

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: MARCH 9, 2012



### 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) APPROVE FEBRUARY 29, 2012 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE]
- D-3) APPROVE CONTRACT FOR OTHER POST EMPLOYMENT BENEFIT (OPEB) VALUATION [RECOMMEND APPROVE CONTRACT WITH JAMES MARTA & COMPANY IN AMOUNT OF \$1,100 TO CONDUCT OPEB VALUATION, DIRECT STAFF TO ISSUE TASK ORDER]
- D-4) APPROVE SURPLUS OF OBSOLETE DISTRICT EQUIPMENT [RECOMMEND DECLARE THREE STANDBY ELECTRICAL GENERATORS AND ONE VEHICLE SURPLUS AND AUTHORIZE SALE OF SURPLUS EQUIPMENT]

TO: BOARD OF DIRECTORS  
 FROM: MICHAEL S. LEBRUN  
 GENERAL MANAGER  
 DATE: MARCH 9, 2012

**AGENDA ITEM  
 D-1  
 MARCH 14, 2012**

**TOTAL COMPUTER CHECKS  
 \$347,402.83**

**HAND WRITTEN CHECKS**

02-29-12	10043	PGE	ELECTRICITY	\$56,727.34
02-29-12	10044	CHARTER	SHOP INTERNET (PRO-RATED BILLING)	\$327.50
02-29-12	10045	CHARTER	OFFICE INTERNET (PRO-RATED BILLING)	\$291.84
03-01-12	10046	WEST AMERICA	INSTALLMENT SALE PAY OFF	\$133,840.95

VOIDS – 20174, 20416

**COMPUTER GENERATED CHECKS**

20438	03/02/12	EMP01	EMPLOYMENT DEVELOP DEPT	1185.05	.00	1185.05	B20227	STATE INCOME TAX
20439	03/02/12	MID01	RABOBANK-PAYROLL TAX DEPO	3349.31	.00	3349.31	B20227	FEDERAL INCOME TAX
				15.60	.00	15.60	1B20227	FICA
				890.92	.00	890.92	2B20227	MEDICARE (FICA)
			Check Total.....:	4255.83	.00	4255.83		
20440	03/02/12	MID02	RABOBANK-DIRECT DEPOSIT	23404.84	.00	23404.84	B20227	NET PAY
20441	03/02/12	PER01	PERS RETIREMENT	8142.56	.00	8142.56	B20227	PERS PAYROLL REMITTANCE
20442	03/02/12	STA01	CALPERS 457 DEFERRED COMP	2005.00	.00	2005.00	B20227	457 DEFERRED COMP
020443	03/14/12	ABA01	ABALONE COAST BACTERIOLOG	2453.00	.00	2453.00	1541	LAB TESTS
020444	03/14/12	ADV01	ADVANTAGE ANSWERING PLUS	149.76	.00	149.76	022512	MARCH ANSWERING SERVICE
020445	03/14/12	AIR01	AIR POLLUTION CONTROL	392.00	.00	392.00	14348A	PERMIT-SOUTHLAND WWTP
				392.00	.00	392.00	14348B	PERMIT-TEFFT L/S
				392.00	.00	392.00	14348C	PERMIT-MARIA VISTA L/S
				392.00	.00	392.00	14348D	PERMIT-EMERGENCY GENERATO
				240.00	.00	240.00	14348E	PERMIT-AIR COMPRESSOR
				784.00	.00	784.00	14348F	PERMIT-PORTABLE/STAND-BY
			Check Total.....:	2592.00	.00	2592.00		
020446	03/14/12	ALX01	ALEXANDER'S CONTRACT SERV	3289.98	.00	3289.98	MAR 2012	METER READING SERVICE
020447	03/14/12	AME03	AMERI PRIDE	118.50	.00	118.50	569260	UNIFORMS
				109.02	.00	109.02	574317	UNIFORMS
				118.50	.00	118.50	579356	UNIFORMS
				101.36	.00	101.36	584399	UNIFORMS
			Check Total.....:	447.38	.00	447.38		
020448	03/14/12	ATT02	AT&T	157.41	.00	157.41	3158888	TELEPHONE
				33.91	.00	33.91	3159132	TELEPHONE
				199.63	.00	199.63	3159202	TELEPHONE
			Check Total.....:	390.95	.00	390.95		
020449	03/14/12	BRE02	BRENNTAG PACIFIC INC.	438.36	.00	438.36	BPI175090	SODIUM HYPOCHLORITE
				754.11	.00	754.11	BPI175091	SODIUM HYPOCHLORITE
			Check Total.....:	1192.47	.00	1192.47		
020450	03/14/12	CAL03	CALIFORNIA ELECTRIC SUPPL	88.25	.00	88.25	478363	SUPPORT GRIP/WIRE STRIPPE
				4338.30	.00	4338.30	478384	1x 1000 REEL/STD SUPPORT
			Check Total.....:	4426.55	.00	4426.55		
020451	03/14/12	CAL16	CALPERS	25750.00	.00	25750.00	B20305	OPEB-QUARTERLY 3/31/12
020452	03/14/12	CAR04	CAR QUEST AUTO PARTS	92.22	.00	92.22	543271	ADV GEN BATTERY
020453	03/14/12	COA02	COASTAL ROLLOFF	183.60	.00	183.60	3625129	ROLL-OFF SERVICE
020454	03/14/12	CRY01	CRYSTAL SPRINGS	31.25	.00	31.25	FEB 2012	DISTILLED WATER-LAB
020455	03/14/12	ENV05	ENVIRONMENTAL RESOURCE AS	469.75	.00	469.75	642660	PROFICIENCY TESTING MATER
020456	03/14/12	FAR02	FAR WEST EXPRESS	23.00	.00	23.00	FEB 2012	DELIVERY
020457	03/14/12	FGL01	FGL ENVIRONMENTAL	357.00	.00	357.00	280548A	LAB TEST
020458	03/14/12	GIL01	GLM, INC.	320.00	.00	320.00	FEB 2012	LANDSCAPE MAINTENANCE

