

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: JULY 7, 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:
  - JUNE 8, 2011, REGULAR MEETING [RECOMMEND APPROVAL]
  - JUNE 22, 2011, REGULAR MEETING [RECOMMEND APPROVAL]



TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER

DATE: JULY 8, 2011

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

019623	07/13/11	ADV01	ADVANTAGE ANSWERING PLUS	140.90	.00	140.90	6252011	JULY ANSWERING SERVICE
019624	07/13/11	AEC01	AECOM USA INC	3326.40	.00	3326.40	37125456	WATERLINE INTERTIE PROJEC
019625	07/13/11	AIR01	AIR POLLUTION CONTROL	991.54 370.88	.00 .00	991.54 370.88	13801A 13801B	PERMIT-SOUTHLAND WWTP PERMIT-SUNDALE WELL GENER
			Check Total.....:	1362.42	.00	1362.42		
019626	07/13/11	ALX01	ALEXANDER'S CONTRACT SERV	3293.98	.00	3293.98	JUL 2011	METER READING-JULY
019627	07/13/11	AME03	AMERI PRIDE	146.71 105.95 113.43 122.82 106.20	.00 .00 .00 .00 .00	146.71 105.95 113.43 122.82 106.20	15367 359387 391354 396599 401823	UNIFORMS UNIFORMS UNIFORMS UNIFORMS UNIFORMS
			Check Total.....:	595.11	.00	595.11		
019628	07/13/11	ATT02	AT&T	147.47 36.10 121.84	.00 .00 .00	147.47 36.10 121.84	2455016 2455267 2455337	TELEPHONE TELEPHONE TELEPHONE
			Check Total.....:	305.41	.00	305.41		
019629	07/13/11	AWW02	AMERICAN WATER WORKS ASSO	520.00	.00	520.00	B10707	AWWA STANDARDS UPDATE
019630	07/13/11	BES01	BEST BEST & KRIEGER	1957.80 398.84 4444.13 153.40	.00 .00 .00 .00	1957.80 398.84 4444.13 153.40	650879 653096 655108 656130	MARCH LEGAL-ORDINANCE APRIL LEGAL-ORDINANCE MAY LEGAL-BID DOCUMENTS JUNE LEGAL-BID DOCUMENTS
			Check Total.....:	6954.17	.00	6954.17		
019631	07/13/11	BRE02	BRENNTAG PACIFIC INC.	839.27 657.20	.00 .00	839.27 657.20	BPI108871 BPI108872	SODIUM HYPOCHLORITE SODIUM HYPOCHLORITE
			Check Total.....:	1496.47	.00	1496.47		
019632	07/13/11	CLE06	CNSSLO INC	2086.00 2041.00 431.06 195.00	.00 .00 .00 .00	2086.00 2041.00 431.06 195.00	12619 12794 12884 12906	MONTHLY SUPPORT-MAY MONTHLY SUPPORT-JUNE DUAL MONITOR SET-UP COMPUTER SUPPORT
			Check Total.....:	4753.06	.00	4753.06		
019633	07/13/11	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	B106151	MONTHLY SUPPORT
019634	07/13/11	CRY01	CRYSTAL SPRINGS	23.28	.00	23.28	JUN 2011	LAB-DISTILLED WATER
019635	07/13/11	DIS02	DISCRETE WIRELESS	308.50	.00	308.50	749244	GPS SERVICE
019636	07/13/11	EBY01	EBY, ED	100.00	.00	100.00	071311	BOARD MEETING 7-13-11
019637	07/13/11	FAR02	FAR WEST EXPRESS	22.00	.00	22.00	JUN 2011	DELIVERY
019638	07/13/11	FER01	FERGUSON ENTERPRISES INC	348.30 -248.98	.00 .00	348.30 -248.98	7185367 CM183501C	4" REPAIR KIT RETURNED 4" REPAIR KIT
			Check Total.....:	99.32	.00	99.32		
019639	07/13/11	FGL01	FGL ENVIRONMENTAL	73.00	.00	73.00	181155A	LAB TEST-VIA CONCHA WELL
019640	07/13/11	FUG01	FUGRO WEST, INC.	1505.00	.00	1505.00	5-3	SOUTHLAND OPERATIONAL CAP
019641	07/13/11	GAD01	GADDIS, DAN A.	100.00	.00	100.00	071311	BOARD MEETING 7-13-11
019642	07/13/11	GIL01	GLM, INC.	320.00	.00	320.00	JUN 2011	LANDSCAPE SERVICE-JUNE
019643	07/13/11	GWA01	GWA INC	85.00 85.00 85.00 53.00	.00 .00 .00 .00	85.00 85.00 85.00 53.00	2107201 JUL 2011A JUL 2011B JUL 2011C	INSTALL MAGNET-NEW DOOR UTILITY OFFICE MONITORING SHOP/LAB MONITORING OFFICE MONITORING
			Check Total.....:	308.00	.00	308.00		
019644	07/13/11	HAM02	HAMNER JEWELL & ASSOCIATE	112.50 2349.94	.00 .00	112.50 2349.94	5312 5313	TANK SITE ACQUISITION WATERLINE INTERTIE PROJEC
			Check Total.....:	2462.44	.00	2462.44		
019645	07/13/11	HAR02	HARRISON, JAMES	100.00	.00	100.00	071311	BOARD MEETING 7-13-11



