

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

DATE: APRIL 19, 2013

AGENDA ITEM

D

APRIL 24, 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 APRIL 10, 2013 REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVAL]
- D-3) SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM UPGRADE
PROJECT ACCEPTANCE [RECOMMEND ACCEPT PROJECT]
- D-4) RECEIVE QUARTERLY INVESTMENT REPORT [RECOMMEND RECEIVE
REPORT]
- D-5) ACCEPT WATER AND SEWER IMPROVEMENTS FOR PARCEL MAP CO 05-0176
[RECOMMEND ADOPT RESOLUTION ACCEPTING OFFER OF DEDICATION]

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN *MSL*
 GENERAL MANAGER
 DATE: APRIL 19, 2013

**AGENDA ITEM
 D-1
 APRIL 24, 2013**

**TOTAL COMPUTER CHECKS
 \$261,098.48**

HAND WRITTEN CHECKS

04-10-13	10124	STATE OF CALIFORNIA CONDEMNATION DEPOSIT ACCOUNT	CONDEMNATION PROCEEDINGS	\$10,080.00
04-10-13	10125	STATE OF CALIFORNIA CONDEMNATION DEPOSIT ACCOUNT	CONDEMNATION PROCEEDINGS	\$6,525.00
04-12-13	10126	J. GARCIA	REPLACEMENT CHECK	\$862.30
04-24-13	10127	JOHN PLUNKETT	WASHER REBATE	\$75.00
04-24-13	10127	GORDON BYNUM	WASHER REBATE	\$75.00
VOIDS - NONE				

COMPUTER GENERATED CHECKS

21794	04/12/13	EMP01	EMPLOYMENT DEVELOP DEPT	1329.88	.00	1329.88	B30408	STATE INCOME TAX
21795	04/12/13	MID01	RABOBANK-PAYROLL TAX DEPO	3912.74	.00	3912.74	B30408	FEDERAL INCOME TAX
				131.02	.00	131.02	1B30408	FICA
				992.46	.00	992.46	2B30408	MEDICARE (FICA)
			Check Total.....:	5036.22	.00	5036.22		
21796	04/12/13	MID02	RABOBANK-DIRECT DEPOSIT	25609.40	.00	25609.40	B30408	NET PAY
21797	04/12/13	PER01	PERS RETIREMENT	8973.91	.00	8973.91	B30408	PERS PAYROLL REMITTANCE
21798	04/12/13	STA01	CALPERS 457 DEFERRED COMP	2205.00	.00	2205.00	B30408	457 DEFERRED COMP
021799	04/24/13	AEC01	AECOM USA INC	13328.55	.00	13328.55	37330820	SOUTHLAND WWTF UPGRADE
				16747.00	.00	16747.00	37330823	SUPPLEMENTAL WATER PROJEC
			Check Total.....:	30075.55	.00	30075.55		
