

TO: BOARD OF DIRECTORS
FROM: MICHAEL LEBRUN *MSL*
INTERIM GENERAL MANAGER
DATE: APRIL 21, 2011

**AGENDA ITEM
D**

APRIL 27, 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) APPROVE WARRANTS [RECOMMEND APPROVAL]
- D-2) BOARD MEETING MINUTES OF APRIL 13, 2011 [RECOMMEND APPROVAL]
- D-3) QUARTERLY INVESTMENT POLICY [RECOMMEND APPROVAL]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2011\CONSENT AGENDA\04-27-11 CONSENT.DOCX

TO: BOARD OF DIRECTORS
 FROM: MICHAEL LEBRUN
 INTERIM GENERAL MANAGER
 DATE: APRIL 22, 2011

**AGENDA ITEM
 D-1
 APRIL 27, 2011**

**TOTAL COMPUTER CHECKS
 \$286,162.30**

HAND WRITTEN CHECKS

04-14-11	20250	LARRY VIERHEILIG	FINANCE AND AUDIT COMMITTEE	\$100.00
04-14-11	20251	ED EBY	FINANCE AND AUDIT COMMITTEE	\$100.00
04-14-11	20252	CHP	ACCIDENT REPORT	\$10.00
04-14-11	20253	THE GAS COMPANY	SOUTHLAND	\$437.50
04-18-11	20254	ED EBY	AD HOC COMMITTEE	\$75.00
04-18-11	20255	MICHAEL WINN	AD HOC COMMITTEE	\$75.00
04-27-11	20256	VALENE HUNT	WASHER REBATE	\$75.00
0427-11	20257	CHP	ACCIDENT REPORT	\$10.00

VOIDS - NONE

COMPUTER GENERATED CHECKS

19325	04/15/11	EMP01	EMPLOYMENT DEVELOP DEPT	1499.70	.00	1499.70	B10411	STATE INCOME TAX
19326	04/15/11	MID01	RABOBANK-PAYROLL TAX DEPO	4224.51	.00	4224.51	B10411	FEDERAL INCOME TAX
				584.00	.00	584.00	1B10411	FICA
				1017.68	.00	1017.68	2B10411	MEDICARE (FICA)
			Check Total.....:	5826.19	.00	5826.19		
19327	04/15/11	MID02	RABOBANK-DIRECT DEPOSIT	24988.78	.00	24988.78	B10411	NET PAY
19328	04/15/11	PER01	PERS RETIREMENT	6895.35	.00	6895.35	B10411	PERS PAYROLL REMITTANCE
19329	04/15/11	STA01	ING-PERS 457 DEFERRED COM	825.00	.00	825.00	B10411	457 DEFERRED COMP
019330	04/27/11	ABA01	ABALONE COAST BACTERIOLOG	20.00	.00	20.00	11-1969	LAB TEST-BL WWTP
				20.00	.00	20.00	11-2012	LAB TEST-BL WWTP
				70.00	.00	70.00	11-2013	LAB TEST-BL WWTP
				70.00	.00	70.00	11-2017	LAB TEST-BL WWTP
				70.00	.00	70.00	11-2018	LAB TEST-BL WWTP
				192.00	.00	192.00	11-2019	LAB TEST-SOUTHLAND WWTP
				136.00	.00	136.00	11-2020	LAB TEST-BL WWTP
				105.00	.00	105.00	11-2021	LAB TEST-SOUTHLAND WWTP
				147.00	.00	147.00	11-2022	LAB TEST-SOUTHLAND WWTP
				20.00	.00	20.00	11-2048	LAB TEST-BL WWTP
				20.00	.00	20.00	11-2075	LAB TEST-BL WWTP
				20.00	.00	20.00	11-2133	LAB TEST-BL WWTP
				16.00	.00	16.00	11-2134	LAB TEST-WATER SAMPLES
				175.00	.00	175.00	11-2152	LAB TEST-WATER SAMPLES
				16.00	.00	16.00	11-2153	LAB TEST-WATER SAMPLES
				20.00	.00	20.00	11-2159	LAB TEST-BL WWTP
				136.00	.00	136.00	11-2190	LAB TEST-BL WWTP
				20.00	.00	20.00	11-2191	LAB TEST-BL WWTP
				192.00	.00	192.00	11-2192	LAB TEST-SOUTHLAND WWTP
				20.00	.00	20.00	11-2222	LAB TEST-BL WWTP
				20.00	.00	20.00	11-2235	LAB TEST-BL WWTP
				20.00	.00	20.00	11-2275	LAB TEST-BL WWTP
				128.00	.00	128.00	11-2276	LAB TEST-WATER SAMPLES
				16.00	.00	16.00	11-2297	LAB TEST-WATER SAMPLES
				20.00	.00	20.00	11-2300	LAB TEST-BL WWTP
			Check Total.....:	1689.00	.00	1689.00		
019331	04/27/11	AEC01	AECOM USA INC	66410.55	.00	66410.55	537106087	SOUTHLAND WWTF UPGRADE
019332	04/27/11	AME03	AMERI PRIDE	122.57	.00	122.57	343323	UNIFORMS
				110.77	.00	110.77	348693	UNIFORMS
			Check Total.....:	233.34	.00	233.34		
019333	04/27/11	ATT02	AT&T	185.09	.00	185.09	2271155	TELEPHONE
019334	04/27/11	AWS01	AWS DREDGE, INC.	80506.00	.00	80506.00	252-1	BIOSOLID REMOVAL-SOUTHLAN
019335	04/27/11	BRE02	BRENTAG PACIFIC INC.	753.75	.00	753.75	BPI087335	SODIUM HYPOCHLORITE
				624.48	.00	624.48	BPI087336	SODIUM HYPOCHLORITE
			Check Total.....:	1378.23	.00	1378.23		
019336	04/27/11	CAN02	CANNON ASSOCIATES	3577.50	.00	3577.50	50508	SOUTHLAND WWTP PEER REVIE
				2107.57	.00	2107.57	50513	STANDPIPE CONSTRUCTION OB
				440.00	.00	440.00	50548	JUNIPER L/S
				16659.53	.00	16659.53	50590	WILLOW RD PHASE 1
			Check Total.....:	22780.60	.00	22780.60		

