

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *MSL*  
INTERIM GENERAL MANAGER  
DATE: APRIL 7, 2011

**AGENDA ITEM  
D**

**APRIL 13, 2011**

**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 MARCH 9, 2011, AND MARCH 23, 2011  
[RECOMMEND APPROVAL]
- D-3) INITIATE LANDSCAPE MAINTENANCE DISTRICT ENGINEERING REPORT  
[RECOMMEND ADOPT RESOLUTION INITIATING PROCEEDINGS]
- D-4) AUTHORIZE NEGOTIATIONS FOR THE ACQUISITION OF LAND TO SUPPORT  
THE EXPANSION OF THE DISTRICT'S WATER STORAGE TANK FACILITY ON  
DANA FOOTHILL ROAD (PROPERTY OWNER DANA TRUST) AND DIRECT  
STAFF TO ENGAGE HAMNER JEWELL & ASSOCIATES TO ASSIST THE  
DISTRICT WITH THE NEGOTIATIONS [RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS  
 FROM: MICHAEL LEBRUN  
 INTERIM GENERAL MANAGER  
 DATE: APRIL 8, 2011

**AGENDA ITEM  
 D-1  
 APRIL 13, 2011**

**TOTAL COMPUTER CHECKS  
 \$159,688.35**

**HAND WRITTEN CHECKS**

|          |       |                  |                                |             |
|----------|-------|------------------|--------------------------------|-------------|
| 04-01-11 | 20240 | CELESTE WHITLOW  | EXPENSE REIMBURSEMENT          | \$261.95    |
| 04-05-11 | 20241 | PGE              | ELECTRICITY                    | \$31,651.25 |
| 04-13-11 | 20242 | MICHAEL CLAYTON  | WASHER REBATE                  | \$75.00     |
| 04-13-11 | 20243 | ROBERT SMITH     | WASHER REBATE                  | \$75.00     |
| 04-13-11 | 20244 | VIRGINIA SERNA   | WASHER REBATE                  | \$75.00     |
| 04-13-11 | 20245 | RICHARD WADE     | WASHER REBATE                  | \$75.00     |
| 04-13-11 | 20246 | ALICE TULLIS     | WASHER REBATE                  | \$75.00     |
| 04-13-11 | 20247 | RUBY ALCANTAR    | WASHER REBATE                  | \$75.00     |
| 04-13-11 | 20248 | WILLIAM SCHAEFER | PLAN CHECK & INSPECTION REFUND | \$1,670.40  |
| 04-13-11 | 20249 | THE GAS COMPANY  | GAS-SOUTHLAND                  | \$214.47    |

**COMPUTER GENERATED CHECKS**

|        |          |       |                           |          |     |          |          |                         |
|--------|----------|-------|---------------------------|----------|-----|----------|----------|-------------------------|
| 19250  | 04/01/11 | EMP01 | EMPLOYMENT DEVELOP DEPT   | 1333.21  | .00 | 1333.21  | B10328   | STATE INCOME TAX        |
| 19251  | 04/01/11 | MID01 | RABOBANK-PAYROLL TAX DEPO | 3888.57  | .00 | 3888.57  | B10328   | FEDERAL INCOME TAX      |
|        |          |       |                           | 525.60   | .00 | 525.60   | 1B10328  | FICA                    |
|        |          |       |                           | 992.52   | .00 | 992.52   | 2B10328  | MEDICARE (FICA)         |
|        |          |       | Check Total.....:         | 5406.69  | .00 | 5406.69  |          |                         |
| 19252  | 04/01/11 | MID02 | RABOBANK-DIRECT DEPOSIT   | 27458.12 | .00 | 27458.12 | B10328   | NET PAY                 |
| 19253  | 04/01/11 | PER01 | PERS RETIREMENT           | 7216.17  | .00 | 7216.17  | B10328   | PERS PAYROLL REMITTANCE |
| 19254  | 04/01/11 | STA01 | ING-PERS 457 DEFERRED COM | 825.00   | .00 | 825.00   | B10328   | 457 DEFERRED COMP       |
| 019255 | 04/13/11 | ABA01 | ABALONE COAST BACTERIOLOG | 105.00   | .00 | 105.00   | 11-1455  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 147.00   | .00 | 147.00   | 11-1456  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 175.00   | .00 | 175.00   | 11-1535  | LAB TEST-WATER SAMPLES  |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1558  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1593  | LAB TEST-BL WWTP        |
|        |          |       |                           | 136.00   | .00 | 136.00   | 11-1594  | LAB TEST-BL WWTP        |
|        |          |       |                           | 192.00   | .00 | 192.00   | 11-1595  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 105.00   | .00 | 105.00   | 11-1596  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 147.00   | .00 | 147.00   | 11-1597  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1623  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1634  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1673  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1695  | LAB TEST-BL WWTP        |
|        |          |       |                           | 175.00   | .00 | 175.00   | 11-1696  | LAB TEST-WATER SAMPLES  |
|        |          |       |                           | 64.00    | .00 | 64.00    | 11-1697  | LAB TEST-WATER SAMPLES  |
|        |          |       |                           | 147.00   | .00 | 147.00   | 11-1726  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 105.00   | .00 | 105.00   | 11-1727  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 192.00   | .00 | 192.00   | 11-1728  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 136.00   | .00 | 136.00   | 11-1729  | LAB TEST-BL WWTP        |
|        |          |       |                           | 64.00    | .00 | 64.00    | 11-1730  | LAB TEST-WATER SAMPLES  |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1731  | LAB TEST-BL WWTP        |
|        |          |       |                           | 64.00    | .00 | 64.00    | 11-1753  | LAB TEST-WATER SAMPLES  |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1754  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1770  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1808  | LAB TEST-BL WWTP        |
|        |          |       |                           | 175.00   | .00 | 175.00   | 11-1809  | LAB TEST-WATER SAMPLES  |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1839  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1864  | LAB TEST-BL WWTP        |
|        |          |       |                           | 25.00    | .00 | 25.00    | 11-1865  | LAB TEST-WATER SAMPLES  |
|        |          |       |                           | 136.00   | .00 | 136.00   | 11-1866  | LAB TEST-BL WWTP        |
|        |          |       |                           | 192.00   | .00 | 192.00   | 11-1867  | LAB TEST-SOUTHLAND WWTP |
|        |          |       |                           | 25.00    | .00 | 25.00    | 11-1887  | LAB TEST-WATER SAMPLES  |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1888  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1910  | LAB TEST-BL WWTP        |
|        |          |       |                           | 20.00    | .00 | 20.00    | 11-1937  | LAB TEST-BL WWTP        |
|        |          |       |                           | 175.00   | .00 | 175.00   | 11-1968  | LAB TEST-WATER SAMPLES  |
|        |          |       | Check Total.....:         | 2982.00  | .00 | 2982.00  |          |                         |
| 019256 | 04/13/11 | ADV01 | ADVANTAGE ANSWERING PLUS  | 149.42   | .00 | 149.42   | 3252011  | ANSWERING SERVICE       |
| 019257 | 04/13/11 | AEC01 | AECOM USA INC             | 202.50   | .00 | 202.50   | 37097022 | PCI-TRACT 2650          |

