

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JUNE 8, 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 MAY 23, 2012 REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVE]
- D-3) RESOLUTION COMMENDING RETIRED UNDERSHERIFF MARTIN BASTI
[RECOMMEND ADOPT RESOLUTION]

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

**AGENDA ITEM
 D-1
 JUNE 13, 2012**

**TOTAL COMPUTER CHECKS
 \$498,517.55**

HAND WRITTEN CHECKS

05-29-12	10067	YOUR PEOPLE PROFESSIONALS	JUNE DEPOSIT	\$1,500.00
06-07-12	10068	CHARTER	SHOP SERVICE	\$3.07
06-07-12	10069	PGE	ELECTRICITY	\$36,983.15
VOIDS - NONE				

COMPUTER GENERATED CHECKS

20737	05/25/12	EMP01	EMPLOYMENT DEVELOP DEPT	B20521	05/21/12	STATE INCOME TAX	05-12	1249.98	1249.98
20738	05/25/12	MID01	RABOBANK-PAYROLL TAX DEPOS	B20521	05/21/12	FEDERAL INCOME TAX	05-12	3609.86	
20738	05/25/12	MID01	RABOBANK-PAYROLL TAX DEPOS	1B20521	05/21/12	FICA	05-12	145.60	
20738	05/25/12	MID01	RABOBANK-PAYROLL TAX DEPOS	2B20521	05/21/12	MEDICARE (FICA)	05-12	1008.42	4763.88
20739	05/25/12	MID02	RABOBANK-DIRECT DEPOSIT	B20521	05/21/12	NET PAY	05-12	26828.13	26828.13
20740	05/25/12	PER01	PERS RETIREMENT	B20521	05/21/12	PERS PAYROLL REMITTANCE	05-12	8744.04	8744.04
20741	05/25/12	STA01	CALPERS 457 DEFERRED COMP	B20521	05/21/12	457 DEFERRED COMP	05-12	2005.00	2005.00
20742	06/08/12	EMP01	EMPLOYMENT DEVELOP DEPT	1208.65	.00	1208.65	B20604	STATE INCOME TAX	
20743	06/08/12	MID01	RABOBANK-PAYROLL TAX DEPO	3520.57	.00	3520.57	B20604	FEDERAL INCOME TAX	
				72.80	.00	72.80	1B20604	FICA	
				973.10	.00	973.10	2B20604	MEDICARE (FICA)	
			Check Total.....:	4566.47	.00	4566.47			
20744	06/08/12	MID02	RABOBANK-DIRECT DEPOSIT	25777.55	.00	25777.55	B20604	NET PAY	
20745	06/08/12	PER01	PERS RETIREMENT	8773.07	.00	8773.07	B20604	PERS PAYROLL REMITTANCE	
20746	06/08/12	STA01	CALPERS 457 DEFERRED COMP	2005.00	.00	2005.00	B20604	457 DEFERRED COMP	
020747	06/13/12	ABA01	ABALONE COAST BACTERIOLOG	2627.00	.00	2627.00	1600	LAB TEST	
