

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## AGENDA

JULY 25, 2012 AT 9:00 A.M.

### REGULAR MEETING OF THE BOARD OF DIRECTORS AND

### ANNUAL MEETING OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PUBLIC FACILITIES CORPORATION

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

#### 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  
JON SEITZ, GENERAL COUNSEL  
PETER SEVCIK, DISTRICT ENGINEER  
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.

#### 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 {[NCS.D.CA.GOV](http://www.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	2012-1276
	NEXT ORDINANCE	2012-118

#### 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 not on the Board's agenda. **Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.**

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C. PRESENTATIONS AND REPORTS

- C-1) SHERIFF COMMANDER JAMES TAYLOR  
Update Report re: South County Law Enforcement and Department News
- C-2) CAL FIRE BATTALION CHIEF BILL FISHER  
Update Report re: South County Cal Fire Activity and Department News.
- C-3) NCSD UTILITIES SUPERINTENDENT TINA GRIETENS  
Update Report re: Recent Activities
- C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.  
Receive Announcements and Reports from Directors
- C-5) 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 REGULAR BOARD MEETING MINUTES:  
JUNE 27, 2012  
JULY 11, 2012 [RECOMMEND APPROVAL]
- D-3) CONSIDER AUTHORIZE PURCHASE OF EASEMENT ON APN 090-291-041 JAUREQUI ETAL, IN AMOUNT OF \$13,200 [RECOMMEND AUTHORIZE]
- D-4) ACCEPT SECOND QUARTER INVESTMENT REPORT [RECOMMEND ACCEPT]
- D-5) CONSIDER CONTRACT SALARY INCREASE FOR GENERAL MANAGER [RECOMMEND APPROVE]
- D-6) CONSIDER OFFER OF EASEMENT DEDICATION, TRACT 2734 DEBLAUW [RECOMMEND ACCEPT]

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E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE SUPPLEMENTAL WATER PROJECT PHASING TECHNICAL FEASIBILITY STUDY [RECEIVE STUDY AND DIRECT STAFF]
- E-2) CONSIDER ADDENDUM TO SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE BYLAWS [RECOMMEND PROPOSED ADDENDUM AND DIRECT STAFF]
- E-3) STRATEGIC PLAN REVIEW [CONSIDER INFORMATION AND DIRECT STAFF]

**ADJOURN TO NCSD PUBLIC FACILITIES CORPORATION**

**ROLL CALL**

**Public Comment on Agenda Items**

A. NCSD PUBLIC FACILITIES CORPORATION ANNUAL MEETING

Approve Minutes

- JULY 27, 2011
- MAY 23, 2012

**ADJOURN TO NCSD – REGULAR MEETING**

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORT

- JULY 2, 2012 WATER RESOURCES POLICY COMMITTEE MEETING MINUTES

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 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)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

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K. ADJOURN TO CLOSED SESSION

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

- **On Friday July 27, 2012 at 3pm, the Board will convene a SPECIAL Meeting at 509 Southland Street, Nipomo, to commemorate Ground Breaking of \$13M Southland WWTF Upgrade.**
- **Next Regular Board Meeting is August 8, 2012**