

TO: BOARD OF DIRECTORS  
FROM: MICHAEL S. LEBRUN *MSL*  
GENERAL MANAGER  
DATE: DECEMBER 7, 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 removed. If discussion is desired, the item may be removed from the Consent Agenda by a Board member and will be considered separately at the conclusion of the Administrative Items. Individual items on the Consent Agenda are approved by the same vote that approves the Consent Agenda, unless an item is pulled for separate consideration. The recommendations for each item are noted in bracket. Members of the public may comment on the Consent Agenda items.

**Questions or clarification may be made by the Board members  
without removal from the Consent Agenda.**

- D-1) WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE NOVEMBER 14, 2012 REGULAR BOARD MEETING MINUTES  
[RECOMMEND APPROVAL]
- D-3) ADOPT RESOLUTION COMMENDING FORMER DIRECTOR MICHAEL W. WINN  
[RECOMMEND APPROVAL]
- D-4) ADOPT RESOLUTION COMMENDING FORMER DIRECTOR EDWARD D. EBY  
[RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS  
 FROM: MICHAEL S. LEBRUN *MSL*  
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**AGENDA ITEM  
 D-1  
 DECEMBER 12, 2012**

**TOTAL COMPUTER CHECKS  
 \$389,202.82**

**HAND WRITTEN CHECKS**

12-12-12 10093 DANIEL THOROGOOD  
 12-12-12 10094 MIGUEL GONZALES  
 12-12-12 10095 STATE WATER BOARD  
 12-12-12 10096 STATE WATER BOARD  
 12-12-12 10097 STATE WATER BOARD

WASHER REBATE \$75.00  
 WASHER REBATE \$75.00  
 BAUMGAURTEN WWTP OPERATOR CERTIFICATION \$95.00  
 MALDONADO WWTP OIT CERT \$95.00  
 CALLEJA WWTP OIT CERT \$95.00

VOIDS - 10092

**COMPUTER GENERATED CHECKS**

21305	11/23/12	EMP01	EMPLOYMENT DEVELOP DEPT	B21119	11/19/12	STATE INCOME TAX	11-12	1397.53	1397.53
21306	11/23/12	MID01	RABOBANK-PAYROLL TAX DEPOS	B21119	11/19/12	FEDERAL INCOME TAX	11-12	3989.67	
21306	11/23/12	MID01	RABOBANK-PAYROLL TAX DEPOS	1B21119	11/19/12	FICA	11-12	41.60	
21306	11/23/12	MID01	RABOBANK-PAYROLL TAX DEPOS	2B21119	11/19/12	MEDICARE (FICA)	11-12	953.22	4984.49
21307	11/23/12	MID02	RABOBANK-DIRECT DEPOSIT	B21119	11/19/12	NET PAY	11-12	25440.09	25440.09
21308	11/23/12	PER01	PERS RETIREMENT	B21119	11/19/12	PERS PAYROLL REMITTANCE	11-12	8629.45	8629.45
21309	11/23/12	STA01	CALPERS 457 DEFERRED COMP	B21119	11/19/12	457 DEFERRED COMP	11-12	1005.00	1005.00
021310	12/03/12	ADV01	ADVANTAGE ANSWERING PLUS		155.58	.00	155.58	112512	ANSWERING SERVICES
021311	12/03/12	AME03	AMERI PRIDE		119.54	.00	119.54	759061	UNIFORMS
					137.81	.00	137.81	763786	UNIFORMS
			Check Total.....:		257.35	.00	257.35		
021312	12/03/12	ATT02	AT&T		185.78	.00	185.78	3841617	TELEPHONE
021313	12/03/12	BIG01	BIG BRAND TIRE & SERVICE		499.85	.00	499.85	203298	OIL CHG/REAR BRAKES/AXLE
					246.84	.00	246.84	203299	OIL CHG/FRONT & REAR DISC
			Check Total.....:		746.69	.00	746.69		
021314	12/03/12	BRE02	BRENNTAG PACIFIC INC.		795.56	.00	795.56	BPI253948	SODIUM HYPOCHLORITE
					416.66	.00	416.66	BPI253949	SODIUM HYPOCHLORITE
			Check Total.....:		1212.22	.00	1212.22		
021315	12/03/12	CAL03	CALIFORNIA ELECTRIC SUPPL		291.52	.00	291.52	506712	PSI TRANSMITTER WIRE-QUAD
021316	12/03/12	CAL16	CALPERS		28600.00	.00	28600.00	B21126	OPEB-QUARTERLY 12/31/12
021317	12/03/12	CLE06	CNSSLO INC		6501.54	.00	6501.54	15542	SERVER REPLACEMENT
021318	12/03/12	COR01	CORBIN WILLITS SYSTEMS		750.83	.00	750.83	B206151	COMPUTER SUPPORT- JUN 201
					750.83	.00	750.83	B211151	COMPUTER SUPPORT-NOV 2012
			Check Total.....:		1501.66	.00	1501.66		
021319	12/03/12	CUS01	CUSTOM PRINTING		150.85	.00	150.85	121011	BL SEWER RATE INCREASE PO
021320	12/03/12	DKF01	DKF SOLUTIONS GROUP, LLC		377.56	.00	377.56	1751	SEWER OVERFLOW/BACK UP RE
021321	12/03/12	FER01	FERGUSON ENTERPRISES INC		284.26	.00	284.26	8612904	ANGLE BALL VALVE
					319.87	.00	319.87	8595932-3	1 PVC x 1 MC BALL VALVE (
			Check Total.....:		604.13	.00	604.13		
021322	12/03/12	FGL01	FGL ENVIRONMENTAL		365.00	.00	365.00	283279A	LAB TESTS
					40.00	.00	40.00	283415A	LAB TESTS
			Check Total.....:		405.00	.00	405.00		
021323	12/03/12	GWAC1	GWA INC		85.00	.00	85.00	DEC 2012A	MONITORING-SHOP
					85.00	.00	85.00	DEC 2012B	MONITORING-UTILITY OFFICE
					53.00	.00	53.00	DEC 2012C	MONITORING-OFFICE
			Check Total.....:		223.00	.00	223.00		
021324	12/03/12	HAC01	HACH COMPANY		218.79	.00	218.79	8027856	SENSOR CAP REPLACEMENT
021325	12/03/12	IND01	INDUSTRIAL MEDICAL GROUP		70.00	.00	70.00	142671-2	DRUG SCREEN/PHYSICAL
021326	12/03/12	LIN02	LINC DELIVERY		276.00	.00	276.00	3448	DELIVERY
021327	12/03/12	MOR02	MORE OFFICE SOLUTIONS		197.91	.00	197.91	345495	B/W & COLORED COPIES
021328	12/03/12	NEX01	NEXTEL COMMUNICATIONS		542.82	.00	542.82	NOV 2012	CELLULAR SERVICE

