Nelson

- ◇ I will be leaving the meeting today at 11:45 a.m.

Director Harrison

- ◇ There will be a memorial service for Bruce Buel on Sunday October 17th in Los Osos at the Red Barn.
- ◇ The Women's Shelter will be holding a fundraiser at the Arroyo Grande Community Center on October 23rd.
- ◇ I will not be attending the next Regular Board Meeting on October 27, 2010.

C-6) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

00:36:43

D. CONSENT AGENDA

D-1) WARRANTS

D-2) BOARD MEETING MINUTES
SEPTEMBER 22, 2010 REGULAR BOARD MEETING
OCTOBER 1, 2010 SPECIAL MEETING

D-3) MNS TASK ORDER FOR FRONTAGE ROAD TRUNK SEWER REPLACEMENT
PROJECT CONSTRUCTABILITY REVIEW AND BID PHASE SERVICES

Upon the motion of Director Winn and seconded by Director Eby, the Board unanimously approved items D-1, D-2, and D-3. There was no public comment.
Vote 5-0.

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

E. ADMINISTRATIVE ITEMS

00:38:38

E-1) CONSIDER HILLSIDE TERRACE APARTMENT PROJECT VARIANCE REQUEST

Don Spagnolo, General Manager, presented the Board with a letter from Mr. William Kengel, to withdraw his proposal. Jon Seitz, District Legal Counsel, clarified that the item is on the agenda and therefore can be discussed; however, no action on this item can be taken. The Board discussed this item and Mr. Seitz answered questions from the Board. No action was taken and there was no public comment.

The Board considered item E-6 next.

01:05:42

E-6) CONSIDER PASQUINI HYDROGEOLOGIC INVESTIGATION AND
GROUNDWATER MODELING AND POTENTIAL USE OF SITE FOR
WASTEWATER EFFLUENT DISPOSAL AND CEQA ANALYSIS

Don Spagnolo, General Manager, introduced the item. Paul Sorenson, Principal Hydrogeologist for Fugro West, reviewed the report as presented in the Board packet. Peter Sevcik, District Engineer, Douglas Wood of Douglas Wood and Associates, and Mr. Sorenson answered questions from the Board.

The following member of the public spoke:

Collette A Hillier of Andre, Morris, & Buttery, Legal Counsel for Charles A Pasquini, Jr., (Pasquini Trust), read aloud a letter that was submitted to the Board on August 11, 2010, and August 26, 2010, opposing the use of the Pasquini Property to pond waste water. Upon the motion of Director Winn and seconded by Director Vierheilig, the Board unanimously approved the staff recommendation. There was no public comment.
Vote 5-0.

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

The Board took a break from 11:20 a.m. to 11:35 a.m.

Nipomo Community Services District
REGULAR MEETING
DRAFT MINUTES

02:18:51

E-2) CONSIDER DAVIS OUTSIDE USER REQUEST FOR WATER SERVICE

The General Manager reviewed the report presented in the Board packet. Jon Seitz, District Legal Counsel, and the General Manager answered questions from the Board.

Director Nelson left the meeting at 11:40 a.m.

Upon the motion of Director Eby and seconded by Director Winn, the Board members present voted unanimously not to authorize Staff to proceed with processing the application. There was no public comment.
Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Eby, Winn, Vierheilg, and Harrison	None	Nelson

02:38:53

E-3) CONSIDER RECOMMENDATION BY PERSONNEL COMMITTEE TO PREPARE A REQUEST FOR PROPOSAL TO REVIEW EMPLOYEE SALARY AND BENEFITS

The General Manager introduced the item. Lisa Bognuda, NCSD Finance Director, reviewed the report as presented in the Board Packet and answered questions from the Board. There was no public comment.

Upon the motion of Director Vierheilg and seconded by Director Winn the Board members present voted unanimously to approve staff recommendation limited to medical and other benefits, not salary.
Vote 4-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilg, Winn, Eby, and Harrison	None	Director Nelson

The Board considered Closed Session next.

02:54:02

I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced the following to be considered in Closed Session.