TO: BOARD OF DIRECTORS  
 FROM: MICHAEL S. LEBRUN  
 GENERAL MANAGER  
 DATE: JANUARY 20, 2012

**AGENDA ITEM**  
**D-1**  
**JANUARY 25, 2012**  
**PAGE TWO**

020459	03/14/12	GWA01	GWA INC	53.00	.00	53.00	MAR 2012A	OFFICE MONITORING
				85.00	.00	85.00	MAR 2012B	SHOP MONITORING
				85.00	.00	85.00	MAR 2012C	UTILITY OFFICE MONITORING
			Check Total.....:	223.00	.00	223.00		
020460	03/14/12	HAM02	HAMNER JEWELL & ASSOCIATE	1600.00	.00	1600.00	5613	WATERLINE INTERTIE PROJEC
020461	03/14/12	JAC01	JACK'S REPAIR & SALES	107.75	.00	107.75	26284	REPAIR MAINT/VAC
020462	03/14/12	JUS01	JUSTIFACTS CREDENTIAL	367.00	.00	367.00	182688	BACK GROUND CHECKS
020463	03/14/12	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	55176	LANDSCAPE MAINTENANCE DIS
020464	03/14/12	MIN02	MINER'S ACE HARDWARE	185.05	.00	185.05	FEB 2012	OPERATING SUPPLIES
020465	03/14/12	MOR02	MORE OFFICE SOLUTIONS	557.86	.00	557.86	219717	COPIER MAINTENANCE
020466	03/14/12	MUN03	MUNICIPAL MAINTENANCE EQU	34.44	.00	34.44	72120	TOGGLE SWITCH
020467	03/14/12	NIP08	NIPOMO CSD	145.92	.00	145.92	FEB 2012	LANDSCAPE MAINT DIST WATE
020468	03/14/12	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	89705	PEST CONTROL
				75.00	.00	75.00	89706	RODENT CONTROL
			Check Total.....:	340.00	.00	340.00		
020469	03/14/12	OFF01	OFFICE DEPOT	127.16	.00	127.16	458563001	OFFICE SUPPLIES
				192.67	.00	192.67	459702001	OFFICE SUPPLIES
			Check Total.....:	319.83	.00	319.83		
020470	03/14/12	PER04	PERRY'S ELECTRIC MOTORS	2470.10	.00	2470.10	13685	BLWTP AERATOR REPAIR
				1975.34	.00	1975.34	13688	BLWTP AERATOR REPAIR
			Check Total.....:	4445.44	.00	4445.44		
020471	03/14/12	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	221	JANITORIAL SERVICES
020472	03/14/12	RBA01	R BAKER, INC	220063.05	.00	220063.05	6	PROGRESS BILLING #6
020473	03/14/12	RIC01	RICHARDS, WATSON, GERSHON	22.50	.00	22.50	182287	WATER RIGHTS ADJUDICATION
020474	03/14/12	SAN09	SAN LUIS MAILING SERVICE	47.66	.00	47.66	226715A	MAIL LATE NOTICES
				153.45	.00	153.45	226715B	POSTAGE LATE NOTICE
			Check Total.....:	201.11	.00	201.11		
020475	03/14/12	SOU01	SOUTH COUNTY SANITARY	34.92	.00	34.92	3623282	GARBAGE SERVICE-OFFICE
