

TO: BOARD OF DIRECTORS
FROM: MICHAEL S. LEBRUN *msl*
GENERAL MANAGER
DATE: SEPTEMBER 6, 2012

**AGENDA ITEM
D
SEPTEMBER 12, 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 BOARD MEETING MINUTES:
 - AUGUST 8, 2012 REGULAR MEETING
 - AUGUST 14, 2012 SPECIAL MEETING[RECOMMEND APPROVAL]

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: SEPTEMBER 7, 2012

**AGENDA ITEM
 D-1
 SEPTEMBER 12, 2012**

**TOTAL COMPUTER CHECKS
 \$234,757.15**

HAND WRITTEN CHECKS

09-05-12 10082 PGE

ELECTRICITY

\$69,998.37

VOIDS – NONE

COMPUTER GENERATED CHECKS

21003	08/17/12	EMP01	EMPLOYMENT DEVELOP DEPT	1352.58	.00	1352.58	B20813	STATE INCOME TAX
21004	08/17/12	MID01	RABOBANK-PAYROLL TAX DEPO	3838.11	.00	3838.11	B20813	FEDERAL INCOME TAX
				52.00	.00	52.00	1B20813	FICA
				979.30	.00	979.30	2B20813	MEDICARE (FICA)
			Check Total.....:	4869.41	.00	4869.41		
21005	08/17/12	MID02	RABOBANK-DIRECT DEPOSIT	25518.38	.00	25518.38	B20813	NET PAY
21006	08/17/12	PER01	PERS RETIREMENT	8629.45	.00	8629.45	B20813	PERS PAYROLL REMITTANCE
21007	08/17/12	STA01	CALPERS 457 DEFERRED COMP	2005.00	.00	2005.00	B20813	457 DEFERRED COMP
021008	08/27/12	ADV01	ADVANTAGE ANSWERING PLUS	163.82	.00	163.82	08252012	ANSWERING SERVICE
021009	08/27/12	AME03	AMERI PRIDE	119.71	.00	119.71	690776	UNIFORMS
				130.10	.00	130.10	695504	UNIFORMS
				112.05	.00	112.05	701371	UNIFORMS
			Check Total.....:	361.86	.00	361.86		
021010	08/27/12	ATT02	AT&T	185.78	.00	185.78	3596206	TELEPHONE
021011	08/27/12	BIG01	BIG BRAND TIRE & SERVICE	26.87	.00	26.87	199727	09' FORD TRUCK-OIL CHANGE
021012	08/27/12	BRE02	BRENTAG PACIFIC INC.	616.12	.00	616.12	BPI221863	SODIUM HYPOCHLORITE
				823.60	.00	823.60	BPI221864	SODIUM HYPOCHLORITE
				1910.31	.00	1910.31	BPI224894	SODIUM HYPOCHLORITE/CITRI
				877.73	.00	877.73	BPI224895	SODIUM HYPOCHLORITE
			Check Total.....:	4227.76	.00	4227.76		
021013	08/27/12	BRE03	BREWER, REED	10.00	.00	10.00	B20821	REIMBURSEMENT/CLASS IN TE
021014	08/27/12	CAR04	CAR QUEST AUTO PARTS	49.34	.00	49.34	B20815	BATTERIES/CARB & CHOKE CL
021015	08/27/12	CHA02	CHARTER COMMUNICATIONS	204.99	.00	204.99	AUG 2012B	OFFICE INTERNET SERVICES
021016	08/27/12	CLE06	CNSSLO INC	2041.00	.00	2041.00	15127	COMPUTER SUPPORT
021017	08/27/12	COR01	CORBIN WILLIITS SYSTEMS	65.00	.00	65.00	B20815	COMPUTER SUUPPORT
021018	08/27/12	CUS01	CUSTOM PRINTING	632.87	.00	632.87	119408	LATE NOTICES & DOOR HANGE
021019	08/27/12	DKF01	DKF SOLUTIONS GROUP, LLC	409.63	.00	409.63	1662	SEWER OVERFLOW/BACK-UP RE
021020	08/27/12	FED01	FED EX	38.30	.00	38.30	798903777	SHIPPING
021021	08/27/12	GWA01	GWA INC	85.00	.00	85.00	SEP 2012A	MONITORING-SHOP
				53.00	.00	53.00	SEP 2012B	MONITORING-OFFICE
				85.00	.00	85.00	SEP 2012C	MONITORING-UTILITY OFFICE
			Check Total.....:	223.00	.00	223.00		
021022	08/27/12	LAN02	LANDMARK LANDSCAPE CO INC	214.00	.00	214.00	57086	LANDSCAPE MAINTENANCE DIS
021023	08/27/12	LIN02	LINC DELIVERY	252.00	.00	252.00	3389	DELIVERY SERVICE
021024	08/27/12	MOR02	MORE OFFICE SOLUTIONS	149.83	.00	149.83	296336	B/W & COLORED COPIES
021025	08/27/12	NEX01	NEXTEL COMMUNICATIONS	758.80	.00	758.80	AUG 2012	CELLULAR SERVICE/EQUIPMEN
021026	08/27/12	NEX03	NEXTRAQ	308.50	.00	308.50	SEPT 2012	GPS SERVICES
021027	08/27/12	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	92965	PEST CONTROL
				75.00	.00	75.00	92967	RODENT CONTROL
			Check Total.....:	340.00	.00	340.00		