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021329	12/03/12	NEX03	NEXTRAQ	308.50	.00	308.50	DEC 2012	GPS SERVICE
021330	12/03/12	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	94685	RODENT CONTROL
				75.00	.00	75.00	94686	RODENT CONTROL
			Check Total.....:	340.00	.00	340.00		
021331	12/03/12	OFF01	OFFICE DEPOT	138.75	.00	138.75	360995001	OFFICE SUPPLIES
				34.27	.00	34.27	362954001	OFFICE SUPPLIES
			Check Total.....:	173.02	.00	173.02		
021332	12/03/12	PGE01	P G & E	56507.17	.00	56507.17	OCT 2012	ELECTRICITY
021333	12/03/12	POO01	POOR RICHARD'S PRESS	670.57	.00	670.57	231328	FOG CONTROL BROCHURE
				39.35	.00	39.35	231296A	MAIL LATE NOTICES
				134.10	.00	134.10	231296B	POSTAGE LATE NOTICES
			Check Total.....:	844.02	.00	844.02		
021334	12/03/12	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	NOV 2012	JANITORIAL SERVICES
021335	12/03/12	THE01	THE GAS COMPANY	17.00	.00	17.00	NOV 2012A	HEAT-SHOP
				20.84	.00	20.84	NOV 2012B	HEAT-OFFICE
			Check Total.....:	37.84	.00	37.84		
021336	12/03/12	THE05	THE CAPRICORN GROUP	51.58	.00	51.58	8801	PIPET TIPS FOR TENSETTE P
021337	12/03/12	TOW01	TOWN & COUNTRY FENCING	125.00	.00	125.00	3266	REPAIR SOUTHLAND WWTP FEN
021338	12/03/12	UND01	UNDERGROUND SERVICE ALERT	151.50	.00	151.50	12110040	UNDERGROUND SERVICE ALERT
021339	12/03/12	USA01	USA BLUEBOOK	236.80	.00	236.80	811188	REPLACEMENT CAP FOR 35682
021340	12/03/12	VER01	VERIZON	42.55	.00	42.55	B21129	TELEPHONE
021341	12/03/12	YOU01	YOUR PEOPLE PROFESSIONALS	3700.00	.00	3700.00	B21130	NOV & DEC DEPOSIT-EMPLOYM
21342	12/07/12	EMP01	EMPLOYMENT DEVELOP DEPT	1391.01	.00	1391.01	B21203	STATE INCOME TAX
21343	12/07/12	MID01	RABOBANK-PAYROLL TAX DEPO	3947.83	.00	3947.83	B21203	FEDERAL INCOME TAX
				20.80	.00	20.80	1B21203	FICA
				941.20	.00	941.20	2B21203	MEDICARE (FICA)
			Check Total.....:	4909.83	.00	4909.83		
21344	12/07/12	MID02	RABOBANK-DIRECT DEPOSIT	24887.92	.00	24887.92	B21203	NET PAY
21345	12/07/12	PER01	PERS RETIREMENT	8629.45	.00	8629.45	B21203	PERS PAYROLL REMITTANCE
21346	12/07/12	STA01	CALPERS 457 DEFERRED COMP	1205.00	.00	1205.00	B21203	457 DEFERRED COMP
021347	12/12/12	ABA01	ABALONE COAST BACTERIOLOG	3316.00	.00	3316.00	1759	LAB TESTS
021348	12/12/12	AEC01	AECOM USA INC	11318.40	.00	11318.40	37293158	SOUTHLAND WWTF UPGRADE
				8617.45	.00	8617.45	37293160	SUPPLEMENTAL WATER PROJEC
			Check Total.....:	19935.85	.00	19935.85		
021349	12/12/12	ALX01	ALEXANDER'S CONTRACT SERV	2362.91	.00	2362.91	DEC 2012	METER READING SERVICES
021350	12/12/12	AME03	AMERI PRIDE	127.66	.00	127.66	768519	UNIFORMS
				137.81	.00	137.81	773260	UNIFORMS
			Check Total.....:	265.47	.00	265.47		
021351	12/12/12	AQU01	AQUA-METRIC SALES CO.	13399.99	.00	13399.99	45740-IN	300-5/8' WATER METERS
021352	12/12/12	ASA01	ASAP REPROGRAPHICS	172.40	.00	172.40	63807	PRE-QUAL SUPP WATER HHD
				4.32	.00	4.32	63813	HARD COPY PRE-QUAL ARB
			Check Total.....:	176.72	.00	176.72		
021353	12/12/12	ATT02	AT&T	149.53	.00	149.53	3882459	TELEPHONE
				27.81	.00	27.81	3882703	TELEPHONE
				190.08	.00	190.08	3882773	TELEPHONE
			Check Total.....:	367.42	.00	367.42		
021354	12/12/12	AWW02	AMERICAN WATER WORKS ASSO	413.00	.00	413.00	B21206	MEMBERSHIP RENEWAL-LEBRUN
021355	12/12/12	BOB01	BOB'S RUBBER STAMPS	27.76	.00	27.76	37534	NAME PLATES
021356	12/12/12	BRE02	BRENNTAG PACIFIC INC.	741.43	.00	741.43	BPI257849	SODIUM HYPOCHLORITE
				380.58	.00	380.58	BPI257850	SODIUM HYPOCHLORITE
			Check Total.....:	1122.01	.00	1122.01		

