

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: OCTOBER 3, 2014

**AGENDA ITEM  
C  
OCTOBER 8, 2014**

**PRESENTATIONS AND REPORTS**

The following presentations and reports are scheduled:

- C-1) SAN LUIS OBISPO COUNTY SHERIFF  
South County Watch Commander Jay Donovan is schedule to provide an update on recent law enforcement activity in the Nipomo area.
- C-2) SAN LUIS OBISPO COUNTY PLANNING STAFF WATER OFF-SET PROGRAM  
San Luis Obispo County Planning Department, Senior Planner, James Caruso will provide a presentation regarding water offset program the County is developing.
- C-3) REPORT ON SEPTEMBER 24, 2014 REGULAR MEETING CLOSED SESSION  
Announcement of actions, if any, taken in Closed Session
- C-4) 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-5) 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

*MSL*

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**AGENDA ITEM**  
**C-2**  
**OCTOBER 8, 2014**

**SAN LUIS OBISPO COUNTY PLANNING STAFF  
WATER OFF-SET PROGRAM**

**ITEM**

San Luis Obispo County Planning Department, Senior Planner, James Caruso will provide a presentation regarding water offset program the County is developing.

**BACKGROUND**

Water resources are threatened throughout San Luis Obispo County. Decades of increasing water demand from growing urban population and agricultural/industrial users coupled with the current drought have raised the level of concern over water resources.

The County Board of Supervisors is reviewing current water policy and considering new policy to address immediate and long-term water resource planning.

County Planning Staff will provide a presentation on water offset programs being developed for both urban and agricultural/industrial water users.

**RECOMMENDATION**

It is recommended your Board consider the information presented

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## 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 24, 2014 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS  
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**AGENDA ITEM  
 D-1  
 OCTOBER 8, 2014**

**HAND WRITTEN CHECKS**

**TOTAL COMPUTER CHECKS  
 \$791,960.27**

10-08-14 10281 DAVID FISHER  
 10-08-14 10282 CROSNO CONSTRUCTION  
 10-08-14 10283 BOB BLAIR

WASHER REBATE \$75.00  
 HYDRANT DEPOSIT REFUND \$50.00  
 CSDA CONFERENCE \$1,056.53

VOIDS - 23489

**COMPUTER GENERATED CHECKS**

023526	10/08/14	ABA01	ABALONE COAST BACTERIOLOG	5978.20	.00	5978.20	SEPT 2014	LAB TESTS
023527	10/08/14	ADV01	ADVANTAGE ANSWERING PLUS	144.85	.00	144.85	92514	ANSWERING SERVICE
023528	10/08/14	ALX01	ALEXANDER'S CONTRACT SERV	2444.51	.00	2444.51	B40930	METER READING
023529	10/08/14	AME03	AMERI PRIDE	160.14	.00	160.14	1210669	UNIFORMS
				147.67	.00	147.67	1215485	UNIFORMS
			Check Total.....:	307.81	.00	307.81		
023530	10/08/14	ASA01	ASAP REPROGRAPHICS	577.29	.00	577.29	163881	SUPPLEMENTAL WATER
023531	10/08/14	BAU01	BAUMGARTEN, MICHAEL	150.00	.00	150.00	1	BOOT REIMBURSEMENT
				79.00	.00	79.00	2	CWEA CERTIFICATE REIMBURS
			Check Total.....:	229.00	.00	229.00		
023532	10/08/14	BIG01	BIG BRAND TIRE & SERVICE	27.07	.00	27.07	231406	OIL CHANGE-FORD F150
				27.07	.00	27.07	231418	OIL CHANGE-F150
			Check Total.....:	54.14	.00	54.14		
023533	10/08/14	BRE02	BRENTTAG PACIFIC INC.	357.99	.00	357.99	BPI455397	SODIUM HYPOCHLORITE
				484.59	.00	484.59	BPI455398	SODIUM HYPOCHLORITE
				556.91	.00	556.91	BPI458005	SODIUM HYPOCHLORITE
				267.57	.00	267.57	BPI458006	SODIUM HYPOCHLORITE
				1957.10	.00	1957.10	BPI458007	CITRIC ACID
				285.65	.00	285.65	BPI458008	SODIUM HYPOCHLORITE
			Check Total.....:	3909.81	.00	3909.81		
023534	10/08/14	CHA02	CHARTER COMMUNICATIONS	225.00	.00	225.00	OCT 2014A	INTERNET-SOUTHLAND
				225.00	.00	225.00	OCT 2014B	INTERNET-WILSON
			Check Total.....:	450.00	.00	450.00		
023535	10/08/14	CLE06	CNSSLO INC	1597.20	.00	1597.20	18827	WORKSTATION REPLACEMENT
				135.00	.00	135.00	18885	SOFTWARE INSTALLATION
			Check Total.....:	1732.20	.00	1732.20		
023536	10/08/14	CWE01	CWEA	262.00	.00	262.00	VOELKER	COLLECTIONS MEMBERSHIP
023537	10/08/14	DEW01	J B DEWAR INC	618.28	.00	618.28	300328	DEEP WELL OIL
023538	10/08/14	FAR02	FAR WEST EXPRESS	23.00	.00	23.00	SEPT 2014	DELIVERY
023539	10/08/14	FEN01	FENCE FACTORY SANTA MARIA	147.30	.00	147.30	916369	FENCE RENTAL
023540	10/08/14	FOR01	FORMS 2020	1092.63	.00	1092.63	1191	RETURN ENVELOPES
023541	10/08/14	FRA02	FRANK'S LOCK AND KEY	105.00	.00	105.00	38167	REPAIR BOARD ROOM DOOR
023542	10/08/14	GIL01	GLM, INC.	340.00	.00	340.00	44	LANDSCAPE MAINT
023543	10/08/14	GWA01	GWA INC	87.00	.00	87.00	OCT 2014A	ALARM-SOUTHLAND
				87.00	.00	87.00	OCT 2014B	ALARM-SHOP
				55.00	.00	55.00	OCT 2014C	ALARM-WILSON
			Check Total.....:	229.00	.00	229.00		
023544	10/08/14	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	62912	LANDSCAPE MAINT DISTRICT