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: SEPTEMBER 7, 2012

AGENDA ITEM
D-1
SEPTEMBER 12, 2012
PAGE TWO

021028	08/27/12	OFF01	OFFICE DEPOT	11.57	.00	11.57	487749001	OFFICE SUPPLIES	
				51.46	.00	51.46	487898001	OFFICE SUPPLIES	
				59.89	.00	59.89	806400001	OFFICE SUPPLIES	
				26.91	.00	26.91	806642001	OFFICE SUPPLIES	
				238.28	.00	238.28	912061001	OFFICE SUPPLIES	
			Check Total.....	388.11	.00	388.11			
021029	08/27/12	POO01	POOR RICHARD'S PRESS	71.75	.00	71.75	229539A	MAIL-LATE NOTICES	
				261.38	.00	261.38	229539B	POSTAGE-LATE NOTICES	
				143.02	.00	143.02	229609A	MAIL-BILLS	
				693.83	.00	693.83	229609B	POSTAGE-BILLS	
			Check Total.....	1169.98	.00	1169.98			
021030	08/27/12	REC01	RECOGNITION WORKS	8.47	.00	8.47	189434	NAME BADGES	
021031	08/27/12	TAF01	TAFT ELECTRIC	190.00	.00	190.00	30924-8	REPLAC STARTER PUMP2 WOOD	
				676.79	.00	676.79	30924-9	INSTALL NEW SWITCH EUREKA	
				665.00	.00	665.00	30924-10	EMERGENCY REPAIR BRACKEN/	
			Check Total.....	1531.79	.00	1531.79			
021032	08/27/12	THE01	THE GAS COMPANY	14.70	.00	14.70	AUG 2012A	SHOP-HEAT	
021033	08/27/12	TIT01	TITAN INDUSTRIAL & SAFETY	149.40	.00	149.40	1051121	SOUTHLAND WWTF-CONSTRUCTI	
				353.49	.00	353.49	1051159	O2 SENSOR/GAS METER CALIB	
			Check Total.....	502.89	.00	502.89			
021034	08/27/12	VER01	VERIZON	42.74	.00	42.74	B20827	TELEPHONE	
021035	08/27/12	WIG01	WIGHTON'S INC.	645.94	.00	645.94	426319	OFFICE A/C REPAIR	
021036	08/27/12	\G010	GARCIA, VICTORIA	126.82	.00	126.82	000B20701	MQ CUSTOMER REFUND FOR GA	
021037	08/27/12	\H006	HUTCHINSON, ROBYN/DANIEL	77.77	.00	77.77	000B20701	MQ CUSTOMER REFUND FOR HU	
21038	08/31/12	EMP01	EMPLOYMENT DEVELOP DEPT	B20827	08/27/12	STATE INCOME TAX	08-12	1303.41	1303.41
21039	08/31/12	MID01	RABOBANK-PAYROLL TAX DEPOS	B20827	08/27/12	FEDERAL INCOME TAX	08-12	3671.65	
21039	08/31/12	MID01	RABOBANK-PAYROLL TAX DEPOS	1B20827	08/27/12	FICA	08-12	41.60	
21039	08/31/12	MID01	RABOBANK-PAYROLL TAX DEPOS	2B20827	08/27/12	MEDICARE (FICA)	08-12	953.98	4667.23