020748	06/13/12	ADV01	ADVANTAGE ANSWERING PLUS	152.25	.00	152.25	JUN 2012	ANSWERING SERVICES	
020749	06/13/12	AEC01	AECOM USA INC	67.50	.00	67.50	37224690	FRONTAGE RD UPGRADE	
				2925.45	.00	2925.45	37224702	PCI TRACT 2650	
				1127.52	.00	1127.52	37239103	BIO MITIGATION MP	
				5894.10	.00	5894.10	37241704	SOUTHLAND WWTF UPGRADE	
				1264.95	.00	1264.95	37241705	FRONTAGE RD UPGRADE	
				1338.12	.00	1338.12	37241706	SCADA PROPOSAL CONSTRUCTI	
			Check Total.....:	12617.64	.00	12617.64			
020750	06/13/12	ALI01	ALINCO INC DBA	13160.00	.00	13160.00	13069	FRONT COUNTER ENCLOSURE	
020751	06/13/12	ALX01	ALEXANDER'S CONTRACT SERV	2363.93	.00	2363.93	JUN 2012	METER READING SERVICE	
020752	06/13/12	AME02	AMERICAN INDUSTRIAL SUPPL	438.00	.00	438.00	236830-IN	YELLOW PAINT	
020753	06/13/12	AME03	AMERI PRIDE	164.04	.00	164.04	637943	UNIFORMS	
				119.08	.00	119.08	643458	UNIFORMS	
				178.25	.00	178.25	648261	UNIFORMS	
			Check Total.....:	461.37	.00	461.37			
020754	06/13/12	ASA01	ASAP REPROGRAPHICS	160.00	.00	160.00	61802	BID DISTRIBUTION SERVICES	
020755	06/13/12	ATT02	AT&T	154.26	.00	154.26	3397191	TELEPHONE	
				26.85	.00	26.85	3397435	TELEPHONE	
				139.84	.00	139.84	3397505	TELEPHONE	
			Check Total.....:	320.95	.00	320.95			
020756	06/13/12	BIG01	BIG BRAND TIRE & SERVICE	26.87	.00	26.87	194511	04' CHEVY OIL CHANGE/TIRE	
				13.81	.00	13.81	195413	C/2 TRUCK TIRE EXCHANGE	
				26.87	.00	26.87	196247	04' FORD OIL CHANGE/TIRE	
				26.87	.00	26.87	196581	04' FORD TRUCK OIL CHANGE	
			Check Total.....:	94.42	.00	94.42			
020757	06/13/12	BRE02	BRENNTAG PACIFIC INC.	744.11	.00	744.11	BPI200158	SODIUM HYPOCHLORITE	
				708.02	.00	708.02	BPI200159	SODIUM HYPOCHLORITE	
				5866.58	.00	5866.58	BPI201353	COPPER SULFATE	
			Check Total.....:	7318.71	.00	7318.71			
020758	06/13/12	CAL03	CALIFORNIA ELECTRIC SUPPL	200.77	.00	200.77	488971	STD SUPPORT GRIP FOR AERA	
020759	06/13/12	CAL16	CALPERS	25750.00	.00	25750.00	B20531	OPEB-QUARTERLY 6/30/12	