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021357	12/12/12	CAL08	CALIFORNIA RURAL WATER A	1030.00	.00	1030.00	B21206	MEMBERSHIP DUES
021358	12/12/12	CAN02	CANNON CORPORATION	2185.00	.00	2185.00	53275	PREVENTATIVE MAINT. WORK
				9973.51	.00	9973.51	53607	STANDPIPE BID SUPPORT
			Check Total.....:	12158.51	.00	12158.51		
021359	12/12/12	CAR04	CAR QUEST AUTO PARTS	262.68	.00	262.68	596340	ALTERNATOR/BATTERY/OIL
				188.12	.00	188.12	596436	ALTERNATOR
			Check Total.....:	450.80	.00	450.80		
021360	12/12/12	CHA02	CHARTER COMMUNICATIONS	204.99	.00	204.99	DEC 2012	SHOP-INTERNET
021361	12/12/12	CRY01	CRYSTAL SPRINGS	31.90	.00	31.90	NOV 2012	DISTILLED WATER FOR LAB
021362	12/12/12	CSD01	CALIF SPECIAL DIST ASSOC	4925.00	.00	4925.00	B21206	MEMBERSHIP DUES
021363	12/12/12	DEP03	DEPT OF HEALTH SERVICES	70.00	.00	70.00	B21206	RODRIGUEZ-RENEWAL D1
021364	12/12/12	DEP04	DEPT OF MOTOR VEHICLES	10.00	.00	10.00	B21206	RENEWAL-TRAILER
021365	12/12/12	DKF01	DKF SOLUTIONS GROUP, LLC	350.00	.00	350.00	1766	MONTHLY SAFETY SUBSCRIPTI
021366	12/12/12	DLT01	DLT SOLUTIONS INC	177.21	.00	177.21	841433	AUTOCAD SUBSCRIPTION RENE
021367	12/12/12	FAR02	FAR WEST EXPRESS	22.00	.00	22.00	NOV 2012	DELIVERY
021368	12/12/12	FGL01	FGL ENVIRONMENTAL	397.00	.00	397.00	283554A	LAB TEST
021369	12/12/12	GIL01	GLM, INC.	280.00	.00	280.00	NOV 2012	LANDSCAPE MAINTENANCE
021370	12/12/12	GRA01	GRANDFLOW, INC.	149.61	.00	149.61	121284	W-2/1099 FORMS
021371	12/12/12	HAM02	HAMNER JEWELL & ASSOCIATE	878.95	.00	878.95	5999	WATERLINE INTERTIE PROJEC
021372	12/12/12	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	58050	LANDSCAPE MAINTENANCE DIS
				187.63	.00	187.63	58195	LANDSCAPE MAINTENANCE DIS
			Check Total.....:	401.63	.00	401.63		
021373	12/12/12	LEB02	LeBRUN, MICHAEL	65.00	.00	65.00	DEC 2012	REIMBURSEMENT-CELL PHONE
021374	12/12/12	LEF01	LEFT COAST T-SHIRT COMPAN	1602.83	.00	1602.83	16015	UNIFORMS
021375	12/12/12	MIN02	MINER'S ACE HARDWARE	163.90	.00	163.90	NOV 2012	OPERATING SUPPLIES
021376	12/12/12	MNS01	MNS ENGINEERS INC	79029.47	.00	79029.47	62708	SOUTHLAND WWTF UPGRADE
021377	12/12/12	MOR02	MORE OFFICE SOLUTIONS	73.95	.00	73.95	349494	B&W/COLORED COPIES
021378	12/12/12	NIP05	NIPOMO CHAMBER OF COMMERC	100.00	.00	100.00	1114	MEMBERSHIP DUES
021379	12/12/12	NUN01	NUNLEY, MICHAEL K. & ASSO	5460.00	.00	5460.00	12/2/12	SWAEC CHAIRMAN SERVICES
021380	12/12/12	OFF01	OFFICE DEPOT	112.28	.00	112.28	110448001	OFFICE SUPPLIES
021381	12/12/12	PER04	PERRY'S ELECTRIC MOTORS	5708.92	.00	5708.92	14737	100HP MOTOR-BEVINGTON WEL
021382	12/12/12	QUI03	QUINN COMPANY	384.91	.00	384.91	910020202	CONCRETE/PARTS
021383	12/12/12	REC01	RECOGNITION WORKS	15.98	.00	15.98	195906	NAME TAGS
021384	12/12/12	RIC01	RICHARDS, WATSON, GERSHON	147.21	.00	147.21	186773	WATER RIGHTS ADJUDICATION
021385	12/12/12	RIC05	RICK ENGINEERING COMPANY	2367.50	.00	2367.50	29251	GIS MAPPING-UPDATE AND RE
021386	12/12/12	SCI01	SCIENCE DISCOVERY	345.36	.00	345.36	619NCSD	WATER CONSERVATION-CLASS
021387	12/12/12	SHI01	SHIPSEY & SEITZ, INC	6616.60	.00	6616.60	NOV 2012	LEGAL SERVICES NOV 2012
				8916.40	.00	8916.40	OCT 2012	LEGAL SERVICES OCT 2012
			Check Total.....:	15533.00	.00	15533.00		
021388	12/12/12	SOU01	SOUTH COUNTY SANITARY	34.92	.00	34.92	3912871	GARBAGE SERVICE
				169.12	.00	169.12	3914170	OLDE TOWNE GARBAGE SERVIC
			Check Total.....:	204.04	.00	204.04		
021389	12/12/12	SOU03	SAN LUIS GARBAGE COMPANY	1341.50	.00	1341.50	11/30/12	SOLID WASTE TAX LIENS
021390	12/12/12	SOU07	SOUTH COUNTY SANITARY	8694.00	.00	8694.00	3911023	2 MONTH DEFERRAL-RESIDENT
021391	12/12/12	SOU08	SOUTH COUNTY SANITARY SVC	1353.00	.00	1353.00	3914579	RATE DEFERRAL-COMMERCIAL
021392	12/12/12	SPE01	SPECIAL DISTRICT RISK	3997.06	.00	3997.06	41939	WORKERS' COMP JAN-MAR 201