21040	08/31/12	MID02	RABOBANK-DIRECT DEPOSIT	B20827	08/27/12	NET PAY	08-12	24878.83	24878.83
21041	08/31/12	PER01	PERS RETIREMENT	B20827	08/27/12	PERS PAYROLL REMITTANCE	08-12	8629.45	8629.45
21042	08/31/12	STA01	CALPERS 457 DEFERRED COMP	B20827	08/27/12	457 DEFERRED COMP	08-12	2005.00	2005.00
021043	09/12/12	ABA01	ABALONE COAST BACTERIOLOG	3154.00	.00	3154.00	1672	LAB TESTS	
021044	09/12/12	AEC01	AECOM USA INC	270.00	.00	270.00	37261133	PCI TRACT 2650	
				13724.51	.00	13724.51	37261138	SOUTHLAND WWTF UPGRADE	
				2207.52	.00	2207.52	37261187	SCADA PROPOSAL AND CONSTR	
				1738.80	.00	1738.80	37261188	SWP PHASING FEASIBILITY S	
				6350.40	.00	6350.40	37267619	SCADA PROPOSAL AND CONSTR	
				27869.40	.00	27869.40	37267861	SOUTHLAND WWTF UPGRADE	
				982.80	.00	982.80	37267869	NCSD WATERLINE INTERTIE P	
				594.00	.00	594.00	37267950	PCI TRACT 2650	
			Check Total.....	53737.43	.00	53737.43			
021045	09/12/12	ALX01	ALEXANDER'S CONTRACT SERV	3373.65	.00	3373.65	SEP 2012	READING SERVICES	
021046	09/12/12	AME03	AMERI PRIDE	130.10	.00	130.10	706174	UNIFORMS	
				121.53	.00	121.53	711205	UNIFORMS	
			Check Total.....	251.63	.00	251.63			
021047	09/12/12	ATT02	AT&T	150.45	.00	150.45	3638112	TELEPHONE	
				26.47	.00	26.47	3638356	TELEPHONE	
				139.45	.00	139.45	3638426	TELEPHONE	
			Check Total.....	316.37	.00	316.37			
021048	09/12/12	BIG01	BIG BRAND TIRE & SERVICE	26.87	.00	26.87	199739	OIL CHANGE 08' FORD TRUCK	
				43.82	.00	43.82	199787	OIL CHANGE FORD ESCAPE	
			Check Total.....	70.69	.00	70.69			
021049	09/12/12	BOG01	BOGNUDA, LISA	19.98	.00	19.98	B20817	REIMBURSEMENT-MILEAGE	
021050	09/12/12	BRE02	BRENTAG PACIFIC INC.	841.65	.00	841.65	BPI229941	SODIUM HYPOCHLORITE	
				877.73	.00	877.73	BPI229942	SODIUM HYPOCHLORITE	
			Check Total.....	1719.38	.00	1719.38			
021051	09/12/12	CAL16	CALPERS	28600.00	.00	28600.00	SEPT 2012	OPEB-QUARTERLY 9/30/12	
021052	09/12/12	CAL22	CALLEJA, DEREK	30.00	.00	30.00	B20907	PER DIEM-TRAINING CLASS	

