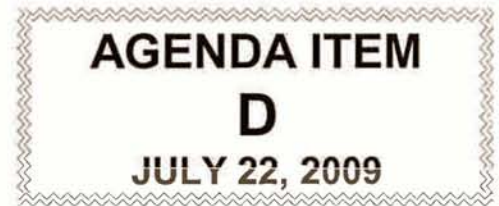


TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL *BB*  
DATE: JULY 17, 2009



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) APPROVE WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]  
Approve Minutes of 7/2/09 Special and 7/8/09 Regular Meeting
- D-3) RECEIVE 2<sup>ND</sup> QUARTER FINANCIAL REPORT [RECEIVE AND FILE]
- D-4) AUTHORIZE PURCHASE OF BACKHOE, DECLARE BACKHOE AND TRACTOR SURPLUS, AND AUTHORIZE SALE OF OLD BACKHOE AND TRACTOR [RECOMMEND APPROVAL]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2009\CONSENT AGENDA\CONSENT 07-22-09.DOC

TO: BOARD OF DIRECTORS  
 FROM: BRUCE BUEL  
 DATE: JULY 17, 2009

**AGENDA ITEM  
 D-1  
 JULY 22, 2009**

**TOTAL COMPUTER  
 CHECKS  
 \$186,552.34**

**HAND WRITTEN CHECKS**

07-17-09	19937	CA DEPT OF PUBLIC HEALTH	70.00
07-17-09	19938	MALLORY & SILVA	50.00

VOID - 16697

**COMPUTER GENERATED CHECKS**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
016764	07/22/09	ABA01	ABALONE COAST BACTERIOLOG	97.00	.00	97.00	09-1287	TOWN WWTF LAB
				20.00	.00	20.00	09-1315	BL WWTF LAB
				150.00	.00	150.00	09-1323	WATER SAMPLES
				20.00	.00	20.00	09-1337	BL WWTF LAB
				176.00	.00	176.00	09-1338	TOWN WWTF LAB
				20.00	.00	20.00	09-1358	BL WWTF LAB
				20.00	.00	20.00	09-1373	BL WWTF LAB
				20.00	.00	20.00	09-1384	BL WWTF LAB
				175.00	.00	175.00	09-1385	WATER SAMPLES
				176.00	.00	176.00	09-1403	TOWN WWTF LAB
				20.00	.00	20.00	09-1405	BL WWTF LAB
				20.00	.00	20.00	09-1413	BL WWTF LAB
				20.00	.00	20.00	09-1426	BL WWTF LAB
				20.00	.00	20.00	09-1442	BL WWTF LAB
				175.00	.00	175.00	09-1443	WATER SAMPLES
				176.00	.00	176.00	09-1455	TOWN WWTF LAB
				20.00	.00	20.00	09-1456	BL WWTF LAB
				20.00	.00	20.00	09-1468	BL WWTF LAB
				20.00	.00	20.00	09-1477	BL WWTF LAB
			Check Total.....	1365.00	.00	1365.00		
016765	07/22/09	AME03	AMERI PRIDE	57.27	.00	57.27	1028286	UNIFORMS ETC
				7.15	.00	7.15	F074211	UNIFORMS ETC
				132.15	.00	132.15	F811419	UNIFORMS ETC
				131.70	.00	131.70	F816711	UNIFORMS ETC
			Check Total.....	328.27	.00	328.27		
016766	07/22/09	ATT01	AT&T/MCI	185.41	.00	185.41	725427	PHONE
016767	07/22/09	BRE02	BRENNTAG PACIFIC INC.	428.28	.00	428.28	BPI910012	CHLORINE
				696.72	.00	696.72	BPI910013	CHLORINE
			Check Total.....	1125.00	.00	1125.00		
016768	07/22/09	CAL03	CALIFORNIA ELECTRIC SUPPL	133.82	.00	133.82	779524	SUPPLIES
016769	07/22/09	CAN01	CA-NV SECTION AWWA	60.00	.00	60.00	GRIETNS09	WTR QLTY ANALYST CERT GRI
016770	07/22/09	CAN02	CANNON ASSOCIATES	2540.00	.00	2540.00	46547	MISTY GLEN INTERTIE
				6555.00	.00	6555.00	46585	WILLOW RD EXT PHASE 1
			Check Total.....	9095.00	.00	9095.00		
016771	07/22/09	CAR04	CAR QUEST AUTO PARTS	308.63	.00	308.63	339755	TRACTOR BATTERY
				80.11	.00	80.11	341704A	GREASE GUNS
				12.94	.00	12.94	341704B	SUPPLIES
			Check Total.....	401.68	.00	401.68		
016772	07/22/09	CHA03	CHANNING BETE COMPANY	490.50	.00	490.50	52002058	CONSERVATION BOOKLETS
016773	07/22/09	CLA02	CLAY'S SEPTIC & JETTING	4940.00	.00	4940.00	38681	TEJAS LIFT STN MAINT
				4880.00	.00	4880.00	38693	TEJAS LIFT STN MAINT
				480.00	.00	480.00	38783	TEJAS & IDA LS PUMP
				3836.50	.00	3836.50	38784	JETTING SEWER LINES
			Check Total.....	14136.50	.00	14136.50		
016774	07/22/09	CLE06	CLEVER DUCKS	953.75	.00	953.75	8138	COMPUTER SUPPORT
				291.00	.00	291.00	8228	COMPUTER SUPPORT