				169.12	.00	169.12	3624611	GARBAGE SERVICE-OLDE TOWN
			Check Total.....:	204.04	.00	204.04		
020476	03/14/12	SOU08	SOUTH COUNTY SANITARY SVC	1353.00	.00	1353.00	3625054	RATE DEFERRAL-COMMERCIAL
020477	03/14/12	STA03	STATEWIDE SAFETY & SIGNS	141.03	.00	141.03	3102/3	GREEN/BLUE/WHITE MRKG PAI
020478	03/14/12	TAF01	TAFT ELECTRIC	380.00	.00	380.00	30924-2	VIA CONCHA WELL MAINTENAN
020479	03/14/12	TER02	TERRAIN CONSULTING	9139.40	.00	9139.40	455	OUTREACH
020480	03/14/12	THE01	THE GAS COMPANY	17.55	.00	17.55	FEB 2012A	HEAT-SHOP
				54.19	.00	54.19	FEB 2012B	HEAT-OFFICE
			Check Total.....:	71.74	.00	71.74		
020481	03/14/12	THE05	THE CAPRICORN GROUP	579.49	.00	579.49	7561	CONE/CONE RACK/COD DIGEST
020482	03/14/12	TIT01	TITAN INDUSTRIAL & SAFETY	155.51	.00	155.51	1049095	GLOVES
				3871.73	.00	3871.73	1049117	AED/AED CABINET/AED PADS
			Check Total.....:	4027.24	.00	4027.24		
020483	03/14/12	TRA02	TRAMUTOLA	6000.00	.00	6000.00	114893	OUTREACH
				468.22	.00	468.22	118021	OUTREACH
				12000.00	.00	12000.00	114892A	OUTREACH
			Check Total.....:	18468.22	.00	18468.22		

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**AGENDA ITEM**  
**D-1**  
**JANUARY 25, 2012**  
**PAGE THREE**

020484	03/14/12	UND01	UNDERGROUND SERVICE ALERT	147.00	.00	147.00	12020028	UNDERGROUND SERVICE ALERT
020485	03/14/12	USA01	USA BLUEBOOK	47.14	.00	47.14	605399	CABLE TIE/FIRE HYDRANT DE
				340.63	.00	340.63	605879	MARKING POST-BLUE/GREEN/E
			Check Total.....:	387.77	.00	387.77		
020486	03/14/12	USB01	US BANK (VISA)	310.30	.00	310.30	22212A	TRAVEL/MILEAGE
				96.64	.00	96.64	22212B	MEETINGS
				327.70	.00	327.70	22212C	OPERATING SUPPLIES
				132.14	.00	132.14	22212D	EDUCATION/TRAINING
				88.16	.00	88.16	22212E	OFFICE SUPPLIES
				325.00	.00	325.00	22212F	MEMBERSHIP DUES
			Check Total.....:	1279.94	.00	1279.94		
020487	03/14/12	VER01	VERIZON	38.68	.00	38.68	B20309	TELEPHONE
020488	03/14/12	WIN02	WINN, MICHAEL	546.14	.00	546.14	B20307	REIMBURSEMENT-MILEAGE

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MINUTES

FEBRUARY 29, 2012, 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 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 February 29, 2012, to order at 9:00 a.m. and led the flag salute.