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: SEPTEMBER 7, 2012

AGENDA ITEM
D-1
SEPTEMBER 12, 2012
PAGE THREE

021053	09/12/12	CAN02	CANNON CORPORATION	30.00	.00	30.00	53041	WELL #4
				190.00	.00	190.00	53042	POWER FAIL ALARM-STANDPIIP
				196.68	.00	196.68	53043	COMM. ISSUES AT HONEY GRO
			Check Total.....:	416.68	.00	416.68		
021054	09/12/12	CEN08	CENTER FOR HEARING HEALTH	485.00	.00	485.00	10421	ANNUAL ON-SITE HEARING TE
021055	09/12/12	CHA02	CHARTER COMMUNICATIONS	204.99	.00	204.99	SEP 2012A	INTERNET SERVICE-SHOP
021056	09/12/12	CLE06	CNSSLO INC	116.36	.00	116.36	15224	COMPUTER PARTS
				1485.00	.00	1485.00	15242	SET UP/INTALL WORKSTATION
			Check Total.....:	1601.36	.00	1601.36		
021057	09/12/12	COA02	COASTAL ROLLOFF	57.12	.00	57.12	3817425	ROLL-OFF SERVICE
021058	09/12/12	COA05	COAST ELECTRONICS	644.06	.00	644.06	7101796	RELOCATE BASE RADIO STATI
021059	09/12/12	COR01	CORBIN WILLITS SYSTEMS	750.83	.00	750.83	B208151	COMPUTER SUPPORT
021060	09/12/12	CRY01	CRYSTAL SPRINGS	25.15	.00	25.15	AUG 2012	DISTILLED WATER-LAB
021061	09/12/12	CUS01	CUSTOM PRINTING	833.19	.00	833.19	119397	DOOR HANGERS
021062	09/12/12	DWI01	DWIGHT'S AUTOMOTIVE	10.00	.00	10.00	B20906	TIRE REPAIR-FORD
021063	09/12/12	FER01	FERGUSON ENTERPRISES INC	399.35	.00	399.35	8511680	EUREKA WELL-PILOT SYSTEM
021064	09/12/12	FGL01	FGL ENVIRONMENTAL	397.00	.00	397.00	282136A	LAB TEST
				256.00	.00	256.00	282269A	LAB TESTS
				1015.00	.00	1015.00	282612A	LAB TESTS-TRIENNIAL LEAD/
			Check Total.....:	1668.00	.00	1668.00		
021065	09/12/12	FLO02	FLO SYSTEMS, INC.	300.30	.00	300.30	F13466	ALTERNATOR DUPLEX 24 VAC
021066	09/12/12	GIL01	GLM, INC.	320.00	.00	320.00	AUG 2012	LANDSCAPE MAINTENANCE
021067	09/12/12	HAM02	HAMNER JEWELL & ASSOCIATE	689.22	.00	689.22	5862	WATERLINE INTERTIE
021068	09/12/12	LEB01	LeBRUN, MICHAEL	115.00	.00	115.00	B20815	REIMBURSEMENT-TRAVEL
021069	09/12/12	MAL01	MALDONADO, FRANCISCO	30.00	.00	30.00	B20907	PER DIEM-TRAINING CLASS
021070	09/12/12	MIN02	MINER'S ACE HARDWARE	241.67	.00	241.67	AUG 2012	OPERATING SUPPLIES
021071	09/12/12	MNS01	MNS ENGINEERS INC	1260.00	.00	1260.00	62462	FRONTAGE RD SEWER LINE PR
				7238.50	.00	7238.50	62463	SOUTHLAND WWTF UPGRADE
			Check Total.....:	8498.50	.00	8498.50		
021072	09/12/12	NUN01	NUNLEY, MICHAEL K. & ASSO	1237.50	.00	1237.50	8/31/12	SWAEC CHAIRMAN SERVICES
021073	09/12/12	PRE01	PRECISION JANITORIAL	650.00	.00	650.00	AUG 2012	JANITORIAL SERVICES
021074	09/12/12	RIC01	RICHARDS, WATSON, GERSHON	430.23	.00	430.23	185273	WATER RIGHTS ADJUDICATION
021075	09/12/12	SHI01	SHIPSEY & SEITZ, INC	8013.10	.00	8013.10	JUL 2012A	LEGAL SERVICES JULY
021076	09/12/12	SOU01	SOUTH COUNTY SANITARY	34.92	.00	34.92	3815546	GARBAGE SERVICE
				169.12	.00	169.12	3816853	OLDE TOWN GARBAGE SERVICE
			Check Total.....:	204.04	.00	204.04		
021077	09/12/12	SOU08	SOUTH COUNTY SANITARY SVC	1353.00	.00	1353.00	3817277	RATE DEFERRAL-COMMERCIAL
021078	09/12/12	SPE02	SPECIAL DISTRICT FINANCIN	1500.00	.00	1500.00	11215	ANNUAL ASSESSMENT ADMIN 2
021079	09/12/12	TAF01	TAFT ELECTRIC	190.00	.00	190.00	30924-11	TEFFT ST L/S-COMPRESSOR #
021080	09/12/12	THE01	THE GAS COMPANY	18.86	.00	18.86	B20907	HEAT-OFFICE
021081	09/12/12	TIT01	TITAN INDUSTRIAL & SAFETY	168.60	.00	168.60	1051214	AIR COMPRESSOR HOSE
021082	09/12/12	UPS01	UPS STORE #6031	437.65	.00	437.65	2369	NIPOMO PARK EIR COPIES
021083	09/12/12	USB01	US BANK (VISA)	5.15	.00	5.15	082212	POSTAGE
				145.78	.00	145.78	082212A	MEETINGS
				25.71	.00	25.71	082212B	VEHICLE MAINTENACE
				275.03	.00	275.03	082212C	OPERATING SUPPLIES
				214.31	.00	214.31	082212D	SWWTP G.B.
				683.20	.00	683.20	082212E	TRAVEL
			Check Total.....:	1349.18	.00	1349.18		