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021393	12/12/12	SPE03	SPECIALTY CRANE & RIGGING	452.40	.00	452.40	92772	ELECTRICAL PARTS
021394	12/12/12	TER01	TERMINIX	244.44	.00	244.44	B21206	PEST CONTROL SERVICE
021395	12/12/12	THE02	THE TRIBUNE	496.00	.00	496.00	B21204	EMPLOYMENT AD-ASSIST ENGI
021396	12/12/12	USB01	US BANK (VISA)	2237.60	.00	2237.60	112312A	POSTAGE
				112.60	.00	112.60	112312B	MEETINGS
				104.52	.00	104.52	112312C	OFFICE SUPPLIES
				16.98	.00	16.98	112312D	TRAVEL/MILEAGE
				239.87	.00	239.87	112312E	OPERATING SUPPLIES
				200.00	.00	200.00	112312F	EMPLOYMENT AD
			Check Total.....:	2911.57	.00	2911.57		
021397	12/12/12	WAG01	WAGNER & BONSIGNORE	3239.19	.00	3239.19	11-12-1	GROUNDWATER LITIGATION
021398	12/12/12	WAL01	WALLACE GROUP	341.25	.00	341.25	34200	FOG OUTREACH & INSPECTION
021399	12/12/12	WAT06	WATERISAC	200.00	.00	200.00	1691	MEMBERSHIP DUES
021400	12/12/12	WIN02	WINN, MICHAEL	677.10	.00	677.10	B21204	MILEAGE REIMBURSEMENT
021401	12/12/12	WSC01	WSC	1976.63	.00	1976.63	513	CUWCC SUPPORT SERVICES
021402	12/12/12	\G011	GRANITE CONSTRUCTION CO,	548.69	.00	548.69	000B21201	MQ CUSTOMER REFUND FOR GR
021403	12/12/12	\S006	SOUTHWEST CONTRACTORS,	324.76	.00	324.76	000B21201	MQ CUSTOMER REFUND FOR SO

**FUNDS TO BE WIRED (IN LIEU OF CHECKS) FOR  
 SOUTHLAND WWTF IMPROVEMENTS PHASE 1 PROJECT**

Cushman Contracting	Period 11/1/12 to 11/31/12	\$342,810.88
First Republic Bank	Period 11/1/12 to 11/31/12 Retention	\$18,042.68
	<b>TOTAL</b>	<b>\$360,853.56</b>

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MINUTES

NOVEMBER 14, 2012, AT 9:00 A.M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

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### 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 November 14, 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, Directors Gaddis, Winn, Vierheilig, and Harrison were present. Director Eby was not present.