00:00:44

#### B. ROLL CALL AND PUBLIC COMMENT ON ITEMS NOT ON AGENDA

At Roll Call, all Board members were present.

The following member of the public spoke:

John Snyder, Nipomo resident, questioned the cost of water from the City of Santa Maria.

00:04:45

#### C. PRESENTATIONS AND PUBLIC COMMENT

##### C-1) NCSD SUPERINTENDENT TINA GRIETENS Update Report re: Utility Division Activities

Tina Grietens, NCSD Utility Superintendent, reviewed the report as presented in the Board packet. Ms. Grietens answered questions from the Board. The Board thanked Ms. Grietens for her report.

##### C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.

#### Director Gaddis

- ◇ February 27, 2012 – SCAC met and is seeking candidates to serve on the Council in the 2012 Fiscal Year.
- ◇ March 5, 2012 – SCAC will hold a Town Hall meeting for the public to meet SCAC candidates who submitted applications for the 2012 Fiscal Year.

#### Director Vierheilig

- ◇ March 8, 2012 – San Luis Obispo County Department of Planning and Building will hold a public information meeting on the Draft EIR for the Nipomo Community Park from 6 to 8 p.m. at Nipomo High School.

#### Director Eby

- ◇ February 29, 2012 – The final review of the steel-head enhancement study will be held at the Santa Maria Library at 1:00 p.m., today.
- ◇ March 2, 2012 – NMMA TG will have a press release in support of the Supplemental Water Project and its benefits.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

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

Director Winn

- ◇ February 22, 2012 – Director Winn met with Culligan water representatives regarding Salt Management.
- ◇ February 23, 2012 – The Planning Commission met and talk about the Excelaron issue in Huasna.
- ◇ February 24, 2012 – The WRAC ad hoc subcommittee on IRWM governance met.
- ◇ February 28, 2012 – The Board of Supervisors met and discussed the IRWM plan and the County Water Master Plan.
- ◇ March 7, 2012 – WRAC will hold its regular monthly meeting in the afternoon at SLO Library.

Director Harrison

- ◇ The Fire Safe Council received a grant for \$200,000. This grant will allow them to fund the brush chipping event this year.

C-6) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE and FILE PRESENTATIONS AND REPORTS

The following member of the public spoke:

Beth Barnes, new NCSD customer, commented on water conservation and recommended that NCSD copy the Agendas on both sides of the paper.

00:24:15

D. CONSENT AGENDA

- D-1) APPROVE WARRANTS
- D-2) APPROVE FEBRUARY 8, 2012 REGULAR BOARD MEETING MINUTES
- D-3) APPROVE BOARD BY-LAWS
- D-4) CONSIDER PAY-OFF OF INSTALLMENT SALE AGREEMENT FOR 2009 PURCHASE OF SEWER VACUUM TRUCK

At the request of Director Winn, President Harrison pulled item D-3 for further discussion.

Jon Seitz, District Legal Counsel, answered questions from the Board.

There was no public comment.

Upon the motion of Director Eby and seconded by Director Gaddis, the Board approved Items D-1 and D-4 as submitted.

Vote 5-0.

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

RESOLUTION NO. 2012-1245

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AUTHORIZING THE PAY OFF OF THE INSTALLMENT SALE  
AGREEMENT WITH THE MUNICIPAL FINANCE CORP

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

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

CONSENT AGENDA (Cont.)

Item D-2

Upon the motion of Director Eby and seconded by Director Gaddis, the Board approved Item D-2 as submitted.

Vote 4-1.

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

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

President Harrison put item D-3 at the end of the Agenda.

The Board considered Item E-3 next.

E. ADMINISTRATIVE ITEMS

00:26:55

E-3) BENEFIT ASSIGNMENT CHANGES FOR SUPPLEMENTAL WATER PROJECT ASSESSMENT DISTRICT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Kari Wagner, Assessment Engineer, reviewed the memo as presented in the Board packet. Jon Seitz, District Legal Counsel, Mr. LeBrun, and Ms. Wagner answered questions from the Board.

