

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: MARCH 22, 2013



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 MARCH 13, 2013 REGULAR BOARD MEETING MINUTES:
[RECOMMEND APPROVAL]
- D-3) ADOPT RESOLUTION OF APPRECIATION FOR SUPPLEMENTAL WATER
ALTERNATIVES EVALUATION COMMITTEE [RECOMMEND ADOPT
RESOLUTION]

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN *MSL*
 GENERAL MANAGER
 DATE: MARCH 22, 2013

**AGENDA ITEM
 D-1
 MARCH 27, 2013**

**TOTAL COMPUTER CHECKS
 \$146,360.29**

HAND WRITTEN CHECKS

03-18-13 10121 US BANK

TRAINING CLASS

\$250.00

VOIDS - NONE

COMPUTER GENERATED CHECKS

| | | | | | | | | |
|--------|----------|-------|---------------------------|----------|-----|----------|-----------|---------------------------|
| 21695 | 03/15/13 | EMP01 | EMPLOYMENT DEVELOP DEPT | 1357.23 | .00 | 1357.23 | B30312 | STATE INCOME TAX |
| 21696 | 03/15/13 | MID01 | RABOBANK-PAYROLL TAX DEPO | 3895.19 | .00 | 3895.19 | B30312 | FEDERAL INCOME TAX |
| | | | | 86.80 | .00 | 86.80 | 1B30312 | FICA |
| | | | | 985.02 | .00 | 985.02 | 2B30312 | MEDICARE (FICA) |
| | | | Check Total.....: | 4967.01 | .00 | 4967.01 | | |
| 21697 | 03/15/13 | MID02 | RABOBANK-DIRECT DEPOSIT | 25408.01 | .00 | 25408.01 | B30312 | NET PAY |
| 21698 | 03/15/13 | PER01 | PERS RETIREMENT | 8886.76 | .00 | 8886.76 | B30312 | PERS PAYROLL REMITTANCE |
| 21699 | 03/15/13 | STA01 | CALPERS 457 DEFERRED COMP | 2205.00 | .00 | 2205.00 | B30312 | 457 DEFERRED COMP |
| 021700 | 03/27/13 | AEC01 | AECOM USA INC | 36385.20 | .00 | 36385.20 | 37321240 | SUPPLEMENTAL WATER PROJEC |
| | | | | 5157.00 | .00 | 5157.00 | 37321470 | SOUTHLAND WWTF UPGRADE |
| | | | Check Total.....: | 41542.20 | .00 | 41542.20 | | |
| 021701 | 03/27/13 | AME03 | AMERI PRIDE | 147.83 | .00 | 147.83 | 838750 | UNIFORMS |
| | | | | 128.93 | .00 | 128.93 | 844010 | UNIFORMS |
| | | | Check Total.....: | 276.76 | .00 | 276.76 | | |
| 021702 | 03/27/13 | ASA01 | ASAP REPROGRAPHICS | 202.28 | .00 | 202.28 | 151334 | ADDENDUM 1 BP 3/UPS SHIPP |
| | | | | 230.14 | .00 | 230.14 | 151365 | BID PACKET #3-SWP |
| | | | | 611.12 | .00 | 611.12 | 151401 | BID PACKET #4-SWP |