021800	04/24/13	AME02	AMERICAN INDUSTRIAL SUPPL	29.79	.00	29.79	0250424IN	SCREWPIN SHACKLE-LA MIRAD
021801	04/24/13	AME03	AMERI PRIDE	154.58	.00	154.58	857339	UNIFORMS
				130.68	.00	130.68	861996	UNIFORMS
			Check Total.....:	285.26	.00	285.26		
021802	04/24/13	ASA01	ASAP REPROGRAPHICS	137.08	.00	137.08	165430	BLACKLAKE WELL #4 CONTRAC
021803	04/24/13	ATT02	AT&T	186.68	.00	186.68	4254606	TELEPHONE
021804	04/24/13	BRE02	BRENNTAG PACIFIC INC.	435.69	.00	435.69	BPI294860	SODIUM HYPOCHLORITE
				652.71	.00	652.71	BPI294861	SODIUM HYPOCHLORITE
			Check Total.....:	1088.40	.00	1088.40		
021805	04/24/13	CAL14	CALIFORNA WATER	140.00	.00	140.00	B30418	CALLEJA-MEMBERSHIP RENEWA
021806	04/24/13	CAR04	CAR QUEST AUTO PARTS	89.84	.00	89.84	616064	BATTERY
021807	04/24/13	CLE06	CNSSLO INC	2119.00	.00	2119.00	16234	COMPUTER SUPPORT
021808	04/24/13	DLT01	DLT SOLUTIONS INC	1290.75	.00	1290.75	SI218354	AUDOCAD LICENSE/ANNUAL SU
021809	04/24/13	ENV05	ENVIRONMENTAL RESOURCE AS	174.58	.00	174.58	685089	LAB-TOTAL RESIDUAL CHLORI
021810	04/24/13	FGL01	FGL ENVIRONMENTAL	660.00	.00	660.00	380564A	LAB TESTS
				19.80	.00	19.80	381036A	LAB TEST
			Check Total.....:	679.80	.00	679.80		
021811	04/24/13	GRI01	GRIETENS, TINA	270.63	.00	270.63	B30417	REIMBURSEMENT-F550 TOOLS
021812	04/24/13	GWA01	GWA INC	50.00	.00	50.00	130402062	ADDED NEW USER
021813	04/24/13	HAM02	HAMNER JEWELL & ASSOCIATE	3170.34	.00	3170.34	6180	WATERLINE INTERTIE
021814	04/24/13	JUS01	JUSTIFACTS CREDENTIAL	98.58	.00	98.58	198443	EMPLOYMENT BACKGROUND CHE
021815	04/24/13	KAM01	KAMAN INDUSTRIAL TECH	193.50	.00	193.50	M665781	CHLORINE TUBING
021816	04/24/13	LEB01	LeBRUN, MICHAEL	179.85	.00	179.85	B30417	REIMBURSEMENT-MILEAGE
021817	04/24/13	LEB02	LeBRUN, MICHAEL	65.00	.00	65.00	APR 2013	REIMBURSEMENT-CELL PHONE
021818	04/24/13	LIN01	LINE-X OF SANTA MARIA	682.39	.00	682.39	8175	LINE-X FOR F550
021819	04/24/13	LIN02	LINC DELIVERY	252.00	.00	252.00	MAR 2013	DELIVERY