TO: BOARD OF DIRECTORS
 FROM: MICHAEL S. LEBRUN
 GENERAL MANAGER
 DATE: SEPTEMBER 7, 2012

AGENDA ITEM
D-1
SEPTEMBER 12, 2012
PAGE FOUR

021084	09/12/12	WAG01	WAGNER & BONSIGNORE	5663.32	.00	5663.32	08-12-1	GROUNDWATER LITIGATION
				370.00	.00	370.00	08-12-2	GENERAL CONSULATION
			Check Total.....:	6033.32	.00	6033.32		
021085	09/12/12	WAL01	WALLACE GROUP	2502.50	.00	2502.50	33860	GIS ANNUAL MAINTENANCE
021086	09/12/12	WAR01	WARREN, DAVID	1293.42	.00	1293.42	B20815	LEGAL FEES
021087	09/12/12	WSC01	WSC	236.25	.00	236.25	467	CUWCC SUPPORT SERVICES
021088	09/12/12	YOU01	YOUR PEOPLE PROFESSIONALS	1500.00	.00	1500.00	SEP 2012	DEPOSIT-EMPLOYMENT AGENCY
021089	09/12/12	\D006	DOMINGO, JOHN & NORMA	44.65	.00	44.65	000B20701	MQ CUSTOMER REFUND FOR DO

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

Cushman Contracting	Period 7/30/12 to 8/30/12	\$307,876.00
First Republic Bank	Period 7/30/12 to 8/30/12 Retention	\$16,204.00
	TOTAL	\$324,080.00

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MINUTES

AUGUST 8, 2012, AT 9:00 A.M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

D 2

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 August 8, 2012, to order at 9:00 a.m. and led the flag salute.

00:01:30

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

At Roll Call, all Board members were present.

Robert Lorange, Consultant to Benlog Company, LLC, handed out copies of a letter to the Board of Directors and requested that matter be placed on a future agenda.