| | | | | 244.45 | .00 | 244.45 | 151664 | BID PACKET #4-SWP |
| | | | | 785.24 | .00 | 785.24 | 152674 | BP1-ADD 1, BP3-ADD 2, BP4 |
| | | | Check Total.....: | 2073.23 | .00 | 2073.23 | | |
| 021703 | 03/27/13 | ATT02 | AT&T | 186.68 | .00 | 186.68 | 4171050 | TELEPHONE |
| 021704 | 03/27/13 | BRE02 | BRENNTAG PACIFIC INC. | 825.38 | .00 | 825.38 | BPI287529 | SODIUM HYPOCHLORITE |
| | | | | 521.57 | .00 | 521.57 | BPI287530 | SODIUM HYPOCHLORITE |
| | | | Check Total.....: | 1346.95 | .00 | 1346.95 | | |
| 021705 | 03/27/13 | CAL14 | CALIFORNA WATER | 140.00 | .00 | 140.00 | B30320 | MALDONADO-MEMBERSHIP RENE |
| | | | | 140.00 | .00 | 140.00 | B30320B | BREWER-MEMBERSHIP RENEWAL |
| | | | | 140.00 | .00 | 140.00 | B30320C | S. GERMAN-MEMBERSHIP RENE |
| | | | Check Total.....: | 420.00 | .00 | 420.00 | | |
| 021706 | 03/27/13 | CAR04 | CAR QUEST AUTO PARTS | 80.57 | .00 | 80.57 | 612050 | BATTERY/STARTING FLUID |
| | | | | 149.47 | .00 | 149.47 | 615179 | GLOVES |
| | | | | 149.47 | .00 | 149.47 | 615185 | GLOVES |
| | | | | -59.79 | .00 | -59.79 | 615649C | RETURNED GLOVES |
| | | | Check Total.....: | 319.72 | .00 | 319.72 | | |
| 021707 | 03/27/13 | CHE03 | CHEYENNE LIVESTOCK & PROD | 2750.00 | .00 | 2750.00 | 27728 | LIFE RING/CABINET/ROPE/WI |
| 021708 | 03/27/13 | CLE06 | CNSSLO INC | 2119.00 | .00 | 2119.00 | 16091 | COMPUTER SUPPORT |
| 021709 | 03/27/13 | COR04 | CORIX WATER PRODUCTS (US) | 354.75 | .00 | 354.75 | 731304326 | VALVE BOX/CLAMPS |
| | | | | 1216.90 | .00 | 1216.90 | 731304506 | 2-FORD ANG MTR VLV/ADAPTE |
| | | | Check Total.....: | 1571.65 | .00 | 1571.65 | | |
| 021710 | 03/27/13 | CUS01 | CUSTOM PRINTING | 540.00 | .00 | 540.00 | 122902 | PUBLIC NOTICE-WASTEWATER |
| 021711 | 03/27/13 | CUW01 | CALIFORNIA URBAN WATER | 2519.11 | .00 | 2519.11 | 2013G1784 | CUWCC MEMBERSHIP DUES |
| 021712 | 03/27/13 | ENV05 | ENVIRONMENTAL RESOURCE AS | 484.18 | .00 | 484.18 | 678465 | PH/RESIDUAL CHLORINE/SETT |
| 021713 | 03/27/13 | FAR01 | FARM SUPPLY COMPANY | 253.31 | .00 | 253.31 | 4746 | CALCIUM NITRATE |
| 021714 | 03/27/13 | FER01 | FERGUSON ENTERPRISES INC | 241.22 | .00 | 241.22 | 9150985 | 2-LF 1 FLR x MTR ANG BV |