The following member of the public spoke:

Bret Faulkner, South County Sanitary Assistant District Manager, handed the Board a worksheet on the Cold Canyon Appeal of the Planning Commission recommendation on the landfill expansion EIR and asked the Board to support the appeal.

#### C. PRESENTATIONS AND PUBLIC COMMENT

##### C-1) REPORT ON OCTOBER 24, 2012 REGULAR MEETING CLOSED SESSION Announcement of Actions, if any, taken in Closed Session

Mike Seitz, District Deputy Legal Counsel, announced that the Board discussed Item One (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9 SMVWCD VS. NCSD) in closed session, but took no reportable action.

The Board discussed Item Two (Conference with District Legal Counsel re: pending litigation pursuant to GC §54956.9, Whitlow/NCSD) in closed session, but took no reportable action.

The Board discussed Item Three (Conference with Legal Counsel pursuant to GC §54956.9, Anticipated litigation) in closed session, but took no reportable action.

##### C-2) 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. PRESENTATIONS AND PUBLIC COMMENT (Continued)

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

Receive Announcements and Reports from Directors

Director Gaddis

- ◇ November 6, The SLO County Board of Supervisors met and considered the approval of the Nipomo Community Park PEIR and the Nipomo Community Park Master Plan, but postponed it until December 18, 2012.
- ◇ November 26, SCAC will meet at NCS D at 6:00 p.m.

Director Vierheilig

- ◇ November 14, Nipomo Chamber Mixer from 6:00 to 7:30 p.m. at the UPS Store.
- ◇ November 15, Nipomo Chamber Luncheon at 11:45 a.m. at Tahlia's Cuisina.
- ◇ November 17, Friends of the Nipomo Library will hold a book sale from 10:00 a.m. to 3:00 p.m. at the Nipomo Library.
- ◇ CSDA will have a seminar on New Board Member training in Monterey and Fountain Valley.

Director Winn

- ◇ October 26, Attended the Willow Road Ribbon Cutting Ceremony.
- ◇ November 6, The SLO County Board of Supervisors met and considered the approval of the Nipomo Community Park PEIR and the Nipomo Community Park Master Plan, but postponed it until December 18, 2012.
- ◇ November 13, The SLO County Board of Supervisors met and passed the General Plan Amendments.
- ◇ December 5, The WRAC will meet at 1:30 p.m. at the San Luis Obispo Library.
- ◇ Commented on SLO County not having a hydraulic fracking forum.

Director Harrison

- ◇ October 26, Attended the Willow Road Ribbon Cutting Ceremony.
- ◇ Commented on meeting with the SLO County Parks Director regarding the Nipomo Community Park PEIR.
- ◇ November 15, 9:00 a.m., The Fire Safe Council will meet.

C-5) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE and FILE PRESENTATIONS AND REPORTS

There was no public comment.

Upon the motion of Director Vierheilig and seconded by Director Winn, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 4-0.

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

00:40:39

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE OCTOBER 24, 2012 REGULAR BOARD MEETING MINUTES

D-3) FIRST QUARTER FINANCIAL REPORT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Tina Grietens, Utility Superintendent, Lisa Bognuda, Finance Director, and Mr. LeBrun answered questions from the Board.

There was no public comment.

Upon the motion of Director Winn and seconded by Director Gaddis, the Board unanimously approved the consent agenda, with a commendation to staff on the financial report.

Vote 4-0.

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

E. ADMINISTRATIVE ITEMS

00:50:11

E-1) BLACKLAKE SEWER SYSTEM MASTER PLAN PROJECT, AUTHORIZE STAFF TO CIRCULATE REQUEST FOR PROPOSALS

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

The following members of the public spoke:

Bill Morrow, NCSD customer, had concerns with the review of the proposals and questioned the status of the reserve fund for the Blacklake Sewer system.

Dan Hall, NCSD customer, handed the Board comments on the Blacklake Sewer system (See Exhibit A). Mr. Hall questioned the total reserve fund and questioned where monies were spent.

Upon motion of Director Winn and seconded by Director Vierheilig, the Board unanimously authorized staff to post and mail the Blacklake Sewer Plan request for proposals to qualified engineering firms.

Vote 4-0.

