

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**

**HAND WRITTEN CHECKS**

**TOTAL COMPUTER CHECKS**

03-18-13 10121 US BANK

TRAINING CLASS

\$146,360.29

\$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	NCS D 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

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

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

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

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. 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)

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.

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James Harrison, President

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Larry Vierheilig, Vice President

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Dan A. Gaddis

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Bob Blair

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Craig Armstrong