**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS JULY 17, 2009**

**AGENDA ITEM  
D-1  
JULY 22, 2009  
PAGE TWO**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
			Check Total.....	1244.75	.00	1244.75		
016775	07/22/09	DEP03	DEPT OF HEALTH SERVICES	60.00	.00	60.00	CRUZ 7-09	WTR TRMT CERT
016776	07/22/09	DES01	DESIGN PROS	432.43	.00	432.43	218	REBATE POSTCARDS
016777	07/22/09	DEW01	J B DEWAR INC	332.17	.00	332.17	373010	OIL FOR WELLS
016778	07/22/09	EBY01	EBY, ED	100.00	.00	100.00	072209	REG BD MEETING 072209
016779	07/22/09	FAR01	FARM SUPPLY COMPANY	197.86	.00	197.86	58836+	SUPPLIES
016780	07/22/09	FAR02	FAR WEST EXPRESS	24.00	.00	24.00	16578+	DELIVERY
016781	07/22/09	FGL01	FGL ENVIRONMENTAL	81.00	.00	81.00	906034A	BL WWTF LAB
				288.00	.00	288.00	906035A	TOWN WWTF LAB
			Check Total.....	369.00	.00	369.00		
016782	07/22/09	FUG01	FUGRO WEST, INC.	3861.25	.00	3861.25	3596.4.6	SOUTHLAND DISCHARGE STUDY
				5658.75	.00	5658.75	3596.5.6	SOUTHLAND DISCHARGE STUDY
			Check Total.....	9520.00	.00	9520.00		
016783	07/22/09	GAR01	GARING TAYLOR & ASSOC	616.25	.00	616.25	9841	WILLOW RD INTERTIE
016784	07/22/09	GRI01	GRIETENS, TINA	5.98	.00	5.98	070709	REIMB FOR SUPPLIES
016785	07/22/09	GRO01	GROENIGER & CO	651.62	.00	651.62	9710	SUPPLIES
				221.94	.00	221.94	9857	SUPPLIES
				828.86	.00	828.86	11009643	SUPPLIES
			Check Total.....	1702.42	.00	1702.42		
016786	07/22/09	GWA01	GWA INC	85.00	.00	85.00	7201	ALARM SERVICE
016787	07/22/09	HAM02	HAMNER JEWELL & ASSOCIATE	1872.50	.00	1872.50	4539	WATERLINE INTERTIE
016788	07/22/09	HAR02	HARRISON, JAMES	100.00	.00	100.00	072209	REG BD MEETING 072209
016789	07/22/09	JOH01	JOHNSON, DONNA	28.57	.00	28.57	070509	SUPPLIES
				7.98	.00	7.98	070809	BD MEETING SUPPLIES
			Check Total.....	36.55	.00	36.55		
016790	07/22/09	MOR02	MORE OFFICE SOLUTIONS	913.29	.00	913.29	496534	COPIER MAINT
				347.50	.00	347.50	498385	COPIER MAINT
			Check Total.....	1260.79	.00	1260.79		
016791	07/22/09	MOT01	MOTLEY, RICK	119.57	.00	119.57	071609	REIMB FOR BOOTS
016792	07/22/09	MSL01	M S LEBRUN ENVIRONMENTAL	2400.00	.00	2400.00	09-005	WATER SUPPLIERS INFO
				600.00	.00	600.00	WELL #3	WELL MONITORING
			Check Total.....	3000.00	.00	3000.00		
016793	07/22/09	MUL01	MULLAHEY FORD	75.00	.00	75.00	198060	REPAIR DOOR
016794	07/22/09	NAT01	NATIONAL NOTARY ASSOC	89.40	.00	89.40	C0907A	NOTARY BOND ETC JOHNSON
016795	07/22/09	NEL01	NELSON, WILLIAM J	100.00	.00	100.00	072209	REG BD MEETING 072209