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|        |          |       |                           |          |     |          |           |                           |
|--------|----------|-------|---------------------------|----------|-----|----------|-----------|---------------------------|
| 019258 | 04/13/11 | AIR01 | AIR POLLUTION CONTROL     | 370.88   | .00 | 370.88   | 13652A    | PERMIT-BL BOOSTER         |
|        |          |       |                           | 370.88   | .00 | 370.88   | 13652B    | PERMIT-TEFT LIFT STATION  |
|        |          |       |                           | 370.88   | .00 | 370.88   | 13652C    | PERMIT-SOUTHLAND WWTP     |
|        |          |       | Check Total.....:         | 1112.64  | .00 | 1112.64  |           |                           |
| 019259 | 04/13/11 | ALX01 | ALEXANDER'S CONTRACT SERV | 2280.06  | .00 | 2280.06  | APR 2011  | METER READING-APRIL       |
| 019260 | 04/13/11 | AME03 | AMERI PRIDE               | 105.95   | .00 | 105.95   | 317480    | UNIFORMS                  |
|        |          |       |                           | 137.45   | .00 | 137.45   | 322836    | UNIFORMS                  |
|        |          |       |                           | 110.77   | .00 | 110.77   | 328209    | UNIFORMS                  |
|        |          |       |                           | 119.77   | .00 | 119.77   | 333571    | UNIFORMS                  |
|        |          |       |                           | 105.95   | .00 | 105.95   | 337193    | UNIFORMS                  |
|        |          |       | Check Total.....:         | 579.89   | .00 | 579.89   |           |                           |
| 019261 | 04/13/11 | ATT02 | AT&T                      | 28.06    | .00 | 28.06    | 2235964   | TELEPHONE                 |
|        |          |       |                           | 119.80   | .00 | 119.80   | 2236034   | TELEPHONE                 |
|        |          |       |                           | 152.71   | .00 | 152.71   | 22353713  | TELEPHONE                 |
|        |          |       | Check Total.....:         | 300.57   | .00 | 300.57   |           |                           |
| 019262 | 04/13/11 | BAT01 | BATTERY SYSTEMS, INC.     | 1154.18  | .00 | 1154.18  | B10406    | OPERATING SUPPLIES-BATTER |
| 019263 | 04/13/11 | BRE02 | BRENNTAG PACIFIC INC.     | 625.46   | .00 | 625.46   | BPI082094 | SODIUM HYPOCHLORITE       |
|        |          |       |                           | 916.78   | .00 | 916.78   | BPI082095 | SODIUM HYPOCHLORITE       |
|        |          |       | Check Total.....:         | 1542.24  | .00 | 1542.24  |           |                           |
| 019264 | 04/13/11 | CAR04 | CAR QUEST AUTO PARTS      | 14.45    | .00 | 14.45    | 459043    | REPAIR/MAINT              |
| 019265 | 04/13/11 | COR01 | CORBIN WILLITS SYSTEMS    | 750.83   | .00 | 750.83   | B103151   | MONTHLY SUPPORT           |
| 019266 | 04/13/11 | CRY01 | CRYSTAL SPRINGS           | 31.00    | .00 | 31.00    | MAR 2011  | LAB-DISTILLED WATER       |
| 019267 | 04/13/11 | CUS01 | CUSTOM PRINTING           | 906.88   | .00 | 906.88   | 112326    | DOOR HANGERS              |
| 019268 | 04/13/11 | CWE01 | CWEA                      | 132.00   | .00 | 132.00   | B10328    | MEMBERSHIP RENEWEL-GERMAN |
|        |          |       |                           | 132.00   | .00 | 132.00   | B10329    | MEMBERSHIP RENEWEL-BREWER |
|        |          |       | Check Total.....:         | 264.00   | .00 | 264.00   |           |                           |
| 019269 | 04/13/11 | DEL03 | DENNIS DELZEIT            | 1098.00  | .00 | 1098.00  | B10408    | SOUTHLAND WWTP UPGRADE    |
| 019270 | 04/13/11 | DEP01 | DEPARTMENT-HEALTH SERVICE | 2480.00  | .00 | 2480.00  | 1150563   | WATER SYSTEM FEES         |
| 019271 | 04/13/11 | DEW01 | J B DEWAR INC             | 333.66   | .00 | 333.66   | 930670    | WELL PUMP OIL             |
|        |          |       |                           | 600.42   | .00 | 600.42   | 930768    | DIESEL FUEL               |
|        |          |       | Check Total.....:         | 934.08   | .00 | 934.08   |           |                           |
| 019272 | 04/13/11 | DIS02 | DISCRETE WIRELESS         | 308.50   | .00 | 308.50   | 0733087   | GPS SERVICE               |
| 019273 | 04/13/11 | DWI01 | DWIGHT'S AUTOMOTIVE       | 15.00    | .00 | 15.00    | B10405    | TIRE REPAIR               |
| 019274 | 04/13/11 | EBY01 | EBY, ED                   | 100.00   | .00 | 100.00   | 04132011  | BOARD MEETING 4-13-11     |
| 019275 | 04/13/11 | EBY02 | ED EBY                    | 149.43   | .00 | 149.43   | 031811    | MILEAGE REIMBURSMENT      |
| 019276 | 04/13/11 | ELE02 | ELEMENTS                  | 75.00    | .00 | 75.00    | 209886    | WEB SUPPORT               |
| 019277 | 04/13/11 | FAR02 | FAR WEST EXPRESS          | 37.00    | .00 | 37.00    | MAR 2011  | DELIVERY                  |
| 019278 | 04/13/11 | FER01 | FERGUSON ENTERPRISES INC  | 3346.22  | .00 | 3346.22  | 6974669   | OPERATING SUPPLIES-METERS |
|        |          |       |                           | 3348.61  | .00 | 3348.61  | 7010827   | OPERATING SUPPLIES-METERS |
|        |          |       |                           | -3346.22 | .00 | -3346.22 | CM062479C | OPERATING SUPPLIES-METERS |
|        |          |       | Check Total.....:         | 3348.61  | .00 | 3348.61  |           |                           |
| 019279 | 04/13/11 | FGL01 | FGL ENVIRONMENTAL         | 73.00    | .00 | 73.00    | 8000037   | LAB TEST-SUNDALE WELL     |
| 019280 | 04/13/11 | GAD01 | GADDIS, DAN A.            | 100.00   | .00 | 100.00   | 04132011  | BOARD MEETING 4-13-11     |
| 019281 | 04/13/11 | GIB01 | GIBBS INTERNATIONAL       | 16.35    | .00 | 16.35    | 98637N    | REPAIR/MAINT-ON CALL TRUC |
| 019282 | 04/13/11 | GIL01 | GLM, INC.                 | 320.00   | .00 | 320.00   | MAR 2011  | LANDSCAPE SERVICE-MARCH   |
| 019283 | 04/13/11 | GRO01 | GROENIGER & CO            | 373.46   | .00 | 373.46   | 11017498  | OPERATING SUPPLIES        |
| 019284 | 04/13/11 | GWA01 | GWA INC                   | 53.00    | .00 | 53.00    | APR 2011A | OFFICE MONITORING         |
|        |          |       |                           | 85.00    | .00 | 85.00    | APR 2011B | UTILITY OFFICE MONITORING |
|        |          |       |                           | 85.00    | .00 | 85.00    | APR 2011C | SHOP/LAB MONITORING       |
|        |          |       | Check Total.....:         | 223.00   | .00 | 223.00   |           |                           |
| 019285 | 04/13/11 | HAC01 | HACH COMPANY              | 414.37   | .00 | 414.37   | 7170619   | OPERATING SUPPLIES        |
| 019286 | 04/13/11 | HAR02 | HARRISON, JAMES           | 100.00   | .00 | 100.00   | 04132011  | BOARD MEETING 4-13-11     |