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020760	06/13/12	CAN02	CANNON CORPORATION	1287.50	.00	1287.50	52670	IPPAC DOWN-TANK SPILL
				332.50	.00	332.50	52671	LA MIRANDA L/S LT FAULT
			Check Total.....:	1620.00	.00	1620.00		
020761	06/13/12	CHA02	CHARTER COMMUNICATIONS	204.99	.00	204.99	JUN 2012	OFFICE-INTERNET
020762	06/13/12	CLE06	CNSSLO INC	405.00	.00	405.00	14733	NEW RECEIPT PRINTER-OFFIC
				450.00	.00	450.00	14746	NEW WORKSTATION-UTILITY O
			Check Total.....:	855.00	.00	855.00		
020763	06/13/12	CLI02	CLIFFORD MOSS LLC	28689.84	.00	28689.84	182	MARCH OUTREACH
020764	06/13/12	CMD01	C.M. de CRINIS & CO., INC	39375.00	.00	39375.00	51205	FINANCIAL ADVISOR-SUPPLEM
020765	06/13/12	COA02	COASTAL ROLLOFF	183.60	.00	183.60	3720643	ROLL OFF SERVICE
020766	06/13/12	CON02	CONSERVETRACK	1236.94	.00	1236.94	050048	JUNIPER L/S-LEVEL TRANSDU
020767	06/13/12	CON03	CONTROLCO	1236.94	.00	1236.94	050048	LEVEL TRANSDUCER
020768	06/13/12	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	B205151	COMPUTER SUPPORT
020769	06/13/12	CRY01	CRYSTAL SPRINGS	39.33	.00	39.33	MAY 2012	LAB-DISTILLED WATER
020770	06/13/12	EHW01	E.H. WACHS COMPANY	253.72	.00	253.72	INV074724	VALVE EXERCISER MAINTENAN
020771	06/13/12	EME01	EMEDCO SIGN & SOLUTIONS	626.89	.00	626.89	17998371	METER LOCKS
020772	06/13/12	ENV05	ENVIRONMENTAL RESOURCE AS	120.12	.00	120.12	654051	LAB-PERFORMANCE TESTING
				190.90	.00	190.90	654224	LAB-QC TESTING
				-154.00	.00	-154.00	CM649504C	WRONG ITEM ENTERED
			Check Total.....:	157.02	.00	157.02		
020773	06/13/12	FAR01	FARM SUPPLY COMPANY	127.71	.00	127.71	971093	SUPPLIES-REPAIR CHLORINE
020774	06/13/12	FAR02	FAR WEST EXPRESS	39.00	.00	39.00	MAY 2012	DELIVERY
020775	06/13/12	FED01	FED EX	63.44	.00	63.44	789354481	SHIPPING
020776	06/13/12	FER01	FERGUSON ENTERPRISES INC	1606.89	.00	1606.89	8087865-3	ANGEL BALL MTR VLV/HYD N&
020777	06/13/12	FGL01	FGL ENVIRONMENTAL	105.00	.00	105.00	281107A	LAB TEST-WELLS
				293.00	.00	293.00	281402A	LAB TEST-WELLS
				89.00	.00	89.00	281445A	LAB TEST-WELLS
			Check Total.....:	487.00	.00	487.00		
020778	06/13/12	FUL01	FULBRIGHT & JAWORSKI LLP	85000.00	.00	85000.00	079313	BOND COUNSEL-SUPPLEMENTAL
020779	06/13/12	GIL01	GLM, INC.	320.00	.00	320.00	MAY 2012	LANDSCAPE MAINTENANCE
020780	06/13/12	GOV01	GOVERNMENT FINANCE OFFICE	160.00	.00	160.00	B20530	BOGNUDA-MEMBERSHIP DUES
020781	06/13/12	GWA01	GWA INC	53.00	.00	53.00	JUN 2012A	MONITORING-OFFICE
				85.00	.00	85.00	JUN 2012B	MONITORING-SHOP
				50.00	.00	50.00	JUN 2012C	REMOVED USER
				85.00	.00	85.00	JUN 2012D	MONITORING-UTILITY OFFICE
			Check Total.....:	273.00	.00	273.00		
020782	06/13/12	HAM02	HAMNER JEWELL & ASSOCIATE	493.03	.00	493.03	5729	WATERLINE INTERTIE
020783	06/13/12	HAR04	HARPER & ASSOCIATES ENG I	4900.00	.00	4900.00	ENG-4497	WARRANTY INSPECTION 500,0
020784	06/13/12	HAY01	HAYES ADVANCED DESIGN	1784.00	.00	1784.00	502098	CLEAN ASPHALT SURFACE-OFF
				2511.00	.00	2511.00	502099	CLEAN ASPHALT SURFACE-UTI
			Check Total.....:	4295.00	.00	4295.00		
020785	06/13/12	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	56066	LANDSCAPE MAINTENANCE DIS
020786	06/13/12	LEE02	LEE CENTRAL COAST NEWSPAP	129.36	.00	129.36	188326	PUBLIC NOTICE-2012-13 BUD
				175.56	.00	175.56	188327	PUBLIC NOTICE-DELINQUENT
				47.25	.00	47.25	188328	PUBLIC NOTICE-ST LIGHTING
				274.75	.00	274.75	188330	PUBLIC NOTICE-ST LANDSCAP
			Check Total.....:	626.92	.00	626.92		
020787	06/13/12	LIN02	LINC DELIVERY	252.00	.00	252.00	APR 2012	DELIVERY
020788	06/13/12	MIN02	MINER'S ACE HARDWARE	466.38	.00	466.38	MAY 2012	OPERATING SUPPLIES