**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS JULY 17, 2009**

**AGENDA ITEM  
D-1  
JULY 22, 2009  
PAGE THREE**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
016796	07/22/09	NIP01	NIPOMO HARDWARE	34.50	.00	34.50	47941+	SUPPLIES
016797	07/22/09	NIP08	NIPOMO CSD	236.84	.00	236.84	071009	LANDSCAPE WATER TR 2409
016798	07/22/09	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	73966	PEST CONTROL
				49.00	.00	49.00	73967	PEST CONTROL
			Check Total.....	314.00	.00	314.00		
016799	07/22/09	OFF01	OFFICE DEPOT	324.74	.00	324.74	480696893	PRINTER FOR SHOP
				125.52	.00	125.52	480902279	SUPPLIES
			Check Total.....	450.26	.00	450.26		
016800	07/22/09	ONE01	1-800-CONFERENCE	5.88	.00	5.88	655811	CONFERENCE CALL
016801	07/22/09	PER04	PERRY'S ELECTRIC MOTORS	740.79	.00	740.79	9811	BL WWTP AERATOR
				2072.98	.00	2072.98	9873	TOWN WWTP AERATOR
			Check Total.....	2813.77	.00	2813.77		
016802	07/22/09	PGE01	P G & E	61707.33	.00	61707.33	062909	ELECTRICITY
016803	07/22/09	POS01	POSTMASTER	56.00	.00	56.00	070109	POST OFFICE BOX RENTAL
016804	07/22/09	QUI04	QUINN POWER SYSTEMS	788.87	.00	788.87	33004197	GENERATOR MAINT
016805	07/22/09	RAY02	RAY'S AUTO PARTS	33.24	.00	33.24	655484+	SUPPLIES
016806	07/22/09	REE01	REEDER, GILMAN & ASSOC.	2000.00	.00	2000.00	7566	WATERLINE INTERTIE APPRAI
016807	07/22/09	REL01	RELIABLE OFFICE SUPPLIES	54.75	.00	54.75	63500	SUPPLIES
016808	07/22/09	SAN09	SAN LUIS MAILING SERVICE	47.15	.00	47.15	40313	MAIL LATE NOTICES
				1014.52	.00	1014.52	40328	MAILING REBATE POSTCARDS
				144.76	.00	144.76	40313B	POSTAGE FOR LATE NOTICES
				261.94	.00	261.94	40326 A	MAIL BILLS
				1371.76	.00	1371.76	40326 B	POSTAGE FOR BILLS
			Check Total.....	2840.13	.00	2840.13		
016809	07/22/09	SEV01	SEVCIK, PETER	25.48	.00	25.48	071609	REIMB TRAVEL
016810	07/22/09	SHI01	SHIPSEY & SEITZ, INC	9985.00	.00	9985.00	061509	LEGAL SERVICES THRU 6/15/
				4275.25	.00	4275.25	063009	LEGAL SERVICES 6/16-6/30/
			Check Total.....	14260.25	.00	14260.25		
016811	07/22/09	SLO01	SAN LUIS OBISPO COUNTY	646.00	.00	646.00	EUREKA 09	EUREKA ANTENNA PERMIT FEE
016812	07/22/09	SOU01	SOUTH COUNTY SANITARY	34.92	.00	34.92	4120	OFFICE TRASH COLLECTION
				169.12	.00	169.12	27237	OLDE TOWNE TRASH COLLECTI
			Check Total.....	204.04	.00	204.04		
016813	07/22/09	STA03	STATEWIDE SAFETY & SIGNS	49.35	.00	49.35	71131	SUPPLIES
016814	07/22/09	TGP01	TGP WEST, INC.	968.17	.00	968.17	6716	SUNDALE WELL MAINT
016815	07/22/09	TIT01	TITAN INDUSTRIAL & SAFETY	99.33	.00	99.33	1035649	SUPPLIES
016816	07/22/09	VAN01	VAN SCOYOC ASSOCIATES	4500.00	.00	4500.00	31581	LOBBYING SERVICES FOR JUL
016817	07/22/09	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	072209	REG BD MEETING
016818	07/22/09	WAC01	WACHS UTILITY SERVICES	38000.00	.00	38000.00	071309	VALVE ASSESSMENT/EXERCISI
016819	07/22/09	WAL01	WALLACE GROUP	1087.10	.00	1087.10	28137	PARK FUNDING DIST
				6415.85	.00	6415.85	28138	WATERLINE INTERTIE ASSMT
			Check Total.....	7502.95	.00	7502.95		
016820	07/22/09	WIN01	WINN, MICHAEL	100.00	.00	100.00	072209	REG BD MEETING 072209
016821	07/22/09	\A004	RAY VEGA REALTY,	96.35	.00	96.35	000A90701	MQ CUSTOMER REFUND FOR AM