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 FROM: MICHAEL S. LEBRUN *MSL*  
 GENERAL MANAGER  
 DATE: JULY 8, 2011

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

019646	07/13/11	HOM01	HOME MOTORS	16.78	.00	16.78	153334	ON-CALL TRUCK-REPAIR/MAIN
019647	07/13/11	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	52790	LANDSCAPE MAINT DISTRICT
019648	07/13/11	MCC02	MCCLURE, MARK	160.00	.00	160.00	110707-1	TRANSCRIPTION SERVICE
019649	07/13/11	MIN02	MINER'S ACE HARDWARE	324.98	.00	324.98	JUN 2011	OPERATING SUPPLIES
019650	07/13/11	MOR02	MORE OFFICE SOLUTIONS	508.78	.00	508.78	89839	COPIER MAINTENANCE
				504.58	.00	504.58	95071	BW/COLOR COPIES
			Check Total.....:	1013.36	.00	1013.36		
019651	07/13/11	MUL01	MULLAHEY FORD	41.93	.00	41.93	52567	08 FORD TRUCK-MAINT/REPAI
				265.08	.00	265.08	52614	06 FORD TRUCK-MAINT/REPAI
				50.56	.00	50.56	52658	04 FORD TRUCK-MAINT/REPAI
			Check Total.....:	357.57	.00	357.57		
019652	07/13/11	NAT02	NATIONAL METER & AUTOMATI	24275.06	.00	24275.06	S10331581	1" x 10 3/4" METERS
019653	07/13/11	NEX01	NEXTEL COMMUNICATIONS	579.19	.00	579.19	87314-115	CELL SERVICE
019654	07/13/11	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	85364	RODENT CONTROL
				75.00	.00	75.00	85365	RODENT CONTROL
			Check Total.....:	340.00	.00	340.00		
019655	07/13/11	OFF01	OFFICE DEPOT	126.11	.00	126.11	781433001	OFFICE SUPPLIES
				160.64	.00	160.64	934498001	OFFICE SUPPLIES
			Check Total.....:	286.75	.00	286.75		
019656	07/13/11	PAT02	PAT DALTON CONSTRUCTION	549.27	.00	549.27	492	NEW DOOR FOR PARTS STORAG
019657	07/13/11	PGE01	P G & E	44154.63	.00	44154.63	JUN 2011	ELECTRICITY-JUNE 2011
				45.21	.00	45.21	7108699-5	ELECTRICITY
			Check Total.....:	44199.84	.00	44199.84		
019658	07/13/11	POS01	POSTMASTER	56.00	.00	56.00	B10707	PO BOX RENEWAL
019659	07/13/11	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	213	JANITORIAL-JUNE
019660	07/13/11	QUI01	QUILL CORPORATION	108.24	.00	108.24	B10706	OFFICE SUPPLIES
019661	07/13/11	RIC01	RICHARDS, WATSON, GERSHON	17698.50	.00	17698.50	178272	WATER RIGHTS ADJUDICATION
019662	07/13/11	SAN01	SANTA MARIA TIRE INC	56.08	.00	56.08	56.08	ON-CALL TRUCK-MAINTENANCE
019663	07/13/11	SAN09	SAN LUIS MAILING SERVICE	47.49	.00	47.49	232719	MAIL LATE NOTICES
				148.28	.00	148.28	232719A	POSTAGE-LATE NOTICES
			Check Total.....:	195.77	.00	195.77		
019664	07/13/11	SHE01	SHEPARD BROS. INC.	175.59	.00	175.59	1709	SAFETY-DISINFECTANT
019665	07/13/11	SHI01	SHIPSEY & SEITZ, INC	18449.60	.00	18449.60	MAY 2011	LEGAL SERVICES-MAY
019666	07/13/11	SOU01	SOUTH COUNTY SANITARY	34.92	.00	34.92	3350915	TRASH SERVICE
				169.12	.00	169.12	3552289	OLDE TOWN TRASH SERVICE
			Check Total.....:	204.04	.00	204.04		
019667	07/13/11	SPE01	SPECIAL DISTRICT RISK	76105.47	.00	76105.47	36401	PROPERTY/LIABILITY-RENEWA
				4941.00	.00	4941.00	36628	WORKERS COMP JULY/SEPT
			Check Total.....:	81046.47	.00	81046.47		
019668	07/13/11	TAF01	TAFT ELECTRIC	570.00	.00	570.00	30751J	ELECTRICAL MAINT-WELLS
				380.00	.00	380.00	30751J-1	ELECTRICAL MAINT-SWWTTP
			Check Total.....:	950.00	.00	950.00		
019669	07/13/11	TER02	TERRAIN CONSULTING	5230.18	.00	5230.18	437	SUPPLEMENTAL-OUTREACH
019670	07/13/11	THE01	THE GAS COMPANY	18.58	.00	18.58	JUN 2011	OFFICE HEAT
				17.92	.00	17.92	JUN 2011A	SHOP OFFICE HEAT
			Check Total.....:	36.50	.00	36.50		
019671	07/13/11	TIT01	TITAN INDUSTRIAL & SAFETY	385.63	.00	385.63	1046010	SAFETY-HAZMAT/ISC 4-GAS

