

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: MAY 18, 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 THE FOLLOWING MEETING MINUTES:
 - MAY 9, 2012 REGULAR BOARD MEETING MINUTES
 - MAY 10, 2012 SPECIAL MEETING MINUTES (BALLOT INITIATIVE RESULTS)
 - MAY 14, 2012 SPECIAL MEETING MINUTES (2012-2013 BUDGET WORKSHOP[RECOMMEND APPROVE]

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: MAY 18, 2012

**AGENDA ITEM
 D-1
 MAY 23, 2012**

**TOTAL COMPUTER CHECKS
 \$207,997.36**

HAND WRITTEN CHECKS

05-23-12	10065	JOSEPH POTTER	WASHER REBATE	\$75.00
05-23-12	10066	CWEA	MEMBERSHIP-CALLEJA	\$267.00

VOIDS – NONE

COMPUTER GENERATED CHECKS

20678	05/11/12	EMP01	EMPLOYMENT DEVELOP DEPT	1216.59	.00	1216.59	B20507	STATE INCOME TAX
20679	05/11/12	MID01	RABOBANK-PAYROLL TAX DEPO	3454.32	.00	3454.32	B20507	FEDERAL INCOME TAX
				57.20	.00	57.20	1B20507	FICA
				934.52	.00	934.52	2B20507	MEDICARE (FICA)
			Check Total.....:	4446.04	.00	4446.04		
20680	05/11/12	MID02	RABOBANK-DIRECT DEPOSIT	24632.20	.00	24632.20	B20507	NET PAY
20681	05/11/12	PER01	PERS RETIREMENT	8481.91	.00	8481.91	B20507	PERS PAYROLL REMITTANCE
20682	05/11/12	STA01	CALPERS 457 DEFERRED COMP	2005.00	.00	2005.00	B20507	457 DEFERRED COMP
020683	05/23/12	AEC01	AECOM USA INC	765.60	.00	765.60	37233151	PROP 84-PLANNING GRANT SU
				14899.95	.00	14899.95	37233152	SOUTHLAND WWTF UPGRADE
				14673.75	.00	14673.75	37233712	WATERLINE INTERTIE PROJEC
			Check Total.....:	30339.30	.00	30339.30		
020684	05/23/12	AME03	AMERI PRIDE	121.24	.00	121.24	609321	UNIFORMS
				111.76	.00	111.76	614267	UNIFORMS
				181.75	.00	181.75	619167	UNIFORMS
				163.52	.00	163.52	624081	UNIFORMS
				194.82	.00	194.82	633799	UNIFORMS
				80.02	.00	80.02	510022375	UNIFORMS
				134.66	.00	134.66	510022821	UNIFORMS
			Check Total.....:	987.77	.00	987.77		
020685	05/23/12	ASA01	ASAP REPROGRAPHICS	707.11	.00	707.11	60242	SOUTHLAND WWTF BID SETS
				322.98	.00	322.98	61580	FAX/EMAIL SWWTF ADDEDUM#1
			Check Total.....:	1030.09	.00	1030.09		
020686	05/23/12	ATT02	AT&T	185.07	.00	185.07	3357136	TELEPHONE
020687	05/23/12	AWW02	AMERICAN WATER WORKS ASSO	545.00	.00	545.00	B20518	STANDARDS CD UPDATE-RENEW
020688	05/23/12	BAN01	THE BANK OF NEW YORK	2120.00	.00	2120.00	1628412	COP BOND ADMIN
020689	05/23/12	BAU01	BAUMGARTEN, MICHAEL	112.55	.00	112.55	B20516	REIMBURSEMENT-COURSE FEE
020690	05/23/12	BCP00	B C PUMP SALES & SERVICE	9841.44	.00	9841.44	26588	NEW PUMPS-TEJAS LIFT STAT
020691	05/23/12	BIG01	BIG BRAND TIRE & SERVICE	633.88	.00	633.88	194465	08' FORD F150-REPAIR/MAIN
				86.82	.00	86.82	194466	08' FORD F150-OIL CHANGE/
				26.87	.00	26.87	195410	09' FORD F150-OIL CHANGE
			Check Total.....:	747.57	.00	747.57		
020692	05/23/12	BRE02	BRENNTAG PACIFIC INC.	653.90	.00	653.90	BPI196082	SODIUM HYPOCHLORITE
				680.96	.00	680.96	BPI196083	SODIUM HYPOCHLORITE
			Check Total.....:	1334.86	.00	1334.86		
020693	05/23/12	CAL21	CALLEJA, DEREK	120.00	.00	120.00	B20516	BOOT-REIMBURSEMENT
020694	05/23/12	CAN02	CANNON CORPORATION	3331.25	.00	3331.25	52651	NIPOMO WELL NO.4
				3505.00	.00	3505.00	52458-R	IPPAC DOWN-TANK SPILL
			Check Total.....:	6836.25	.00	6836.25		
020695	05/23/12	CHA02	CHARTER COMMUNICATIONS	204.99	.00	204.99	MAY 2012A	OFFICE INTERNET SERVICE
020696	05/23/12	CLE06	CNSSLO INC	2041.00	.00	2041.00	14670	COMPUTER EXPENSE
020697	05/23/12	COA02	COASTAL ROLLOFF	183.60	.00	183.60	3688616	ROLL OFF SERVICE
020698	05/23/12	CRY01	CRYSTAL SPRINGS	31.72	.00	31.72	APR 2012	DISTILLED WATER-LAB
020699	05/23/12	CUS01	CUSTOM PRINTING	554.69	.00	554.69	117961	CONSUMER CONFIDENCE REPOR
020700	05/23/12	CWE01	CWEA	210.00	.00	210.00	B20518	GRIETENS GRADE 2 RENEWAL