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|        |          |       |                           |          |     |          |           |                           |
|--------|----------|-------|---------------------------|----------|-----|----------|-----------|---------------------------|
| 019287 | 04/13/11 | JOB01 | JOBS AVAILABLE INC        | 315.00   | .00 | 315.00   | A08026    | EMPLOYMENT AD             |
| 019288 | 04/13/11 | LAN02 | LANDMARK LANDSCAPE CO INC | 214.00   | .00 | 214.00   | 51855     | LANDSCAPE MAINT DISTRICT  |
| 019289 | 04/13/11 | MCE01 | MCEWEN, MALCOLM           | 1383.50  | .00 | 1383.50  | 3         | REVISION OF STANDARDS AND |
| 019290 | 04/13/11 | MIN02 | MINER'S ACE HARDWARE      | 57.34    | .00 | 57.34    | MAR 2011  | OPERATING SUPPLIES        |
| 019291 | 04/13/11 | MOR02 | MORE OFFICE SOLUTIONS     | 159.43   | .00 | 159.43   | 52812     | COPIER MAINT              |
| 019292 | 04/13/11 | NAT02 | NATIONAL METER & AUTOMATI | 15317.38 | .00 | 15317.38 | 1031711-1 | OPERATING SUPPLIES-METERS |
| 019293 | 04/13/11 | NEX01 | NEXTEL COMMUNICATIONS     | 574.22   | .00 | 574.22   | 087314112 | CELL SERVICE              |
| 019294 | 04/13/11 | NUT01 | NU TECH PEST MGMT         | 265.00   | .00 | 265.00   | 83826     | PEST CONTROL              |
|        |          |       |                           | 49.00    | .00 | 49.00    | 83827     | RODENT CONTROL            |
|        |          |       | Check Total.....:         | 314.00   | .00 | 314.00   |           |                           |
| 019295 | 04/13/11 | OFF01 | OFFICE DEPOT              | 61.69    | .00 | 61.69    | 533556001 | OFFICE SUPPLIES           |
|        |          |       |                           | 115.11   | .00 | 115.11   | 634433001 | OFFICE SUPPLIES           |
|        |          |       | Check Total.....:         | 176.80   | .00 | 176.80   |           |                           |
| 019296 | 04/13/11 | ONE01 | 1-800-CONFERENCE          | 1001.40  | .00 | 1001.40  | 735949    | TELECONFRENCE             |
| 019297 | 04/13/11 | PRE01 | PRECISION JANITORIAL      | 650.00   | .00 | 650.00   | 210       | JANITORIAL-MARCH          |
| 019298 | 04/13/11 | RAB02 | RABOBANK PETTY CASH       | 29.17    | .00 | 29.17    | 41311A    | POSTAGE                   |
|        |          |       |                           | 38.00    | .00 | 38.00    | 41311B    | RECORDING FEE-MARGARITA R |
|        |          |       |                           | 66.33    | .00 | 66.33    | 41311C    | OFFICE SUPPLIES           |
|        |          |       | Check Total.....:         | 133.50   | .00 | 133.50   |           |                           |
| 019299 | 04/13/11 | RIC01 | RICHARDS, WATSON, GERSHON | 815.00   | .00 | 815.00   | 176547    | WATER RIGHTS ADJUDICATION |
| 019300 | 04/13/11 | RUS01 | RUSSCO                    | 803.16   | .00 | 803.16   | 21577     | OFFICE FURNITURE          |
| 019301 | 04/13/11 | SAN04 | SANTA MARIA TIMES         | 338.14   | .00 | 338.14   | 741889    | EMPLOYMENT AD             |
| 019302 | 04/13/11 | SAN09 | SAN LUIS MAILING SERVICE  | 55.36    | .00 | 55.36    | 219772A   | MAIL LATE NOTICES         |
|        |          |       |                           | 228.80   | .00 | 228.80   | 219772B   | POSTAGE-LATE NOTICES      |
|        |          |       | Check Total.....:         | 284.16   | .00 | 284.16   |           |                           |
| 019303 | 04/13/11 | SLO08 | SAN LUIS OBISPO COUNTY    | 4859.84  | .00 | 4859.84  | 66        | ASSESSMENT DISTRICT       |
| 019304 | 04/13/11 | SOU01 | SOUTH COUNTY SANITARY     | 34.92    | .00 | 34.92    | 326958    | TRASH SERVICE             |
|        |          |       |                           | 169.12   | .00 | 169.12   | 3269331   | OLDE TOWN TRASH SERVICE   |
|        |          |       | Check Total.....:         | 204.04   | .00 | 204.04   |           |                           |
| 019305 | 04/13/11 | SOU03 | SOUTH COUNTY SANITARY     | 1953.20  | .00 | 1953.20  | B10408    | SOLID WASTE TAX LIENS     |
| 019306 | 04/13/11 | STA03 | STATEWIDE SAFETY & SIGNS  | 59.75    | .00 | 59.75    | 850       | MARKING PAINT             |
| 019307 | 04/13/11 | STA07 | SRF ACCOUNTING OFFICE     | 34868.35 | .00 | 34868.35 | B10405    | SRF LOAN                  |
| 019308 | 04/13/11 | SUN02 | SUNBELT RENTALS           | 433.64   | .00 | 433.64   | 8972622-1 | OPERATING SUPPLIES        |
| 019309 | 04/13/11 | TES01 | TESCO CONTROLS, INC.      | 211.09   | .00 | 211.09   | 46058-IN  | OPERATING SUPPLIES-MISTY  |
| 019310 | 04/13/11 | THE01 | THE GAS COMPANY           | 15.86    | .00 | 15.86    | MAR 2011A | SHOP OFFICE HEAT          |
|        |          |       |                           | 123.05   | .00 | 123.05   | MAR 2011B | OFFICE HEAT               |
|        |          |       | Check Total.....:         | 138.91   | .00 | 138.91   |           |                           |
| 019311 | 04/13/11 | TIT01 | TITAN INDUSTRIAL & SAFETY | 51.31    | .00 | 51.31    | 1044818   | OPERATING SUPPLIES        |
| 019312 | 04/13/11 | TOY03 | TOYWORX AUTOMOTIVE        | 3061.03  | .00 | 3061.03  | 3005819   | REPAIR/MAINTENANCE-TOYOTA |
| 019313 | 04/13/11 | TRI03 | THE TRIBUNE               | 194.80   | .00 | 194.80   | 6930390   | UWMP-PUBLIC NOTICE        |
|        |          |       |                           | 395.00   | .00 | 395.00   | 6933334   | EMPLOYMENT AD             |
|        |          |       | Check Total.....:         | 589.80   | .00 | 589.80   |           |                           |
| 019314 | 04/13/11 | TRU01 | TRUE NORTH RESEARCH, INC. | 19926.80 | .00 | 19926.80 | 1728      | OUTREACH CONSULTANT-PHASE |
|        |          |       |                           | 678.33   | .00 | 678.33   | 1729      | OUTREACH CONSULTANT-PHASE |
|        |          |       | Check Total.....:         | 20605.13 | .00 | 20605.13 |           |                           |
| 019315 | 04/13/11 | UPS01 | UPS STORE #6031           | 82.44    | .00 | 82.44    | 1153      | SHIPPING-AQUAMARK INC     |
|        |          |       |                           | 8.53     | .00 | 8.53     | 1196      | SHIPPING-TESCO CONTROLS   |
|        |          |       | Check Total.....:         | 90.97    | .00 | 90.97    |           |                           |