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019672	07/13/11	TRA02	TRAMUTOLA	13331.22	.00	13331.22	110962	OUTREACH-MAILING/PRINTING
019673	07/13/11	UCM01	UTILITY COST MANAGEMENT L	2808.43	.00	2808.43	15499	ELECTRICAL SAVINGS JAN-MA
019674	07/13/11	UND01	UNDERGROUND SERVICE ALERT	127.50	.00	127.50	11060035	UNDERGROUND SERVICES ALER
019675	07/13/11	UPS01	UPS STORE #6031	14.01	.00	14.01	B10629	SHIPPING-WATER VALVE KIT
				137.12	.00	137.12	B10708	EIR-PRINTING
				10.77	.00	10.77	B10708-2	MEDIA MAILERS-EIR
			Check Total.....:	161.90	.00	161.90		
019676	07/13/11	USB01	US BANK TRUST	122.86	.00	122.86	6211A	MEETING SUPPLIES
				98.00	.00	98.00	62211B	TRAINING/EDUCATION
				105.00	.00	105.00	62211C	TRAVEL
				2148.60	.00	2148.60	62211D	COMPUTER EXPENSE
				396.28	.00	396.28	62211E	BL WWTP-OPER SUPPLIES
				249.90	.00	249.90	62211F	2010 F250-REPAIR/MAINT
			Check Total.....:	3120.64	.00	3120.64		
019677	07/13/11	VER01	VERIZON	38.06	.00	38.06	B10629	TELEPHONE
019678	07/13/11	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	071311	BOARD MEETING 7-13-11
019679	07/13/11	WAC01	WACHS UTILITY SERVICES	536.27	.00	536.27	64383	R&M-VALVE KEY ON EXECISER
019680	07/13/11	WIN01	WINN, MICHAEL	100.00	.00	100.00	071311	BOARD MEETING 7-13-11
019681	07/13/11	WOO01	DOUGLAS WOOD & ASSOCIATES	2981.65	.00	2981.65	WWTP# 20	SOUTHLAND WWTP UPGRADE
019682	07/13/11	YOU01	YOUR PEOPLE PROFESSIONALS	1550.00	.00	1550.00	JUL 2011	DEPOSIT-EMPLOYMENT AGENCY

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

D2

## MINUTES

**JUNE 8, 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 S. LEBRUN, **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 June 8, 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.