# NIPOMO COMMUNITY SERVICES DISTRICT

*Celebrating 44 - Years of Service 1965 - 2009*

## DRAFT MINUTES

**JULY 8, 2009 AT 9AM**

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**

BRUCE BUEL, **GENERAL MANAGER**  
LISA BOGNUDA, **ASST. GENERAL MANAGER**  
DONNA JOHNSON, **BOARD SECRETARY**  
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 July 8, 2009 Regular Meeting of the Board of Directors of the Nipomo Community Services District to order at 9:00 a.m. and led the flag salute.

00:00:35

#### B. ROLL CALL

At Roll Call, all directors were present.

00:00:47

#### C. PRESENTATIONS AND PUBLIC COMMENT

##### C-1) DISTRICT ENGINEER PETER SEVCIK Update re: June Engineering Activities

Peter Sevcik, District Engineer, reviewed the report presented in the Board letter. He answered questions from the Board. There was no public comment. The Board thanked Mr. Sevcik for the presentation.

##### C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest

###### Director Eby

There will be no LAFCo meeting in July. There is one planned for August.

###### Director Winn

7-28-09 – Director Winn, Director Harrison, and Mr. Sevcik attended the CEQA meeting in Paso Robles. Jon and Mike Seitz were also in attendance.

7-09-09 – Planning Commission will meet discussing the Conservation Open Space Element.

7-20-09 – South County Advisory Council Land Use will meet in the District boardroom.

7-23-09 – Planning Commission will meet to discuss soils.

##### C-3) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Joe Cortez, candidate for SLO County Sheriff, introduced himself to the Board and to the community.

**MINUTES SUBJECT TO BOARD APPROVAL**

Nipomo Community Services District  
REGULAR MEETING  
DRAFT MINUTES

00:19:20

D. CONSENT AGENDA

D-1) APPROVE WARRANTS

D-2) APPROVE BOARD MEETING MINUTES  
Approve Minutes of 6/24/09 Regular Meeting

D-3) AUTHORIZE RETENTION OF TWO UTILITY OPERATORS

Bruce Buel, General Manager, pointed out typographical error in Section C-2 of the Minutes for June 24, 2009.

Upon motion by Director Winn and seconded by Director Nelson, the Board unanimously approved the Consent Agenda, as amended. There was no public comment. Vote 5-0.

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

E. ADMINISTRATIVE ITEMS

00:21:24

E-1) PROTEST HEARING – RECEIVE PROTESTS AND PUBLIC COMMENTS RELATIVE TO FORMATION OF PARK ZONE OF BENEFIT, DETERMINE SUFFICIENCY OF PROTEST AND, IF THERE IS NO MAJORITY PROTEST, ADOPT ZONE OF BENEFIT

Bruce Buel, General Manager, explained that on June 12, 2009, staff mailed notices to the 417 property owners and 30 tenants in the proposed zone. Staff also posted notice in six different locations within the proposed zone, published a legal advertisement in the Santa Maria Times and conducted a forum on June 25, 2009. Thirteen people attended the forum. To date, there have been five protests received.

President Harrison opened the Protest Hearing at 9:27 a.m. There was no public comment. President Harrison closed the Protest Hearing at 9:28 a.m.

Upon motion by Director Eby and seconded by Director Vierheilig, the Board unanimously adopted Resolution No. 2009-1152, as amended, approving the formation of the Nipomo Community Services District Park Zone of Benefit. Vote 5-0.

**RESOLUTION NO. 2009-1152  
RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
CONDITIONALLY APPROVING THE FORMATION OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT PARK ZONE OF BENEFIT**

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

00:29:40

E-2) CONSIDER PARK INITIAL STUDY AND MAKE ENVIRONMENTAL DETERMINATION AUTHORIZE CIRCULATION OF NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION OR TAKE ALTERNATE ACTION

Bruce Buel, General Manager, explained that an Initial Study for transfer of land from the County to NCSD, activation of NCSD's Latent Parks Authority, formation of an assessment district, and development and operation of the proposed Olde Towne Neighborhood Park (potentially Jim O. Miller Park) was prepared by Doug Wood of Doug Wood and Associates. If the Initial Study is approved, the next step would be to circulate a Notice of Intent to Adopt a Mitigated Negative Declaration.