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: MARCH 22, 2013

AGENDA ITEM
D-1
MARCH 27, 2013
PAGE TWO

| | | | | | | | | |
|--------|----------|-------|---------------------------|----------|-----|----------|-----------|---------------------------|
| 021715 | 03/27/13 | FGL01 | FGL ENVIRONMENTAL | 44.80 | .00 | 44.80 | 380640A | LAB TEST |
| | | | | 19.80 | .00 | 19.80 | 380641A | LAB TEST |
| | | | Check Total.....: | 64.60 | .00 | 64.60 | | |
| 021716 | 03/27/13 | GER01 | GERMAN, SCOTT | 765.36 | .00 | 765.36 | B30319 | REIMBURSEMENT-WASTEWATER |
| 021717 | 03/27/13 | HAC01 | HACH COMPANY | 103.00 | .00 | 103.00 | 8196710 | PIPET TIP/BUFFER SOLUTION |
| 021718 | 03/27/13 | LEB02 | LeBRUN, MICHAEL | 65.00 | .00 | 65.00 | MAR 2013 | REIMBURSEMENT-CELL PHONE |
| 021719 | 03/27/13 | LIN02 | LINC DELIVERY | 240.00 | .00 | 240.00 | FEB 2013 | DELIVERY |
| 021720 | 03/27/13 | LIP01 | TONY LIPKA | 500.00 | .00 | 500.00 | NIPO-1302 | NCSO INJURY/ILLNESS PREVE |
| 021721 | 03/27/13 | MOR02 | MORE OFFICE SOLUTIONS | 614.15 | .00 | 614.15 | 395454 | COPIER MAINTENANCE |
| 021722 | 03/27/13 | MUL01 | MULLAHEY FORD | 527.91 | .00 | 527.91 | 68864 | 08' FORD-REPLACED STARTER |
| 021723 | 03/27/13 | NEX01 | NEXTEL COMMUNICATIONS | 358.78 | .00 | 358.78 | MAR 2013 | CELLULAR SERVICE |
| 021724 | 03/27/13 | NEX03 | NEXTRAQ | 308.50 | .00 | 308.50 | APR 2013 | GPS SERVICE |
| 021725 | 03/27/13 | NIP08 | NIPOMO CSD | 193.22 | .00 | 193.22 | 2/28/13 | LANDSCAPE MAINTENANCE DIS |
| 021726 | 03/27/13 | NUT01 | NU TECH PEST MGMT | 265.00 | .00 | 265.00 | 96897 | PEST CONTROL |
| | | | | 75.00 | .00 | 75.00 | 96898 | RODENT CONTROL |
| | | | Check Total.....: | 340.00 | .00 | 340.00 | | |
| 021727 | 03/27/13 | OFF01 | OFFICE DEPOT | 136.82 | .00 | 136.82 | 506079001 | OFFICE SUPPLIES |
| 021728 | 03/27/13 | POO01 | POOR RICHARD'S PRESS | 33.04 | .00 | 33.04 | 251417A | LATE NOTICES |
| | | | | 138.00 | .00 | 138.00 | 251417B | POSTAGE-LATE NOTICES |
| | | | | 284.15 | .00 | 284.15 | 251485A | BILLS |
| | | | | 1117.14 | .00 | 1117.14 | 251485B | POSTAGE-BILLS |
| | | | Check Total.....: | 1572.33 | .00 | 1572.33 | | |
| 021729 | 03/27/13 | PRI02 | PRICE, POSTEL & PARMA, LL | 6003.00 | .00 | 6003.00 | 111772 | SWP-RIGHT-OF-WAY |
| 021730 | 03/27/13 | RIC01 | RICHARDS, WATSON, GERSHON | 292.50 | .00 | 292.50 | 188784 | WATER RIGHTS ADJUDICATION |
| 021731 | 03/27/13 | RIC05 | RICK ENGINEERING COMPANY | 4582.50 | .00 | 4582.50 | 30908 | GIS SERVICES |
| 021732 | 03/27/13 | SHI01 | SHIPSEY & SEITZ, INC | 8970.70 | .00 | 8970.70 | FEB 2013 | LEGAL SERVICES |
| 021733 | 03/27/13 | TAF01 | TAFT ELECTRIC | 95.00 | .00 | 95.00 | 31058-02 | TROUBLESHOOT KNOLLWOOD WE |
| 021734 | 03/27/13 | TEL01 | TELEDYNE | 423.61 | .00 | 423.61 | 18273 | SAMPLING SOUTHLAND WWTP-P |
| | | | | 641.45 | .00 | 641.45 | 18389 | LOCKING ASSEMBLY FOR SAMP |
| | | | | 619.80 | .00 | 619.80 | 18390 | RETAINING RING/PROHANGER |
| | | | | 1037.43 | .00 | 1037.43 | 18671 | PRO-HANGER FOR MANHOLES |
| | | | Check Total.....: | 2722.29 | .00 | 2722.29 | | |
| 021735 | 03/27/13 | THE05 | THE CAPRICORN GROUP | 57.49 | .00 | 57.49 | 9102 | DELICATE TASK WIPERS |
| 021736 | 03/27/13 | TRI03 | THE TRIBUNE | 1877.38 | .00 | 1877.38 | B30321 | PUBLIC NOTICE-BID PACKAGE |
| 021737 | 03/27/13 | WAG01 | WAGNER & BONSIGNORE | 16189.49 | .00 | 16189.49 | 03-13-1 | GROUNDWATER LITIGATION |
| 021738 | 03/27/13 | WAL01 | WALLACE GROUP | 202.00 | .00 | 202.00 | 34712 | FOG OUTREACH & INSPECTION |
| 021739 | 03/27/13 | WSC01 | WSC | 110.25 | .00 | 110.25 | 606 | CUWCC SUPPORT SERVICES |

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: MARCH 22, 2013



APPROVE MINUTES OF PREVIOUS BOARD MEETING

ITEM

Approve action minutes from previous Board meeting. [RECOMMENDED APPROVE MINUTES]

BACKGROUND

The draft minutes are a written record of the previous Board Meeting action.

RECOMMENDATION

Approve minutes as part of Consent Agenda.