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|--------|----------|-------|---------------------------|---------|-----|---------|-----------|---------------------------|
| 019316 | 04/13/11 | USB01 | US BANK TRUST             | 248.06  | .00 | 248.06  | 032211A   | MEETING SUPPLIES          |
|        |          |       |                           | 90.00   | .00 | 90.00   | 032211B   | TRAVEL                    |
|        |          |       |                           | 304.48  | .00 | 304.48  | 032211C   | TRAINING                  |
|        |          |       | Check Total.....:         | 642.54  | .00 | 642.54  |           |                           |
| 019317 | 04/13/11 | VER01 | VERIZON                   | 38.18   | .00 | 38.18   | B10329    | TELEPHONE                 |
| 019318 | 04/13/11 | VIE01 | VIERHEILIG, LARRY         | 100.00  | .00 | 100.00  | 04132011  | BOARD MEETING 4-13-11     |
| 019319 | 04/13/11 | WAL01 | WALLACE GROUP             | 2002.00 | .00 | 2002.00 | 31431     | INTERTIE ASSESSMENT DATA  |
| 019320 | 04/13/11 | WIN01 | WINN, MICHAEL             | 100.00  | .00 | 100.00  | 04132011  | BOARD MEETING 4-13-11     |
| 019321 | 04/13/11 | WIN02 | WINN, MICHAEL             | 377.00  | .00 | 377.00  | B10331    | MILEAGE REIMBURSEMENT     |
| 019322 | 04/13/11 | YOU01 | YOUR PEOPLE PROFESSIONALS | 1450.00 | .00 | 1450.00 | B10408    | MONTHLY DEPOSIT FOR EMPLO |
| 019323 | 04/13/11 | \B001 | BARNICK, JC KING & W      | 186.13  | .00 | 186.13  | 000B10401 | MQ CUSTOMER REFUND FOR BA |
| 019324 | 04/13/11 | \K005 | KENNY, ANDREW             | 452.76  | .00 | 452.76  | 000B10401 | MQ CUSTOMER REFUND FOR KE |

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## MINUTES

**MARCH 9, 2011 AT 9:00 A.M.**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

D2

### BOARD of DIRECTORS

JAMES HARRISON, PRESIDENT  
LARRY VIERHEILIG, VICE PRESIDENT  
MICHAEL WINN, DIRECTOR  
ED EBY, DIRECTOR  
DAN A. GADDIS, DIRECTOR

### PRINCIPAL STAFF

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

Mission Statement: The Nipomo Community Services District's mission is to provide its customers with reliable, quality, and cost-effective services now and in the future.

00:00:00

#### A. CALL TO ORDER AND FLAG SALUTE

President Harrison called the Regular Meeting of March 9, 2011, to order at 9:04 a.m. and led the flag salute.

00:00:51

#### B. ROLL CALL

At Roll Call, all Board members were present.

00:01:02

#### C. PRESENTATIONS AND PUBLIC COMMENT

##### C-1) MIKE NUNLEY OF AECOM

Update re: Southland Wastewater Treatment Plant Upgrade

Mike Nunley, AECOM Project Manager, reviewed the report as presented in the Board packet. Peter Sevcik, District Engineer, and Mr. Nunley answered questions from the Board. The Board thanked Mr. Nunley for the report.

##### C-2) NCSD DISTRICT ENGINEER PETER SEVCIK

Update re: Recent Activities

Peter Sevcik, District Engineer, reviewed the report as presented in the Board packet. Michael LeBrun, Interim General Manager, and Mr. Sevcik answered questions from the Board. The Board thanked Mr. Sevcik for his report.

##### C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST

Receive Announcements from Directors Items of District & Community Interest

#### Director Gaddis

- ◇ February 26, 2011 – Attended CSDA New and Returning Directors Seminar.
- ◇ The SCAC met in a Town Hall meeting on March 7, 2011 for the community to meet 2011 candidates for elections to the SCAC.

#### Director Vierheilig

- ◇ February 26, 2011 – Attended CSDA New and Returning Directors Seminar.
- ◇ March 9, 2011 – Olde Towne Nipomo Association will meet at 12:00 p.m. at Pi Whole Pizzeria.
- ◇ March 15, 2011 – Finance and Audit Committee Meeting at 1:00 p.m.