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: APRIL 19, 2013

AGENDA ITEM
D-1
APRIL 24, 2013
PAGE TWO

021820	04/24/13	MET03	METTLER-TOLEDO, LLC	511.50	.00	511.50	100627624	LAB-ANALYTICAL BALANCE CA
021821	04/24/13	MNS01	MNS ENGINEERS INC	53214.81	.00	53214.81	63153	SOUTHLAND WWTF UPGRADE
021822	04/24/13	MOR02	MORE OFFICE SOLUTIONS	507.56	.00	507.56	409941	MAINTENANCE 2 COPIERS
				375.67	.00	375.67	414140	B&W/COLORED COPIES
				332.27	.00	332.27	416178	B&W/COLORED COPIES-UTILIT
			Check Total.....:	1215.50	.00	1215.50		
021823	04/24/13	MUL01	MULLAHEY FORD	80182.25	.00	80182.25	B30418	2013 FORD F550
021824	04/24/13	NIP05	NIPOMO CHAMBER OF COMMERC	1485.00	.00	1485.00	B30418	CAHMBER OF COMMERCE GRANT
021825	04/24/13	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	97439	PEST CONTROL
				75.00	.00	75.00	97441	RODENT CONTROL
			Check Total.....:	340.00	.00	340.00		
021826	04/24/13	OFF01	OFFICE DEPOT	170.62	.00	170.62	655510001	OFFICE SUPPLIES
				10.13	.00	10.13	655778001	OFFICE SUPPLIES
				88.42	.00	88.42	740287001	OFFICE SUPPLIES
			Check Total.....:	269.17	.00	269.17		
021827	04/24/13	POO01	POOR RICHARD'S PRESS	235.75	.00	235.75	252148A	MAIL BILLS
				958.82	.00	958.82	252148B	POSTAGE BILLS
			Check Total.....:	1194.57	.00	1194.57		
021828	04/24/13	PRI02	PRICE, POSTEL & PARMA, LL	6313.00	.00	6313.00	111975	SWP-RIGHT-OF-WAY
021829	04/24/13	PRO01	PROTO DIE MANUFACTURING	260.00	.00	260.00	500	WELDING SERVICES
021830	04/24/13	SHI01	SHIPSEY & SEITZ, INC	11539.48	.00	11539.48	MAR 2013	LEGAL SERVICES
021831	04/24/13	TAF01	TAFT ELECTRIC	166.25	.00	166.25	31058-3	REPLACE STARTER CONTACTS-
				118.75	.00	118.75	31058-4	REPLACE CYBERLOCK AT UTIL
			Check Total.....:	285.00	.00	285.00		
021832	04/24/13	TES01	TESCO CONTROLS, INC.	11637.60	.00	11637.60	51363-IN	SCADA SYSTEM UPGRADE
021833	04/24/13	TIT01	TITAN INDUSTRIAL & SAFETY	141.91	.00	141.91	1053703	SAFETY EQUIPMENT
021834	04/24/13	TOW01	TOWN & COUNTRY FENCING	95.00	.00	95.00	3373	ADJUST CHAIN-SLIDE GATE-U
021835	04/24/13	WAG01	WAGNER & BONSIGNORE	4636.06	.00	4636.06	4-13-1	GROUND WATER LITIGATION
021836	04/24/13	WAL01	WALLACE GROUP	2968.20	.00	2968.20	34923	FOG OUTREACH & INSPECTION
021837	04/24/13	\C008	CALPORTLAND CONSTRUCTION,	396.00	.00	396.00	000B30401	MQ CUSTOMER REFUND FOR CA

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: APRIL 19, 2013



APPROVE MINUTES OF PREVIOUS BOARD MEETING

ITEM

Approve action minutes from previous Board meeting. [RECOMMENDED APPROVE MINUTES]

BACKGROUND

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

RECOMMENDATION

Approve minutes as part of Consent Agenda.

ATTACHMENT

- A. April 10, 2013 draft Board Meeting Minutes

APRIL 24, 2013

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

APRIL 10, 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 April 10, 2013, to order at 9:00 a.m. and led the flag salute.

00:00:37

B. ROLL CALL

At Roll Call, all Board members were present.

There was no public comment.

Michael LeBrun, General Manager, announced that there were additional items for E-2 at the back of the room.

00:01:38

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) REPORT ON MARCH 13, 2013 REGULAR MEETING CLOSED SESSION Announcement of actions, if any, taken in Closed Session

Mike Seitz, District Deputy Legal Counsel, announced that the Board heard an update from Legal Counsel for Item One (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, but took no reportable action.

The Board heard an update from Legal Counsel for Item Two (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9, Whitlow/NCSD) in closed session, but took no reportable action.

The Board heard an update from Legal Counsel for Item Three (Conference with Legal Counsel pursuant to GC §54956.9, Anticipated litigation) in closed session, but took no reportable action.

The Board heard an update from Legal Counsel and provided direction for staff for Item Four (Conference with Legal Counsel re: pending litigation pursuant to GC Section 54956.9; NCSD vs. County SLO, ET AL) in closed session, but there was no reportable action.

Nipomo Community Services District
REGULAR MEETING
MINUTES

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

Peter Sevcik, Director of Engineering and Operations, introduced Ms. Jessica Garcia as the Assistant Engineer. Mr. Sevcik reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board. The Board thanked Mr. Sevcik for his report.

00:11:46

- 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 Vierheilig

- ◇ April 12, Assemblyman "Katcho" Achadjian will be at the Santa Maria City Hall from 4 to 6 p.m.
- ◇ April 13, Central Coast Greenhouse Association Open House from 9:00 a.m. to 3:00 p.m.
- ◇ April 17, Finance and Audit Committee Meeting at 10:00 a.m.
- ◇ April 23, Blacklake Management Association will meet at 2:00 p.m.