TO: BOARD OF DIRECTORS
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 GENERAL MANAGER
 DATE: MAY 18, 2012

AGENDA ITEM
D-1
MAY 23, 2012
PAGE TWO

020701	05/23/12	DEP02	DEPT OF CONSUMER AFFAIRS	125.00	.00	125.00	B20518	SEVCIK-CERTIFICATE RENEWA
020702	05/23/12	DEP03	DEPT OF HEALTH SERVICES	50.00	.00	50.00	B20517	CALLEJA-EXAM WATER DISTRI
020703	05/23/12	DKF01	DKF SOLUTIONS GROUP, LLC	350.00	.00	350.00	1558	MONTHLY SAFETY SUBSCRIPTI
020704	05/23/12	ELE02	ELEMENTS	25.00	.00	25.00	213036	DOMAIN RENEWAL
020705	05/23/12	FER01	FERGUSON ENTERPRISES INC	1135.68	.00	1135.68	8087865-5	10 STL LID (M/WATER)
020706	05/23/12	GER01	GERMAN, SCOTT	55.75	.00	55.75	B20516	REIMBURSEMENT-TRAVEL D3 T
020707	05/23/12	HAC01	HACH COMPANY	103.90	.00	103.90	7739774	TUBING/GLASS/PRECISION BO
020708	05/23/12	HAR04	HARPER & ASSOCIATES ENG I	4860.00	.00	4860.00	ENG-4478	UNDERWATER INSPECTION STA
020709	05/23/12	HAR05	HARRISON, JAMES	879.92	.00	879.92	B20518	REIMBURSEMENT-TRAVEL/MILE
020710	05/23/12	IND01	INDUSTRIAL MEDICAL GROUP	140.00	.00	140.00	3377	DRUG SCREEN/PHYSICAL
020711	05/23/12	IWA01	IWATER	18645.25	.00	18645.25	5812	INFRAMAP SOFTWARE
020712	05/23/12	LEA01	LEAGUE OF WOMENS VOTERS O	780.00	.00	780.00	2012-005	TABULATION OBSERVATION
020713	05/23/12	LEB02	LeBRUN, MICHAEL	65.00	.00	65.00	MAY 2012	CELL PHONE REIMBURSEMENT
020714	05/23/12	LIN03	LINDSAY ENGINEERING	1200.00	.00	1200.00	12202-002	WELL MAINTENANCE
020715	05/23/12	MOR02	MORE OFFICE SOLUTIONS	106.61	.00	106.61	249240	B/W & COLOR COPIES
020716	05/23/12	NIP08	NIPOMO CSD	449.00	.00	449.00	APR 2012	LANDSCAPE MAINT DISTRICT
020717	05/23/12	NUT01	NU TECH PEST MGMT	95.00	.00	95.00	91500	BLACKLAKE WWTP WEED ABATE
020718	05/23/12	OFF01	OFFICE DEPOT	228.38	.00	228.38	211444001	OFFICE SUPPLIES
020719	05/23/12	PAC04	PACIFIC PETROLEUM	1566.70	.00	1566.70	354120	SOUTHLAND WWTP INFLUENT P
020720	05/23/12	POS02	FRANCOTYP-POSTALIA, INC.	552.77	.00	552.77	101070218	POSTAGE MACHINE
020721	05/23/12	QUA01	JAMES A QUAGLINO, INC.	950.00	.00	950.00	1100	METAL ROOF REPAIR-OFFICE
020722	05/23/12	QUI03	QUINN COMPANY	671.47	.00	671.47	330005267	TEFFT L/S MAINTENANCE