#### Director Eby

- ◇ February 26, 2011 – Attended CSDA New and Returning Directors Seminar.
- ◇ March 9, 2011 – SCAC will meet at NCSD at 6:30 p.m.
- ◇ March 21, 2011 – SCAC Elections will be held at NCSD at 6:30 p.m.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST(continued)

Director Winn

- ◇ February 26, 2011 – Attended CSDA New and Returning Directors Seminar.
- ◇ The Board of Supervisors met on March 8, 2011.
- ◇ March 18, 2011 – CSDA will meet at the Wallace Group in San Luis Obispo at 11:30 a.m.
- ◇ March 21, 2011 – WRAC will hold a public workshop on the Master Water Plan at 1:30 p.m. in the SLO County Library.
- ◇ March 28, 2011 – SCAC will meet at 6:30 p.m. at NCSD for their regular meeting.
- ◇ April 6, 2011 – WRAC will adopt comments on the Master Water Plan to send recommendations to the Board of Supervisors.

Director Harrison

- ◇ February 26, 2011 – Attended CSDA New and Returning Directors Seminar.
- ◇ March 16, 2011 – Moorpark and Fillmore Wastewater Treatment Facility Tour.
- ◇ May 6, 2011 – The Rotary Club will host a Golf Tournament at Cypress Ridge Golf Course.

C-4) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Tom Geaslen, NSCD customer, commented on the SCAC meeting and had concerns about the attendance of NCSD Board members.

00:45:17

D. CONSENT AGENDA

- D-1) APPROVE WARRANTS
- D-2) APPROVE BOARD MEETING MINUTES  
Approve Minutes of February 23, 2011 Regular Meeting
- D-3) ADOPT RESOLUTION APPROVING 2011 STRATEGIC PLAN UPDATE AS AMENDED AT THE FEBRUARY 23, 2011, NCSD MEETING

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

Upon the motion of Director Vierheilg and seconded by Director Vierheilg, the Board unanimously approved the consent agenda. There was no public comment.  
Vote 5-0.

| YES VOTES  | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Vierheilg, Winn, Eby, Gaddis, and Harrison | None     | None   |

RESOLUTION NO. 2011-1213

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT (NCSD)  
ADOPTING THE NCSD 2011 STRATEGIC PLAN UPDATE

E. ADMINISTRATIVE ITEMS

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

00:56:41

- E-1) CONSIDER APPROVAL OF SCOPE AMENDMENT #4 WITH AECOM FOR ENGINEERING SERVICES IN THE AMOUNT OF \$18,239 TO DEVELOP DESIGN FOR ADDITIVE BID ALTERNATE FOR INCREASED ON-SITE EFFLUENT DISPOSAL FOR THE SOUTHLAND WWTF PHASE 1 IMPROVEMENT PROJECT

Peter Sevcik, District Engineer, reviewed the report as presented in the Board packet. Michael LeBrun, Interim General Manager, Eileen Shields, AECOM Assistant Project Manager, and Mr. Sevcik answered questions from the Board. The Board thanked Mr. Sevcik for the report. There was no public comment.

Upon the motion of Director Winn and seconded by Director Eby, the Board authorized the General Manager to execute Amendment #4 to the existing Southland WWTF Phase I improvement project final design agreement with AECOM in the amount of \$18,239. Vote 3-2.

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

The Board took a break from 10:40 to 10:53 a.m.

01:35:40

- E-2) CONSIDER EXECUTION OF TASK ORDER WITH FUGRO CONSULTANTS INC. FOR PROFESSIONAL SERVICES IN THE AMOUNT OF \$16,000 FOR MODELING OF THE GROUNDWATER MOUND AT THE SOUTHLAND WASTEWATER TREATMENT FACILITY

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Paul Sorenson, Fugro Hydro geologist, and Mr. LeBrun answered questions from the Board. There was no public comment.

Upon the motion of Director Eby and seconded by Director Vierheilig, the Board unanimously authorized the General Manager to execute a task order with Fugro Consultants Inc. in the amount of \$16,000. Vote 5-0.

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

01:53:15

- E-3) REVIEW 1.645% EMPLOYEE COST OF LIVING ADJUSTMENT (COLA) FOR FISCAL YEAR 2011/2012

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun answered questions from the Board. The Board thanked Mr. LeBrun for the report.

The following member of the public spoke:

Tom Geaslen, NCS D customer, had concerns with the hard economic times, the timing of the COLA, and asking rate payers for more money.

Upon the motion of Director Winn and seconded by Director Harrison, the Board approved to not grant the COLA. The Board may reconsider the COLA after a staff review of their overall compensation package. Vote 3-2.

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



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

02:13:21

E-4) REVIEW THE PROCESS TO IMPLEMENT THE ACCEPTANCE OF CREDIT/DEBIT CARDS FOR UTILITY BILL PAYMENTS

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Lisa Bognuda, Finance Director, and Mr. LeBrun answered questions from the Board. The Board thanked Mr. LeBrun for the report.

The following member of the public spoke:

Tom Geaslen, NCS D customer, stated that he would welcome the change, but had concerns with the security of using a credit/debit card.

Upon the motion of Director Eby and seconded by Director Winn, the Board unanimously approved a one-year credit/debit card pilot program and directed staff to collect data on the costs and savings of the pilot program.

Vote 5-0.

| YES VOTES  | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Eby, Winn, Vierheilg, Gaddis, and Harrison | None     | None   |

*The Board considered closed session next.*

02:44:01

I. CLOSED SESSION ANNOUNCEMENTS

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

2. PUBLIC EMPLOYEE APPOINTMENT (GOVERNMENT CODE §54957)  
Title: District Interim General Manager Performance Review

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to Closed Session at 12:00 p.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:05 p.m. Closed session will continue at the foot of the agenda.

*The board considered item E-6 next.*

E-6) REVIEW REQUEST FOR FEE APPEAL REGARDING EDWARDS BARN FIRE CONNECTION FEE

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Jon Seitz, District Legal Counsel, Peter Sevcik, District Engineer, and Mr. LeBrun answered questions from the Board.

Angela Thompson, daughter of the Edwards; Terry Orton, Westland Engineer, and Ken Whittle, Fire Sprinkler Contractor, answered questions from the Board.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

02:45:28

E-6) REVIEW REQUEST FOR FEE APPEAL REGARDING EDWARDS BARN FIRE CONNECTION FEE (Continued)

The Board took a break from 2:05 to 2:10 p.m.

The following members of the public spoke:

Cees Dobbe, NCSD customer, commented in favor of a reduction in fire fee for the Edwards Barn fire connection.

Tom Geaslen, NCSD customer, commented in favor of a reduction in fire fee for the Edwards Barn fire connection.