The following members of the public spoke:

John Snyder, Nipomo resident, had comments and concerns about the process of the benefit assignment changes.

Ruth Brackett, NCSD customer, had questions and concerns about deed restriction and benefit units.

Fernando Hernandez, NCSD customer, had questions about the process of getting water service from Golden State Water Company.

Jon Seitz, District Legal Counsel, commented on some of the public's questions and concerns.

Director Eby commented on Ms. Brackett's comments.

There was no action taken.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

01:12:35

E-1) REVIEW PROPOSED DEBT MANAGEMENT POLICY

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Maryann Goodkind, Fulbright & Jaworski, reviewed the changes to the policy in detail. Ms. Goodkind answered questions from the Board.

There was no public comment.

Upon the motion of Director Vierheilg and seconded by Director Eby, the Board unanimously adopted Resolution 2012-1246, the Debt Management Policy.  
Vote 5-0.

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

RESOLUTION NO. 2012-1246

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
APPROVING THE ADOPTION OF THE DEBT  
MANAGEMENT POLICY FOR THE DISTRICT

*The Board took a break from 10:35 to 10:45 a.m.*

01:35:07

E-2) REVIEW DRAFT ASSESSMENT ENGINEER'S REPORT AND DRAFT BALLOT FOR SUPPLEMENTAL WATER PROJECT ASSESSMENT DISTRICT FORMATION

Kari Wagner, Assessment Engineer, reviewed the report as presented in the Board packet. Jon Seitz, District Legal Counsel, Peter Sevcik, District Engineer, Maryann Goodkind, Fulbright & Jaworski, and Ms. Wagner answered questions from the Board.

The following members of the public spoke:

John Snyder, Nipomo resident, had several questions about the Golden State Water Company's boundary map for Supplemental Water.

Upon the motion of Director Eby and seconded by Director Vierheilg, the Board unanimously approved the edits to the draft Engineers report and directed staff to bring revised draft Engineers Report back to the Board on the March 14, 2012 Board meeting.  
Vote 5-0.

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

Jon Seitz, District Legal Counsel, announced that District received a letter from Cypress Ridge resident, Bill Dorland, this morning via email as part of this item.



Nipomo Community Services District  
REGULAR MEETING  
MINUTES

02:40:15

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 RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
- 3. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION PURSUANT to GC 54956.9(c) No. of cases: two. Related to the District's acquisition of two easements in real property through eminent domain: one owned by Durley/McLanahan AP# 090-341-019, 090-331-005, 06 & 08 and one owned by Troesh Properties & Investments, LCC AP# 090-341-003.

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.

02:42:00

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 1:00 p.m.

Jon Seitz, District Legal Counsel, announced that the Board discussed items 1 through 4 listed above for closed session, but took no reportable action.

02:45:02

E-4) SOUTHLAND WASTEWATER TREATMENT FACILITY PHASE I UPGRADE PROJECT AUTHORIZATION TO BID BASED ON USING BIOLAC AS THE WASTEWATER INFLUENT TREATMENT TECHNOLOGY

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 Winn and seconded by Director Gaddis, the Board unanimously adopted Resolution 2012-1247, authorizing staff to solicit bids for the Southland Wastewater Treatment Facility Phase 1 Improvement Project based on Biolac. Vote 5-0.

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

RESOLUTION NO. 2012-1247

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING STAFF TO SOLICIT BIDS FOR THE SOUTHLAND WASTEWATER TREATMENT FACILITY PHASE 1 IMPROVEMENT PROJECT BASED ON BIOLAC

02:57:43

D-3) APPROVE BOARD BY-LAWS

Jon Seitz, District Legal Counsel, reviewed the report as presented in the Board packet. Mr. Seitz answered questions from the Board.

There was no public comment.

Upon the motion of Director Winn and seconded by Director Gaddis, the Board adopted the revision of the Board By-laws with the submitted grammar changes and the changes to sections 2.8 and 11.2.

Vote 3-2.

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

There was no public comment.