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020789	06/13/12	MNS01	MNS ENGINEERS INC	5250.00	.00	5250.00	62009	PRE-CONSTRUCTION SERVICES
				17236.88	.00	17236.88	62010	FRONTAGE RD SEWER LINE PR
				1372.50	.00	1372.50	62011	SOUTHLAND WWTF UPGRADE
				7865.25	.00	7865.25	62111	FRONTAGE RD SEWER-CONSTRU
			Check Total.....:	31724.63	.00	31724.63		
020790	06/13/12	MOR02	MORE OFFICE SOLUTIONS	218.10	.00	218.10	254511	B & W/COLORED COPIES
020791	06/13/12	NAT02	NATIONAL METER & AUTOMATI	9867.00	.00	9867.00	1038245.1	1" WATER METERS
				11797.50	.00	11797.50	1038245.3	5/8" WATER METERS
			Check Total.....:	21664.50	.00	21664.50		
020792	06/13/12	NEX01	NEXTEL COMMUNICATIONS	536.14	.00	536.14	MAY 2012A	CELLULAR SERVICE
				264.98	.00	264.98	MAY 2012B	CELLULAR EQUIP
			Check Total.....:	801.12	.00	801.12		
020793	06/13/12	NEX03	NEXTRAQ	308.50	.00	308.50	JUN 2012	GPS SERVICE
020794	06/13/12	NUT01	NU TECH PEST MGMT	256.00	.00	256.00	91281	PEST CONTROL
				75.00	.00	75.00	91282	RODENT CONTROL
			Check Total.....:	331.00	.00	331.00		
020795	06/13/12	OFF01	OFFICE DEPOT	139.57	.00	139.57	090702001	OFFICE SUPPLIES
				93.92	.00	93.92	222916001	OFFICE SUPPLIES
				54.61	.00	54.61	318808001	OFFICE SUPPLIES
				134.03	.00	134.03	926518001	OFFICE SUPPLIES
			Check Total.....:	422.13	.00	422.13		
020796	06/13/12	PEO01	PEOPLESCHOICE HEATING & A	74.00	.00	74.00	05513	FILTERS FOR UTILITY OFFIC
020797	06/13/12	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	224	JANITORIAL SERVICES-MAY
020798	06/13/12	QUI03	QUINN COMPANY	243.06	.00	243.06	91C007590	CONCRETE READY MIX
020799	06/13/12	RBA01	R BAKER, INC	78896.35	.00	78896.35	#9	REMAINING RETENTION RELEA
				4018.93	.00	4018.93	1204-5629	SWWTP-R/R CHECK VALVES
				5010.92	.00	5010.92	1205-5657	S. TEJAS L/S-R/R PUMPS &
			Check Total.....:	87926.20	.00	87926.20		
020800	06/13/12	ROD01	RODRIGUEZ, RIGOBERTO	120.00	.00	120.00	B20530	REIMBURSEMENT-BOOTS
020801	06/13/12	SLO02	DIV OF ENVIRON HEALTH	714.56	.00	714.56	IN080101	CROSS CONNECTIONS
020802	06/13/12	SOF01	SOFTWARE SOLUTIONS TEAM	219.00	.00	219.00	B20530	WALLRAVIN-INTERMEDIATE CL
020803	06/13/12	SOU01	SOUTH COUNTY SANITARY	34.92	.00	34.92	3718308	GARBAGE SERVICE
				169.12	.00	169.12	3719632	OLDE TOWN GARBAGE SERVICE
			Check Total.....:	204.04	.00	204.04		
020804	06/13/12	SOU03	SAN LUIS GARBAGE COMPANY	537.20	.00	537.20	MAY 2012	SOLID WASTE TAX LIENS
020805	06/13/12	SOU07	SOUTH COUNTY SANITARY	8694.00	.00	8694.00	3717163	2 MONTH DEFFERAL-RESIDENT
020806	06/13/12	SOU08	SOUTH COUNTY SANITARY SVC	1353.00	.00	1353.00	3720059	RATE DEFFERAL-COMMERCIAL
020807	06/13/12	STA08	STAPLES	59.14	.00	59.14	228182595	OFFICE SUPPLIES
020808	06/13/12	STA13	STANDARD AND POOR'S	14000.00	.00	14000.00	10298579	BOND RATING
020809	06/13/12	THE01	THE GAS COMPANY	17.54	.00	17.54	MAY 2012A	HEAT-OFFICE
				15.11	.00	15.11	MAY 2012B	HEAT-SHOP
			Check Total.....:	32.65	.00	32.65		
020810	06/13/12	THE05	THE CAPRICORN GROUP	400.35	.00	400.35	7980	RED, YELLOW, BLUE BUFFIER S
020811	06/13/12	TIT01	TITAN INDUSTRIAL & SAFETY	-27.89	.00	-27.89	1050091C	RETURNED GLOVES
				288.51	.00	288.51	1050311	RAINWEAR PANT/JACKET
			Check Total.....:	260.62	.00	260.62		
020812	06/13/12	USB01	US BANK (VISA)	188.96	.00	188.96	52212A	MEETINGS
				-88.45	.00	-88.45	52212BC	EDUCATION/TRAINING
				94.06	.00	94.06	52212C	TRAVEL/MILEAGE
				127.92	.00	127.92	52212D	OPERATING SUPPLIES
				1052.29	.00	1052.29	52212E	COMPUTER EXPENSE
			Check Total.....:	1374.78	.00	1374.78		
020813	06/13/12	VER01	VERIZON	43.69	.00	43.69	B20530	TELEPHONE