00:03:28 C. PRESENTATIONS AND PUBLIC COMMENT

C-1) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Any member of the public may give comments on the presentations and address the Board relating to any matter within the Board's jurisdiction but not on the Board's agenda. **Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.**

There was no public comment.

C-2) REPORT ON MAY 25, 2011 REGULAR MEETING CLOSED SESSION

Announcement of Actions, if any, Taken in Closed Session

Jon Seitz, District Legal Counsel, announced that the Board discussed item one (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMWWCD VS. NCSD) in closed session but took no reportable action.

The Board discussed item two (Annual performance review of District Legal Counsel pursuant to GC §54957) in closed session. The Board unanimously approved the annual performance review of District Legal Counsel and directed the Board President to deliver the review to District Legal Counsel.

The Board discussed item three (Public employee evaluation GC §54957 Title: District Interim General Manager Performance Evaluation) in closed session; the Board by unanimous decision directed District Legal Counsel to convene a Special Meeting on June 2, 2011, and bring forward a Contract for Mr. LeBrun.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

- C-3) MIKE NUNLEY OF AECOM  
Update Report re: Southland Wastewater Treatment Plant Upgrade

Mike Nunley, AECOM Project Manager, reviewed the report as presented in the Board packet. Michael LeBrun, General Manager, and Mr. Nunley answered questions from the Board. The Board thanked Mr. Nunley for the report. There was no public comment.

- C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST  
Receive Announcements from Directors Items of District & Community Interest

Director Winn

- ◇ Director Winn commented on the WRAC meeting from June 1, 2011, and announced there would be no more meetings until September, unless there is an emergency.
- ◇ Director Winn commented on the SLO County Board of Supervisors meeting from June 7, 2011.

Director Eby

- ◇ Director Eby commented on the SLO County Board of Supervisors meeting from June 7, 2011.
- ◇ June 13, 2011 – NMMA TG will meet at 10:00 a.m. at NCSD.
- ◇ June 24, 2011 – NMMA TG will meet at 10:00 a.m. at NCSD

Director Vierheilig

- ◇ June 8, 2011 – Blacklake will host a Chamber mixer from 5:00 to 7:00 p.m.

Director Harrison

- ◇ Mr. Shurr will be contacting the General Manager to request an item be brought before the Board.

00:23:58

D. CONSENT AGENDA

- D-1) APPROVE WARRANTS
- D-2) BOARD MEETING MINUTES:  
MAY 25, 2011, REGULAR MEETING  
JUNE 2, 2011, SPECIAL MEETING
- D-3) RECEIVE AND FILE REPORTS PRESENTED UNDER ITEM C. ABOVE

Michael LeBrun, General Manager, answered questions from the Board. There was no public comment.

Upon the motion of Director Vierheilig and seconded by Director Eby, the Board unanimously approved the Consent Agenda.  
Vote 5-0.

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

E. ADMINISTRATIVE ITEMS



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

00:25:35

E-1) PUBLIC HEARING – AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Jon Seitz, District Legal Counsel, Lisa Bognuda, Finance Director, and Mr. LeBrun, answered questions from the Board.

President Harrison opened the public hearing.

The following member of the public spoke:

Melinda McCann, NCSD customer, had concerns about renters not being accountable for their failure to pay water/sewer bills. She would like NCSD to somehow make renters accountable.

Jon Seitz, District Legal Counsel, commented on Mrs. McCann's concerns.

President Harrison closed the public hearing.

Upon the motion of Director Eby and seconded by Director Winn, the Board unanimously adopted Resolution 2011-1222.

Vote 5-0.

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

RESOLUTION NO. 2011-1222

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT CONFIRMING REPORT OF DISTRICT GENERAL MANAGER FOR UNPAID SOLID WASTE COLLECTION CHARGES

00:42:11

E-2) PUBLIC/PROTEST HEARING – AUTHORIZE COLLECTION OF FY 2011-12 BLACKLAKE STREET LIGHT DISTRICT ASSESSMENTS

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Jon Seitz, District Legal Counsel, Lisa Bognuda, Finance Director, and Mr. LeBrun, answered questions from the Board.