Upon the motion of Director Winn and seconded by Director Vierheilig, the Board, with the opportunity for the applicant to object, unanimously approved:

- Authorizing the applicant to install a 3-inch line from the District's water service to the edge of the road without waving the capacity charge.
- Instruct staff to revisit ordinance at the next regular meeting, and include a revised fee structure for the fire capacity charge.
- The District will issue a verification of service, upon wet-stamped emergency plans, for the service to the backflow device and the payment of the new fee, if any.

Mr. Edwards, the applicant, had no objection, but was still concerned with not knowing the amount of the fee.

Vote 5-0.

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

04:23:02

E-5) CONSIDER SUPPORT OF COUNTY BUS TRANSIT STUDY GRANT REQUEST

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun answered questions from the Board. There was no public comment.

Upon the motion of Director Eby and seconded by Director Vierheilig, the Board unanimously authorized staff to draft a letter, on District letterhead, with Board President's signature, in support of San Luis Obispo bus transit study grant application.

Vote 5-0.

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

04:27:20

F. GENERAL MANAGER'S REPORT

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Jon Seitz, District Legal Counsel, and Mr. LeBrun answered questions from the Board. There was no public comment.

04:54:44

G. COMMITTEE REPORT

The report was as presented. There was no public comment.

04:56:20

H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby

- ◇ Requested staff to revisit Solid Waste Franchise Fee. How we can use them, and what the ramifications would be.
- ◇ Requested a review of the rate increase statute.

Director Winn

- ◇ Requested staff to start thinking about the timing of a routine rate increase soon.
- ◇ Requested staff to look into Santa Barbara and San Luis Obispo County's compensation package.
- ◇ Questioned which Board member will open and close for the SCAC meeting tonight.
- ◇ Requested staff to look into an uninterruptable power supply for critical electronic equipment in the District office.
- ◇ Requested District Counsel to review the pros and cons of utilizing NCSD's well site on Riverside Drive.
- ◇ Questioned the progress of Woodlands and NCSD installing a meter at the Intertie.
- ◇ Requested staff to clarify if and when mutual water laws changed to allow them to import water without changing their overlying user status.
- ◇ Questioned the progress of the District working with the County on the NMWCA Supplemental Water in-lieu fee.

05:10:04

ADJOURN

President Harrison adjourned to closed session.

# NIPOMO COMMUNITY SERVICES DISTRICT

D2

*Serving the Community Since 1965*

## MINUTES

**MARCH 23, 2011 AT 9:00 A.M.**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

### BOARD of DIRECTORS

JAMES HARRISON, PRESIDENT  
LARRY VIERHEILIG, VICE PRESIDENT  
MICHAEL WINN, DIRECTOR  
ED EBY, DIRECTOR  
DAN A. GADDIS, DIRECTOR

### PRINCIPAL STAFF

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

Mission Statement: The Nipomo Community Services District's mission is to provide its customers with reliable, quality, and cost-effective services now and in the future.

00:00:00

#### A. CALL TO ORDER AND FLAG SALUTE

President Harrison called the Regular Meeting of March 23, 2011, to order at 9:00 a.m. and led the flag salute.

00:00:41

#### B. ROLL CALL

At Roll Call, all Board members were present.

00:01:19

#### C. PRESENTATIONS AND PUBLIC COMMENT

##### C-1) REPORT ON MARCH 9, 2011 REGULAR MEETING CLOSED SESSION Announcement of Actions, if any, Taken in Closed Session

Jon Seitz, District Legal Counsel, announced that the Board discussed the last item on the closed session list from the Regular Meeting of March 9, 2011, but took no reportable action.

##### C-2) NCSD SUPERINTENDENT TINA GRIETENS Update re: Summary of Utility Division Activities

Tina Grietens, NCSD Utility Superintendent, reviewed the report as presented in the Board packet. Michael LeBrun, Interim General Manager, Peter Sevcik, District Engineer, and Ms. Grietens answered questions from the Board. The Board thanked Ms. Grietens for the report.

##### C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest

#### Director Gaddis

- ◇ March 15, 2011 – The Board of Supervisors tabled the item to disband the SCAC.
- ◇ March 16, 2011 – Attended Fillmore and Moorpark Wastewater Treatment Facilities and commented on the computer system.

#### Director Vierheilig

- ◇ March 23, 2011 – Chamber of Commerce lunch at 11:45 a.m. Supervisor Teixeira will be the guest speaker.
- ◇ April 2<sup>nd</sup> / 3<sup>rd</sup> The Central Coast Orchid Show will be held at the South County Regional Center in Arroyo Grande.

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

Director Eby

- ◇ March 16, 2011 – Attended Fillmore and Moorpark Wastewater Treatment Facilities and commented on the pros and cons of the facilities.
- ◇ March 17, 2011 – LAFCO met and discussed the salary for the executive officer.
- ◇ March 18, 2011 – CSDA met and, among other things, discussed 2-tier pension changes.
- ◇ March 21, 2011 – Attended NMMA TG meeting.
- ◇ March 21, 2011 – Unable to attend the WRAC meeting due to conflict with NMMA TG meeting.
- ◇ April 2, 2010 – CCGGA's open house.

Director Winn

- ◇ March 15, 2011 – The Board of Supervisors tabled the proposal to disestablish the SCAC until a later date.
- ◇ March 16, 2011 – Attended Fillmore and Moorpark Wastewater Treatment Facilities and comments on the Fillmore subterranean disposal system at a school and park.
- ◇ March 21, 2011 – WRAC met and discussed the Master Water Plan. Commended NCSD staff for all information sent in.
- ◇ March 24, 2011 – The Planning Commission will meet and discuss the solar project in the California Valley. They will also discuss the Community Development plan for Shandon including a turnout on the CCWA pipeline.
- ◇ March 29, 2011 – The Board of Supervisors will meet and discuss an update on Economic Element. They will also discuss the Shandon Plan and the Paso Robles Groundwater Basin Management Plan.
- ◇ April 6, 2011 – WRAC will meet and work on the final comments of the Master Water Plan, for submittal to the Board of Supervisors.

Director Harrison

- ◇ PG & E will be at Miner's Hardware in Nipomo to discuss SmartMeters from 10:00 a.m. to 2:00 p.m. on March 23<sup>rd</sup>, 24<sup>th</sup>, 26<sup>th</sup>, and 30<sup>th</sup>.
- ◇ April 2, 2011 – The Rotary Club will be barbequing for the CCGGA's open house at the Edwards Barn.
- ◇ March 16, 2011 – Attended Fillmore and Moorpark Wastewater Treatment Facilities and commented on the design build.
- ◇ May 6, 2011 – The Rotary Club will host a Golf Tournament at Cypress Ridge Golf Course.