**MINUTES SUBJECT TO BOARD APPROVAL**

Nipomo Community Services District  
REGULAR MEETING  
DRAFT MINUTES

E-2) CONSIDER PARK INITIAL STUDY AND MAKE ENVIRONMENTAL DETERMINATION  
(CONTINUED)

Douglas Wood, of Douglas Wood and Associates, answered questions from the Board. The Board reviewed the draft Initial Study with Mr. Wood and made suggestions for changes to the document.

The following member of the public spoke:

Kathy Kubiak, President of Olde Towne Nipomo Association, suggested that the Board consider solar lighting for portions of the park. She also stated that the railroad tracks, within the proposed park area and discussed by the Board, are now in the right place.

Director Winn stated he was in favor of solar lighting wherever feasible.

Upon motion by Director Winn and seconded by Director Vierheilg, the Board unanimously agreed to adopt the Initial Study, as amended, and authorized staff to circulate Notice of Intent to Adopt Mitigated Negative Declaration to all responsible agencies, trustee agencies and interested parties. Vote 5-0.

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

*The Board took a break at 10:25 a.m. and resumed the meeting at 10:36 a.m.*

01:24:59

E-3) APPROVE PHASE 1 WILLOW ROAD WATERLINE PROJECT AND RELEASE DEPOSIT TO COUNTY

Peter Sevcik, District Engineer, explained that San Luis Obispo County is planning to extend Willow Road from Pomeroy Road to Hetrick Road this fall. The District's 2007 Water and Sewer Master Plan Update recommended the construction of a 12-inch diameter waterline in this segment of roadway. The County has finalized the design for the roadway and the District has finalized the design for the waterline so that the projects can be bid concurrently.

The County adopted an Environmental Impact Report for the roadway project that is available on the County's website. Staff recommends that the Board concur with the County's Environmental Impact Report and authorize staff to file a Notice of Determination.

Mr. Sevcik answered questions from the Board.

There was no public comment.

**MINUTES SUBJECT TO BOARD APPROVAL**

Nipomo Community Services District  
REGULAR MEETING  
DRAFT MINUTES

E-3) APPROVE PHASE 1 WILLOW ROAD WATERLINE PROJECT AND RELEASE DEPOSIT TO COUNTY (CONTINUED)

Upon motion by Director Vierheilig and seconded by Director Eby, the Board unanimously adopted Resolution 2009-1153, authorizing a deposit to SLO County for construction of Willow Road Extension. Vote 5-0.

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

RESOLUTION NO. 2009-1153  
A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE NIPOMO COMMUNITY SERVICES DISTRICT  
AUTHORIZING DEPOSIT TO SAN LUIS OBISPO COUNTY FOR  
CONSTRUCTION OF WILLOW ROAD PHASE 1 WATERLINE EXTENSION

01:34:42

E-4) CONSIDER REQUEST FROM OTNA TO ASSIST IN INSTALLATION AND REMOVAL OF OLDE TOWNE BANNERS AND FLAGS

Bruce Buel, General Manager reviewed the request from the Olde Towne Nipomo Association for assistance with the banners for the holiday season and for special events and with flags on Memorial Day, Independence Day and Veterans Day. OTNA indicated that they have \$855.86 in a fund available to defray NCSD's out-of-pocket cost. After calculating the costs, assuming six events per year, the annual out-of pocket cost to NCSD would be \$4,800 per year.

Jon Seitz, District Legal Counsel, stated that California Government Code requires Special Districts to adhere to fund accounting. At this time, there is not a fund available for this type of expenditure.

The Board discussed the matter. Director Winn suggested that there may be some possibility of providing the service requested in the future. As an alternative, he also suggested that OTNA use volunteers for the tasks needed.

The following member of the public spoke:

Kathy Kubiak, President of Olde Towne Nipomo Association, suggested that OTNA and NCSD possibly enter into a Memorandum of Understanding for the costs to be paid through the funds collected from vendors at the special events.

Director Winn suggested that since OTNA is committed to raising funds for this service, perhaps OTNA could hire a service at a much lower cost than NCSD's costs.

Ms. Kubiak stated that they had tried in the past but had not been successful finding a company willing to do such small job.

Mr. Buel suggested OTNA contact SP Maintenance.

Upon motion by Director Winn and seconded by Director Eby, the Board agreed to decline the offer at this time but ask OTNA to continue to work with NCSD to find something that can work in the future. Vote 4-1, with Director Harrison dissenting.