				621.47	.00	621.47	330005268	GENERATOR MAINTENANCE -SO
			Check Total.....:	1292.94	.00	1292.94		
020723	05/23/12	SAN09	POOR RICHARD'S PRESS	45.51	.00	45.51	227994A	MAIL LATE NOTICES
				130.95	.00	130.95	227994B	POSTAGE LATE NOTICES
				191.17	.00	191.17	228022A	MAIL BILLS
				1098.89	.00	1098.89	228022B	POSTAGE BILLS
			Check Total.....:	1466.52	.00	1466.52		
020724	05/23/12	SHI01	SHIPSEY & SEITZ, INC	13542.60	.00	13542.60	APR 2012	LEGAL SERVICES 4/30/12
020725	05/23/12	SLO08	SAN LUIS OBISPO COUNTY	62.47	.00	62.47	3486	ENCHROACHMENT PERMIT
020726	05/23/12	SPE02	SPECIAL DISTRICT FINANCI	7482.21	.00	7482.21	11088	TABULATION SERVICES
020727	05/23/12	TAF01	TAFT ELECTRIC	190.00	.00	190.00	30924-5	INSTALL GROUND WIRE ON GE
020728	05/23/12	THE05	THE CAPRICORN GROUP	359.34	.00	359.34	7584	STRAINER F/SUCTION LINE
				166.24	.00	166.24	7809	SECONDARY GEL STANDARDS S
				210.00	.00	210.00	7811	GLASS VOLUMETRIC CLASS A
				111.31	.00	111.31	7819	PIPET TIPS/ TENSETE PIPE
				204.75	.00	204.75	7899	SENSION GEL COMBO H ELECT
				101.27	.00	101.27	7928	DOUBLE METRIC SCALE GRAD
			Check Total.....:	1152.91	.00	1152.91		
020729	05/23/12	TIT01	TITAN INDUSTRIAL & SAFETY	587.31	.00	587.31	1049848	INDSCI 116LTR 4 GAS W/PEN
				99.80	.00	99.80	1050065	EARMUFF/SPLASH GOGGLES/GL
			Check Total.....:	687.11	.00	687.11		
020730	05/23/12	UCM01	UTILITY COST MANAGEMENT L	2712.78	.00	2712.78	16656	ELECTRICAL SAVINGS JAN-MA
020731	05/23/12	USA01	USA BLUEBOOK	80.82	.00	80.82	662795	LAB-ECONOMY DIPPER
020732	05/23/12	WAG01	WAGNER & BONSIGNORE	9987.27	.00	9987.27	5-12-1	GENERAL CONSULTATION
020733	05/23/12	WAL01	WALLACE GROUP	236.25	.00	236.25	33379	FOG OUTREACH & INSPECTION
				20691.21	.00	20691.21	33421	INTERTIE ASSESSMENT DISTR
				14126.63	.00	14126.63	33493	INTERTIE ASSESSMENT DISTR
			Check Total.....:	35054.09	.00	35054.09		
020734	05/23/12	WO001	DOUGLAS WOOD & ASSOCIATES	2836.89	.00	2836.89	SWP #3	SWP ADDENDUM EIR
020735	05/23/12	WSC01	WSC	428.25	.00	428.25	428	CUWCC SUPPORT SERVICES
020736	05/23/12	VP010	PEOPLES SELF HELP HOUSING	451.90	.00	451.90	000B20501	MQ CUSTOMER REFUND FOR PS