TO: BOARD OF DIRECTORS
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019337	04/27/11	CAR04	CAR QUEST AUTO PARTS	16.73	.00	16.73	469615	REPAIR/MAINT-04 CHEVY SIL
				17.67	.00	17.67	478284	REPAIR/MAINT-VALVE EXERC
			Check Total.....:	34.40	.00	34.40		
019338	04/27/11	CWE01	CWEA	132.00	.00	132.00	GRIETENS	MEMBERSHIP RENEWEL-GRIETE
019339	04/27/11	DIS02	DISCRETE WIRELESS	308.50	.00	308.50	738438	GPS SERVICE
019340	04/27/11	DKF01	DKF SOLUTIONS GROUP, LLC	350.00	.00	350.00	1279	MONTHLY SAFETY SUBSCRIPTI
019341	04/27/11	DWI01	DWIGHT'S AUTOMOTIVE	15.00	.00	15.00	B10420	TIRE REPAIR
019342	04/27/11	EBY01	EBY, ED	100.00	.00	100.00	42711	BOARD MEETING 4-27-11
019343	04/27/11	EDW01	JONATHAN EDWARDS	120.00	.00	120.00	B10421	REIMBURSEMENT-BOOTS
019344	04/27/11	ELE02	ELEMENTS	31.25	.00	31.25	210196	WEB SUPPORT
019345	04/27/11	ENV01	ENVIRONMENTAL EQUIP ENG	17800.00	.00	17800.00	3924	2 FLOATING AERATORS
019346	04/27/11	FER01	FERGUSON ENTERPRISES INC	1156.05	.00	1156.05	7017510	OPERATING SUPPLIES
				498.08	.00	498.08	7025327	OPERATING SUPPLIES
				252.30	.00	252.30	7026842	OPERATING SUPPLIES
				-504.60	.00	-504.60	C105791-1C	OPERATING SUPPLIES
				-245.78	.00	-245.78	C105791-2C	OPERATING SUPPLIES
			Check Total.....:	1156.05	.00	1156.05		
019347	04/27/11	FUG01	FUGRO WEST, INC.	3699.65	.00	3699.65	3-1	SOUTHLAND WWTF MODEL UPDA
				1747.57	.00	1747.57	4-1	VIA CONCHA WELL
			Check Total.....:	5447.22	.00	5447.22		
019348	04/27/11	GAD01	GADDIS, DAN A.	100.00	.00	100.00	42711	BOARD MEETING 4-27-11
019349	04/27/11	GRO01	GROENIGER & CO	67.83	.00	67.83	11017642	OPERATING SUPPLIES
				2.39	.00	2.39	11017691	OPERATING SUPPLIES
			Check Total.....:	70.22	.00	70.22		
019350	04/27/11	HAC01	HACH COMPANY	506.48	.00	506.48	7188761	OPERATING SUPPLIES-LAB
019351	04/27/11	HAM02	HAMNER JEWELL & ASSOCIATE	181.25	.00	181.25	5196	TANK SITE ACQUISITION
				1128.15	.00	1128.15	5197	WATERLINE INTERTIE PROJEC
			Check Total.....:	1309.40	.00	1309.40		
019352	04/27/11	HAR02	HARRISON, JAMES	100.00	.00	100.00	42711	BOARD MEETING 4-27-11
019353	04/27/11	LIN02	LINC DELIVERY	253.00	.00	253.00	2888	DELIVERY-MARCH
019354	04/27/11	MCC02	MCCLURE, MARK	350.00	.00	350.00	110419-1	TRANSCRIPTION SERVICE
019355	04/27/11	MOR02	MORE OFFICE SOLUTIONS	379.60	.00	379.60	62929	COLORED COPIES
				420.48	.00	420.48	62930	COPIER MAINTENANCE
				125.17	.00	125.17	67651	COPIER MAINTENANCE
			Check Total.....:	925.25	.00	925.25		
019356	04/27/11	NEX01	NEXTEL COMMUNICATIONS	529.43	.00	529.43	087314113	CELL SERVICE
019357	04/27/11	OFF01	OFFICE DEPOT	100.40	.00	100.40	284974001	OFFICE SUPPLIES
				139.28	.00	139.28	312505001	OFFICE SUPPLIES
				67.85	.00	67.85	852508001	OFFICE SUPPLIES
				13.49	.00	13.49	852813001	OFFICE SUPPLIES
				197.75	.00	197.75	915646001	OFFICE SUPPLIES
			Check Total.....:	518.77	.00	518.77		
019358	04/27/11	ONE02	101 BLUEPRINT & COPY	17.99	.00	17.99	11-0905	COPIES OF BLUEPRINTS
019359	04/27/11	PER04	PERRY'S ELECTRIC MOTORS	2542.64	.00	2542.64	12361	SOUTHLAND WWTP-REPAIR/MAI
019360	04/27/11	QUI04	QUINN POWER SYSTEMS	447.35	.00	447.35	4837	GENERATOR MAINTENANCE
019361	04/27/11	ROD01	RODRIGUEZ, RIGOBERTO	74.71	.00	74.71	B10422	TRAVEL REIMBURSEMENT
019362	04/27/11	SAN09	SAN LUIS MAILING SERVICE	128.17	.00	128.17	230714A	MAIL BILLS
				658.60	.00	658.60	230714B	POSTAGE-BILLS
			Check Total.....:	786.77	.00	786.77		
019363	04/27/11	SAN13	SAN LUIS POWERHOUSE	268.45	.00	268.45	28186	MAINT-TEFFT L/S