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**AGENDA ITEM**  
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**PAGE TWO**

023545	10/08/14	LEE02	LEE CENTRAL COAST NEWSPAP	1622.79	.00	1622.79	SEP 2014A	CONSERVATION ADS
				425.33	.00	425.33	SEP 2014B	EMPLOYMENT AD
			Check Total.....:	2048.12	.00	2048.12		
023546	10/08/14	MNS01	MNS ENGINEERS INC	5141.68	.00	5141.68	64721	SOUTHLAND WWTF
				44910.26	.00	44910.26	64722	SUPPLEMENTAL WATER
			Check Total.....:	50051.94	.00	50051.94		
023547	10/08/14	MUL01	MULLAHEY FORD	4348.03	.00	4348.03	2624	REPAIR/PAINT
				636.02	.00	636.02	2635	BODY REPAIR
				129.55	.00	129.55	25573	BATTERY
			Check Total.....:	5113.60	.00	5113.60		
023548	10/08/14	OFF01	OFFICE DEPOT	106.41	.00	106.41	369001	OFFICE SUPPLIES
023549	10/08/14	PGE01	P G & E	60767.24	.00	60767.24	SEPT 2014	ELECTRICITY
023550	10/08/14	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	252	JANITORIAL SERVICE
023551	10/08/14	RBA01	R BAKER, INC	7262.73	.00	7262.73	8147591	ANTENNA BASE/MAST SETTING
023552	10/08/14	SLO05	SAN LUIS OBISPO ASSESSOR	318.25	.00	318.25	41316	PARCEL DATA
023553	10/08/14	SPI01	SPIESS CONSTRUCTION CO.	601262.56	.00	601262.56	8	PROGRESS PAYMENT
023554	10/08/14	SPI02	RABOBANK	31642.24	.00	31642.24	8	PROGRESS PAYMENT RETENTIO
023555	10/08/14	STA08	STAPLES	79.63	.00	79.63	5494121	COPY PAPER
023556	10/08/14	THE01	THE GAS COMPANY	7.57	.00	7.57	92214	GAS-WILSON
				30.21	.00	30.21	091814	GAS-SOUTHLAND
			Check Total.....:	37.78	.00	37.78		
023557	10/08/14	TUC01	TUCKFIELD & ASSOCIATES	5940.00	.00	5940.00	384	RATE STUDY-AUGUST
				4900.06	.00	4900.06	385	RATE STUDY-SEPTEMBER
			Check Total.....:	10840.06	.00	10840.06		
023558	10/08/14	UND01	UNDERGROUND SERVICE ALERT	106.50	.00	106.50	14090025	UNDERGROUND SERVICE ALERT
023559	10/08/14	USA01	USA BLUEBOOK	690.46	.00	690.46	454481	LAB SUPPLIES
023560	10/08/14	USB01	US BANK (VISA)	318.48	.00	318.48	92214A	TRAVEL
				43.20	.00	43.20	92214B	BATTERIES
				475.00	.00	475.00	92214C	EMPLOYMENT ADS
				134.88	.00	134.88	92214D	OFFICE SUPPLIES
				529.53	.00	529.53	92214E	ADOBE SOFTWARE
				541.75	.00	541.75	92214F	WATER CONSERVATION
				32.00	.00	32.00	92214G	TRAVEL
			Check Total.....:	2074.84	.00	2074.84		
023561	10/08/14	VER01	VERIZON	48.89	.00	48.89	B40930	TELEPHONE

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER

DATE: OCTOBER 3, 2014

**AGENDA ITEM**  
**D-2**  
**OCTOBER 8, 2014**

## **APPROVE MINUTES OF PREVIOUS BOARD MEETINGS**

### **ITEM**

Approve action minutes from previous Board meetings. [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. September 24, 2014, draft Regular Board Meeting Minutes

October 8, 2014

ITEM D-2

ATTACHMENT A

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## DRAFT REGULAR MINUTES

SEPTEMBER 24, 2014, AT 9:00 A.M.