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

MAY 9, 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 May 9, 2012, to order at 9:00 a.m. and led the flag salute.

00:00:40

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

At Roll Call, all Board members were present.

There was no public comment.

00:02:09

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) NCSD 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.

C-2) 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 Eby

- ◇ April 30, 2012 – NMMA Technical Group met and released its Annual Report.
- ◇ May 18, 2012 – SLO County CSDA chapter will meet at 11:30 a.m.
- ◇ June 9, 2012 – Animals in Need Fund will host Art for Animals from 5 to 9 p.m. at the Edwards Barn.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

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

Director Winn

- ◇ May 2, 2012 – The WRAC met
- ◇ May 2, 2012 – SLOCOG met in the afternoon and discussed bus transportation in the South County.
- ◇ May 18, 2012 – SLO County CSDA Chapter will meet at 11:30 a.m.
- ◇ May 24, 2012 – Director Harrison, Director Winn, and staff will tour the Guadalupe Wastewater Facility.
- ◇ June 6, 2012 – The WRAC will hear a presentation from Spanish Springs proposed development.
- ◇ June 22, 2012 – The WRAC will sponsor a public forum on hydraulic fracturing from 9 a.m. to 4 p.m. in San Luis Obispo.
- ◇ July 9, 2012 – The WRAC will have a special meeting.
- ◇ July 24, 2012 – A public forum on hydraulic fracturing will be held in Long Beach.

Director Vierheilig

- ◇ May 14, 2012 – NCSD's Finance and Audit Committee will meet and review the Draft Budget for 2012-2013.
- ◇ July 23, 2012 – Comments for the County's Green Building Ordinance, Title 19, are due.

Director Harrison

- ◇ Confirming the date for ethics training in Templeton.

C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE and FILE PRESENTATIONS AND REPORTS

The following members of the public spoke:

Mary Scarbrough, NCSD customer, questioned hydraulic fracturing.

Director Winn assured Ms. Scarbrough's no "fracking" was being contemplated.

Upon the motion of Director Vierheilig and seconded by Director Winn, the Board unanimously approved to receive and file the presentations and reports.

Vote 5-0.

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

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

00:54:34

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE APRIL 25, 2012 REGULAR BOARD MEETING MINUTES

D-3) APPROVAL OF THE ENGINEER'S LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2012-2013

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 Items D-1 and D-3, as submitted.

Vote 5-0.

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

RESOLUTION NO. 2012-1255

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT GRANTING APPROVAL OF THE ANNUAL ENGINEER'S LEVY REPORT FOR THE STREET LANDSCAPE AND MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2012-2013

RESOLUTION NO. 2012-1256

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE STREET LANDSCAPE AND MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2012-2013

Item D-2

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

Vote 4-1.

Director Gaddis abstained due to lack of attendance.

(Director Gaddis 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, Vierheilg, Winn, and Harrison	Director Gaddis	None

The Board considered Item F next.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

01:01:06

F. MANAGER'S REPORT

Michael LeBrun, 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.