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 PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD (CASE NO. CV 040877), MARIA VISTA VS. NCSD (CASE NO. CV 061079), AND MARIA VISTA VS. LINDA VISTA FARMS, NCSD ET AL. (CASE NO. CV 040150);
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
4. PUBLIC EMPLOYEE EVALUATION (GOVERNMENT CODE SECTION 54957(B)): GENERAL MANAGER

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to Closed Session at 12:05 p.m.

02:54:02

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:08 p.m.

Jon Seitz, District Legal Counsel, announced that the Board heard an update on items one thru three listed above for closed session, but took no reportable action, however, item four listed above in closed session will resume after the regular agenda. There was no public comment.

02:55:47

E-4) CONSIDER RECOMMENDATION OF THE FINANCE COMMITTEE TO EXPEND SOLID WASTE FUNDS

Don Spagnolo, General Manager, introduced the item. Celeste Whitlow, Water Conservationist, reviewed the report as presented in the Board packet. Jon Seitz, District Legal Counsel, General Manager Spagnolo, and Mrs. Whitlow answered questions from the Board. There was no public comment.

Upon the motion of Director Winn and seconded by Director Vierheilg the Board members present voted to approve the 2010-2011 Solid-Waste Expenditures, with \$600 as a place holder for future Creek Days until that is amended and with a note to explore ways that the franchise fees could clearly benefit septic tank users.

Vote 3-1.

YES VOTES	NO VOTES	ABSENT
Directors Winn, Vierheilg, and Eby	Director Harrison	Director Nelson

04:14:27

E-5) CONSIDER FORTH QUARTER REVIEW OF STRATEGIC PLAN REVIEW

Don Spagnolo, General Manager, reviewed the report as presented in the Board packet and took suggestions from the Board. The Board thanked Mr. Spagnolo for the report and directed Staff to continue with this process and fill in the blanks. There was no public comment.

04:28:58

F. GENERAL MANAGER'S REPORT

Don Spagnolo, General Manager, reviewed the Manager's Report presented in the Board packet. Mr. Spagnolo answered questions from the Board. There was no public comment. The following Board members made the following recommendations during this item:

Director Winn

- ◇ We need to get the process going again for the County to institute an In-Lieu fee for Supplemental Water.
- ◇ The County is continuing to process a General Plan Amendment for the Jack's Helping Hands Project and we want them to succeed without scuttling County Ordinance §3090.
- ◇ Look into the water thefts at Maria Vista.

- ◇ Supplemental report, on Monday, October 4, 2010, we had a 4th District Supervisor forum here at NCSD and it was very disappointing. Both candidates were weak. They didn't understand the following impacts that will affect our District:
 - The Water Interline Project
 - Santa Maria Ground Water Basin Litigation
 - The impacts of building an Ag Cluster Subdivision on the Laetitia Property
 - Seawater intrusion threatening the Basin

Director Eby

- ◇ I would like for the General Manager, District Engineer, AECOM, District Legal Counsel, to all get together and get a detailed assessment effort action plan, either using "Fast Track Scheduler" or an equivalent application that shows milestones, performing individual/organization responsibilities, event start/finish dates and illustrates the critical path. That includes the following:
 - Completion of the survey
 - Recommendation of the assessment
 - Chances of getting a successful assessment
 - When the second look will be done
 - The Notice to Proceed to the County
 - The assessment vote, when it will take place
 - Funds to be available
 - When to go out for bids
 - Assignment for responsibility, so we know whose button to push to get on track

Time is of the essence, the interest rates and construction costs are going to go up.

Director Harrison

- ◇ Questioned the conclusion on the hit and run accident in District parking lot
- ◇ Would like to reiterate what Director Eby said
- ◇ We need to keep pushing hard to complete our projects
- ◇ Stay involved in the Jack Ready Park Project

04:42:37

G. COMMITTEE REPORT

September 27, 2010 Park Committee
 October 4, 2010 Personnel Committee

The reports were as presented. The General Manager answered questions from the Board. There was no public comment.

04:55:00

H. DIRECTORS REQUESTS TO STAFF AND SUPPLEMENT REPORTS

The Board directed Staff to put Item four from the above closed session list on the November 10, 2010 agenda. There was no public comment.

04:55:56

ADJOURN

President Harrison adjourned the meeting at 3:10 p.m.