President Harrison opened the public hearing. There was no public comment.

Upon the motion of Director Vierheilg and seconded by Director Winn, the Board unanimously adopted Resolution 2011-1223.

Vote 5-0.

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

RESOLUTION NO. 2011-1223

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE BLACKLAKE VILLAGE

The Board considered Item E-7 next.



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

00:59:26

E-7) SUPPLEMENTAL WATER PROJECT OUTREACH PROGRAM UPDATE

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

Upon the motion of Director Winn and seconded by Director Eby, the Board approved the brochure as amended and directed staff to publish and distribute outreach materials as amended.

Vote 4-1. (Director Vierheilig abstained, pursuant to section 2.9 of the NCSD's by-laws; an abstention is counted as a No vote.)

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

The Board took a break from 10:30 to 10:45 a.m.

01:29:24

E-3) PUBLIC/PROTEST HEARING – AUTHORIZE COLLECTION OF FY 2011-12 LANDSCAPE MAINTENANCE ZONE #1 ASSESSMENTS

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

President Harrison opened the public hearing. There was no public present.

Upon the motion of Director Eby and seconded by Director Vierheilig, the Board unanimously adopted Resolution 2011-1224.

Vote 5-0.

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

RESOLUTION NO. 2011-1224

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT ORDERING THE  
LEVY AND COLLECTION OF ASSESSMENTS FOR THE NIPOMO  
COMMUNITY SERVICES DISTRICT STREET LANDSCAPE  
MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2011-2012

01:31:35

E-4) PUBLIC HEARING – REVIEW FY 2011-12 BUDGET

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

President Harrison opened the public hearing. There was no public present.

Upon the motion of Director Vierheilig and seconded by Director Eby, the Board unanimously approved to set June 22, 2011, for the adoption of the Budget for Fiscal Year 2011-2012

Vote 5-0.

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

The Board considered Item E-6 next.

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

E-6) CALIFORNIA DEPARTMENT OF WATER RESOURCES PROPOSITION 84 INTEGRATED REGIONAL WATER MANAGEMENT GRANT FUNDING RECOMMENDATIONS

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

Upon the motion of Director Eby and seconded by Director Vierheilg, the Board unanimously approved the letter and authorized the General Manager to sign and send the letter out hastily.

Vote 5-0.

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

02:01:31

E-5) 2010 URBAN WATER MANAGEMENT PLAN ADOPTION HEARING

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

President Harrison opened the public hearing. There was no public present.

Director Winn commended staff and WSC for all of their hard work.

Upon the motion of Director Vierheilg and seconded by Director Winn, the Board unanimously approved Resolution 2011-1225 as amended.

Vote 5-0.

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

RESOLUTION NO. 2011-1225

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING THE URBAN WATER MANAGEMENT PLAN 2010 UPDATE

02:16:57

C-4) NCS D DISTRICT ENGINEER PETER SEVCIK  
Update Report re: Recent Activities

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

02:34:26

F. MANAGER'S REPORT

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

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. "CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCS D vs. County SLO, ET AI. (CASE #CV090010)"

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

03:04:30

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to Closed Session at 12:20 p.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:45 p.m.

Jon Seitz, District Legal Counsel, announced that the Board discussed the two items listed above in closed session but took no reportable action.

G. COMMITTEE REPORT

There were no committee reports.

H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby

- ◇ Requested staff to look into the feasibility of retiring the August 1978 revenue bonds.
- ◇ Requested the progress of staff to pursue the feasibility of beginning the Supplemental Water Project using the funds we may get from DWR, in addition to using the District's reserve funds. To see the feasibility both legally and in terms of engineering practicality of doing this.

Director Winn

- ◇ Commented on the lost opportunities of a newsletter, but understands the shortage of staff.
- ◇ Questioned the circulation of The Santa Maria Times and The Tribune within our District boundaries.
- ◇ Agendize a discussion of a policy about incorporating photo voltaic cells into the District facilities.
- ◇ Commented on the SLO Board of Supervisors looking into adopting a MOU with outside agencies. They might look at the District and County's MOA and start there.
- ◇

Director Gaddis

- ◇ Requested staff to look into a program where employees can come forward with ideas that would help the District run better and lower District costs. If it were a successful idea, the District would implement a one-time bonus for that employee.