01:28:22

G. COMMITTEE REPORT

Ad Hoc Committee for Education and Outreach.

There was no public comment.

H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

There were no requests to staff.

There was no public comment.

The Board took a break from 10:40 to 10:50 a.m.

01:36:58

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 RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9, WHITLOW/NCSD (CASE # E20112E1116-00-APS FILED WITH THE DEPARTMENT OF FAIR HOUSING AND EMPLOYMENT)
4. ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54957

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to closed session at 10:53 a.m.

Nipomo Community Services District
REGULAR MEETING
MINUTES

01:38:09

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, 2, and 3, listed above for closed session, but took no reportable action. The Board will continue Item 4, listed above for closed session, on the next regular Board meeting.

1:40:10

President Harrison opened the Public Hearing at 1:03 p.m.

Michael LeBrun, General Manager, introduced the Board, staff, and consultants. He announced the Public Hearing process.

E. ADMINISTRATIVE ITEMS

E-1) PUBLIC HEARING RELATED TO FORMATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT ASSESSMENT DISTRICT NO. 2012-1 (SUPPLEMENTAL WATER PROJECT)

A. RECEIVE PRESENTATION FROM ASSESSMENT ENGINEER

B. OPEN PUBLIC HEARING

- RECEIVE PUBLIC COMMENTS
- RECEIVE ASSESSMENT BALLOTS NOT PREVIOUSLY DELIVERED TO THE DISTRICT/PROVIDE OPPORTUNITY FOR PROPERTY OWNERS TO AMEND PREVIOUSLY DELIVERED ASSESSMENT BALLOTS

C. CLOSE PUBLIC HEARING AND ORDER TABULATION OF BALLOTS

Kari Wagner, Assessment Engineer, reviewed the May 9, 2012, memorandum. Ms. Wagner answered questions from the Board.

President Harrison opened public comment.

The following members of the public spoke:

Valerie Williams, NCSD property owner, spoke for the project and requested to raise the benefit units for her two parcels.

Jon Seitz, District Legal Counsel, and Maryann Goodkind, Esq., clarified the Board's next direction.

Ms. Wagner answered questions from the Board.

President Harrison asked for public comment on this specific request.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

- E-1) PUBLIC HEARING RELATED TO FORMATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT ASSESSMENT DISTRICT NO. 2012-1 (SUPPLEMENTAL WATER PROJECT)
 - A. RECEIVE PRESENTATION FROM ASSESSMENT ENGINEER
 - B. OPEN PUBLIC HEARING
 - RECEIVE PUBLIC COMMENTS
 - RECEIVE ASSESSMENT BALLOTS NOT PREVIOUSLY DELIVERED TO THE DISTRICT/PROVIDE OPPORTUNITY FOR PROPERTY OWNERS TO AMEND PREVIOUSLY DELIVERED ASSESSMENT BALLOTS
 - C. CLOSE PUBLIC HEARING AND ORDER TABULATION OF BALLOTS (Continued)

The following member of the public spoke:

John Snyder, Nipomo resident, spoke against the project and commented on the effects of changing benefit units now.

Kari Wagner, Assessment Engineer, commented on Mr. Snyder's comments.

Director Eby commented on Mr. Snyder's comments.

Upon the motion of Director Winn and seconded by Director Vierheilig, the Board unanimously approved to raise water allocations for parcels 092-572-016 and 092-572-017.

Vote 5-0.

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

Sam Scarbrough, NCS D customer, spoke for the project and commented on the rare supply of water in California.

John Snyder, Nipomo resident, spoke against the project and commented on the assessment roll.

Dave Stevenson, Rural Water Company customer, had a question on page 39 of the Engineer's Report.

John Cliff, NCS D customer, questioned the benefit units on the 3 Mesa View Estates drainage basins.