TO: BOARD OF DIRECTORS

FROM: DON SPAGNOLO
GENERAL MANAGER



DATE: OCTOBER 20, 2010

**AGENDA ITEM
D-3**

OCTOBER 27, 2010

CANCELLATION OF NOVEMBER 24, 2010 BOARD MEETING

ITEM

Cancellation of the November 24, 2010 regular Board meeting [RECOMMEND APPROVAL]

BACKGROUND

This year the second regular Board Meeting in November is scheduled for the day before the Thanksgiving holiday. The agenda for the November 24, 2010 meeting does not have any administrative items for Board consideration at this time. Also during the Thanksgiving holiday there may be conflicts with vacation schedules and many people may not be able to attend. The District office will be closed on November 25th and 26th and will re-open on Monday, November 29, 2010.

The next regular Board Meeting will be held on Wednesday, December 8, 2010.

FISCAL IMPACT


None

RECOMMENDATION

Staff recommends that the Board confirm the cancellation of the November 24, 2010 regular Board Meeting and direct Staff to properly notice the cancellation.

ATTACHMENTS

- None

TO: BOARD OF DIRECTORS
 FROM: DON SPAGNOLO
 GENERAL MANAGER 

**AGENDA ITEM
 D-4**

DATE: OCTOBER 19, 2010

OCTOBER 27, 2010

INVESTMENT POLICY –THIRD QUARTER REPORT

ITEM

Consider third quarter investment policy report [RECOMMEND APPROVAL]

BACKGROUND

The Board of Directors has 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 September 30, 2010, 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 2010 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-THIRD QUARTER REPORT 9/30/10

Investment	Institution	Amount of Deposit 9/30/10	Rate of Interest	Quarterly Interest Earned or Accrued 9/30/10	Amount of Deposit 9/30/09	Rate of Interest	Quarterly Interest Earned or Accrued 9/30/09
Public Checking	Rabobank	\$131,700.89	0.00%	\$0.00	\$234,196.50	0.00 % ⁽¹⁾	\$6.60
Savings	Rabobank	\$926.77	0.04%	\$0.09	\$925.96	0.16%	\$0.35
Pooled Money Investment	Local Agency Investment Fund (LAIF)	\$21,363,044.40	0.051%	\$27,850.48	\$21,424,806.33	0.90%	\$49,163.98
Certificate of Deposit Registry Service (CDARS)	Mission Community Bank	\$2,601,744.32	0.6%	\$3,000.68	\$2,045,871.28	0.65%	\$5,873.96

(1) As of 7/31/09, Rabobank no longer pays interest on Public Checking Accounts.
 n/a = not applicable

RECOMMENDATION

After Board consideration and public comment, it is recommended that your Honorable Board accept the quarterly report by motion and minute order.

TO: BOARD OF DIRECTORS

FROM: DON SPAGNOLO
GENERAL MANAGER 

DATE: OCTOBER 20, 2010

**AGENDA ITEM
D-5**

OCTOBER 27, 2010

**WITHHOLD PUBLICATION OF THE NOTICE FOR PROPOSED
WATER RATE INCREASE**

ITEM

Consider withholding publication of the 45 day Notice for the proposed water rate increase
[RECOMMEND WITHHOLDING PUBLICATION OF THE NOTICE]

BACKGROUND

On September 22, 2010 the Board tentatively approved the Draft Water Rate Study, initiated the Proposition 218 notice procedures and tentatively set the Protest Hearing for November 17, 2010. On October 1, 2010 the Board reviewed the proposed 45 day Notice and re-schedules the public hearing to December 8, 2010.

Holding the public hearing as scheduled will conflict with the proposed assessment district schedule and Staff recommends the Board withhold the 45 day Notice until further direction by the Board.

FISCAL IMPACT

The last water rate increase went into effect on January 1, 2009. The 2010-2011 Fiscal Year Budget for the Water Fund has a deficit and reserves are used to balance the budget. Withholding publication of the 45 day notice may necessitate additional reserves be use until a rate increase is approved to balance the budget.

RECOMMENDATION

Staff recommends Your Honorable Board withhold publication of the 45 day Notice until further direction by the Board.

ATTACHMENTS

- None.