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

D2

REGULAR MINUTES OF THE BOARD OF DIRECTORS AND

MINUTES OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PUBLIC FACILITIES CORPORATION

MAY 23, 2012, 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 May 23, 2012, to order at 9:00 a.m. and led the flag salute.

00:01:35

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

At Roll Call, Directors Gaddis, Eby, Winn, Vierheilig, and Harrison were present.

Pete Davison, District employee, stated he is on paid administrative leave from the District and will present a letter to the Board by June 1 to state why he is leaving the District.

Michael Vitaz, NCSO customer, stated he is happy election failed and said a desal plant should be built.

District Legal Counsel Jon Seitz stated the District does not respond to personnel matters at public meetings. The District's Personnel Policies and Procedures are followed.

00:08:51

C. PRESENTATIONS AND REPORTS

C-1) NCSO SUPERINTENDENT TINA GRIETENS

Update Report re: Utility Division Activities

Tina Grietens, NCSO Utility Superintendent, introduced the newest District employee, Derek Calleja. Ms. Grietens reviewed the report as presented in the Board packet. Ms. Grietens answered questions from the Board. The Board welcomed Mr. Calleja and thanked Ms. Grietens for her report.

SUBJECT TO BOARD APPROVAL

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.

Receive Announcements and Reports from Directors

Director Gaddis

- May 21 – SCAC met and Supervisor Teixeira and Brian Pedrotti were in attendance. Code enforcement is involved in a case at Viva Way and Camino Caballo. Laetita Winery is proposing 102 single-family residences and a 70-room hotel. Next SCAC meeting is June 25.

Director Eby

- June 7 – Wastewater Recycling Forum at the South County Regional Center.
- June 9 – Art for Animals Benefit to be held at Edwards Barn, tickets \$40.

Director Winn

- May 18 –SLO Chapter of CSDA bi-monthly meeting. Cambria CSD gave a demo on a wastewater treatment system.
- May 22 – Board of Supervisors removed Cayucos' emergency water designation and the Growth Management Ordinance was discussed.
- June 6 – Ethics Training course at Templeton Community Services District.
- June 6 – WRAC will meet at 1:30 p.m. to discuss Resource Management System, Levels of Severity and Laetita proposal.
- June 22 – Fracking Forum has been postponed until October due to DOGGR symposium in Long Beach on July 24.
- July 9 – WRAC may have a special meeting.

Director Harrison

- May 16 – Attended CSDA Legislative Days and reported to the Board.
- September 24-27 – CSDA Annual Conference will be held in San Diego.

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

Michael Vitaz, NCSD customer, stated NCSD should not serve Laetitia development.

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

00:50:50

D. 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])

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

John Snyder, Nipomo resident, asked about Nipomo Well #4.

Upon the motion of Director Vierheilg and seconded by Director Eby, the Board approved the Consent Agenda.

Vote 5-0 and Items D-1 and D-2, May 9, 2012 and May 10, 2012 Meeting Minutes.

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

Item D-2, May 14, 2012 - Director Winn abstained due to lack of attendance.

The Board took a break from 9:58 to 10:15 a.m.

00:57:18

E. ADMINISTRATIVE ITEMS

E-1) AUTHORIZATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT REVENUE CERTIFICATES OF PARTICIPATION (SOUTHLAND WASTEWATER PROJECT) SERIES 2012:

- AUTHORIZE SALE OF UP TO \$10,000,000 IN REVENUE CERTIFICATES AND APPROVE THE FOLLOWING SALE DOCUMENTS:
 - A TRUST AGREEMENT
 - AN INSTALLMENT SALE AGREEMENT
 - AN AGENCY AGREEMENT
 - A CONTINUING DISCLOSURE AGREEMENT
 - A PRELIMINARY OFFICIAL STATEMENT
 - NOTICE OF SALE

Michael LeBrun, General Manager, reviewed the report as presented in the Board Packet and was pleased to announce that the Town Wastewater Enterprise received an "AA" rating from Standard and Poor'. Maryann Goodkind, Bond Counsel, and Curt de Crinis, Financial Advisor, answered questions from the Board.

John Snyder, Nipomo resident, wanted to know what this project fixes and if it allocates money for effluent disposal on Mesa Road.

Upon the motion of Director Eby and seconded by Director Vierheilg, the Board unanimously adopted the Resolution 2012-1258. Vote 5-0.

