

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

**OCTOBER 23, 2013 AT 9:00 A.M.**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

### BOARD of DIRECTORS

JAMES HARRISON, **PRESIDENT**  
LARRY VIERHEILIG, **VICE PRESIDENT**  
DAN GADDIS, **DIRECTOR**  
BOB BLAIR, **DIRECTOR**  
CRAIG ARMSTRONG, **DIRECTOR**

### PRINCIPAL STAFF

MICHAEL S. LEBRUN, **GENERAL MANAGER**  
LISA BOGNUDA, **FINANCE DIRECTOR**  
MICHAEL W. SEITZ, **GENERAL COUNSEL**  
PETER SEVCIK, **DIRECTOR OF ENG. & OPS.**  
MERRIE WALLRAVIN, **BOARD 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	2013-1323
	NEXT ORDINANCE	2013-120

### 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.**

***Adjourn the meeting***

***Reconvene the public meeting at 10AM in the City of Santa Maria, North Blosser Road at the Santa Maria River Levee***

## C. PRESENTATIONS AND REPORTS

- C-1) RIVER CROSSING CELEBRATION (Scheduled for 10AM)  
A ceremony will be conducted to celebrate the commencement of District's supplemental water project and pipeline crossing under the Santa Maria river.

***Adjourn the meeting******Reconvene the public meeting at 1PM at the District Board Room 148 South Wilson, Nipomo***

NOTE: PRESENTATIONS C-2 THROUGH C-7 WILL BE TAKEN AT 1PM

- C-2) SAN LUIS OBISPO COUNTY SHERIFF COMMANDER JAY DONOVAN  
Update Report re: South County Law Enforcement and Department News
- C-3) CAL FIRE BATTALION CHIEF PAUL VAN GERWEN  
Update Report re: South County Cal Fire Activity and Department News
- C-4) REPORT ON OCTOBER 9, 2013 REGULAR MEETING CLOSED SESSION  
Announcement of actions, if any, taken in Closed Session
- C-5) DIRECTOR OF ENGINEERING AND OPERATIONS  
RE: Summary of recent activities
- C-6) 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-7) 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 9, 2013 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]
- D-3) DECLARE 2002 TOYOTA PICK UP TRUCK SURPLUS AND AUTHORIZE SALE [RECOMMEND APPROVAL]
- D-4) RECEIVE QUARTERLY INVESTMENT REPORT [RECOMMEND RECEIVE REPORT]

E. ADMINISTRATIVE ITEMS

E-1) APPROVE SERVICE REQUEST (INTENT TO SERVE LETTER) FOR WATER AND SEWER SERVICE TO JIM MILLER PARK [RECOMMEND APPROVE]

E-2) ANNUAL REVIEW OF CASH RESERVES IN ACCORDANCE WITH CASH RESERVE POLICY [RECOMMEND RECEIVE REPORT]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORTS

- October 7, 2013 Water Resources 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 PURSUANT TO GOVT. CODE §54956.9(a):  
Existing litigation - 1 case: Mesa Community Alliance Vs. District, Case No. CV 130222
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)

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 November 13, 2013, 9AM**