

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

**OCTOBER 10, 2012 AT 9:00 A.M.**

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.
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### **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](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	2012-1278
	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.**

### C. PRESENTATIONS AND REPORTS

C-1) REPORT FROM SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE  
Update on recent Committee activities.

C-2) REPORT ON SEPTEMBER 26, 2012 REGULAR MEETING CLOSED SESSION  
Announcement of Actions, if any, taken in Closed Session

C-3) NCSD DISTRICT ENGINEER PETER SEVCIK  
Update Report re: Recent Activities

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- 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 SEPTEMBER 26, 2012 REGULAR BOARD MEETING MINUTES:  
[RECOMMEND APPROVAL]
- E. ADMINISTRATIVE ITEMS
- E-1) RECEIVE FINANCIAL AUDIT REPORT FOR FISCAL YEAR 2011-2012 [RECOMMEND ACCEPT AUDIT REPORT AND DIRECT STAFF TO FILE]
- E-2) CONSIDER GRANT REQUEST FROM NIPOMO CHAMBER OF COMMERCE IN AMOUNT OF \$6,556 FOR SOLID WASTE REMOVAL IN NIPOMO COMMUNITY COMMON AREAS [RECOMMEND CONSIDER REQUEST FOR GRANT FUNDING IN AMOUNT OF \$6,556]
- E-3) CONSIDER UPDATES AND CHANGES TO PERSONNEL POLICIES AND PROCEDURES TO ESTABLISH A JOB DESCRIPTION AND SALARY RANGE FOR ASSISTANT ENGINEER, AUTHORIZE STAFF TO ADVERTISE AND RECRUIT AN ASSISTANT ENGINEER [CONSIDER RECOMMENDATION OF PERSONNEL COMMITTEE, ADOPT RESOLUTION AUTHORIZING CHANGES TO PERSONNEL POLICES AND PROCEDURES, DIRECT STAFF TO ADVERTISE AND RECRUIT ASSISTANT ENGINEER]
- E-4) CONSIDER UPDATES AND CHANGES TO PERSONNEL POLICIES AND PROCEDURES TO ESTABLISH A JOB DESCRIPTION AND SALARY RANGE FOR PUBLIC INFORMATION ASSISTANT, AUTHORIZE STAFF TO RECRUIT AN PUBLIC INFORMATION ASSISTANT [CONSIDER RECOMMENDATION OF PERSONNEL COMMITTEE, ADOPT RESOLUTION AUTHORIZING CHANGES TO PERSONNEL POLICES AND PROCEDURES, DIRECT STAFF TO RECRUIT PUBLIC INFORMATION ASSISTANT]
- F. GENERAL MANAGER'S REPORT

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G. COMMITTEE REPORT

- September 24, 2012 Supplemental Water Alternatives Evaluation Committee Meeting Minutes
- October 2, 2012 Personnel Committee Meeting Minutes
- October 2, 2012 Finance and Audit 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)
3. CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(b):  
Anticipated litigation - 1 case

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

- **Next Regular Board Meeting is Wednesday October 24, 2012, 9 A.M.**
- **Next meeting of Supplemental Water Alternatives Evaluation Committee is Thursday November 1, 2012, 1:30 P.M.**