

TO: BOARD OF DIRECTORS

FROM: MICHAEL S. LEBRUN *ML*
GENERAL MANAGER

DATE: JUNE 7, 2013

AGENDA ITEM

D

JUNE 12, 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 MAY 22, 2013 REGULAR BOARD MEETING MINUTES:
[RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN *MSL*
 GENERAL MANAGER
 DATE: JUNE 7, 2013

**AGENDA ITEM
 D-1
 JUNE 12, 2013**

HAND WRITTEN CHECKS

**TOTAL COMPUTER CHECKS
 \$253,537.63**

05-22-13 10140 JAMES HARRISON
 05-22-13 10141 DAN GADDIS
 05-22-13 10142 FIRST AMERICAN TITLE
 05-28-13 10143 PGE
 05-28-13 10144 SOFTWARE SOLUTIONS
 06-12-13 10145 ARCHULETA, MARGARET
 06-12-13 10146 RICHARDS, KAREN
 06-12-13 10147 GARCIA, LAURA
 06-12-13 10148 LUTZ, MARILYN
 06-12-13 10149 CHP
 06-12-13 10150 COKER ELLSWORTH
 06-12-13 10151 RAINBOW VENTURES

TRAVEL REIMBURSEMENT \$854.25
 TRAVEL REIMBURSEMENT \$806.82
 ESCROW-LINDA VISTA \$51.00
 ELECTRICITY \$47,146.32
 TRAINING SEMINAR-WALLRAVIN \$229.00
 WASHER REBATE \$75.00
 WASHER REBATE \$75.00
 WASHER REBATE \$75.00
 WASHER REBATE \$75.00
 ACCIDENT REPORT \$10.00
 PCIA DEPOSIT REFUND \$2,654.40
 VARIANCE DEPOSIT REFUND \$392.88

VOIDS - NONE

COMPUTER GENERATED CHECKS

21942	05/24/13	EMP01	EMPLOYMENT DEVELOP DEPT	B30520	05/20/13	STATE INCOME TAX	05-13	1432.88	1432.88
21943	05/24/13	MID01	RABOBANK-PAYROLL TAX DEPOS	B30520	05/20/13	FEDERAL INCOME TAX	05-13	4193.88	
21943	05/24/13	MID01	RABOBANK-PAYROLL TAX DEPOS	1B30520	05/20/13	FICA	05-13	249.64	
21943	05/24/13	MID01	RABOBANK-PAYROLL TAX DEPOS	2B30520	05/20/13	MEDICARE (FICA)	05-13	1047.10	5490.62
21944	05/24/13	MID02	RABOBANK-DIRECT DEPOSIT	B30520	05/20/13	NET PAY	05-13	26875.10	26875.10
21945	05/24/13	PER01	PERS RETIREMENT	B30520	05/20/13	PERS PAYROLL REMITTANCE	05-13	9197.26	9197.26
21946	05/24/13	STA01	CALPERS 457 DEFERRED COMP	B30520	05/20/13	457 DEFERRED COMP	05-13	2305.00	2305.00
21947	06/07/13	EMP01	EMPLOYMENT DEVELOP DEPT		235.43	.00	235.43	B30531	STATE INCOME TAX
					1204.65	.00	1204.65	B30603	STATE INCOME TAX
					9.02	.00	9.02	1B30531	STATE INCOME TAX
			Check Total.....:		1449.10	.00	1449.10		
21948	06/07/13	MID01	RABOBANK-PAYROLL TAX DEPO		628.83	.00	628.83	B30531	FEDERAL INCOME TAX
					3581.30	.00	3581.30	B30603	FEDERAL INCOME TAX
					105.16	.00	105.16	1B30531	MEDICARE (FICA)
					200.04	.00	200.04	1B30603	FICA
					34.17	.00	34.17	2B30531	FEDERAL INCOME TAX
					933.44	.00	933.44	2B30603	MEDICARE (FICA)
					186.96	.00	186.96	3B30531	MEDICARE (FICA)
			Check Total.....:		5669.90	.00	5669.90		
21949	06/07/13	MID02	RABOBANK-DIRECT DEPOSIT		23973.31	.00	23973.31	B30603	NET PAY
21950	06/07/13	PER01	PERS RETIREMENT		1027.93	.00	1027.93	B30531	PERS PAYROLL REMITTANCE
					8173.97	.00	8173.97	B30603	PERS PAYROLL REMITTANCE
					.00	.00	.00	1B30531	PERS PAYROLL REMITTANCE
			Check Total.....:		9201.90	.00	9201.90		
21951	06/07/13	STA01	CALPERS 457 DEFERRED COMP		100.00	.00	100.00	B30531	457 DEFERRED COMP
					2205.00	.00	2205.00	B30603	457 DEFERRED COMP
					6310.11	.00	6310.11	1B30531	457 DEFERRED COMP
			Check Total.....:		8615.11	.00	8615.11		
021952	06/12/13	ABA01	ABALONE COAST BACTERIOLOG		5468.00	.00	5468.00	1919	LAB TESTS
021953	06/12/13	ADV01	ADVANTAGE ANSWERING PLUS		135.97	.00	135.97	JUN 2013	ANSWERING SERVICE
021954	06/12/13	AEC01	AECOM USA INC		5022.00	.00	5022.00	37346660	SOUTHLAND WWTF UPGRADE
021955	06/12/13	ALX01	ALEXANDER'S CONTRACT SERV		2394.51	.00	2394.51	JUN 2013	METER READING SERVICES
021956	06/12/13	AME03	AMERI PRIDE		144.37	.00	144.37	885365	UNIFORMS
					120.85	.00	120.85	890543	UNIFORMS
					139.12	.00	139.12	894681	UNIFORMS
			Check Total.....:		404.34	.00	404.34		
021957	06/12/13	ATT02	AT&T		160.53	.00	160.53	4379732	TELEPHONE
					25.87	.00	25.87	4379976	TELEPHONE
					216.70	.00	216.70	4380046	TELEPHONE
			Check Total.....:		403.10	.00	403.10		