ATTACHMENT

- A. March 13, 2013 draft Board Meeting Minutes

MARCH 27, 2013

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

MARCH 13, 2013, AT 9:00 A.M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, **PRESIDENT**
LARRY VIERHEILIG, **VICE PRESIDENT**
DAN GADDIS, **DIRECTOR**
BOB BLAIR, **DIRECTOR**
CRAIG ARMSTRONG, **DIRECTOR**

PRINCIPAL STAFF

MICHAEL S. LEBRUN, **GENERAL MANAGER**
LISA BOGNUDA, **FINANCE DIRECTOR**
JON SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**
MERRIE WALLRAVIN, **CLERK**

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

Vice President Vierheilig called the Regular Meeting of March 13, 2013, to order at 9:00 a.m. and led the flag salute.

00:00:51

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

At Roll Call, Directors Armstrong, Blair, Gaddis, and Vierheilig were present.

Michael LeBrun, General Manager, announced that President Harrison had an unexpected injury therefore he's not in attendance.

Mr. LeBrun announced that staff would like to pull item E-4.

There was no public comment.

00:02:13

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) REPORT ON FEBRUARY 27, 2013 REGULAR MEETING CLOSED SESSION

Mike Seitz, District Deputy Legal Counsel, announced that the Board heard a report from the General Manager for 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 heard an update from Legal Counsel for 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 heard an update from Legal Counsel for Item Three (Conference with Legal Counsel pursuant to GC §54956.9, Anticipated litigation) in closed session, but took no reportable action.

The Board heard an update from Legal Counsel and provided direction for staff for Item 4 (Conference with Legal Counsel re: pending litigation pursuant to GC Section 54956.9; NCSD vs. County SLO, ET AL) in closed session, but there was no reportable action.

Nipomo Community Services District
**REGULAR MEETING
 MINUTES**

C-2) DIRECTOR OF ENGINEERING & OPERATIONS
 RE: Summary of recent activities.

Peter Sevcik, Director of Engineering and Operations, 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.

Vice President Vierheilig announced that Sheriff Commander James Taylor was in attendance.

Sheriff Commander Taylor reported on two recent burglaries in Nipomo, disbanding of the homeless camp (behind Vons), and announced a Sheriff K-9 BBQ/Silent Auction on April 6, 2013 at The Moose Lodge in Pismo Beach from 3 to 6 p.m. Tickets will be \$25.00 and the proceeds will go to take care of the K-9's. Call Renee Samaniego-Lundy at 550-8464 for tickets or information.

The following member of the public spoke:

Kathy Kubiak, Olde Towne Nipomo Association President, questioned where the homeless will go after the disbanding.

Sheriff Commander Taylor answered Ms. Kubiak's question.

C-3) 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

- ◇ *March 4, Attended the SCAC Town Hall meeting. Due to no opposition there will be no SCAC Election.*
- ◇ *March 24, Dixieland Jazz Band will perform at the Pismo Beach Vets Hall at 1:00 p.m. and 3:45 p.m.*
- ◇ *March 25, SCAC meeting at 6:30 p.m. at NCSD.*

Director Vierheilig

- ◇ *March 6, Attended the Water Resources Advisory Council Meeting.*
- ◇ *March 12, Attended the Supplemental Water Alternatives Evaluation Committee meeting.*
- ◇ *March 26, SWAEC will meet at 1:00 p.m.(tentatively)*

C-4) 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 Armstrong and seconded by Director Gaddis, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 4-0.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|-------------------|
| Directors Armstrong, Gaddis, Blair, and Vierheilig | None | Director Harrison |

00:28:30

Nipomo Community Services District
REGULAR MEETING
MINUTES

00:29:10

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE FEBRUARY 27, 2013 REGULAR BOARD MEETING MINUTES

D-3) ADOPT RESOLUTION ACCEPTING DEDICATION OF IMPROVEMENTS, MARIA VISTA ESTATES

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 Armstrong and seconded by Director Blair, the Board unanimously approved the Consent Agenda as submitted.
Vote 5-0.*

| YES VOTES | NO VOTES | ABSENT |
|--|----------|-------------------|
| Directors Armstrong, Blair, Gaddis, and Vierheilig | None | Director Harrison |

RESOLUTION NO. 2013-1296

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING DEVELOPER BUILT IMPROVEMENTS FOR
MARIA VISTA ESTATES DEVELOPEMENT

