

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

OCTOBER 24, 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.
--

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	2012-1280
	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 ON OCTOBER 10, 2012 REGULAR MEETING CLOSED SESSION
Announcement of Actions, if any, taken in Closed Session

C-2) SHERIFF COMMANDER JAMES TAYLOR
Update Report re: South County Law Enforcement and Department News

Nipomo Community Services District
REGULAR MEETING
AGENDA

- C-3) CAL FIRE BATTALION CHIEF BILL FISHER
Update Report re: South County Cal Fire Activity and Department News
- C-4) DISTRICT UTILITIES SUPERINTENDENT
Update Report re: September 2012 Operations Report
- C-5) 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-6) 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 10, 2012 REGULAR BOARD MEETING MINUTES
[RECOMMEND APPROVAL]
- D-3) ACCEPT THIRD QUARTER INVESTMENT REPORT [RECOMMEND ACCEPT]
- D-4) ADOPT RESOLUTION ACCEPTING WATER EASEMENTS FOR TRACT 2734
[RECOMMEND ADOPT RESOLUTION]

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER REQUEST FOR EXTENSION OF OUTSIDE USERS AGREEMENT FOR
TRACT 2642 HOLLOWAY [RECOMMEND CONSIDER REQUEST AND DIRECT
STAFF]
- E-2) REVIEW: 1.) ORDINANCE 2012-117 SUSPENDING APPLICATIONS FOR INTENT TO
SERVE LETTERS; 2.) CURRENT INTENT-TO-SERVE POLICY AND SUMMARY OF
WATER SERVICE APPLICATIONS IN PROCESS; 3.) CURRENT WILL SERVE POLICY
FOR WATER SERVICE AND ASSOCIATED WATER CAPACITY RESERVATION; 4.)
WATER SERVICE APPLICATIONS RECEIVED BUT NOT PROCESSING; AND
ANNUAL WATER ALLOCATION [RECOMMEND CONSIDER INFORMATION AND
PROVIDE DIRECTION TO STAFF]

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

E-3) CONSIDER EXTENDING DEFERRAL OF SOLID WASTE RATE INCREASE
[RECOMMEND CONSIDER INFORMATION AND DIRECT STAFF]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORT

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. NCSO (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/NCSO (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, November 14, 2012, 9:00 A.M.**
- **Next meeting of Supplemental Water Alternatives Evaluation Committee is Thursday, November 1, 2012, 1:30 P.M.**