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

### BOARD of DIRECTORS

CRAIG ARMSTRONG, **PRESIDENT**  
JAMES HARRISON, **VICE PRESIDENT**  
LARRY VIERHEILIG, **DIRECTOR**  
DAN GADDIS, **DIRECTOR**  
BOB BLAIR, **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.

00:00:00 A. CALL TO ORDER AND FLAG SALUTE

*President Armstrong called the Regular Meeting of September 24, 2014, to order at 9:00 a.m. and led the flag salute.*

00:00:44 B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

*At roll call, all Board members were present.*

*The following members of the public spoke:*

Mark Westfall, NCSD Customer, commented on the hotel project at Blacklake and asked about NCSD's position on development.

00:06:20 C. PRESENTATIONS AND REPORTS

C-1) REPORT ON SEPTEMBER 10, 2014 REGULAR MEETING CLOSED SESSION  
Announcement of actions, if any, taken in Closed Session

*Mike Seitz, District Legal Counsel, announced that the Board discussed Item I.1(a) from the September 10, 2014, 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.*

*The Board discussed Item I.2 from the September 10, 2014, Regular Meeting (Conference with District Legal Counsel re: liability claim pursuant to GC §54956.9 Specialty Construction and NCSD) in closed session, but took no reportable action.*

00:07:05 C-2) DIRECTOR OF ENGINEERING AND OPERATIONS  
Summary of recent activities

*Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board. The Board thanked Mr. Sevcik for his report and complimented him on job performance.*

*There were no public comments.*

00:19:36 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



ITEM C-3 (Continued)

Director Vierheilig

- ◇ September 16, Attended a Blacklake Management Association meeting.
- ◇ Nipomo Native Garden will hold their annual fall plant sale on October 5<sup>th</sup> from 9AM-1PM.

Director Gaddis

- ◇ September 22, Attended SCAC meeting.

00:25:50

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

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

00:26:00

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE MINUTES OF PREVIOUS BOARD MEETINGS

- SEPTEMBER 3, 2014 SPECIAL MEETING
- SEPTEMBER 10, 2014 REGULAR MEETING

D-3) STANDPIPE TANK MODIFICATION AND REHABILITATION PROJECT ACCEPTANCE

*Director Harrison asked for clarification on warrants.*

*There were no public comments.*

*Upon the motion of Director Harrison and seconded by Director Gaddis, the Board unanimously approved the consent agenda. Vote 5-0.*

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

E. ADMINISTRATIVE ITEMS

E-1) APPROVE WATER RATE STUDY, SCHEDULE RATE HEARING, AUTHORIZE NOTICE OF RATE HEARING

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

*The following members of the public spoke:*

*Mark Westfall, NCSD Customer, asked a question regarding the timeline of the 218 Notice and rate adoption.*

SUBJECT TO BOARD APPROVAL

00:28:30

**ITEM E-1 (Continued)**

*Ed Eby, NCSD Customer, commented in support of approving the rate study and the cost of the Supplemental Water Project.*

*Upon the motion of Director Gaddis and seconded by Director Armstrong, the Board unanimously approved the Rate Study, Public Notice and Proposition 218 proceedings, and Scheduled a Rate Adoption Hearing for Friday, November 21, 2014 at 2 PM.  
 Vote 5-0.*

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

00:55:01

**E-2) AMEND CASH RESERVE POLICY**

*Lisa Bognuda, Finance Director, reviewed the report as presented in the Board packet. Ms. Bognuda answered questions from the Board.*

*There was no public comment.*

*Upon the motion of Director Harrison and seconded by Director Vierheilig, the Board unanimously approved staff's recommendation to adopt a Resolution 2014-1357 amending the cash reserve policy.  
 Vote 5-0.*

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

*RESOLUTION NO. 2014-1357 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING THE CASH RESERVE POLICY FOR THE DISTRICT*

00:58:56

**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 were no public comments.*

**G. COMMITTEE REPORTS**

- September 3, 2014 Solid Waste Committee Minutes

01:01:49

**H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS**

*None.*

01:01:57

**I. CLOSED SESSION ANNOUNCEMENTS**

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

- SMWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- NCSD v County SLOCSC #CV090010
- Bening v NCSD SLOCSC #14CV0069

Copy of document found at [www.NoNewWipTax.com](http://www.NoNewWipTax.com)

**SUBJECT TO BOARD APPROVAL**

ITEM I (Continued)

- 2. CONFERENCE WITH LEGAL COUNSEL: LIABILITY CLAIM PURSUANT TO SECTION 54956.95:  
Claimant: Specialty Construction  
Agency: NCSD

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

*There were no public comments.*

01:02:27

K. ADJOURN TO CLOSED SESSION

*President Armstrong adjourned to closed session at 10:02 a.m.*

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

*The Board came back into Open Session at 10:46 a.m.*

*Mike Seitz, District Legal Counsel, announced that the Board discussed Item 1(a), Item 1(b), Item 1(c) and Item 2 in closed session but took no reportable action.*

ADJOURN

*President Armstrong adjourned the meeting at 10:47 a.m.*

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	1 hour 3 minutes
Closed Session	44 minutes
TOTAL HOURS	1 hour 47 minutes