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

**MINUTES SUBJECT TO BOARD APPROVAL**



Nipomo Community Services District  
REGULAR MEETING  
DRAFT MINUTES

01:49:42

E-5) DISCUSS WELL LEVEL MONITORING AND REPORTING

Peter Sevcik, District Engineer, explained that the District measures groundwater surface elevations in District wells on a monthly basis using either the sounding tape method or the pressure reading method. The District hired Michael LeBrun, M.S. LeBrun Environmental Engineering, to review the District's current procedure for well data collection and reporting, develop a measurement protocol and provide a recommendation for monitoring improvements. Mr. LeBrun provided a technical memorandum that outlines Mr. LeBrun's findings and recommendations.

The Board discussed proceeding with a method to get accurate measures from all District wells.

Michael LeBrun answered questions from the Board. The golf courses use reclaimed water and well water.

The Board discussed procedure with Mr. Seitz, District Counsel.

*The Board took a break at 11:51 a.m. and returned at 1:15 p.m.*

After resuming the meeting, the Board discussed phasing the well-measuring project for a more accurate method and the most prudent manner.

Upon motion by Director Eby and seconded by Director Winn, the Board unanimously agreed to proceed in the most prudent manner, select the most accurate, repeatable, useful method possible to measure all west-side wells. There was no public comment. Vote 5-0.

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

05:51:19

E-6) VOTE FOR ELECTION OF UP TO FOUR CANDIDATES TO FILL VACANT SEATS ON THE SDRMA BOARD OF DIRECTORS

Bruce Buel, General Manager, reviewed the notice from Special District Risk Management Authority (NCSD's insurance carrier). SDRMA is governed by a seven member Board of Directors. Every two years, SDRMA conducts elections to fill the seats of those elected four years previously. This year, there are four such seats and there are eight candidates, including two incumbents.

The Board discussed all the candidates. Upon motion by Director Eby and seconded by Director Winn, the Board unanimously adopted Resolution 2009-1154, as amended to include votes for David Aranda, Muril Clift, Allison Hamaker, and John Yeakley. There was no public present to comment. Vote 5-0.

**RESOLUTION 2009-1154  
A RESOLUTION OF THE GOVERNING BODY OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
FOR THE ELECTION OF DIRECTORS TO THE  
SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY  
BOARD OF DIRECTORS**

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

**MINUTES SUBJECT TO BOARD APPROVAL**

Nipomo Community Services District  
REGULAR MEETING  
DRAFT MINUTES

03:02:11

E-7) CONSIDER PRESIDENT HARRISON'S REQUEST TO SPONSOR SUSTAINABLE COMMUNITIES WORKSHOP

President Harrison proposed that the District sponsor a workshop for Nipomo regarding ideas on transition toward self reliance on the community level. The group leading the workshop would provide the workshop and materials free of charge.

The Board discussed the possibility of holding a workshop.

Upon motion by Director Winn and seconded by Director Vierheilg, the Board agreed to proceed with arranging a workshop to be held in the District boardroom with a budget of \$500 to be allocated from the property taxes. Vote 3-2 with Directors Nelson and Eby dissenting.

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

I. CLOSED SESSION ANNOUNCEMENTS

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

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS. NCSO (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 GOVERNMENT CODE SECTION 54956.9; NCSO VS. COUNTY OF SAN LUIS OBISPO, ET AL. (CASE NO. CV090010)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public present to comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned the meeting to Closed Session at 1:55 p.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 3:02 p.m.

Jon Seitz, District Legal Counsel, announced that the Board heard an update on the items listed above. The Board took no reportable action.

03:22:47

F. MANAGER'S REPORT

Bruce Buel, General Manager, added information to the Manager's Report.

The application for parks authority was submitted to LAFCo.

Mr. Buel met with Dan Gaddis, SCAC President, and talked about a presentation to SCAC for the proposed park.

Director Winn stated there was a page number mistake in the WRAC Subcommittee report. He stated page notation 10.17 should be 10.20.

03:33:05

G. COMMITTEE REPORT

The Committee Report is as submitted.

**MINUTES SUBJECT TO BOARD APPROVAL**

03:34:04

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Winn

See what kind of intertie the conventional water systems have in Woodlands and Blacklake with their golf course watering.

CEQA global climate change

What is the status of the JPA structure bond?

Consider forum – outdoor water policies and strategies

Suggested speakers for forum – Ron Mund from City of SLO and Ellen Hayak who works for California Public Policy Agency forum could be held by WRAC, NCSD or CSDA.

ADJOURN

President Harrison adjourned the meeting at 3:02 p.m.

➤ THE FOLLOWING REGULAR BOARD MEETING IS JULY 22, 2009  
TENTATIVELY SCHEDULED ITEMS INCLUDE:

- Public Facilities Corporation Annual Meeting
- Adopt Strategic Plan

**MINUTES SUBJECT TO BOARD APPROVAL**

# NIPOMO COMMUNITY SERVICES DISTRICT

Thursday, July 2, 2009

1:30 P. M.