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

E-1) (Continued)

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

RESOLUTION NO. 2012-1258

RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING THE SALE, EXECUTION AND DELIVERY OF NOT TO EXCEED \$10,000,000 REVENUE CERTIFICATES OF PARTICIPATION (SOUTHLAND WASTEWATER PROJECT) SERIES 2012 AND APPROVING SALE DOCUMENTS, A TRUST AGREEMENT, AN INSTALLMENT SALE AGREEMENT, AN AGENCY AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AND PRELIMINARY OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE TAKING OF CERTAIN ACTIONS IN CONNECTION THEREWITH

01:17:56

ADJOURN TO PUBLIC FACILITIES CORPORATION

A) ROLL CALL

At Roll Call, Directors Gaddis, Eby, Winn, Vierheilig, and Harrison were present.

B) APPROVAL OF DOCUMENTS IN CONNECTION WITH THE SALE, EXECUTION AND DELIVERY BY NIPOMO COMMUNITY SERVICES DISTRICT REVENUE CERTIFICATES OF PARTICIPATION (SOUTHLAND WASTEWATER PROJECT) SERIES 2012.

ADOPT A RESOLUTION APPROVING

- o AN INSTALLMENT SALE AGREEMENT
- o AN AGENCY AGREEMENT
- o A TRUST AGREEMENT
- o AN ASSIGNMENT AGREEMENT
- o A PRELIMINARY OFFICIAL STATEMENT
- o NOTICE OF SALE

There was no public comment.

Upon the motion of Director Eby and seconded by Director Vierheilig, the Board unanimously adopted the Resolution 2012-05. Vote 5-0.

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

RESOLUTION NO. 2012-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PUBLIC FACILITIES CORPORATION APPROVING CERTAIN DOCUMENTS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF NOT TO EXCEED \$10,000,000 NIPOMO COMMUNITY SERVICES DISTRICT REVENUE CERTIFICATES OF PARTICIPATION (SOUTHLAND WASTEWATER PROJECT) SERIES 2012.

ADJOURN TO NCSD REGULAR MEETING

SUBJECT TO BOARD APPROVAL

01:24:00

- E-2) WATER RESOURCES RELIABILITY REVIEW AND DISCUSSION/REVIEW DISTRICT OPTIONS TO ADDRESS WATER RESOURCE CONSTRAINTS [CONSIDER INFORMATION AND DIRECT STAFF AND/OR APPOINT DIRECTORS TO STANDING COMMITTEE TO DEVELOP AND MAKE RECOMMENDATIONS FOR CHANGING DISTRICT POLICY TO ADDRESS WATER RESOURCE CONCERNS.]

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet.

Director Eby requested the Board take a straw poll vote to see if the Board is willing to lead the effort and is committed to bringing in supplemental water.

A brief summary of comments and concerns by Directors:

Director Gaddis

- Residents and neighbors need to work together.
- Communities North of the Mesa and South of the Mesa have supplemental water.
- Can we continue to pretend we can survive on rain water?
- We are in a LOS III and NMMA states we are in overdraft.
- We need to combine our efforts and protect our community.

Director Vierheilig

- We need to propose various options.
- We need to hear from the Community.
- We need to get the Community involved.
- Utilize the Adobe Press for communications.
- Place members of the public on a committee.

Director Eby

A Committee should be formed to study the following, including but not limited to:

- Possible ways to preserve \$2.3M grant designate for supplemental water.
- Alternate pipeline configurations.
- Financing options that do not require an assessment vote.
- Possible phasing of construction of pipeline.
- Build on a pay-as-you-go basis.
- Review NCS D funds that are available for a project.
- Review NCS D capital improvement plan.
- Review studies conducted on alternative supplemental water supplies.
- Update our knowledge on supplemental water.
- Legal means of protecting our water-explore court options.
- Review conservation efforts.
- Review water rights
- Review water rates.

E-2) (Continued)

Director Winn

The following should be agendized for Board consideration and possible action:

- A Committee should be formed quickly.
- Consider a budget amendment to add a water conservation position.
- Meet with Water Counsel to review water rights.
- Change policy to discontinue selling water outside NCSD boundaries.
- Remove inter-tie with Golden State.
- Cancel current Intent-To-Serve Letters, and resume only if and when we have supplemental water.
- Suspend Will-Serve Letters not completed, until we have supplemental water.
- Declare a moratorium and have County declare a moratorium on the entire Mesa with the exception of Woodlands.
- Activate the Water Conservation Committee.
- Revise project and partner with Woodlands.
- Work with County Public Works to retain \$2.3M grant.