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019364	04/27/11	SHI01	SHIPSEY & SEITZ, INC	18655.50	.00	18655.50	MAR 2011	LEGAL SERVICES MARCH 2011
019365	04/27/11	SLO02	DIV OF ENVIRON HEALTH	-212.50	.00	-212.50	21711C	CREDIT-CROSS CONNECTION S
				818.99	.00	818.99	74334	CROSS CONNECTION SERVICES
			Check Total.....:	606.49	.00	606.49		
019366	04/27/11	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	42711	BOARD MEETING 4-27-11
019367	04/27/11	WAG01	WAGNER & BONSIGNORE	10561.60	.00	10561.60	04-11-1	GROUNDWATER LITIGATION
				200.00	.00	200.00	04-11-2	GENERALCONSULTATION
			Check Total.....:	10761.60	.00	10761.60		
019368	04/27/11	WAL01	WALLACE GROUP	3446.50	.00	3446.50	31525	GIS DATA MAINTENANCE
				904.00	.00	904.00	31548	SOUTHLAND WWTF PER REVIEW
				1331.50	.00	1331.50	31589	INTERTIE ASSESSMENT DATA
			Check Total.....:	5682.00	.00	5682.00		
019369	04/27/11	WIN01	WINN, MICHAEL	100.00	.00	100.00	42711	BOARD MEETING 4-27-11
019370	04/27/11	WOO01	DOUGLAS WOOD & ASSOCIATES	2740.00	.00	2740.00	WWTP#17	SOUTHLAND WWTP UPGRADE

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

MINUTES

APRIL 13, 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 April 13, 2011, to order at 9:00 a.m. and led the flag salute.

00:00:41

B. ROLL CALL

At Roll Call, Directors Harrison, Vierheilig, Winn, and Gaddis were present. Director Eby was not present, due to a scheduled appointment. Director Eby will be joining the meeting later this morning.