## SPECIAL MEETING DRAFT MINUTES

**BOARD of DIRECTORS**

JAMES HARRISON, PRESIDENT  
LARRY VIERHEILIG, VICE PRESIDENT  
ED EBY, DIRECTOR  
MICHAEL WINN, DIRECTOR  
BILL NELSON, DIRECTOR

**PRINCIPAL STAFF**

BRUCE BUEL, GENERAL MANAGER  
LISA BOGNUDA, ASSIST. GENERAL MANAGER  
DONNA JOHNSON, BOARD SECRETARY  
JON SEITZ, GENERAL COUNSEL  
PETER SEVCIK, DISTRICT ENGINEER

**MEETING LOCATION**

**District Board Room  
148 S. Wilson Street  
Nipomo, California**

**Public Comment will be received on Agenda Items**

**A. CALL TO ORDER, ROLL CALL, AND FLAG SALUTE**

President Harrison called the July 2, 2009 Special Meeting of the Nipomo Community Services District to order at 1:30 p.m. and led the flag salute.

**B. APPROVE WARRANTS**

BOARD ACTION REQUESTED: Approve Payment of Warrants

Upon motion by Director Vierheilig and seconded by Director Winn, the Board unanimously approved the Warrants presented. There was no public comment. Vote 5-0.

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

**C. DISCUSS DEVELOPMENT OF EMERGENCY WATER SHORTAGE REGULATIONS**

BOARD ACTION REQUESTED: Provide direction to Staff.

Bruce Buel, General Manager, explained that the goal of this Special Meeting is to develop NMMA Conservation Measures for a Mesa-wide program. These suggested measures will be presented to the NMMA Technical Group Tuesday, July 7, 2009. Mr. Buel reviewed the information presented in the packet.

Jon Seitz, District Legal Counsel, explained that the judgment requires the purveyors to develop a well management plan where there is a water shortage and supplemental water is not available. The well management plan must include a water conservation plan.

The Board discussed the proposed Conservation Measures. Director Eby provided copies of some rainfall facts for staff, the public and the other directors. The Board discussed the charts.

Director Harrison asked the directors to provide comments on the draft "NMMA Conservation Measures." The Board discussed each page and made suggestions for revising the document.

NIPOMO COMMUNITY SERVICES DISTRICT  
Thursday, July 2, 2009  
1:30 P. M.

**SPECIAL MEETING DRAFT MINUTES**

Page Two

Celeste Whitlow, Water Conservation Coordinator, answered questions from the Board.

The following member of the public spoke:

Dennis Bryan, NCSD resident, gave his opinion of several items on different pages of the draft document.

President Harrison reviewed the entire document item-by-item and Board majority voted to approve the suggested changes (see attached red-lined version of the regulations). Upon motion by Director Vierheilig and seconded by Director Nelson, the Board approved the direction given to staff for the process to be presented to the NMMA Technical Group on July 7, 2009. Vote 3-2, with Directors Eby and Winn dissenting.

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

**D. ADJOURNMENT**

The meeting was adjourned at 5:00 p.m.

Attachment  
forthcoming

TO: BOARD OF DIRECTORS  
 FROM: BRUCE BUEL *BB*  
 DATE: JULY 17, 2009

**AGENDA ITEM  
 D-3  
 JULY 22, 2009**

**INVESTMENT POLICY – SECOND QUARTER REPORT**

The Board of Directors have 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 June 30, 2009 Quarterly Report for your review. The Finance Officer is pleased to report to the Board of Directors that the District is in compliance with the Investment Policy.

As District Finance Officer and Treasurer, I am pleased to inform the Board of Directors that the District is in compliance with the 2009 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.

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

**INVESTMENT POLICY-SECOND QUARTER REPORT 6/30/09**

Investment	Institution	Amount of Deposit 6/30/09	Rate of Interest	Quarterly Interest Earned or Accrued 6/30/09	Amount of Deposit 6/30/08	Rate of Interest	Quarterly Interest Earned or Accrued 6/30/08
Money Market	Rabaobank	\$125,126376	.05%	\$14.98	\$95,137.39	.10%	\$31.78
Savings	Rabobank	\$925.61	.16%	\$0.35	\$923.57	.34%	\$0.81
Pooled Money Investment	Local Agency Investment Fund (LAIF)	\$22,230,864.64	1.51%	\$83,941.69	\$21,917,209.91	3.11%	\$166,521.67
Certificate of Deposit (COP)	Rabobank	\$0.00	n/a	n/a	\$2,004,569.08	2.9%	\$14,018.30
Certificate of Deposit Registry Service (CDARS)	Mission Community Bank	\$2,045,871.28	0.65%	\$2,515.35	\$0.00	n/a	n/a