Director Harrison

- We have a water problem we pump more than is being recharged.
- Voters voted twice against State Water.
- Review alternatives that cost less or are more effective.
- Hire public relations and conservation staff.
- Review reconfiguration of project that includes Woodlands.

John Sonksen, Nipomo resident, read from newspaper article and stated bad press and lack of support led to failure of vote.

Sam Scarborough, NCSD resident, supports the Board going forward with supplemental water and stated uninformed people are irrational.

Mary Scarborough, NCSD resident, supports the Board going forward and stated homes will have no value with no water and other options will cost more.

John Snyder, Nipomo resident, said project is not good in current configuration, 1,934 voters voted no and that could be enough votes to defeat a Prop 218 rate increase. He commented on NMMA TG and delay in releasing Groundwater Indices and said water alternative studies were biased.

Greg Nester, NCSD resident and developer, it was a hard sell to ask for property owners to vote for tax assessments when supplemental water was not for new development; review viable options and invite the public and consider private sector involvement and annexation incentives.

District Legal Counsel Jon Seitz stated terms of City of Santa Maria agreement were approved at a public meeting, NMMA reporting requirements were set by the court, and the assessment district financing provided mechanism that both developed and undeveloped properties would participate to make it more equitable.

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

E-2) (Continued)

President Harrison formed a new committee and appointed Ed Eby as Chairperson and Mike Winn as member.

Upon the motion of Director Eby and seconded by Director Winn, the Board unanimously approved the appointments. Vote 5-0.

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

The new committee will be named the Water Resources Policy Committee and are directed to examine and explore the following, including but not limited to:

- Examine alternative configurations.
- Alternate funding.
- Review and possible update to 2007 Alternatives Studies.
- Review legal actions to protect Mesa water.
- Consider public relations issues.
- Other such policies to protect water resources.

02:44:49

I. ADJOURN TO CLOSED SESSION

President Harrison adjourned to closed session at 12:10 p.m. and announced that Item E-3 would be considered at 1:15 p.m.

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

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
5. ANNUAL PERFORMANCE REVIEW OF DISTRICT GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54957

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

02:46:20

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

The Board came back into Open Session at 1:18 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 continued Items 4 and 5 listed above for closed session.

02:48:03

E-3) CONSIDER FOR ADOPTION RESOLUTION 2012-XXX SUSPENDING PROCESSING OF APPLICATIONS FOR INTENT-TO-SERVE LETTERS FOR DISTRICT WATER SERVICE [RECOMMENDATION – ADOPT RESOLUTION 2012-XXX SUSPENDING PROCESSING OF APPLICATIONS FOR INTENT-TO-SERVE LETTERS FOR DISTRICT WATER SERVICES AND PROVIDE FURTHER DIRECTION TO STAFF]

District Legal Counsel Jon Seitz stated the Board has approved suspension of Intent-To-Serve (ITS) Letters in the past. Resolution will suspend the processing of new applications and direct Staff to return to the Board with further actions, pursuant to Section 4 of the Resolution. Suspension will be reviewed every six months in May and October. Resolution would become effective date of adoption (today) based on finding that excess water does not exist. Future applications submitted to the District will be received and filed, and will not be processed and without priority (tracking purposes only).

Bill Kengel, NCSD resident and developer, spoke in opposition of suspending applications for ITS.

George Newman, developer, spoke in opposition of suspending applications for ITS and suggested the Board consider a category of projects that already had approved ITS that previously expired.

Terry Orton, Engineer, represents many development interests and spoke in opposition of suspending applications for ITS. Mr. Orton also reported being denied to file applications for some Intent-to-Serve letters last week.

Director Winn asked staff to confirm if such an effort was made and asked that they be "grandfathered in" with whatever action the Board takes today.

Upon motion of Director Eby and seconded by Director Vierheilg, the Board adopted Resolution 2012-1259. Vote 4-1.

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

RESOLUTION NO. 2012-1259

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
SUSPENDING APPLICATIONS FOR
INTENT-TO-SERVE LETTERS FOR WATER SERVICE

The Board took a break at 2:25 p.m.

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

03:52:38

E-4) REVIEW DRAFT FISCAL YEAR 2012-2013 BUDGET [REVIEW BUDGET DIRECT STAFF TO PREPARE FINAL DRAFT 2012-2013 BUDGET AND SCHEDULE PUBLIC HEARING]

The Board reviewed the draft budget and asked questions of Staff.