00:00:56

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) REPORT ON MARCH 23, 2011 REGULAR MEETING CLOSED SESSION Announcement of Actions, if any, Taken in Closed Session

Jon Seitz, District Legal Counsel, announced that the Board discussed items one and two on the closed session list from the Regular Meeting of March 23, 2011, but took no reportable action. Item three from the closed session list from the Regular Meeting of March 23, 2011, will continue in today's closed session.

C-2) 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. Eileen Shields, AECOM Assistant Project Manager, and Mr. Nunley answered questions from the Board. The Board thanked their for the report.

C-3) 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.

Director Eby joined the meeting at 9:45 a.m.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
Receive Announcements from Directors Items of District & Community Interest

Director Winn

- ◇ March 28, 2011 – SCAC met and re-appointed the same officials. Supervisor Teixeira presented certificates of appreciation to those that served last year.
- ◇ April 4, 2011 – WRAC subcommittee met and discussed the County's drought reliability project for Santa Margarita.
- ◇ April 5, 2011 – The SLO Board of Supervisors met and discussed the State Budget.
- ◇ April 6, 2011 - WRAC subcommittee met and discussed the Master Water Plan. (NCS staff did an excellent job of submitting their reports to County Public Works.)
- ◇ April 12, 2011 – The SLO Board of Supervisors met and looked at the new MOU between State Parks and APCD for the Oceano Dunes PM10 problem, with particulate matter blowing over the Nipomo Mesa,
- ◇ April 14, 2011 – The Planning Commission will meet and will discuss the County Growth Management Ordinance update and the Jack Ready Park.

Director Eby

- ◇ April 21, 2011 – LAFCO will meet and discuss the annexation area on Orcutt Road to SLO City.
- ◇ LAFCO re-elected Director Eby for the special district seat, the term to end December 2014.

Director Vierheilig

- ◇ April 13, 2011 – SLO Chamber will meet this evening and will discuss the State's new voting district boundaries.
- ◇ April 14, 2011 – NCS's Finance and Audit Committee will meet and discuss the draft budget.
- ◇ April 17, 2011 – Nipomo Native Gardens will be hosting a spring tour from 1-3 p.m.

Director Gaddis

- ◇ March 28, 2011 – SCAC met and re-elected the same officials.
- ◇ April 25, 2011 – SCAC will meet at NCS at 6:30 p.m.

Director Harrison

- ◇ April 8, 2011 – Attended the NMMA TG meeting.
- ◇ April 25, 2011 – The NMMA TG will meet at NCS at 10:00 a.m.
- ◇ May 6, 2011 – The NMMA TG will meet at NCS at 1:00 p.m.
- ◇ April 16, 2011 – The Chamber of Commerce will host Casino Night at the Edwards Barn.
- ◇ April 23, 2011 – Earth Day Event at the Botanical Gardens, where the Fire Safe Council will have a display.
- ◇ May 6, 2011 – The Rotary Club will host a Golf Tournament at Cypress Ridge Golf Course.
- ◇ April 30, 2011 – The Rotary Club will be cooking for the participants of the Relay for Life.
- ◇ May 3rd /4th – Legislative Days in Sacramento.

C-3) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Sean Schuur, NCS customer and local business person, stated he would like the District to consider expanding the fee phasing Ordinance to include all subdivision/tract maps, not just those of 4 units or more.

Copy of document found at www.NoNewWipTax.com

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

01:08:46

D. CONSENT AGENDA

- D-1) APPROVE WARRANTS
- D-2) BOARD MEETING MINUTES OF MARCH 9, 2011, AND MARCH 23, 2011
- D-3) INITIATE LANDSCAPE MAINTENANCE DISTRICT ENGINEERING REPORT
- 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

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

Director Harrison pulled Item D-4 for separate consideration.

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

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

RESOLUTION NO. 2011-1215

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

ITEM D-4

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 Harrison and seconded by Director Winn, the Board unanimously approved staff to engage Hamner Jewell & Associates to assist District with property negotiations. Vote 5-0.

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

The Board took a break from 10:20 to 10:30 a.m.

E. ADMINISTRATIVE ITEMS

Nipomo Community Services District
REGULAR MEETING
MINUTES

01:21:02

E-1) INTRODUCE, EDIT AND READ BY TITLE AN ORDINANCE REVISING DISTRICT METHODOLOGY FOR CALCULATING PRIVATE FIRE CAPACITY CHARGE

Michael LeBrun, Interim General Manager, introduced the item. 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. There was no public comment.