**ATTACHMENTS**

Mission Community Bank CDARS Statement

Mission Community Bank  
581 Higurea Street  
San Luis Obispo, CA 93401

Date 06/30/09  
Page 1 of 3

NIPOMO COMMUNITY SERVICES DISTRICT  
P O BOX 326  
NIPOMO, CA 93444

Subject: CDARS® Customer Statement

Legal Account Title: NIPOMO COMMUNITY SERVICES DISTRICT

Below is a summary of your certificate(s) of deposit, which we are holding for you as your custodian. These certificate(s) of deposit have been issued through CDARS by one or more FDIC-insured depository institutions. Should you have any questions, please contact us at 805-597-6193 or send an email to [lpowelson@missioncommunitybank.com](mailto:lpowelson@missioncommunitybank.com).

**Summary of Accounts Reflecting Placements Through CDARS**

Account ID	Effective Date	Maturity Date	Interest Rate	Opening Balance	Ending Balance
1007018602	04/23/09	10/22/09	0.65%	\$2,045,871.28	\$2,045,871.28
<b>TOTAL</b>				<b>\$2,045,871.28</b>	<b>\$2,045,871.28</b>

RECEIVED  
JUL 02 2009  
NIPOMO COMMUNITY  
SERVICES DISTRICT

**ACCOUNT OVERVIEW**

<b>Account ID:</b>	1007018602	<b>Effective Date:</b>	04/23/09
<b>Product Name:</b>	26-WEEK PUBLIC FUND CD	<b>Maturity Date:</b>	10/22/09
<b>Interest Rate:</b>	0.65%	<b>YTD Interest Paid:</b>	\$0.00
<b>Account Balance:</b>	\$2,045,871.28	<b>Interest Accrued:</b>	\$2,515.35
		<b>Int Earned Since Last Stmt:</b>	\$1,094.05

The Annual Percentage Yield Earned is 0.65%.

**CD Issued by Banco Popular North America**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$242,500.00</b>
<b>Interest Accrued:</b>	\$298.15	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$242,500.00</b>
<b>Int Earned Since Last Stmt:</b>	\$129.68			

**CD Issued by Bangor Savings Bank**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$242,500.00</b>
<b>Interest Accrued:</b>	\$298.15	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$242,500.00</b>
<b>Int Earned Since Last Stmt:</b>	\$129.68			

**CD Issued by BankAtlantic**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$45,871.28</b>
<b>Interest Accrued:</b>	\$56.39	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$45,871.28</b>
<b>Int Earned Since Last Stmt:</b>	\$24.53			

**CD Issued by FIRST FEDERAL SAVINGS AND LOAN ASSOC**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$242,500.00</b>
<b>Interest Accrued:</b>	\$298.15	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$242,500.00</b>
<b>Int Earned Since Last Stmt:</b>	\$129.68			

**CD Issued by Landmark Bank, National Association**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$242,500.00</b>
<b>Interest Accrued:</b>	\$298.15	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$242,500.00</b>
<b>Int Earned Since Last Stmt:</b>	\$129.68			

**CD Issued by Pinnacle National Bank**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$242,500.00</b>
<b>Interest Accrued:</b>	\$298.15	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$242,500.00</b>
<b>Int Earned Since Last Stmt:</b>	\$129.68			

**CD Issued by The Adams National Bank**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$242,500.00</b>
<b>Interest Accrued:</b>	\$298.15	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$242,500.00</b>
<b>Int Earned Since Last Stmt:</b>	\$129.68			

**CD Issued by The American National Bank of Texas**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$242,500.00</b>
<b>Interest Accrued:</b>	\$298.15	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$242,500.00</b>
<b>Int Earned Since Last Stmt:</b>	\$129.68			

**CD Issued by The Citizens Banking Company**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$60,000.00</b>
<b>Interest Accrued:</b>	\$73.76	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$60,000.00</b>
<b>Int Earned Since Last Stmt:</b>	\$32.08			



**CD Issued by The Huntington National Bank**

<b>YTD Interest Paid:</b>	\$0.00	<b>05/30/09</b>	<b>OPENING BALANCE</b>	<b>\$242,500.00</b>
<b>Interest Accrued:</b>	\$298.15	<b>06/30/09</b>	<b>ENDING BALANCE</b>	<b>\$242,500.00</b>
<b>Int Earned Since Last Stmt:</b>	\$129.68			

Thank you for your business.