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021958	06/12/13	BAN01	THE BANK OF NEW YORK	2120.00	.00	2120.00	1705636	COP BOND ADMIN
021959	06/12/13	BIG01	BIG BRAND TIRE & SERVICE	26.85	.00	26.85	210958	OIL CHANGE 08' FORD
				26.85	.00	26.85	210989	OIL CHANGE 09' FORD
				80.97	.00	80.97	210996	OIL CHANGE 07' FORD
			Check Total.....:	134.67	.00	134.67		
021960	06/12/13	BRE02	BRENNTAG PACIFIC INC.	405.89	.00	405.89	BPI308283	SODIUM HYPOCHLORITE
				876.07	.00	876.07	BPI308284	SODIUM HYPOCHLORITE
			Check Total.....:	1281.96	.00	1281.96		
021961	06/12/13	CAL16	CALPERS	28600.00	.00	28600.00	JUNE 2013	QTRLY OPEB CONTRIBUTION
021962	06/12/13	CAL21	CALLEJA, DEREK	120.00	.00	120.00	B30528	WORK BOOT-REIMBURSEMENT
021963	06/12/13	CHA02	CHARTER COMMUNICATIONS	204.99	.00	204.99	JUN 2013A	INTERNET SERVICE-SHOP
				204.99	.00	204.99	JUN 2013B	OFFICE-INTERNET SERVICE
			Check Total.....:	409.98	.00	409.98		
021964	06/12/13	CLE06	CNSSLO INC	2119.00	.00	2119.00	16389	COMPUTER SUPPORT
021965	06/12/13	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	B305151	COMPUTER SUPPORT
021966	06/12/13	CRY01	CRYSTAL SPRINGS	39.01	.00	39.01	MAY 2013	LAB-DISTILLED WATER
021967	06/12/13	DEW01	J B DEWAR INC	86.27	.00	86.27	975249	5 GAL CHEVRON REGAL R&O 2
021968	06/12/13	ENV05	ENVIRONMENTAL RESOURCE AS	163.13	.00	163.13	688171	TOTAL RESIDUAL CHLORINE
				221.18	.00	221.18	688524	TOTAL RESIDUAL CHLORINE
			Check Total.....:	384.31	.00	384.31		
021969	06/12/13	FAR02	FAR WEST EXPRESS	29.00	.00	29.00	MAY 2013	DELIVERY
021970	06/12/13	FGL01	FGL ENVIRONMENTAL	415.24	.00	415.24	381264A	LAB TESTS
021971	06/12/13	GIL01	GLM, INC.	628.38	.00	628.38	MAY 2013	LANDSCAPE MAINTENANCE
021972	06/12/13	GOV01	GOVERNMENT FINANCE OFFICE	160.00	.00	160.00	B30530	BOGNUDA-MEMBERSHIP DUES
021973	06/12/13	GWA01	GWA INC	105.00	.00	105.00	JUN 2013A	OFFICE MONITORING/DELETE
				87.00	.00	87.00	JUN 2013B	UTILITY OFFICE-MONITORING
				87.00	.00	87.00	JUN 2013C	SHOP-MONITORING
			Check Total.....:	279.00	.00	279.00		
021974	06/12/13	HAM02	HAMNER JEWELL & ASSOCIATE	1663.57	.00	1663.57	6275	WATERLINE INTERTIE PROJEC
021975	06/12/13	JOH02	JOHNBOY'S TOWING, INC.	100.00	.00	100.00	24480	09' FORD-NO START/BROKE D
021976	06/12/13	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	MAY 2013	LANDSCAPE MAINTENANCE
021977	06/12/13	LEE02	LEE CENTRAL COAST NEWSPAP	332.36	.00	332.36	3937	ADVERTISING-WATER CONSERV
				332.25	.00	332.25	5092	PUBLIC NOTICE-LANDSCAPE M
			Check Total.....:	664.61	.00	664.61		
021978	06/12/13	MAT01	MATSON, JESSICA	15.37	.00	15.37	B30529	REIMBURSEMENT-MILEAGE ADV
021979	06/12/13	MIN02	MINER'S ACE HARDWARE	344.18	.00	344.18	MAY 2013	OPERATING SUPPLIES
021980	06/12/13	MNS01	MNS ENGINEERS INC	900.00	.00	900.00	63325	NIPOMO WATERLINE INTERTIE
				60471.81	.00	60471.81	63326	SOUTHLAND WWTF UPGRADE CM
			Check Total.....:	61371.81	.00	61371.81		
021981	06/12/13	NEX01	NEXTEL COMMUNICATIONS	763.61	.00	763.61	MAY 2013	CELLULAR SERVICE
021982	06/12/13	NEX03	NEXTRAQ	308.50	.00	308.50	JUN 2013	GPS SERVICE
021983	06/12/13	NIP05	NIPOMO CHAMBER OF COMMERC	847.50	.00	847.50	B30606	CHAMBER OF COMMERCE GRANT
021984	06/12/13	NUN01	NUNLEY, MICHAEL K. & ASSO	11955.00	.00	11955.00	6/2/13	BLACKLAKE SEWER MASTER PL
021985	06/12/13	OFF01	OFFICE DEPOT	73.46	.00	73.46	040365001	OFFICE SUPPLIES
				127.85	.00	127.85	956422001	OFFICE SUPPLIES
				7.51	.00	7.51	958619001	OFFICE SUPPLIES
			Check Total.....:	208.82	.00	208.82		
021986	06/12/13	ONE02	101 BLUEPRINT & COPY	16.40	.00	16.40	13-0896	PRINTING-BLACKLAKE PROJEC