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

*The Board took a break from 10:00 to 10:15 a.m.*



01:02:36

- E-2) AUTHORIZE PURCHASE A UTILITY TRUCK FOR \$20,050 AND A SERVICE TRUCK FOR \$80,691

Tina Grietens, Utility Superintendent, reviewed the report as presented in the Board packet. Michael LeBrun, General Manager, and Ms. Grietens answered questions from the Board.

The following member of the public spoke:

Bob Blair, NCSD customer and Director Elect, commented on sales tax, warranty use, and preference of vehicle brand.

Upon the motion of Director Winn and seconded by Director Vierheilig, the Board approved the purchase of the Ford F150 pick-up from Santa Maria Ford for the base price of \$17,696 plus tax and directed staff to bring back to the Board more information for the purchase of a heavy duty truck.

Vote 3-1.

YES VOTES	NO VOTES	ABSENT
Directors Winn, Vierheilig, and Gaddis	Director Harrison	Director Eby

01:36:15

- E-3) STANDPIPE MIXING AND RECOAT PROJECT AUTHORIZATION TO BID

Peter Sevcik, District Engineer, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board.

The following member of the public spoke:

Bob Blair, NCSD customer and Director Elect, commented on reconstructing the tank and had concerns on enough pressure for fire flow at Summit Station.

Upon the motion of Director Winn and seconded by Director Vierheilig, the Board unanimously authorized staff to solicit bids to construct the Standpipe modification and rehabilitation; and file a notice of exemption for the project.

Vote 4-0.

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

01:50:20

- E-4) BLACKLAKE WELL 4 PUMP REPLACEMENT PROJECT AUTHORIZATION TO BID

Peter Sevcik, District Engineer, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board.

The following member of the public spoke:

Bob Blair, NCSD customer and Director Elect, questioned the size of the pump.

Upon the motion of Director Vierheilig and seconded by Director Winn, the Board unanimously authorized staff to solicit bids to construct the Blacklake Well 4 Pump Replacement project; and file a notice of CEQA exemption for the project.

Vote 4-0.

E-4) Continued

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

02:02:27

E-5) ESTABLISH PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR SUPPLEMENTAL WATER PROJECT BID PACKAGE 1 – SANTA MARIA CROSSING

Peter Sevcik, District Engineer, reviewed the report as presented in the Board packet. Michael LeBrun, General Manager, Mike Seitz, Deputy District Legal Counsel, and Mr. Sevcik answered questions from the Board.

The following member of the public spoke:

Bob Blair, NCS D customer and Director Elect, questioned the costs and commented in opposition to the pipeline.

Upon the motion of Director Winn and seconded by Director Vierheilig, the Board adopted Resolution 2012-1282, establishing a pre-qualification policy and appeals procedure for Supplemental Water Project Bid Package 1 – Santa Maria River Crossing, as amended.

Vote 3-1.

YES VOTES	NO VOTES	ABSENT
Directors Winn, Vierheilig, and Gaddis	Director Harrison	Director Eby

RESOLUTION NO. 2012-1282

A RESOLUTION OF THE BOARD OF DIRECTORS  
 OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
 ESTABLISHING A PRE-QUALIFICATION POLICY AND APPEALS  
 PROCEDURE FOR SUPPLEMENTAL WATER PROJECT BID PACKAGE  
 1 – SANTA MARIA RIVER CROSSING.

02:23:07

E-6) CONSIDER A \$32,000 BUDGET AUGMENTATION FOR HAMNER, JEWELL & ASSOCIATES INCREASING NOT TO EXCEED LIMIT FOR PROPERTY NEGOTIATION SERVICES IN SUPPORT OF SUPPLEMENTAL WATER PROJECT FROM \$82,000 TO \$114,000

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mike Seitz, Deputy District Legal Counsel, and Mr. LeBrun answered questions from the Board.

The following member of the public spoke:

Bob Blair, NCS D customer and Director Elect, commented on new alternatives now, bringing down costs, and having Phillips 66 fund some of the project.

Upon the motion of Director Winn and seconded by Director Gaddis, the Board approved a \$32,000 budget augmentation with Hamner, Jewell & Associates, and directed staff to issue a task order, and revise the project not-to-exceed to \$114,000.

Vote 3-1.

E-6) Continued

YES VOTES	NO VOTES	ABSENT
Directors Winn, Gaddis, and Vierheilig	Director Harrison	Director Eby

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, WHITLOW/NCSD (CASE # E20112E1116-00-APS FILED WITH THE DEPARTMENT OF FAIR HOUSING AND EMPLOYMENT)
3. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(b):  
 Anticipated litigation - 1 case

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.

02:37:51

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

The Board came back into Open Session at 1:15 p.m.

Mike Seitz, Deputy District Legal Counsel, announced that the Board discussed Items 1, 2, and 3, listed above for Closed Session but took no reportable action.

02:44:36

E-7) REVIEW WATER CONSERVATION PROGRAM 2012 ACTIVITY AND DISCUSS PROGRAM DIRECTION IN 2013

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

There was no public comment.

The Board took no action.

02:51:01

E-8) CONSIDER LOCAL AREA FORMATION COMMISSION'S REQUEST FOR NOMINATIONS TO FILL SPECIAL DISTRICT SEAT

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

The following member of the public spoke:

Bob Blair, NCSD customer and Director Elect, would like to be nominated for LAFCO Special District Member.