Deputy District Legal Counsel, Mike Seitz, advised Mr. Lorange of the Summary Judgment in the 2009 Bankruptcy case and provided him with copies.

00:07:47

President Harrison announced that Closed Session would be heard next and Regular Session would resume at 10:30 a.m. There was no public comment.

CLOSED SESSION ANNOUNCEMENTS

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).

Open Session reconvened at 10:30 a.m.

Deputy District Legal Counsel, Mike Seitz, announced that the Board discussed the above item but took no reportable action.

There was no public comment.

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) REPORT ON JULY 25, 2012 REGULAR MEETING CLOSED SESSION
Announcement of Actions, if any, taken in Closed Session

Deputy District Legal Counsel, Mike Seitz, announced the Board discussed the two items listed on Closed Session but took no reportable action.

Sergeant Perry arrived and gave an update on the Sheriff Department's activity in Nipomo.

SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

- 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. Mr. Sevcik answered questions from the Board. The Board thanked Mr. Sevcik for his report.

- 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

- ◇ August 27 - SCAC Meeting at 6:30 p.m.

Director Vierheilg

- ◇ August 8– Nipomo Chamber Mixer at Dana Adobe from 5:00 – 7:00 p.m.
- ◇ August 9 – Dedication for Technical High School from 12:00 - 2:00 p.m.
- ◇ August 15 – CSDA Webinar on Emergency Preparedness from 10:00 a.m. – 12:00 p.m.

Director Eby

- ◇ August 10 – Nomination Committee will meet at 8:00 a.m.
- ◇ August 16 – LAFCO Meeting at 9:00 a.m.
- ◇ September 24-27 – CSDA Annual Conference in San Diego. He will tour a desal facility.

Director Winn

- ◇ July 26 – Planning Commission recommended Land Use Ordinance for the Paso Robles Groundwater Basin to Board of Supervisors.
- ◇ August 7 – Board of Supervisors considered DANA Adobe Land Use Ordinance. DANA withdrew their application for an LUO until after an EIR is conducted.
- ◇ No WRAC meeting in August.
- ◇ August 9 – Subcommittee of WRAC will review Plan “B” projects.
- ◇ September 5 – WRAC will meet.

Director Harrison

- ◇ Fire Safe Council met and received grant money. \$90K has been allocated for the 2013 Chipping Events throughout the County.
- ◇ Attended a Hospice Fundraiser and helped BBQ.
- ◇ Met with a member of the Olde Towne Association regarding the Jim Miller Park.

- 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 Vierheilg and seconded by Director Winn, the Board unanimously approved to receive and file the presentations and reports as submitted. Vote 5-0.

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

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

00:36:59

D. CONSENT AGENDA

D-1) WARRANTS

D-2) APPROVE JULY 25, 2012 REGULAR BOARD MEETING MINUTES

Director Winn made one correction to the minutes.

There was no public comment.

Upon motion of Director Winn and seconded by Director Eby, the Board unanimously approved the Consent Agenda, as amended. Vote 5-0.

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

E. ADMINISTRATIVE ITEMS

00:39:36

E-1) CONSIDER STAFF RECOMMENDATION FOR SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE CHAIRPERSON [RECOMMEND CONSIDER STAFF RECOMMENDATION AND, IF WARRANTED, DIRECT STAFF TO INITIATE A CONTRACT WITH MKN & ASSOCIATES ENGINEERING]

Michael LeBrun, General Manager, presented his report and recommended the Board of Directors initiate a contract (not-to-exceed \$25,000) with MKN & Associates to serve as Chairperson of the Supplemental Water Alternatives Evaluation Committee. The Chairperson will not be a voting member of the Committee.

There was no public comment.

Upon motion of Director Eby and seconded by Director Gaddis, the Board unanimously approved initiating a contract with MKN & Associates. Vote 5-0.