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021987	06/12/13	PO001	POOR RICHARD'S PRESS	1071.22	.00	1071.22	252554A	MAIL-NEWSLETTERS
				881.19	.00	881.19	252554B	POSTAGE-NEWSLETTER
			Check Total.....:	1952.41	.00	1952.41		
021988	06/12/13	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	MAY 2013	JANITORIAL SERVICES
021989	06/12/13	RIC01	RICHARDS, WATSON, GERSHON	6880.00	.00	6880.00	189867	WATER RIGHTS ADJUDICATION
021990	06/12/13	RIC05	RICK ENGINEERING COMPANY	325.00	.00	325.00	32015	GIS SERVICES
021991	06/12/13	SAN04	SANTA MARIA TIMES	149.75	.00	149.75	B30606	SUBSCRIPTION RENEWAL
021992	06/12/13	SOU01	SOUTH COUNTY SANITARY	38.98	.00	38.98	4105756	GARBAGE SERVICE
				188.70	.00	188.70	4107030	OLDE TOWNE GARBAGE SERVIC
			Check Total.....:	227.68	.00	227.68		
021993	06/12/13	STA03	STATEWIDE SAFETY & SIGNS	43.60	.00	43.60	5169/3	BLUE ALL PURP MRKG PAINT
021994	06/12/13	STA08	STAPLES	69.60	.00	69.60	430466600	OFFICE SUPPLIES
				90.26	.00	90.26	924058822	OFFICE SUPPLIES
			Check Total.....:	159.86	.00	159.86		
021995	06/12/13	TAF01	TAFT ELECTRIC	760.00	.00	760.00	31058-7	SUNDALE WELL-CLEANED COOL
021996	06/12/13	TES01	TESCO CONTROLS, INC.	9341.00	.00	9341.00	0051625IN	SERVICE REPAIRS
021997	06/12/13	THE01	THE GAS COMPANY	16.24	.00	16.24	MAY 2013A	SHOP-HEAT
				18.14	.00	18.14	MAY 2013B	OFFICE-HEAT
			Check Total.....:	34.38	.00	34.38		
021998	06/12/13	TRI03	THE TRIBUNE	136.76	.00	136.76	B30606	SUBSCRIPTION RENWAL
021999	06/12/13	TUC01	TUCKFIELD & ASSOCIATES	1080.00	.00	1080.00	343	COP OFFICIAL STATEMENT AS
022000	06/12/13	USA01	USA BLUEBOOK	1078.86	.00	1078.86	957870	FLOAT SWITCH
				407.30	.00	407.30	967416	HACH DPD SAMPLE/CHLORINE
			Check Total.....:	1486.16	.00	1486.16		
022001	06/12/13	USB01	US BANK (VISA)	49.47	.00	49.47	52213A	MEETINGS
				187.24	.00	187.24	52213B	TRAVEL/MILEAGE
				216.35	.00	216.35	52213C	EDUCATION/TRAINING
				61.52	.00	61.52	52213D	07' F250 FUEL HOSE
			Check Total.....:	514.58	.00	514.58		
022002	06/12/13	VER01	VERIZON	45.49	.00	45.49	B30530	TELEPHONE
022003	06/12/13	WAL02	WALLRAVIN, MERRIE	25.99	.00	25.99	B30606	REIMBURSEMENT-MILEAGE COM
022004	06/12/13	YOU01	YOUR PEOPLE PROFESSIONALS	5000.00	.00	5000.00	JUN 2013	JUNE DEPOSIT-EMPLOYMENT A
022005	06/12/13	THE02	THE TRIBUNE	104.92	.00	104.92	1	PUBLIC NOTICE-BUDGET
				71.02	.00	71.02	2	PUBLIC NOTICE-STREET LIGH
				120.74	.00	120.74	3	PUBLIC NOTICE-SOLID WASTE
				359.17	.00	359.17	4	PUBLIC NOTICE-LANDSCAPE M
			Check Total.....:	655.85	.00	655.85		