ADJOURN

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



# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## MINUTES

**JUNE 22, 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 S. LEBRUN, **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 June 22, 2011, to order at 9:05 a.m. and led the flag salute.

00:00:41

#### B. ROLL CALL

At Roll Call all Board members were present.

#### C. PRESENTATIONS AND PUBLIC COMMENT

##### C-1) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Any member of the public may give comments on the presentations and address the Board relating to any matter within the Board's jurisdiction but not on the Board's agenda. **Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.**

There was no public comment.

##### C-2) REPORT ON JUNE 8, 2011 REGULAR MEETING CLOSED SESSION

Announcement of Actions, if any, Taken in Closed Session

Jon Seitz, District Legal Counsel, announced that the District Counsel gave updates but not reportable action was taken.

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).

"CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD vs. County SLO, ET AL. (CASE #CV090010)"

There was no public comment.

**Nipomo Community Services District  
REGULAR MEETING  
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- C-3) NCSO SUPERINTENDENT TINA GRIETENS  
Update Report re: Summary of Utility Division Activities

Tina Grietens, NCSO Superintendent, reviewed the report as presented in the Board packet. Ms. Grietens answered questions from the Board. The Board thanked Ms. Grietens for the report. There was no public comment

- C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.  
Receive Announcements and Reports from Directors

Director Winn

The Planning Commission met on June 9 and set precedence on how they will communicate in the future. The Board of Supervisors met on June 14 and noted that nothing has happened with the In-Lieu Fee. An informational meeting about supplemental water for the Mesa was held on June 16 at Mesa Middle School. The Ad Hoc Committee met on June 17. The Land Use Committee met on June 20 and reported that a number of General Plan Amendments are moving ahead, including the Kaminaka and the ConocoPhillips application to expand. Some commercial owners did not receive the Supplemental Water informational flyer.

Director Eby

LAFCO met on June 16 and considered an Outside User Agreement for Ground Squirrel Hollow CSD.

Director Vierheilig

Santa Barbara Chapter of CSDA will meet on June 27 at the Marriott in Buellton. Kyle Packaham, CSDA Legislative Director, will speak. The cost is \$40 per person.

Director Gaddis

SCAC will meet on June 27 at 6:30 p.m. at NCSO Board Room.

D. CONSENT AGENDA

- D-1) APPROVE WARRANTS
- D-2) PUBLIC DRAFT SOUTHLAND ENVIRONMENTAL IMPACT REPORT
- D-3) PUBLIC EMPLOYEE RETIREMENT TIER II
- D-4) RECEIVE AND FILE REPORTS PRESENTED UNDER ITEM C. ABOVE

Director Harrison requested Item D-3 be pulled for separate consideration. Director Winn questioned Item D-4. District Legal Counsel, Jon Seitz, stated that D-4 allows members of the public to comment on presentations made during Item C.

Upon motion of Director Vierheilig and seconded by Director Eby, the motion was to approve Items D-1, D-2 and D-4.

John Snyder – Nipomo Resident, stated that D-4 should be clarified.

Director Winn requested that Item D-4 be pulled for further discussion.

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00:23:58

Upon motion of Director Vierheilg and seconded by Director Eby, the Board unanimously approved Items D-1 and D-2. Vote 5-0.

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

District Legal Counsel, Mr. Seitz, stated that Item D-4 is Board policy and can be changed. There was no public comment.

Upon motion of Director Winn and seconded by Director Vierheilg, the Board approved leaving the wording of Item C-1 but striking the phrase "give comments on the presentations" and adding an additional Item C after DIRECTOR ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES AND SEMINARS to provide for additional public comment. Vote 4-1.

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

Item D-3, Director Harrison expressed his opposition to creating a two-tier retirement system.

Upon motion of Director Winn and second by Director Vierheilg, the Board approved Resolution 2011-1226. Vote 4-1.

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

RESOLUTION NO. 2011-1226

NIPOMO COMMUNITY SERVICES DISTRICT  
RESOLUTION AUTHORIZING AN AMENDMENT  
TO THE CONTRACT (CalPERS)

**E. ADMINISTRATIVE ITEMS**

00:58:37

The Board took a five minute break at 10:03 a.m.