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

00:55:42

E-2) UPDATE ON SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE SELECTION PROCESS [RECOMMEND CONSIDER INFORMATION AND PROVIDE DIRECTION REGARDING EVALUATION COMMITTEE MEMBER SELECTION]

Michael LeBrun, General Manager, presented an updated list that included the names of 16 applicants for the Supplemental Water Alternatives Evaluation Committee. The Nomination Committee met on July 31 and elected Bob McGill as Chairman and Ken Peterson as Vice-Chairman.

The following member of the public spoke:

Bob McGill, Nomination Committee Chairman, stated the applicants are excellent and it will be tough to make their selection and is open to discussion on how best to evaluate the applicants.

Item E-2 (Continued)

Director Eby suggested that the Nomination Committee provide two choices and one alternate for each position.

01:09:28 E-3) UPDATE ON SUPPLEMENTAL WATER PROJECT (SANTA MARIA INTERTIE PIPELINE) PHASING STUDY [RECOMMEND CONSIDER INFORMATION AND DIRECT STAFF]

Michael LeBrun, General Manager, presented an update on the phasing study. More information will be provided to the Board at the September 12, 2012 Regular Meeting.

The following member of the public spoke:

Sam Saltoun, Nipomo resident, stated he is comfortable with the parallel paths of proceeding with a phased project and the formation of Evaluation Committee; however, others may be some confused.

01:30:20 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.

01:38:48 G. COMMITTEE REPORT
MINUTES OF JULY 23, 2012 WATER RESOURCES POLICY COMMITTEE
MINUTES OF JULY 31, 2012 NOMINATION COMMITTEE

The report was as presented. There was no public comment.

01:40:00 H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Winn would like the URL for the Santa Maria Groundwater litigation appeal briefs and their replies so he can read them online.

There was no public comment.

01:44:52 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; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9, WHITLOW/NCSD (CASE # E20112E1116-00-APS FILED WITH THE DEPARTMENT OF FAIR HOUSING AND EMPLOYMENT)

SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public comment.

K. ADJOURN TO CLOSED SESSION

President Harrison adjourned to closed session at 12:08 p.m.

02:41:42

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

The Board came back into Open Session at 12:37 p.m.

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

ADJOURN

President Harrison adjourned the meeting at 12:38 p.m.

MEETING SUMMARY	HOURS
Regular Meeting	1.50
Closed Session	2.00
TOTAL HOURS	3.50

NIPOMO COMMUNITY SERVICES DISTRICT

WEDNESDAY, AUGUST 14, 2012
3:00 P.M.

SPECIAL MEETING MINUTES

BOARD of DIRECTORS

JAMES HARRISON, **PRESIDENT**
LARRY VIERHEILIG, **VICE PRESIDENT**
MICHAEL WINN, **DIRECTOR**
ED EBY, **DIRECTOR**
DAN GADDIS, **DIRECTOR**

PRINCIPAL STAFF

MICHAEL S. LEBRUN, **GENERAL MANAGER**
LISA BOGNUDA, **ASSIST. GENERAL MANAGER**
MERRIE WALLRAVIN, **SECRETARY/CLERK**
JON SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DISTRICT ENGINEER**

MEETING LOCATION

District Board Hearing Room
148 S. Wilson Street
Nipomo, California

1. CALL TO ORDER, FLAG SALUTE, AND ROLL CALL

President Harrison called the August 14, 2012, Special Meeting to order at 3:00 p.m. and led the flag salute. At Roll Call, Directors Gaddis, Eby, Vierheilig, and Harrison were present.

Michael LeBrun, General Manager, announced that Director Winn was not present due to a scheduled absence.

2. CONSIDER RECOMMENDATION OF NOMINATION COMMITTEE FOR MEMBERSHIP TO THE SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE

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:

Dan Woodson, Nipomo resident, recommended that NCSD contact each member of the committee and see the best time to conduct the first meeting.

Upon the motion of Director Eby and seconded by Director Gaddis, the Board unanimously approved the Nomination of the primary candidates and directed staff to bring back to the Board the consideration of alternatives if needed.

Vote 4-0.

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

President Harrison adjourned the meeting at 3:15 p.m.

SUBJECT TO BOARD APPROVAL