Upon the motion of Director Winn and seconded by Director Vierheilg, the Board unanimously directed staff to write a letter letting LAFCO know that the District will not be nominating anyone, but will support Mr. Muril Clift to hold his seat.

Vote 4-0.

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

02:57:01

F. GENERAL MANAGER'S REPORT

Michael LeBrun, General Manager, reviewed the report as presented in the Board packet. Mike Seitz, Deputy District Legal Counsel, and Mr. LeBrun answered questions from the Board.

The following member of the public spoke:

Bob Blair, NCSD customer and Director Elect, would like the District to change its policy on billing the owner of the property for water and sewer bills.

03:09:26

G. COMMITTEE REPORT

- OCTOBER 2, 2012 SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE MEETING MINUTES
- OCTOBER 25, 2012 WATER CONSERVATION COMMITTEE MEETING MINUTES

Craig Armstrong, SWAEC member and Director Elect, commented on the SWAEC meeting and answered questions from the Board.

03:11:22

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Vierheilg

- ◇ Requested staff to conduct a water audit on Vista Verde when Assistant Engineer is hired.
- ◇ Commented on the District having a replacement plan in our budget every year.
- ◇ December 11, The SLO County Sheriff Foundation will hold a public forum at NCSD at 6:30 p.m.
- ◇ December 14, "Garbage Man's Ball" from 6:30 to 8:30 p.m. in San Luis Obispo.

Director Winn

- ◇ Commented on the Santa Margarita Ag Cluster hearing.
- ◇ Commented on the WRAC, planning to serve through December, then resign his seat.
- ◇ Commented on the appreciation of working with District staff for 12 years, with particular mention of the General Manager, Jon and Mike Seitz, and Lisa Bognuda.

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

Director Harrison

- ◇ Confirmed the Agenda setting meeting for Monday, December 3, 2012, at 2:00 p.m.

ADJOURN

President Harrison adjourned the meeting at 1:50 p.m.

MEETING SUMMARY	HOURS
Regular Meeting	3.35
Closed Session	1.15
TOTAL HOURS	4.50

NOVEMBER 14, 2012

REGULAR BOARD MEETING MINUTES

EXHIBIT "A"

NCSD Comments 11/14/12

BILL MORROW  
+  
DANN HALL

Express some concerns relative to the upcoming Request for Proposal to review the Blacklake Sewer System.

We would appreciate being updated as the procedure is going along. No involved reports but a brief review showing progress, Status and perceived outcomes.

We would like to have a brief report showing the current status of our sewer system outlining the following:

1. The current plan for liner replacement on each pond. Info should include the last year the liner was replaced and the planned replacement year.
2. The mil of the liners. Past liners have been inferior in the mil size which created unnecessary problem and expense.
3. The current health of the system to include what are the current problems. As an example it is known there is a problem with a lift station located near the 8<sup>th</sup> Hole of the Canyon golf course.
  - a. Please advise the seriousness of this problem and what the expense would be to correct the problem.
4. Due to inadequate reserves (Funded Replacement Fund) there was a \$275,000 loan at 3.5% over 10 years in 2009. The sewer rates have been increased 90.2% since 2009. We were told this was required to build reserves. What is the current value of reserves?

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER

*msl*

DATE: DECEMBER 6, 2012



**ADOPT RESOLUTION COMMENDING FORMER DIRECTOR  
MICHAEL W. WINN**

**ITEM**

Adopt Resolution commending former Director Michael W. Winn. [Recommend Approval]

**BACKGROUND**

Michael W. Winn served as a Director on the District's Board of Directors for nearly thirteen years over three consecutive terms. The District would like to thank Mr. Winn for his dedicated service to the community.

**RECOMMENDATION**

Staff recommends that your Honorable Board adopt the Resolution

**ATTACHMENT**

- A. Resolution 2012-WINN



DECEMBER 12, 2012

ITEM D-3

ATTACHMENT A

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

**A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
COMMENDING MICHAEL W. WINN FOR HIS  
DEDICATED SERVICE TO NIPOMO COMMUNITY SERVICES DISTRICT**

**WHEREAS**, Michael W. Winn was appointed and sworn into office as a Director of Nipomo Community Services District on May 5, 2000; and

**WHEREAS**, Michael W. Winn was elected to serve three consecutive terms on the Board of Directors for a total service to the community of twelve years seven months serving as the President of the Board of Directors in 2003, 2004, 2007 and 2008; and

**WHEREAS**, during his tenure on the Board of Directors, Michael W. Winn chaired and/or served on numerous Board standing committees and Ad-Hoc committees; and

**WHEREAS**, Michael W. Winn regularly and diligently attended County Board of Supervisor meetings and Planning Commission meetings providing strong District representation before both bodies; and

**WHEREAS**, Michael W. Winn was first appointed to the County Water Resources Advisory Committee (WRAC) on August 21, 2001, and has acted as WRAC Chairperson since January 1, 2005, during which time the Committee benefited from marked increase in membership participation and strength of voice before the County Board of Supervisors; and

