NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community for Fifty Years 1965-2015

SPECIAL MEETING OF THE BOARD OF DIRECTORS AGENDA

THURSDAY NOVEMBER 12, 2015 AT 9:00 A.M.

JON S. SEITZ BOARD ROOM 148 SOUTH WILSON STREET. NIPOMO. CA

BOARD of DIRECTORS
CRAIG ARMSTRONG, PRESIDENT

DAN GADDIS, VICE PRESIDENT BOB BLAIR, DIRECTOR ED EBY, DIRECTOR DAN WOODSON, DIRECTOR PRINCIPAL STAFF

MICHAEL S. LEBRUN, GENERAL MANAGER LISA BOGNUDA, FINANCE DIRECTOR MICHAEL W. SEITZ, GENERAL COUNSEL PETER SEVCIK, DIRECTOR OF ENG. & OPS. JESSICA MATSON, BOARD CLERK

Mission Statement:

Provide our customers with reliable, quality, and cost-effective services now and in the future.

NOTE:

- All comments concerning any item on the agenda are to be directed to the Board President.
- Consistent with the Americans with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the below referenced public meeting by contacting the District General Manager at 805-929-1133.
- District-prepared staff reports and documents are generally posted on the District's website {NCSD.CA.GOV} on the same date the agenda is posted.
- Any writing or document pertaining to an open session item on this agenda which is
 distributed to the Board of Directors after the posting of this agenda will be available for
 public inspection at the time the subject writing or document is distributed. The writing or
 document will be available for public review at the District Secretary's Office, 148 S. Wilson
 Street, Nipomo, CA, during normal business hours, and may be posted on the District's
 web site at http://www.ncsd.ca.gov.
- Items may be taken out of order. The Board typically breaks for lunch at approximately 12 noon and conducts Closed Session at that time, reconvening to public session at approximately 1:00 p. m.
- Please silence all cell phones during the meeting, as a courtesy to others.

A. CALL TO ORDER AND FLAG SALUTE NEXT RESOLUTION 2015-1393 NEXT ORDINANCE 2015-123

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

Any member of the public may address the Board relating to any matter within the Board's jurisdiction but <u>not</u> on the Board's agenda. **Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.**

- C. PRESENTATIONS AND REPORTS
 - C-1) REPORT ON PREVIOUS MEETING CLOSED SESSION

 Announcement of actions, if any, taken during Closed Session at previous Board Meeting
 - 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

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- C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS
- D. 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. Questions or clarification may be made by the Board members without removal from the Consent Agenda. 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.
 - D-1) WARRANTS [RECOMMEND APPROVAL]
 - D-2) APPROVE OCTOBER 28, 2015 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]
 - D-3) ADOPT RESOLUTION REDUCING SOLID WASTE FRANCHISE FEE AND THEREBY BUYING DOWN PROPOSED SOLID WASTE RATE INCREASE [RECOMMEND ADOPT RESOLUTION]
 - D-4) ADOPT RESOLUTION SUMMARIZING FISCAL 2015-2016 NIPOMO SUPPLEMENTAL WATER RATE SCHEDULE FOR PURVEYOR CUSTOMERS [RECOMMEND ADOPT RESOLUTION]
 - D-5) APPROVE DRAINAGE FUND BUDGET AMENDMENT [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE RESOLUTION AUTHORIZING DRAINAGE FUND BUDGET AMENDMENT]
 - D-6) AUTHORIZE PURCHASE AGREEMENT WITH LOS PRIMOS PROPERTIES IN AMOUNT OF \$24,000 TO ACQUIRE EASEMENTS (APN 090-291-039 & -046) IN SUPPORT OF CONSTRUCTING JOSHUA ROAD PUMP STATION RESERVOIR IRECOMMEND APPROVE PURCHASE AGREEMENT IN AMOUNT OF \$24,000]

E. ADMINISTRATIVE ITEMS

- E-1) CONDUCT PROTEST HEARING, DETERMINE PROTEST STATUS, AND IF THERE IS NOT A MAJORITY PROTEST CONSIDER ADOPTION OF RESOLUTION INCREASING TOWN SEWER USER FEES [RECOMMEND, IF THERE IS NO MAJORITY PROTEST, BY MOTION AND ROLL CALL VOTE, ADOPT RESOLUTION]
- E-2) SOLID WASTE FRANCHISE AGREEMENT TERM EXTENSION [RECOMMEND APPROVE CONDITIONAL EXTENSION]

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- E-3) AUTHORIZE TASK ORDER WITH MICHAEL K. NUNLEY & ASSOCIATES FOR SUPPLEMENTAL WATER PROJECT PHASE 1 OPERATIONS AND MAINTENANCE MANUAL [RECOMMEND AUTHORIZE TASK ORDER WITH MICHAEL K. NUNLEY & ASSOCIATES IN THE AMOUNT OF \$38,670, AUTHORIZE STAFF TO EXECUTE TASK ORDER, AND AUTHORIZE CHANGE ORDER CONTINGENCY IN THE AMOUNT OF \$4000]
- E-4) ANNUAL REVIEW OF SOCIAL MEDIA POLICY [RECOMMEND CONSIDER INFORMATION AND DIRECT STAFF]
- E-5) ANNUAL REVIEW OF DISTRICT WATER CONSERVATION PROGRAM [RECOMMEND CONSIDER INFORMATION AND DIRECT STAFF]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORTS
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. CLOSED SESSION ANNOUNCEMENTS
 - 1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC §54956.9
 - a) SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
 - b) HEAL VS. NCSD (SAN LUIS OBISPO COUNTY CASE NO CV 15-0539)
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS
- K. ADJOURN TO CLOSED SESSION
- L. OPEN SESSION
 ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

- > Regular Board Meeting, Wednesday, November 25, 2015 is canceled.
- > Next Board Meeting is 9AM, Wednesday December 9, 2015