

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## AGENDA

**JULY 11, 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 BOGNUA, **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	2012-1275
		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) NCSD DISTRICT ENGINEER PETER SEVCIK  
 Update Report re: Recent Activities

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

C-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

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) CONSOLIDATION OF DISTRICT BOARD ELECTION WITH FALL GENERAL ELECTION [RECOMMEND ADOPT RESOLUTION REQUESTING COUNTY CONSOLIDATE DISTRICT BOARD OF DIRECTORS ELECTION WITH COUNTY WIDE GENERAL ELECTION]

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER REQUEST FROM CITY OF ARROYO GRANDE FOR A LETTER FROM DISTRICT SUPPORTING CITY'S GROUNDWATER MODELING GRANT APPLICATION [RECOMMEND REVIEW REQUEST AND DRAFT LETTER OF SUPPORT AND DIRECT STAFF]

E-2) CONSIDER EXTENDING DEFERRAL OF SOLID WASTE RATE INCREASE [RECOMMEND CONSIDER INFORMATION AND DIRECT STAFF]

E-3) REVIEW SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE MEMBER QUALIFICATIONS AND APPLICATION [CONSIDER RECOMMENDATION OF SUPPLEMENTAL WATER POLICY COMMITTEE AND DIRECT STAFF]

E-4) APPOINT FOUR PERSONS TO NINE MEMBER NOMINATING COMMITTEE FOR THE SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE [RECOMMEND MAKE APPOINTMENTS TO NOMINATION COMMITTEE]

E-5) REVIEW DISTRICT EMERGENCY WATER SHORTAGE REGULATIONS [RECOMMEND REVIEW CURRENT DISTRICT POLICY AND DIRECT STAFF]

E-6) REVIEW DISTRICT POLICY ON WATER SALES OUTSIDE OF THE DISTRICT BOUNDARY [RECOMMEND REVIEW CURRENT DISTRICT POLICY AND DIRECT STAFF]

E-7) REVIEW STATUS OF PROPOSED JIM O MILLER PARK AND COUNTY PARK AND RIDE [RECOMMEND CONSIDER INFORMATION AND DIRECT STAFF]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORT

MINUTES OF JUNE 25, 2012 WATER RESOURCES POLICY COMMITTEE

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

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; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
3. 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)
4. ANNUAL PERFORMANCE REVIEW OF DISTRICT GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54957

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 July 25, 2012**