Pat Eby, Woodlands Mutual Water Company customer, spoke against the project and commented on the Engineer's Report/Roll.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

- E-1) PUBLIC HEARING RELATED TO FORMATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT ASSESSMENT DISTRICT NO. 2012-1 (SUPPLEMENTAL WATER PROJECT)
- A. RECEIVE PRESENTATION FROM ASSESSMENT ENGINEER
 - B. OPEN PUBLIC HEARING
 - RECEIVE PUBLIC COMMENTS
 - RECEIVE ASSESSMENT BALLOTS NOT PREVIOUSLY DELIVERED TO THE DISTRICT/PROVIDE OPPORTUNITY FOR PROPERTY OWNERS TO AMEND PREVIOUSLY DELIVERED ASSESSMENT BALLOTS
 - C. CLOSE PUBLIC HEARING AND ORDER TABULATION OF BALLOTS (Continued)

John Carson, NCSD customer, commented on the need for water and had concerns about the management of water.

George Newman, NCSD property owner, spoke against the Board increasing benefit units today.

Terry Benevedo, NCSD customer commented on the importance and limit of water, but had concerns of where the funds go.

Ken Thomas, Golden State Water Company customer, spoke against the project and stated that new developers should pay the costs.

Roanna Holm, NCSD customer, had question and concerns about the project.

Jon Seitz, District Legal Counsel, announced that today's mail has just arrived. Mr. Seitz handed all ballots to the Assessment Engineer.

Norman Jost, NCSD customer, questioned if the farmers are paying any portion of the project.

Steven Rober, Golden State Water Company customer, had questions about the Engineer's Report and questions about the project.

Dan Orgo, Golden State Water Company customer, commented on the need of water and had concerns about the future.

Bill Petrick, NCSD customer, spoke against the project and commented on other alternatives.

Phyllis Vargas, NCSD property owner, questioned new construction with the need of water and commented on other alternatives.

President Harrison closed public comment at 2:05 p.m.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

- E-1) PUBLIC HEARING RELATED TO FORMATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT ASSESSMENT DISTRICT NO. 2012-1 (SUPPLEMENTAL WATER PROJECT)
 - A. RECEIVE PRESENTATION FROM ASSESSMENT ENGINEER
 - B. OPEN PUBLIC HEARING
 - RECEIVE PUBLIC COMMENTS
 - RECEIVE ASSESSMENT BALLOTS NOT PREVIOUSLY DELIVERED TO THE DISTRICT/PROVIDE OPPORTUNITY FOR PROPERTY OWNERS TO AMEND PREVIOUSLY DELIVERED ASSESSMENT BALLOTS
 - C. CLOSE PUBLIC HEARING AND ORDER TABULATION OF BALLOTS (Continued)

Kari Wagner, Assessment Engineer, Michael LeBrun, General Manager, and Jon Seitz, District Legal Counsel, answered questions from public comment.

Kari Wagner, Assessment Engineer, answered questions from the Board.

Upon the motion of Director Eby and seconded by Director Gaddis, the Board directed staff to make the following changes:

- The May 9, 2012 amended Engineer’s Report.
- Increase the benefit assignments for Valerie Williams’ parcels, 092-572-016 and 092-572-017.
- Change the Mesa View Estates three drainage basins benefit assignment to zero.

And to include these changes in the final Engineer’s report, if no majority protest exists for the assessment district.

Vote 4-1.

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

The Board took a break from 2:50 to 2:55 p.m.

President Harrison announced the last call for all ballots to be submitted.

President Harrison then announced:

“At the close of this meeting, under the direction of the Secretary, and in view of the public, we ask that the assessment ballots be tabulated today until 9 p.m. and continued tomorrow May 10, 2012, until completed. The tabulation of the ballots will be conducted in the Board Room. The Secretary will announce if a majority protest exists at the special meeting scheduled for tomorrow, May 10, 2012, at 3 p.m.”

President Harrison adjourned the meeting at 3:00 p.m.