Director Gaddis

- ◇ Commented on setting up a Solid Waste Committee Meeting.
- ◇ Commented on his trip to Oregon.

Director Blair

- ◇ Commented on the upcoming chipping event.
- ◇ Commented on changing the May 22 Regular Board Meeting to May 29.

Director Harrison

- ◇ April 16, The Santa Barbara County Board of Supervisors will meet and discuss the proposed Supplemental Water Project Agreement.
- ◇ April 17, Supplemental Water Committee 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 Armstrong, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 5-0.

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

Nipomo Community Services District
REGULAR MEETING
MINUTES

00:17:20

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE MARCH 27, 2013 REGULAR BOARD MEETING MINUTES

D-3) INITIATE PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO.1

Michael LeBrun, General Manager, answered questions from the Board.

There was no public comment.

Upon the motion of Director Vierheilig and seconded by Director Gaddis, the Board unanimously approved the Consent Agenda as submitted.

Vote 5-0.

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

RESOLUTION NO. 2013-1300

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS
FOR FISCAL YEAR 2013-2014 PURSUANT TO THE PROVISIONS OF
PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND
HIGHWAY CODES

President Harrison announced that the Board will be going into closed session now and will return to open session at 11:00 a.m. starting with Item E-1.

00:19:35

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9 SMVWCD VS. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to closed session at 9:40 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 11:00 a.m.

Mike Seitz, District Deputy Legal Counsel, announced that the Board discussed Item One listed above for closed session, but took no reportable action.

Nipomo Community Services District
REGULAR MEETING
MINUTES

E. ADMINISTRATIVE ITEMS

00:20:54

E-1) REVIEW SUPPLEMENTAL WATER PROJECT PHASE 1 PROJECTED COSTS AND PROPOSED FINANCING PLAN

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

The following members of the public spoke:

Bill Petrick, NCSD customer, spoke in opposition of the Supplemental Water Project Phase I proposed financing plan.

Ed Eby, NCSD customer, spoke in support of the Supplemental Water Project Phase I proposed financing plan.

*Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board approved continuing the process as staff outlined with awarding the bid on May 22, 2012, and directed staff to keep the Board well informed on pending items.
Vote 4-1.*

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

E-2) CONSIDER AND VOTE LOCAL AREA FORMATION COMMISSION (LAFCO) BALLOT FOR SPECIAL DISTRICT MEMBER

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet.

The following member of the public spoke:

Ed Eby, NCSD customer, spoke in support of Marshall Ochylski for LAFCO special District Member.

*Upon the motion of Director Blair and seconded by Director Vierheilig, the Board unanimously directed staff to file completed ballot with LAFCO no later than May 2, 2013, nominating Marshall Ochylski as the Special District Member.
Vote 5-0.*

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

00:46:56

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.

Nipomo Community Services District
REGULAR MEETING
MINUTES

00:51:28

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Blair

- ◇ *Questioned the timing of NCSD displaying a plaque acknowledging the founders of NCSD.*

ADJOURN

President Harrison adjourned the meeting at 11:30 a.m.

MEETING SUMMARY	HOURS
Regular Meeting	1.10
Closed Session	1.20
TOTAL HOURS	2.30

TO: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

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

DATE: April 17, 2013

AGENDA ITEM
D-3
APRIL 24, 2013

**SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM
UPGRADE PROJECT ACCEPTANCE**

ITEM

Accept Work Performed by Tesco Controls, Inc. for Supervisory Control and Data Acquisition (SCADA) System Upgrade Project and Authorize Staff to File Notice of Completion [RECOMMEND, BY MOTION AND ROLL CALL VOTE, ACCEPT PROJECT AND DIRECT STAFF TO FILE NOTICE OF COMPLETION].