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

Cushman Contracting	Period 5/1/13 to 5/31/13	\$948,818.38
First Republic Bank	Period 5/1/13 to 5/31/13 Retention	\$49,937.81
	TOTAL	\$998,756.19

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *MSL*
GENERAL MANAGER
DATE: JUNE 7, 2013

AGENDA ITEM
D-2
JUNE 12, 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. May 22, 2013 draft Regular Board Meeting Minutes

JUNE 12, 2013

ITEM D-2

ATTACHMENT A

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

MAY 22, 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**
MIKE SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**
MERRIE WALLRAVIN, **BOARD 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

President Harrison called the Regular Meeting of May 22, 2013, to order at 9:00 a.m. and led the flag salute.

00:00:42
B. ROLL CALL

At roll call, all Board members were present.

Director Blair announced a moment of silence in memory of Howard Mankins for his work in the San Luis Obispo County Community.

Michael LeBrun, General Manager, announced added items for Item E-1 were distributed to Directors and placed at the back of the room.

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) DIRECTOR OF ENGINEERING AND OPERATIONS
Receive Update Report regarding 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.

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

- ◇ *Commented on attending the CSDA Legislative Days in Sacramento.*

Director Vierheilig

- ◇ *June 5, Water Resources Advisory Council meeting at the SLO Library at 1:30 p.m.*
- ◇ *Commented on missing the June 12, Regular Board Meeting.*

Director Blair

- ◇ *Commented on attending the CSDA Legislative Days in Sacramento.*
- ◇ *Commented on attending the San Luis Obispo County Board of Supervisors Meeting on May 21.*

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

ITEM C-2 (Continued)

Director Harrison

- ◇ *May 17, Attended the CSDA Chapter Meeting.*
- ◇ *Commented on attending the CSDA Legislative Days in Sacramento.*

00:17:27

C-3) 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 Blair, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Vierheilig, Blair, Armstrong, Gaddis, and Harrison</i>	<i>None</i>	<i>None</i>

00:26:40

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE MAY 8, 2013 REGULAR BOARD MEETING MINUTES

D-3) APPROVE MAY 10, 2013 SPECIAL BOARD MEETING MINUTES

D-4) APPROVE VARIANCE TO DISTRICT REQUIREMENT FOR 627 STORY STREET, APN 092-153-021, TO CONNECT DISTRICT SEWER

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

President Harrison pulled Item D-3 to consider separately.

There was no public comment.

Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board unanimously approved Items D-1, D-2, and D-4. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Gaddis, Blair, Vierheilig, and Harrison</i>	<i>None</i>	<i>None</i>