MEETING SUMMARY	HOURS
Regular Meeting	4.00
Closed Session	2.00
TOTAL HOURS	6.00

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

SPECIAL MEETING MINUTES

MAY 10, 2012, AT 3:00 P.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:

1. CALL TO ORDER, FLAG SALUTE

President Harrison called the Regular Meeting of May 10, 2012, to order at 3:00 p.m. and led the flag salute.

00:00:36

ROLL CALL AND PUBLIC COMMENT ON ITEMS NOT ON AGENDA

At Roll Call, all Board members were present.

President Harrison announced that tabulation process is still in progress. The Board will recess at 3:05 p.m. and reconvene at 3:30 p.m.

At 3:30 p.m., President Harrison announced that the tabulation progress is still in progress. The Board will reconvene at 4:15 p.m.

President Harrison called this meeting back to order at 4:45 p.m.

00:02:11

2. ANNOUNCE RESULTS OF ASSESSMENT DISTRICT 2012-1 SUPPLEMENTAL WATER DISTRICT BALLOT TABULATION

Michael LeBrun, General Manager and Board Secretary, announced:

"I further certify that the ballots cast and not withdrawn in favor of the proposed Assessment District represent \$6,918,562.00 of the total assessment and that the ballots cast and not withdrawn in opposition to the proposed Assessment District represent \$7,493,424.38 of the total assessment. Therefore, a majority protest as defined by Section 4(e) of Article XIID does exist."

At this point in the meeting Director Winn left due to a scheduled event.

The following member of the public spoke:

Bill Petrick, NCSD customer, requested the total number of votes casted.

Nipomo Community Services District
SPECIAL MEETING
MINUTES

2. ANNOUNCE RESULTS OF ASSESSMENT DISTRICT 2012-1 SUPPLEMENTAL WATER DISTRICT BALLOT TABULATION (Continued)

Upon the motion of Director Eby and seconded by Director Vierheilg, the Board unanimously adopted Resolution 2012-1257.
Vote 4-0.

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

RESOLUTION NO. 2012-1257

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DECLARING THE RESULTS OF A PROPERTY OWNER PROTEST
BALLOT PROCEEDING FOR THE NIPOMO COMMUNITY SERVICES
DISTRICT ASSESSMENT DISTRICT NO. 2012-1
(SUPPLEMENTAL WATER PROJECT)

The Board directed staff to return to the May 23, 2012, regular meeting with the District's options for addressing water resource limitations.

ADJOURN

President Harrison adjourned the meeting at 4:55 p.m.

MEETING SUMMARY	HOURS
Special Meeting	2.00
Closed Session	0.00
TOTAL HOURS	2.00

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

D2

SPECIAL MEETING MINUTES

MAY 14, 2012, AT 2:00 P.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.

1. CALL TO ORDER, FLAG SALUTE AND ROLL CALL

President Harrison called the Special Meeting of May 14, 2012, to order at 2:00 p.m. and led the flag salute. Director Winn was absent due to a conflict in scheduling.

2. REVIEW AND ACCEPT OTHER POST EMPLOYMENT BENEFIT (OPEB) REPORT

Staff presented the OPEB Report. The Board of Directors asked questions and discussed the report. There was no public comment.

Upon motion of Director Eby and seconded by Director Vierheilig, the Board unanimously accepted the OPEB report and approved funding the Annual Required Contribution (ARC) of \$114,406 in the Fiscal Year 2012-2013. Vote 4-0.

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

3. REVIEW DRAFT FISCAL YEAR 2012-2013 BUDGET

Staff presented the Draft Fiscal Year 2012-2013 Budget. The Board of Directors discussed the draft budget and directed Staff to revise the draft and present it at the May 23, 2012, Board Meeting. President Harrison left the meeting at 2:45 p.m. due to a conflict in scheduling. There was no public comment.

ADJOURN

Vice President Vierheilig adjourned the meeting at 3:00 p.m.

MEETING SUMMARY	HOURS
Special Meeting	1.00
Closed Session	0.00
TOTAL HOURS	1.00