Upon the motion of Director Vierheilig and seconded by Director Winn, the Board adopted Resolution 2012-1248, 2012 Board By-laws, as amended.

Vote 3-2.

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

RESOLUTION NO. 2012-1248

A RESOLUTION OF THE BOARD OF DIRECTORS  
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
 ADOPTING AMENDED BOARD BY-LAWS AND POLICIES

*Director Eby left the meeting at 2:00 p.m.*

03:53:00

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.

G. COMMITTEE REPORT

Finance and Audit Committee  
 Ad Hoc Committee for Education and Outreach.

There was no public comment.

04:24:10

H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Vierheilig

- ◇ Requested guidance from the Board and Staff regarding an invitation to the BLMA annual meeting on March 12, 2012.

Director Winn

- ◇ Commented on the District potentially having interest in the grants issued by the State particularly in the area of salt nutrient management.
- ◇ Encourage the Personnel Committee to meet and update the Personnel Policy with requirements for ethics and sexual harassment prevention training.
- ◇ Requested staff to think about whether or not to proceed with tax assessment vote after the results of the survey.

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

Director Winn (Cont.)

- ◇ Requested staff to look into whether a climate control plan is a requirement. If it is a requirement, then possibly hold a study session.
- ◇ Requested staff to look into the the development of the agreements with Golden State Water Company and Woodlands on receiving water from NCSD.
- ◇ Requested staff to stay on top of the County's Complete Communities Plan and the update of Title 22 (the Land Use Element).
- ◇ Requested staff to stay on top of the Draft EIR for the Nipomo Community Park.
- ◇ Requested staff to follow up with Mr. Hernandez regarding benefit units and contact information for LAFCO.

Director Gaddis

- ◇ Questioned the results of the assessment survey.

Director Harrison

- ◇ President Harrison formed an Ad Hoc Committee for the Nipomo Community Park Draft EIR specifically for the water and sewer. He appointed Director Winn and Director Gaddis to this Committee.
- ◇ Requested staff to stay on top of the County Planning Department's smart growth plan.

**ADJOURN**

President Harrison adjourned the meeting at 2:40 p.m.

MEETING SUMMARY	HOURS
Regular Meeting	4.40
Closed Session	1.00
<b>TOTAL HOURS</b>	<b>5.40</b>

TO: MICHAEL S. LEBRUN *MSL*  
 GENERAL MANAGER

FROM: LISA BOGNUDA *LJB*  
 FINANCE DIRECTOR

DATE: MARCH 9, 2012

**AGENDA ITEM**

**D-3**

**MARCH 14, 2012**

**REVIEW PROPOSALS FOR  
 OTHER POST EMPLOYMENT BENEFITS (OPEB) VALUATION**

**ITEM**

Review proposals for Other Post Employment Benefits (OPEB) valuation

**BACKGROUND**

On February 27, 2012, the Finance and Audit Committee met and reviewed the information below.

On April 30, 2008, the Board of Directors adopted Resolution 2008-1078, Approving Agreement and Election to Prefund Other Post Employment Benefits through CALPERS and Certification of OPEB Funding Policy and Government Accounting Standards Board (GASB) 43/45 Reporting Compliance.

The agreement provides that the District shall provide CERBT an actuarial valuation report on a biennial basis. The next reporting requirement for the District is June 30, 2012. The two prior actuarial valuations were completed by a certified actuarial at a cost of \$6,600 and \$5,570, respectively.

GASB now allows the use of a simplified approach to the valuation called the Alternative Measurement Method (AMM) for employers with fewer than 100 active and retired plan members. On November 16, 2011, the Board of Directors approved the revised CERBT agreement to allow the District to use the AMM.

Staff has received three proposals for Professional Services to prepare the OPEB Valuation using the AMM.

Firm	Cost of Service	Included in Service
Total Compensation Systems, Inc.	\$3,000	Full audit support and actuarial support
GASB45AMM	\$1,500	Telephone support with actuary is charged at a rate of \$250 per hour or fraction thereof-no exceptions
James Marta & Company	\$1,100	Full audit support and actuarial support

Staff contacted references provided by each firm and all received positive recommendations.