RESOLUTION NO. 2013-1306

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
GRANTING A VARIANCE FOR CONNECTION OF 627 STORY
ROAD (APN 092-153-021) TO DISTRICT'S SEWER SYSTEM
LOCATED WITHIN THE REGIONAL WATER QUALITY CONTROL
BOARD'S PROHIBITION ZONE

Nipomo Community Services District
**REGULAR MEETING
 MINUTES**

ITEM D-3

There was no public comment.

Upon the motion of Director Gaddis and seconded by Director Vierheilig, the Board unanimously approved Item D-3.

Vote 4-0. (Director Blair was not qualified to vote.)

YES VOTES	NO VOTES	ABSENT
Directors Gaddis, Vierheilig, Armstrong and Harrison	None	None

E. ADMINISTRATIVE ITEMS

E-1) AUTHORIZATION OF THE NIPOMO COMMUNITY SERVICES DISTRICT WATER REVENUE REFUNDING BONDS, SERIES 2013A:

- AUTHORIZE SALE OF UP TO \$3,700,000 IN WATER REVENUE REFUNDING BONDS AND APPROVE THE FOLLOWING SALE DOCUMENTS:
 - AN INDENTURE OF TRUST
 - AN ESCROW DEPOSIT AND TRUST AGREEMENT
 - A CONTINUING DISCLOSURE AGREEMENT
 - A PRELIMINARY OFFICIAL STATEMENT
 - A BOND PURCHASE AGREEMENT

Michael LeBrun, General Manager introduced the item. Maryann Goodkind Esq., Fulbright & Jaworski, reviewed the report as presented in the Board packet. Lisa Bognuda, Finance Director, Michael LeBrun, General Manager, Paul McDonald, C.M. de Crinis & Co., Inc., and Ms. Goodkind answered questions from the Board.

*The following member of the public spoke:
 Bill Petrick, NCSD customer, had concerns about the amount of bonds that would be paid off and questioned the quantity.*

Ms. Bognuda and Mr. McDonald, answered questions from the Board.

Upon the motion of Director Armstrong and seconded by Director Gaddis, the Board unanimously adopted Resolution 2013-1307 approving:

- AN INDENTURE OF TRUST
- AN ESCROW DEPOSIT AND TRUST AGREEMENT
- A CONTINUING DISCLOSURE AGREEMENT
- A PRELIMINARY OFFICIAL STATEMENT
- A BOND PURCHASE AGREEMENT

Vote 5-0.

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

RESOLUTION NO. 2013-1307

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED \$3,700,000 WATER REVENUE REFUNDING BONDS, SERIES 2013A AND APPROVING AN INDENTURE, AN ESCROW AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, A BOND PURCHASE AGREEMENT AND PRELIMINARY OFFICIAL STATEMENT IN CONNECTION THEREWITH AND AUTHORIZING THE TAKING OF CERTAIN ACTIONS IN CONNECTION THEREWITH

SUBJECT TO BOARD APPROVAL

00:32:18

Nipomo Community Services District
REGULAR MEETING
MINUTES

ADJOURN TO PUBLIC FACILITIES CORPORATION

ITEM B

A) ROLL CALL

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

B) APPROVAL OF DOCUMENTS IN CONNECTION WITH THE ISSUANCE BY NIPOMO COMMUNITY SERVICES DISTRICT OF WATER REVENUE REFUNDING BONDS, SERIES 2013A

ADOPT A RESOLUTION APPROVING

- AN ESCROW DEPOSIT AND TRUST AGREEMENT

Maryann Goodkind Esq., Fulbright & Jaworski, reviewed the process and answered questions from the Board.