E. ADMINISTRATIVE ITEMS

00:31:34

E-1) CONDUCT A HEARING TO ADOPT ORDINANCE 2013-118 REVISING DISTRICT WATER CODE ALLOWING FOR GENERAL MANAGER TO GRANT CUSTOMER RELIEF FROM HIGH WATER BILLS UNDER LIMITED CIRCUMSTANCES

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 Armstrong and seconded by Director Gaddis, the Board unanimously adopted Ordinance 2013-118.
Vote 4-0.*

| YES VOTES | NO VOTES | ABSENT |
|--|----------|-------------------|
| Directors Armstrong, Gaddis, Blair, and Vierheilig | None | Director Harrison |

ORDINANCE NO. 2013-118

A ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING NIPOMO DISTRICT CODE SECTION 3.03.110
AND ADDING SECTION 3.03.120 TO ALLOW CONSIDERATION
OF RELIEF FROM WATER LEAK RELATED HIGH WATER BILLS

Nipomo Community Services District
REGULAR MEETING
MINUTES

00:35:29

E-2) CONDUCT A HEARING TO ADOPT ORDINANCE 2013-119 SUSPENDING ORDINANCE 2012-117 AND ALLOWING FOR RENEWED PROCESSING OF APPLICATIONS FOR NEW DISTRICT WATER SERVICE

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:

Kathy Kubiak, Olde Towne Nipomo Association President, spoke in support of allowing the processing of new applications for District water service.

Jim Tefft, Nipomo resident, spoke in support of allowing the processing of new applications for District water service.

Ruth Brackett, NCS D customer, spoke in support of allowing the processing of new applications for District water service.

Upon the motion of Director Armstrong and seconded by Director Blair, the Board unanimously adopted Ordinance 2013-119.
Vote 4-0.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|-------------------|
| Directors Armstrong, Blair, Gaddis, and Vierheilig | None | Director Harrison |

ORDINANCE NO. 2013-119

A ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
SUSPENDING ENFORCEMENT OF ORDINANCE NO. 2012-117

The following member of the public spoke:

Kathy Kubiak, Olde Towne Nipomo Association President, stated that Director Vierheilig came up with the Park Plan years ago and thanked the Board.

00:49:30

E-3) CONSIDER PROPOSAL BY NIPOMO CHAMBER OF COMMERCE FOR SOLID WASTE SERVICES GRANT

Michael LeBrun, General Manager, reviewed the report as presented in the board packet. Rudy Stowell, Nipomo Chamber of Commerce President, and Mr. LeBrun answered questions from the board.

The following member of the public spoke:

Ruth Brackett, NCS D customer, spoke in support of Nipomo Chamber of Commerce grant request and commented on public information on trash removal.

Kathy Kubiak, Olde Towne Nipomo Association President, spoke in support of Nipomo Chamber of Commerce grant request.

Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board unanimously directed staff to execute a grant agreement with Nipomo Chamber of Commerce for a not to exceed amount of \$4,010.
Vote 4-0.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|-------------------|
| Directors Armstrong, Gaddis, Blair, and Vierheilig | None | Director Harrison |

Copy of document found at www.NoNewWipTax.com

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

E-4) CONSIDER FORMATION OF A SOLIDWASTE COMMITTEE

Vice President Vierheilig announced that this item will be pulled.

Mike Seitz, District Deputy Legal Counsel, announced that the Board will need to take public comment then make a motion to continue this item to the March 27, 2013, Regular Board meeting.

There was no public comment.

Upon the motion of Director Gaddis and seconded by Director Blair, the Board unanimously approved continuing this item at the March 27, 2013, Regular Board meeting.

Vote 4-0.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|-------------------|
| Directors Gaddis, Blair, Armstrong, and Vierheilig | None | Director Harrison |

The Board took a break from 10:05 to 10:15 a.m.

01:05:14

E-5) CONSIDER SAN LUIS OBISPO COUNTY LOCAL AREA FORMATION COMMISSION REQUEST FOR NOMINATIONS

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

There was no public comment.

The Board took no action.

01:10:08

E-6) CONSIDER CALIFORNIA SPECIAL DISTRICT ASSOCIATION REQUEST FOR NOMINATIONS

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 Armstrong and seconded by Director Gaddis, the Board unanimously nominated Bob Blair for the California Special District Association Board of Directors Seat B and directed staff to file the paper work.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|-------------------|
| Directors Armstrong, Gaddis, Blair, and Vierheilig | None | Director Harrison |

01:14:23

E-7) CONSIDER SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY REQUEST FOR NOMINATIONS

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

There was no public comment.