There was no public comment.

Upon motion of Director Vierheilig and seconded by Director Gaddis, the Board unanimously approved setting the Public Hearing for the Fiscal Year 2012-2013 Budget for June 13, 2012. Vote 5-0.

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

04:24:30

E. 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.

F. COMMITTEE REPORT

There was no public comment.

04:35:00

G. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Eby

- ◇ Don't spend reserves on capital improvements until a legal opinion is obtained and economic implications are considered.
- ◇ What additional measures can be taken to stop connections, Will-Serve letters and outside user agreements.

Director Winn

- ◇ Complete pipeline design (only 2% remaining).
- ◇ Obtain legal opinion from District Special Counsel Jim Markman about where we stand on court ruling.
- ◇ Review policy on selling water to others outside District boundary.
- ◇ Consider full moratorium and process for adopting a moratorium.
- ◇ Consider stopping all ITS processing.
- ◇ Consider steps to suspend Will-Serve letters not yet served.
- ◇ Review possible consequences and range of responses RWQCB can impose for discharge violations at Blacklake WWTF.
- ◇ Volunteered to write user-friendly summaries of water reports posted on the web site.

ADJOURN

President Harrison adjourned the meeting at 3:35 p.m.

MEETING SUMMARY	HOURS
Regular Meeting	5.25
Closed Session	1.25
TOTAL HOURS	6.50

SUBJECT TO BOARD APPROVAL

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER

DATE: JUNE 7, 2012



RESOLUTION COMMENDING RETIRED UNDERSHERIFF MARTIN BASTI

ITEM

Consider a Resolution commending retired San Luis Obispo County Undersheriff Martin Basti [RECOMMEND APPROVE RESOLUTION AND DIRECT STAFF TO COORDINATE PRESENTATION OF RESOLUTION TO UNDERSHERIFF BASTI AT A FUTURE BOARD MEETING]

BACKGROUND

Undersheriff Martin Basti served the County of San Luis Obispo for over thirty years. This service include a 'tour of duty' as South County Patrol Station Commander.

RECOMMENDATION

Approve Resolution and direct staff to coordinate presentation of the Resolution to Undersheriff Basti at a future Board Meeting.

ATTACHMENT

- Draft Resolution

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION 2012-XXXX**

**A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT
COMMENDING MARTIN BASTI FOR HIS
DEDICATED SERVICE TO THE SOUTH COUNTY**

WHEREAS, Martin Basti first began service to the citizens of the County of San Luis Obispo December 1979, as a Sheriff's Dispatcher Clerk; and

WHEREAS, on July 04, 2004, Martin was promoted to Sheriff's Commander assigned to South Patrol Station; and

WHEREAS, while assigned to the South County Patrol Station, Martin provided the Nipomo Community Services District Board of Directors and the public with monthly updates on Sheriff Department activities related to arrests and crime prevention within the Nipomo Community; and

WHEREAS, while assigned to the South County Patrol Station, Martin worked to increase graffiti abatement within the Nipomo Community at the request of the District Board of Directors; and

WHEREAS, on January 09, 2011, Martin was promoted to Undersheriff under the newly elected Sheriff Ian Parkinson; and

WHEREAS, over the past 32 years Martin has continued to be a part of numerous community volunteer organizations including the following:

- Board of Directors of the Boys & Girls Club of South San Luis Obispo County
- Past President South County Coalition for Human Services
- Board Member San Luis Obispo Special Olympics
- Past President of the Kiwanis Club - Bay-Osos, 2004—2005
- Past President of Kiwanis Club - Oceano, 2006—2007
- Past Kiwanis Club Division 24 Lt.. Governor; and

WHEREAS, members of the public attending fund raisers for the above organizations would normally find Martin behind the barbeque pit, barbeque hook in hand and turning tri-tip or chicken while telling jokes and stories to those who would listen; and

WHEREAS, Martin has announced his retirement from the San Luis Obispo Sheriff's Department.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED that the Board of Directors of the Nipomo Community Services District expresses great appreciation and gratitude to Martin Basti for his service to the Community of Nipomo and wish him and his family all the best during his retirement.

The Board unanimously adopted the foregoing resolution on June 13, 2012.

James Harrison, President

Larry Vierheilg, Vice President

Michael Winn, Director

Ed Eby, Director

Dan A. Gaddis, Director