E-1) RECEIVE SPRING 2011 GROUNDWATER INDEX PRESENTATION BY BRAD NEWTON, Ph.D., PG FROM WAGNER & BONSIGNORE CONSULTING CIVIL ENGINEERS

Brad Newton presented the Spring 2011 Groundwater Index report. The Board asked questions and Dr. Newton responded.

It was stated that the Spring Groundwater Index had not been presented to nor reviewed by the NMMA. Technical Group.

John Snyder, Nipomo Resident, is concerned about the statement made on line 31 of Page 1 of the report.

No action was taken.



Nipomo Community Services District  
REGULAR MEETING  
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E-2) ADOPT 2011/2012 FISCAL BUDGET

Michael LeBrun, General Manager, introduced the item and Lisa Bognuda, Finance Director, presented the 2011-2012 Fiscal Year Budget.

President Harrison opened the public hearing. There was no public comment.

Upon the motion of Director Vierheilg and seconded by Director Eby, the Board unanimously adopted Resolutions 2011-1227 and 2011-1228. Vote 5-0.

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

RESOLUTION NO. 2011-1227

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES  
ADOPTING THE 2011-2012 FISCAL YEAR BUDGET

AND

RESOLUTION NO. 2011-1228

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES  
DETERMINING THE APPROPRIATIONS  
LIMITATION FOR THE 2011-2012 FISCAL YEAR

01:38:00

E-3) SUPPLEMENTAL WATER PROJECT UPDATE

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

Director Eby challenged Mr. LeBrun to provide the Directors a range of what the project will cost to property owners, since he has four presentations scheduled in July and wants to be able to address this question.

Directors supported Director Eby's idea and suggested that for now the public might be pleased just to have a date on which the District could release a range of possible costs for each of the four service areas.

There was no public comment.

No action was taken.

02:15:08

E-4) CALIFORNIA SPECIAL DISTRICT ASSOCIATION BYLAW AMENDMENTS

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

There was no public present.

Upon the motion of Director Vierheilg and seconded by Director Gaddis, the Board approved voting NO regarding the proposed amendments to the CSDA ByLaws. Vote 4-1.

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

02:24:20

## F. MANAGER'S REPORT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mr. LeBrun answered questions from the Board. Mr. LeBrun also added that a Community Open House for Jack Ready Imagination Park will be held on June 23 from 11:00 a.m. to 7:00 p.m. at the Nipomo Library, and the Public Draft EIR for the Excelaron Huasna Valley Oil Exploration and Production Project was received this week. There was no public comment.

## G. COMMITTEE REPORT

None

02:38:00

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

Director Winn

- Requested NCS D Field Staff be given an orientation for answering questions from the public about the Supplemental Water Project.
- Requested a cost be obtained from the outreach consultants to critique NCS D website.
- Requested the Assessment Engineer review Woodlands total number of votes.
- Acknowledged he will work on obtaining the circulation information from The Trib and Santa Maria Times.
- Requested district Counsel provide documentation about Woodlands being entitled to additional future supplemental water deliveries.
- Requested information on Prop 84 Grant status.
- Stated County Ordinance 3090 Supplemental Water In-Lieu Fee is still outstanding.
- Requested a refresher as to the NCS D well site south of the Mesa being a viable source of supplemental water.

Director Eby

- Requested information on using the grant funds immediately to begin building the first portion of the supplemental water project.

Director Harrison

- Stated that the owner of 34 lots on the corner of Thompson and Avocado will begin construction soon.

02:51:00

## 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. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: ANTICIPATED LIABILITY CLAIM PURSUANT TO GC SECTION 54956.95; CHERYL SIDWELL CLAIM AGAINST DISTRICT

## J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

02:51:30

## K. ADJOURN TO CLOSED SESSION

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

Director Vierheilig left at 1:45 p.m.

**Nipomo Community Services District  
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L. OPEN SESSION  
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 2:30 p.m.

Jon Seitz, District Legal Counsel, announced that the Board discussed the two items listed above in closed session. The Board took no reportable action on Item 1. The Board gave direction to staff on Item 2.

ADJOURN

President Harrison adjourned the meeting at 2:32 p.m.