C-3) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

00:36:49

D. CONSENT AGENDA

D-1) APPROVE WARRANTS

D-2) TRACT 2523, SCHAEFER – ADOPT RESOLUTION ACCEPTING WATER AND SEWER IMPROVEMENTS

Michael LeBrun, Interim General Manager, and Peter Sevcik, District Engineer, answered questions from the Board.

Upon the motion of Director Winn and seconded by Director Vierheilig, the Board unanimously approved the consent agenda. There was no public comment.

Vote 5-0.

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

RESOLUTION NO. 2011-1214

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING WATER AND SEWER IMPROVEMENTS FOR TRACT 2523

E. ADMINISTRATIVE ITEMS

00:38:02

E-1) URBAN WATER MANAGEMENT PLAN PUBLIC HEARING AND CONSIDER AMENDMENT TO WATER SYSTEMS CONSULTING CONTRACT TO SUPPORT PLAN COMPLETION

Peter Sevcik, District Engineer, reviewed the report as presented in the Board packet. Michael LeBrun, Interim General Manager, Jon Seitz, District Legal Counsel, and Mr. Sevcik answered questions from the Board. There was no public comment.

President Harrison opened the Public Hearing.

There was no public input.

President Harrison closed the Public Hearing.

Upon the motion of Director Vierheilig and seconded by Winn, the Board unanimously approved continuing the hearing on the next regular Board meeting, to address the new DWR requirements.

Vote 5-0.

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

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

00:49:44

E-2) CONSIDER CONTRACT AMENDMENT FOR CANNON, CONSULTING ENGINEERS FOR CONTINUED CONSTRUCTION MANAGEMENT SUPPORT WILLOW ROAD PHASE I PROJECT

Peter Sevcik, District Engineer, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board. There was no public comment.

Upon the motion of Director Eby and seconded by Director Gaddis, the Board unanimously authorized the General Manager to execute an amendment in the amount of \$18,915 to the existing Cannon Willow Road Phase I Waterline Design and Construction Management Agreement.

Vote 5-0.

| YES VOTES  | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Eby, Gaddis, Vierheilg, Winn, and Harrison | None     | None   |

The Board took a break from 10:20 to 10:35 a.m.

01:44:38

E-3) CONSIDER MODIFICATION OF CAPACITY CHARGES FOR PRIVATE FIRE SERVICE

Jon Seitz, District Legal Counsel, reviewed the report as presented in the Board Packet. Peter Sevcik, District Engineer, and Mr. Seitz answered questions from the Board. The Board thanked Mr. Sevcik for the report.

The following member of the public spoke:

Terry Orton, Westland Engineer, stated that the District is headed in the right direction and commented on the new process of plan approvals for sprinklers.

Upon the motion of Director Winn and seconded by Director Eby, the Board unanimously authorized staff to continue on the modification of capacity charges for private fire service, analyze the exposures and risks, then bring back to the Board for approval.

Vote 5-0.

| YES VOTES  | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Eby, Gaddis, Winn, Vierheilg, and Harrison | None     | None   |

The Board considered Item E-6 next.

02:15:42

E-6) REVIEW MEMORANDUM OF UNDERSTANDING WITH COUNTY REGARDING JIM O. MILLER PARK AND LOCAL AGENCY FORMATION COMMISSION CONDITIONS OF APPROVAL FOR ACTIVATION OF PARK POWERS

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Peter Sevcik, District Engineer, Jon Seitz, District Legal Counsel, and Mr. LeBrun answered questions from the Board.

The following members of the public spoke:

Jim Tefft, Nipomo Resident, commented on the unknown direction of the project and asked the District to not give up on the project.

Peg Miller, NCS D Customer, commented on the time spent on this project and asked the District to not give up on this project.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

- E-6) REVIEW MEMORANDUM OF UNDERSTANDING WITH COUNTY REGARDING JIM O. MILLER PARK AND LOCAL AGENCY FORMATION COMMISSION CONDITIONS OF APPROVAL FOR ACTIVATION OF PARK POWERS (continued)

Upon the motion of Director Eby and seconded by Director Gaddis, the Board unanimously directed staff to communicate with the appropriate authorities in the County, to get a commitment and a schedule to perform the work in this memo, with the intention of getting a result back to the Board within a month.  
Vote 5-0.

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

*The Board considered closed session next.*

02:33:10

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).
- 2. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9 Maria Vista VS. NCSO (CASE NO. CV 040877), Maria Vista vs. NCSO (Case No. CV 061079), AND Maria Vista vs. Linda Vista Farms, NCSO et al. (Case No. CV 040150).
- 3. PUBLIC EMPLOYEE EVALUATION (GOVERNMENT CODE §54957)  
Title: District Interim General Manager Performance Evaluation

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to Closed Session at 12:15 p.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:20 p.m.

Jon Seitz, District Legal Counsel, announced that the Board discussed items one and two listed above for closed session, but took no reportable action. Item three listed above for closed session will be considered at the foot of the agenda.

03:02:16

E-4) REVIEW SUPPLEMENTAL WATER SUPPLY PROJECT STATUS

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Jon Seitz, District Legal Counsel, and Mr. LeBrun answered questions from the Board. Mr. LeBrun took comments from the Board. The Board directed staff to put this item on the next Agenda. There was no public comment.

*The Board took a break from 2:05 to 2:15 p.m.*



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

03:44:34 E-5) REVIEW CALIFORNIA PUBLIC EMPLOYEE RETIREMENT SYSTEM BENEFITS

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Lisa Bognuda, Finance Director, and Mr. LeBrun answered questions from the Board. There was no public comment.

Upon the motion of Director Eby and seconded by Director Gaddis, the Board rejected the new second tier plan with option 3 (change to 2% @ 60, and change to 3 year final average compensation), and the employee pays the 8% Employer Paid Member Contribution (EPMC).  
Vote 2-3. Vote failed.

| YES VOTES                | NO VOTES                                | ABSENT |
|--------------------------|---|--------|
| Directors Eby and Gaddis | Directors Harrison, Vierheilg, and Winn | None   |

Upon the motion of Director Winn and seconded by Director Vierheilg, the Board approved the new second tier plan with option 1 (remain at 3% @ 60, but change to 3 year final average compensation), and the employee pays the 8% Employer Paid Member Contribution (EPMC). The Board directed staff to research EPMC and see if it is tax deferred. They also directed staff to not spend any more time on employee medical benefits, just watch CALPERS for any new 2-tier medical changes.  
Vote 4-1.

| YES VOTES                                       | NO VOTES     | ABSENT |
|---|--------------|--------|
| Directors Winn, Vierheilg, Gaddis, and Harrison | Director Eby | None   |

04:37:01 E-7) CALIFORNIA SPECIAL DISTRICTS ASSOCIATION NOMINATION REQUEST

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet and answered questions from the Board. The Board directed staff that there were no nominations at this time. There was no public comment.