BACKGROUND

At the December 14, 2011 Board meeting, the Board approved a contract with Tesco Controls, Inc. for the Supervisory Control and Data Acquisition (SCADA) System Upgrade Project. The approved contract amount was \$318,648 and the Board also authorized a change order contingency of \$32,000. A Change Order in the total amount of \$24,794 was issued during the implementation of the project from the contingency authorized by the Board. The final contract amount was \$343,442. Implementation was completed in March 2013.

FISCAL IMPACT

The FY 11-12 and FY 12-13 Budgets included funding for the SCADA Upgrade Project. The final cost allocation is as follows:

Fund Number	Fund Description	Amount	Percentage
Fund 700	Water Fund	\$160,387	46.7%
Fund 710	Town Sewer Fund	\$137,377	40.0%
Fund 830	Blacklake Sewer Fund	\$ 45,678	13.3%
Total		\$343,442	100%

STRATEGIC PLAN

Strategic Plan Goal 1.3 – Upgrade and Maintain Water Storage and Distribution Works
Strategic Plan Goal 2.1 – Efficiently Operate Collection, Treatment and Disposal Works

RECOMMENDATION

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

ATTACHMENTS

None

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN
GENERAL MANAGER

MSL

DATE: APRIL 19, 2013

**AGENDA ITEM
D-4
APRIL 24, 2013**

INVESTMENT POLICY – FIRST QUARTER REPORT

ITEM

Review Investment Policy First Quarter Report [RECOMMEND ACCEPT]

BACKGROUND

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

INVESTMENT POLICY-FIRST QUARTER REPORT 3/31/13

Investment	Institution	Amount of Deposit 3/31/13	Rate of Interest	Quarterly Interest Earned or Accrued 3/31/13	Amount of Deposit 3/31/12	Rate of Interest	Quarterly Interest Earned or Accrued 3/31/12
Money Market	Rabobank	\$136,868.16	0.00%	\$0.00	\$466,191.95	0.00%	\$0.00
Savings	Rabobank	\$166,723.05	0.06%	\$24.11	\$927.47	0.05%	\$0.11
Pooled Money Investment	Local Agency Investment Fund (LAIF)	\$22,317,516.76	0.28%	\$15,463.41	\$21,120,011.37	0.38%	\$20,314.17
Certificate of Deposit Account Registry Service (CDARS)	Mission Community Bank	\$924,392.54	0.09%	\$205.18	\$1,472,268.74	0.18%	\$661.11

RECOMMENDATION

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

ATTACHMENTS

None

TO: MICHAEL S. LEBRUN *MGL*
GENERAL MANAGER

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

DATE: April 17, 2013

AGENDA ITEM
D-5
APRIL 24, 2013

**ACCEPT WATER AND SEWER IMPROVEMENTS
FOR PARCEL MAP CO 05-0176**

ITEM

Accept water and sewer improvements for Parcel Map CO 05-0176, a four lot subdivision located on Primrose Lane in Nipomo [ADOPT RESOLUTION].

BACKGROUND

Upon completion of a developer's project, the District accepts improvements for the project after all requirements have been met. Coker Ellsworth, the developer for Parcel Map CO 05-0176, a four lot subdivision located on Primrose Lane, 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 and the Engineer's Certification

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.

FISCAL IMPACT

The developer paid District Capacity Fee Charges in the amount of \$80,310 for the project.

STRATEGIC PLAN

N/A

RECOMMENDATION

Staff recommends that your Honorable Board adopt Resolution 2013-XXXX Accept CO 05-0176, Accepting the Water and Sewer System Improvements for Parcel Map CO 05-0176.

ATTACHMENTS

Resolution 2013-XXXX Accept CO 05-0176

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2013\130424 CO 05-0176 ACCEPTANCE.DOCX

APRIL 24, 2013

ITEM D-5

ATTACHMENT A

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

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING WATER AND SEWER IMPROVEMENTS FOR PARCEL CO 05-0176**

WHEREAS, the District approved the construction plans on May 17, 2007, 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 November 14, 2012, 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, have been paid for Parcel Map CO 05-0176.

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 Parcel Map CO 05-0176 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 24th day of April 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