**WHEREAS**, Michael W. Winn regularly represented the District at the local chapter of the California Special Districts Association and served as Chapter President in 2008 and 2009 during which time Chapter organization and participation greatly improved; and

**WHEREAS**, during his entire tenure on the Board, Michael W. Winn continually supported many vital District projects including: and

- Southland Sewer Plant Upgrade – *largest project in District history*
- 2005 and 2010 Municipal Services Review and Sphere of Influence updates
- 2007 Water and Sewer Master Plan
- 2005-2013 Strategic Plan Development and Adoption
- Development and Adoption of District's first Water Conservation Plan
- Unification of District Water system
- South Frontage Road Sewer Trunk Replacement
- Supplemental Water Project alternatives review, selection, design, and environmental certification
- Willow Road Watermain Extension
- 2005 and 2010 Urban Water Management Plan updates
- 2010 Wholesale Water Agreement with City of Santa Maria
- Annual adoption of a Balanced Budget

**WHEREAS**, Michael W. Winn proudly and competently represented Nipomo Community Services District at the local, county, state, and national level; and

**WHEREAS**, Michael W. Winn's service to this Board, the community of Nipomo, and all Nipomo residents has been of great value to us all.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED** that the Board of Directors of the Nipomo Community Services District expresses great appreciation and lasting gratitude to Michael W. Winn for his service to Nipomo Community Services District.

The Board unanimously adopted the foregoing resolution on December 12, 2012.

\_\_\_\_\_  
James Harrison, President

\_\_\_\_\_  
Larry Vierheilg, Vice President

\_\_\_\_\_  
Dan A. Gaddis

\_\_\_\_\_  
Bob Blair

\_\_\_\_\_  
Craig Armstrong



TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN  
GENERAL MANAGER

DATE: DECEMBER 6, 2012

**AGENDA ITEM**  
**D-4**  
**DECEMBER 12, 2012**

**ADOPT RESOLUTION COMMENDING FORMER DIRECTOR  
EDWARD D. EBY**

**ITEM**

Adopt Resolution commending former Director Edward D. Eby [Recommend Approval]

**BACKGROUND**

Edward D. Eby served as a Director on the District's Board of Directors for eight years spanning two consecutive terms. The District would like to thank Mr. Eby for his dedicated service to the community.

**RECOMMENDATION**

Staff recommends that your Honorable Board adopt the Resolution

**ATTACHMENT**

- A. Resolution 2012-EBY

DECEMBER 12, 2012

ITEM D-4

ATTACHMENT A

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

**A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
COMMENDING EDWARD D. EBY FOR HIS  
DEDICATED SERVICE TO NIPOMO COMMUNITY SERVICES DISTRICT**

**WHEREAS**, Edward D. Eby was appointed and sworn into office as a Director of Nipomo Community Services District on December 3, 2004; and

**WHEREAS**, Edward D. Eby was elected to serve two consecutive terms on the Board of Directors for a total service to the community of eight years; and

**WHEREAS**, during his entire tenure on the Board of Directors, Edward D. Eby chaired the Board's Supplemental Water Project Committee and supported District efforts to secure supplemental water by chairing numerous project related committees and leading the District's outreach and public involvement efforts; and

**WHEREAS**, Edward D. Eby regularly and diligently prepared for and attended Board Meetings; and

**WHEREAS**, Edward D. Eby served as Alternate Special District Member to the Local Area Formation Commission 2006-2011, served as regular Special District Member to the Commission beginning in April 2011, as served as Vice-Chairman of the Commission in 2012; and

**WHEREAS**, Edward D. Eby served as Board liaison to the Nipomo Mesa Management Area Technical Group; and

**WHEREAS**, during his entire tenure on the Board, Edward D. Eby continually supported many vital projects including: and

- Southland Sewer Plant Upgrade – *largest project in District history*
- 2005 and 2010 Municipal Services Review and Sphere of Influence updates
- 2007 Water and Sewer Master Plan
- 2005-2013 Strategic Plan Development and Adoption
- Development and adoption of District's first Water Conservation Plan
- Unification of District Water System
- South Frontage Road Sewer Trunk Replacement
- Supplemental Water Project alternatives review, selection, design, and environmental certification
- Willow Road Watermain Extension
- 2005 and 2010 Urban Water Management Plan updates
- 2010 Wholesale Water Agreement with City of Santa Maria
- Annual adoption of a Balanced Budget

**WHEREAS**, Edward D. Eby's service to this Board, the community of Nipomo, and all Nipomo residents has been of great value to us all.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED** that the Board of Directors of the Nipomo Community Services District expresses great appreciation and lasting gratitude to Edward D. Eby for his service to Nipomo Community Services District.

The Board unanimously adopted the foregoing resolution on December 12, 2012.

\_\_\_\_\_  
James Harrison, President

\_\_\_\_\_  
Larry Vierheilig, Vice President

\_\_\_\_\_  
Dan A. Gaddis

\_\_\_\_\_  
Bob Blair

\_\_\_\_\_  
Craig Armstrong