After review, the Finance and Audit Committee unanimously agreed to recommend to the Board of Directors that James Marta & Company be retained to prepare the AMM OPEB valuation.

**FISCAL IMPACT**

The Budget for FY 2011-2012 included \$3,000 for professional services for the OPEB valuation.

**RECOMMENDATION**

It is recommended that the Board of Directors accept the recommendation of the Finance and Audit Committee and direct Staff to retain James Marta & Company to prepare the AMM OPEB valuation

**ATTACHMENT**

- Proposals

# TCS Total Compensation Systems, Inc.

RECEIVED  
JAN 13 2012  
NIPOMO COMMUNITY  
SERVICES DISTRICT

January 11, 2012

Ms. Lisa Bognuda  
Nipomo Community Services District  
148 South Wilson Street  
Nipomo, CA 93444

Dear Ms. Bognuda:

As you know due to GASB57, CalPERS is now requiring an actuarial valuation to be done as of June 30, 2011 for all agencies participating in its CERBT program. If you haven't yet contracted for your June 30, 2011 valuation, we encourage you to consider Total Compensation Systems, Inc. (TCS).

TCS has been specializing in health actuarial services for California public agencies for more than 20 years. In that time, we have performed one or more OPEB valuations for more than 500 agencies. (Please see Attachment B for a list of agencies for whom we have performed one or more OPEB Valuations.) Among these are dozens of agencies participating in CalPERS' CERBT program.

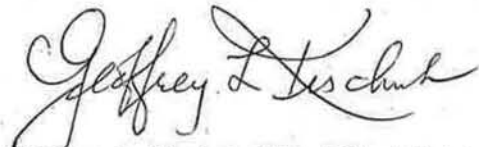
Although our clients include some of the largest public agencies in California, we specialize in providing comprehensive GASB 43/45 services at affordable fees for small agencies, as well.

This letter serves as our firm proposal to perform Nipomo Community Services District's June 30, 2011 valuation for a guaranteed fixed fee of \$3000. This fee includes full audit support and actuarial support required by CalPERS under the CERBT program. Please see Attachment A for a list of services included in this fee.

We invite you to compare our fees and services with other firms. Should you have questions, feel free to call me at (805) 496-1700.

Should you choose to proceed, I'm enclosing a contract. We would welcome the opportunity to work with you on GASB 43/45 compliance.

Sincerely,



Geoffrey L. Kischuk, FSA, FCA, MAAA  
Consultant

Attachments

## Complying with GASB 45 just got easier

Realizing early on that there would be a growing need for a low-cost alternative to a full actuarial valuation, the California School Boards Association teamed up with Demsey, Filliger & Associates, LLC to create the first online AMM service.

Demsey, Filliger & Associates, LLC ("DF&A"), a partnership with headquarters in Southern California, was formed in 2002 by long-time colleagues and actuaries Brian R. Demsey and T. Louis Filliger, FSA, and is dedicated to providing designer actuarial and related services to a broad range of clients, with an emphasis on public sector retiree healthcare and pension valuations. They provide tailor-made actuarial services at a competitive price, backed by the experience, focus, and drive to solve the most complex benefits problems.

By teaming up with DF&A, we are able to provide this valuable service at a low cost of \$1,500. **Telephone support with the actuary is not included in the \$1500 AMM service, and will be charged at the rate of \$250 per hour or fraction thereof – there are no exceptions.**



### How our service works

Our process is simple.

Request a username and password (usually received within 24-48 hours)

Login

Accept terms and conditions

Enter plan data

Enter census data

Submit data

It's that easy! Once your data has been submitted, it will be used as input to proprietary software that automatically generates an actuarial valuation and report in compliance with GASB 43 & 45. The report is reviewed by a staff member for completeness and in most cases we contact you to verify key information. Why do we contact you? Because any result is only as good as the data upon which it is based. Therefore, it's critical that we ensure the completeness and accuracy of the information submitted in order to confidently rely on the results of the tool.

When we feel confident the data is complete, it is sent to DF&A for a final actuarial review. You will receive a pdf version of your report via email and a color copy of your report via mail. You will receive your report within 10-15 business days of submission of all required data.