04:39:28 E-8) LOCAL AREA FORMATION COMMISSION BALLOT FOR SPECIAL DISTRICT COMMISSIONER

Michael LeBrun, Interim General Manager, 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 Harrison and seconded by Director Vierheilg, the Board unanimously approved Ed Eby as the District's vote and directed staff to file a completed ballot with LAFCO no later than April 8, 2011.  
Vote 5-0.

| YES VOTES  | NO VOTES | ABSENT |
|--|----------|--------|
| Directors Harrison, Vierheilg, Winn, Eby, and Gaddis | None     | None   |

04:42:10 F. GENERAL MANAGER'S REPORT

Michael LeBrun, Interim General Manager, reviewed the report as presented in the Board packet. Peter Sevcik, District Engineer, and Mr. LeBrun answered questions from the Board. There was no public comment.

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

G. COMMITTEE REPORT

The report was as presented. There was no public comment.

04:39:17

H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Vierheilig

- ◇ Requested staff to look into getting a CSDA DVD on Ethics training.

Director Gaddis

- ◇ Requested staff to look into system integrated software for operations monitoring and management.

Director Winn

- ◇ Encouraged Board members to make contact with Olde Towne Nipomo Association, and offer services to help with the organization for Miller Park, as community members.
- ◇ Informed public that the north bound 101 on-ramp from North Thompson is closed until March 30, 2011.
- ◇ Informed Board members that he will be attending a meeting with County Fire Marshall, Mr. Paul Lee in regards to Nipomo.

Director Harrison

- ◇ Commented on the date of the Agenda setting meeting.
- ◇ Questioned what Board member can attend the Agenda setting meeting, since Director Vierheilig can't attend. Director Winn will attend this meeting.

ADJOURN

President Harrison adjourned to closed session.

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *MSL*  
INTERIM GENERAL MANAGER  
DATE: APRIL 8, 2011

**AGENDA ITEM**  
**D-3**  
**APRIL 13, 2011**

**INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS  
FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1**

**ITEM**

Resolution initiating proceedings for annual levy of Street Landscape Maintenance District No. 1  
[RECOMMEND ADOPT RESOLUTION]

**BACKGROUND**

In 2003, the Board of Directors formed Street Landscape Maintenance District No. 1 to provide the street landscape maintenance for Tract 2409 (Sculpture Homes located on Vista Verde and Ida Street). The Street Landscape Maintenance District was formed under Government Code Section 61601.20 and the Landscaping and Lighting Act of 1972.

Annually, NCSD must follow the procedures outlined in the Government Code and Prop. 218 to levy the assessment on each of the 28 property owners. In order to proceed, the attached Resolution should be adopted to initiate the proceedings and appoint Peter Sevcik, District Engineer, as the assessment engineer.

**RECOMMENDATION**

Staff recommends adoption of Resolution 2011-lmd initiation

**ATTACHMENT**

Resolution 2011-LMD Initiation

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NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION NO. 2011-xxx

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL  
LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1  
FOR FISCAL YEAR 2011-2012 PURSUANT TO THE PROVISIONS OF PART 2 OF  
DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

**WHEREAS**, the Nipomo Community Services District Board of Directors ("NCSD") has, by previous Petition and Resolution, formed the Nipomo Community Services District Street Landscape Maintenance District No. 1 (hereinafter referred to as "Street Landscape Maintenance District No. 1") pursuant to the provisions of Government Code §61601.20 and the Landscaping and Lighting Act of 1972 (hereinafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Luis Obispo for the Nipomo Community Services District to pay for the installation, planting and maintenance of landscaping within public streets, right of ways or easements within the Nipomo Community Services District; and

**WHEREAS**, Street Landscape Maintenance District No. 1 and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the NCSD has appointed Peter Sevcik, a registered engineer, as assessment engineer for the purpose of assisting with the Annual Levy of the Street Landscape Maintenance District No. 1 and to prepare and file a report in accordance with the Act.

**NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED** by the Board of Directors of the Nipomo Community Services District for the Nipomo Street Landscape Maintenance District No. 1, as follows:

**SECTION 1:** The NCSD hereby initiates proceedings for annual levy of assessments for Street Landscape Maintenance District No. 1 for Fiscal Year 2011-2012 pursuant to the provisions of the Act.

**SECTION 2:** The improvements within Street Landscape Maintenance District No. 1 include: trees, shrubs, grass, other ornamental vegetation, and appurtenant facilities, including irrigation system within the Street Landscape Maintenance District No. 1. The Board of Directors does not anticipate new improvements or substantial changes in existing improvements.

**SECTION 3: Engineer's Annual Levy Report:** The NCSD Board of Directors hereby orders that Peter Sevcik, District Engineer, prepare the Engineer's Annual Levy Report concerning the levy of assessments for Street Landscape Maintenance District No. 1 in accordance with *Chapter 3, Section 22622* of the Act.

**PASSED AND ADOPTED** by the Board of Directors of the Nipomo Community Services District this 13<sup>th</sup> day of April, 2011, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
James Harrison, President  
Board of Directors  
Nipomo Community Services District

ATTEST:

APPROVED:

\_\_\_\_\_  
Michael LeBrun, Board Secretary  
Nipomo Community Services District

\_\_\_\_\_  
Jon S. Seitz, District Legal Counsel  
Nipomo Community Services District

TO: BOARD OF DIRECTORS  
FROM: MICHAEL LEBRUN *ML*  
INTERIM GENERAL MANAGER  
DATE: APRIL 8, 2011

**AGENDA ITEM**  
**D-4**  
**APRIL 13, 2011**

**AUTHORIZE NEGOTIATIONS FOR ACQUISITION OF LAND  
FOR STORAGE TANK FACILITY**

**ITEM**

Authorize negotiations for acquisition of land to support expansion of District's water storage facility on Dana Foothill Road (Property Owner; Dana Trust) and direct staff to engage Hamner Jewell & Associates to assist the District with negotiations. [RECOMMEND AUTHORIZE]

**BACKGROUND**

The District's 2007 Water and Sewer Master Plan recommends expanding District water storage capacity. Staff reviewed a number of options and locations for storage expansion and is prepared to recommend expanding the District's current tank site on Dana Foothill Road.

Staff is seeking Board authorization to initiate negotiation with the land owner, Dana Family Trust.

**RECOMMENDATION**

Staff recommends Board direct staff to engage Hamner Jewell & Associates to assist District with property negotiations.

**ATTACHMENT**

None

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