There was no public comment.

Upon the motion of Director Armstrong and seconded by Director Blair, the Board unanimously adopted the Resolution 2013-06. A Resolution approving an escrow agreement in connection with the issuance by the Nipomo Community Services District of its not to exceed \$3,700,000 Nipomo Community Services District water revenue refunding bonds, series 2013A.

Vote 5-0.

YES VOTES	NO VOTES	ABSENT
<i>Directors Armstrong, Blair, Gaddis, Vierheilig, and Harrison</i>	None	None

RESOLUTION NO. 2013-06

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PUBLIC FACILITIES CORPORATION APPROVING AN ESCROW AGREEMENT IN CONNECTION WITH THE ISSUANCE BY THE NIPOMO COMMUNITY SERVICES DISTRICT OF ITS NOT TO EXCEED \$3,700,000 NIPOMO COMMUNITY SERVICES DISTRICT WATER REVENUE REFUNDING BONDS, SERIES 2013A

ADJOURN TO NCSD REGULAR MEETING

The Board took a break from 10:13 to 10:23 a.m.

Nipomo Community Services District
REGULAR MEETING
MINUTES

01:10:10

E-2) AUTHORIZE CONTRACT FOR VIA CONCHA WELL REPAIR TO FISHER PUMP AND WELL SERVICE INC. IN THE AMOUNT OF \$72,428

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet. Mr. Sevcik 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 Resolution 2013-1308, A Resolution authorizing a contract for Via Concha Well repair with Fisher Pump and Well Service Inc.

Vote 5-0.

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

RESOLUTION NO. 2013-1308

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING A CONTRACT FOR VIA CONCHA WELL
REPAIR WITH FISHER PUMP AND WELL SERVICE INC.

01:22:50

E-3) CONSIDER APPROVAL OF SCOPE AMENDMENT #8 WITH AECOM FOR ENGINEERING SERVICES IN THE AMOUNT OF \$105,918 FOR CONSTRUCTION PHASE DESIGN SERVICES FOR SOUTHLAND WASTEWATER FACILITY PHASE 1 IMPROVEMENT PROJECT

Peter Sevcik, Director of Engineering and Operations, reviewed the report as presented in the Board packet. Mr. Sevcik answered questions from the Board.

There was no public comment.

Upon the motion of Director Armstrong and seconded by Director Vierheilig, the Board approved Resolution 2013-1309, A Resolution authorizing task order with AECOM for scope amendment #8 for engineering services for Southland Wastewater Treatment Facility Phase I Improvement Project in the amount of \$105,918.

Vote 3-2.

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

RESOLUTION NO. 2013-1309

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING TASK ORDER WITH AECOM FOR SCOPE
AMENDMENT #8 FOR ENGINEERING SERVICES FOR
SOUTHLAND WASTEWATER TREATMENT FACILITY PHASE
I IMPROVEMENT PROJECT IN THE AMOUNT OF \$105,918.

01:38:33

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.

Nipomo Community Services District
REGULAR MEETING
MINUTES

01:48:24

I. CLOSED SESSION ANNOUNCEMENTS

- 1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9 SMWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
- 2. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(a):
Existing litigation - 1 case: Mesa Community Alliance Vs. District, Case No. CV 130222
- 3. ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54957

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to closed session at 11:00 a.m.

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

The Board came back into Open Session at 12:15 p.m.

Mike Seitz, District Legal Counsel, announced that the Board discussed Items One and Two listed above under closed session announcements, but took no reportable action.

Michael LeBrun, General Manager, announced that the Board completed Item Three listed above under closed session announcements, and announced "The District has high expectations for its General Counsel and the Board finds, unanimously, that Shipsey & Seitz and Mike Seitz exceed those expectations.

G. COMMITTEE REPORT

There were no committee reports.

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Blair

- ◇ *Questioned staff about District development procedure.*

ADJOURN

President Harrison adjourned the meeting at 12:35 p.m.

MEETING SUMMARY	HOURS & MINUTES
Regular Meeting	2 hours 20 minutes
Closed Session	1 hour 15 minutes
TOTAL HOURS	3 hours 35 minutes