The Board took no action.

01:18:02

E-8) CONSIDER FISCAL YEAR 2013-14 EMPLOYEE COST OF LIVING ADJUSTMENT

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 Armstrong and seconded by Director Vierheilig, the Board unanimously approved a 2.48% cost of living adjustment for 2013-2014 Fiscal Year. Vote 4-0.

| YES VOTES | NO VOTES | ABSENT |
|--|----------|-------------------|
| Directors Armstrong, Vierheilig, Blair, and Gaddis | None | Director Harrison |

01:33:16

F. GENERAL 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.

02:01:37

G. COMMITTEE REPORT

The committee reports were as presented. There was no public comment.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Blair

- ◇ *Address customer concerns regarding connection to the sewer.*

02:09:09

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9 SMVWCD VS. NCSO (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/NCSO (CASE # E20112E1116-00-APS FILED WITH THE DEPARTMENT OF FAIR HOUSING AND EMPLOYMENT)

Nipomo Community Services District
REGULAR MEETING
MINUTES

- 3. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(b):
Anticipated litigation - 1 case
- 4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

Vice President Vierheilig adjourned to closed session at 11:25 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 11:45 a.m.

Mike Seitz, District Deputy Legal Counsel, announced that the Board heard an update from Legal Counsel and the General Manager for item one, listed above for closed session but took no reportable action.

The Board discussed Items two, three, and four listed above for closed session, but took no reportable action.

ADJOURN

Vice President Vierheilig adjourned the meeting at 11:46 a.m.

| MEETING SUMMARY | HOURS |
|-----------------|-------|
| Regular Meeting | 2.25 |
| Closed Session | .20 |
| TOTAL HOURS | 2.45 |

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: MARCH 22, 2013



**ADOPT RESOLUTION OF APPRECIATION RECOGNIZING
SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE**

ITEM

Adopt a Resolution commending the volunteer citizens who comprised the voting membership of the Supplemental Water Alternatives Evaluation Committee [RECOMMENDED ACTION: ADOPT RESOLUTION]

BACKGROUND

See Item C-1 in this Agenda packet for a complete background on this item.

RECOMMENDATION

By motion and roll call vote, adopt Resolution recognizing members of Supplemental Water Alternatives Evaluation Committee.

ATTACHMENT

- A. Resolution 2013-XXXX SWAEC

MARCH 27, 2013

ITEM D-3

ATTACHMENT A

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2013-XXXX**

**A RESOLUTION OF APPRECIATION TO
MEMBERS OF SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE
FOR SERVICE TO THE NIPOMO COMMUNITY SERVICES DISTRICT**

WHEREAS, on June 27, 2012 the Board of Directors formed a Supplemental Water Alternatives Evaluation Committee and adopted Bylaws governing membership and goals of the Committee; and

WHEREAS, Dan Garson, Dennis Graue, Kathie Matsuyama, Robert Miller, Sam Saltoun, Dave Watson, and Dan Woodson volunteered for and were appointed to the Supplemental Water Alternatives Evaluation Committee based on expertise in engineering, public works financing and environmental issues; and

WHEREAS, the Committee conducted thirteen (13) noticed public meetings, held nearly eighty (80) sub-committee meetings, and worked countless hours as individuals to review materials and develop rankings of alternatives; and

WHEREAS, the Committee evaluated eight (8) different categories of supplemental water sources with a total of twenty-nine (29) variations using eighteen (18) separate performance criteria ; and

WHEREAS, the Committee worked tirelessly and diligently to complete their work in a timely fashion and in support of the District's schedule for advancing a preferred supplemental water alternative; and

WHEREAS, the Committee produced a comprehensive report overviewing their process and articulating their research and rankings and presented the final report to the Board of Directors on February 27, 2013.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED that the Board of Directors of the Nipomo Community Services District expresses great appreciation and gratitude to the members of the Supplemental Water Alternatives Evaluation Committee.

The Board unanimously adopted the foregoing resolution on March 27, 2013.

James Harrison, President

Larry Vierheilig, Vice President

Dan A. Gaddis

Bob Blair

Craig Armstrong