Director Winn handed in a redline version of the proposed Ordinance, identifying punctuation and spelling errors.

Upon the motion of Director Winn and seconded by Director Eby, the Board unanimously authorized staff to read proposed Ordinance by title only.
Vote 5-0.

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

There was no public comment.

Upon the motion of Director Vierheilig and seconded by Eby, the Board approved to introduce the proposed Ordinance and set the hearing date of April 27, 2011.
Vote 4-1.

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

01:43:11

E-2) CONSIDER APPROVAL OF SCOPE AMENDMENT WITH WSC INC. IN THE AMOUNT OF \$14,960 FOR CONTINUED SUPPORT IN UPDATING THE DISTRICT'S URBAN WATER MANAGEMENT PLAN

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 Vierheilig and seconded by Director Eby, the Board unanimously authorized the General Manager to execute an amendment in the amount of \$14,960 to the existing WSC, Inc. agreement to preparation of the 2010 UWMP.
Vote 5-0.

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

Nipomo Community Services District
REGULAR MEETING
MINUTES

02:00:19

E-3) CONSIDER A SCHEDULE AND CONTRACT REVISION WITH SUPPLEMENTAL WATER PROJECT OUTREACH CONSULTANT TEAM (TRAMUTOLA, TRUENORTH, TERRAIN) IN THE AMOUNT OF \$165,000

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 members of the public spoke:

John Snyder, Nipomo Mesa resident, commented on the Santa Maria Valley Ground Water Litigation and believes more research is needed; suggested the money be spent instead on coastal monitoring wells.

Reggie Deon, Cypress Ridge resident, stated that the public should be informed about the initial report and had concerns about the costs.

Jon Seitz, District Legal Counsel, responded to Mr. Snyder's comments.

Upon the motion of Director Winn and seconded by Director Eby, the Board unanimously activated an ad-hoc committee to help craft the proposal and review change in scope for the contract.

Vote 5-0.

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

President Harrison appointed Director Eby as the Chair and Director Winn as the member for the ad-hoc committee.

The Board considered closed session next.

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9 Maria Vista VS. NCSD (CASE NO. CV 040877), Maria Vista vs. NCSD (Case No. CV 061079), AND Maria Vista vs. Linda Vista Farms, NCSD et al. (Case No. CV 040150).
3. 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.

02:41:35

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to Closed Session at 12:10 p.m.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

02:42:57

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

The Board came back into Open Session at 1:30 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. For item three, the Board concluded the evaluation and directed Legal Counsel to draft a final approval, and continue this item for one more closed session.

02:43:10

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.

G. COMMITTEE REPORT

There were no committee reports.

02:57:50

H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Winn

- ◇ Will submit questions to staff on the solar project in the Manager's Report.

Director Eby

- ◇ Requested staff to revisit Solid Waste Franchise Fee. How we can use them, and what the ramifications would be.
- ◇ Requested staff to revisit rationale and continued need for conservation and public information specialist position.

Director Vierheilig

- ◇ Requested staff to look into a rate study for a Town sewer rate increase.
- ◇ Requested staff to look ahead for Blacklake sewer rate study.

03:04:02

ADJOURN

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

TO: BOARD OF DIRECTORS
 FROM: MICHAEL LEBRUN *MSL*
 INTERIM GENERAL MANAGER
 DATE: APRIL 22, 2011

**AGENDA ITEM
 D-3
 APRIL 27, 2011**

INVESTMENT POLICY – FIRST 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 March 31, 2011 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 2011 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-FIRST QUARTER REPORT 3/31/11

Investment	Institution	Amount of Deposit 3/31/11	Rate of Interest	Quarterly Interest Earned or Accrued 3/31/11	Amount of Deposit 3/31/10	Rate of Interest	Quarterly Interest Earned or Accrued 3/31/10
Money Market	Rabaobank (1)	\$178,133.29	N/A	\$0.00	\$110,052.18	N/A	\$0.00
Savings	Rabobank	\$927.00	0.04%	\$0.11	\$926.54	.10%	\$0.23
Pooled Money Investment	Local Agency Investment Fund (LAIF)	\$21,442,039.93	0.51%	\$27,298.64	\$21,442,039.93	0.56%	\$29,994.68
Certificate of Deposit Account Registry Service (CDARS)	Mission Community Bank	\$2,068,036.72	0.20%	\$487.22	\$2,052,512.73	0.65%	\$3,296.41

N/A – Not Applicable
 (1) Account placed on Analyzed Services

ATTACHMENTS

None