### Data Requirements

In order to use our service, the following data is required (not an Inclusive list):

Eligibility requirements (minimum years of service, earliest age at which eligibility begins, etc.)

To what age you provide benefits (To age 65 or lifetime)

Plan provisions (Do you provide spousal, survivor, dental, vision or other benefits?)

Requirements for part-time employees

Monthly premiums

Monthly caps

Information on your PERS Health plan (if applicable)

Census data on all plan members (date of birth, date of hire, gender, etc.)

To help you gather all the necessary data required, when we send you a username and password we will also provide you with a worksheet that will make the process of entering data online much faster. And to make it even easier, if you don't want to spend the time entering data for each individual plan member online, you can email us a spreadsheet with the required data (a full required data list is provided on the worksheet). It doesn't get any easier than that.

Lisa Bognuda

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**From:** David Becker [DBecker@jpmcpa.com]  
**Sent:** Monday, February 06, 2012 1:00 PM  
**To:** Lisa Bognuda  
**Subject:** RE: Nipomo Community Services District - OPEB  
**Attachments:** James Marta & Company - Special Districts.pdf; James Marta & Company - GASB 45.pdf

Lisa,

Attached is our firm brochure regarding services to special districts and an insert regarding the GASB 45 OPEB calculation. For your plan with 11 members, the cost would not exceed \$1,100. Please call me if you have any questions.

**David Becker, CPA**  
**Director of Assurance Services**  
**James Marta & Company**  
**Certified Public Accountants**  
**701 Howe Avenue, Suite E3**  
**Sacramento, California 95825**  
**Phone: (916) 993-9494 x20**  
**Fax: (916) 993-9489**  
**Email: [dbecker@jpmcpa.com](mailto:dbecker@jpmcpa.com)**  
**[www.jpmcpa.com](http://www.jpmcpa.com)**

**From:** Lisa Bognuda [<mailto:lbognuda@ncsd.ca.gov>]  
**Sent:** Monday, February 06, 2012 11:38 AM  
**To:** James Marta  
**Subject:** Nipomo Community Services District - OPEB

Hello Mr. Marta,

Nipomo CSD is a member of CERBT and are in need of an AMM valuation by June 2012.

Could you provide me with information about your firm, the services you provide and the pricing schedule for an OPEB valuation?

We currently have 11 employees and only provide health insurance as an OPEB.

I appreciate your time,

-----  
**Lisa Bognuda**  
**Finance Director/Assistant General Manager**

Nipomo Community Services District  
P.O. Box 326  
Nipomo, CA 93444-0326  
(805) 929-1133  
(805) 929-1932 fax  
[lbognuda@ncsd.ca.gov](mailto:lbognuda@ncsd.ca.gov)

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TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: MARCH 8, 2012

**AGENDA ITEM**  
**D-4**  
**MARCH 14, 2012**

## **SURPLUS OBSOLETE DISTRICT EQUIPMENT, AUTHORIZE SALE**

### **ITEM**

Declare three generators and one vehicle surplus, and authorize sale of generators and vehicle. [RECOMMEND APPROVAL]

### **BACKGROUND**

Two portable emergency stand-by generators were budgeted and replaced last fiscal year and the stand-by generator at the Tefft Street Lift Station was budgeted and replaced this fiscal year. All three generators were replaced to meet air pollution regulatory compliance.

One District vehicle, 2000 Chevy, with 125,188 miles was due to be removed from the fleet in 2008, but was retained as a back-up vehicle for heavy equipment operations. The vehicle has no remaining useful purpose.

#### LIST OF EQUIPMENT RECOMMENDED TO SURPLUS

Perkins 77 hp Generator	SN# LJ33515U061885M	494.2 hrs.
Perkins 77 hp Generator	SN# LJ33515U06190M	295.4 hrs.
Caterpillar SR4 Generator	SN# 30A02319	260.1 hrs.
2000 Chevrolet Truck	VIN# 1GCGK24R6YR110314	125,188 miles

### **FISCAL IMPACT**

Development of these materials required budgeted staff time.

### **RECOMMENDATION**

Staff recommends your Board, by motion and roll call vote declare surplus the equipment set forth above and authorize staff to sell the equipment.