# NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

## AGENDA

APRIL 13, 2011 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 LEBRUN, INTERIM GENERAL MANAGER LISA BOGNUDA, ASSIST. GENERAL MANAGER MERRIE WALLRAVIN, SECRETARY/CLERK JON SEITZ, GENERAL COUNSEL PETER SEVCIK, DISTRICT ENGINEER

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**} 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 <u>http://www.ncsd.ca.gov</u>.
- 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	2011-1215
NEXT ORDINANCE	2011-116

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) REPORT ON MARCH 23, 2011 REGULAR MEETING CLOSED SESSION Announcement of Actions, if any, Taken in Closed Session
  - C-2) MIKE NUNLEY OF AECOM Update re: Southland Wastewater Treatment Plant Upgrade
  - C-3) NCSD DISTRICT ENGINEER PETER SEVCIK Update 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) PUBLIC COMMENT ON ITEMS NOT ON AGENDA Any member of the public may give comments on the presentations and 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. Copy of document found at www.NoNewWipTax.com

### 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 will be removed from the Consent Agenda 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. The recommendations for each item are noted in brackets.
  - D-1) WARRANTS [RECOMMEND APPROVAL]
  - D-2) BOARD MEETING MINUTES OF MARCH 9, 2011, AND MARCH 23, 2011 [RECOMMEND APPROVAL]
  - D-3) INITIATE LANDSCAPE MAINTENANCE DISTRICT ENGINEERING REPORT [RECOMMEND ADOPT RESOLUTION INITIATING PROCEEDINGS]
  - D-4) AUTHORIZE NEGOTIATIONS FOR THE ACQUISITION OF LAND TO SUPPORT THE EXPANSION OF THE DISTRICT'S WATER STORAGE TANK FACILITY ON DANA FOOTHILL ROAD (PROPERTY OWNER DANA TRUST) AND DIRECT STAFF TO ENGAGE HAMNER JEWELL & ASSOCIATES TO ASSIST THE DISTRICT WITH THE NEGOTIATIONS [RECOMMEND APPROVAL]
- E. ADMINISTRATIVE ITEMS
  - E-1) INTRODUCE, EDIT AND READ BY TITLE AN ORDINANCE REVISING DISTRICT METHODOLOGY FOR CALCULATING PRIVATE FIRE CAPACITY CHARGE [BY MOTION AUTHORIZE STAFF TO READ PROPOSED ORDINANCE BY TITLE ONLY AND THEN BY SEPARATE MOTION INTRODUCE ORDINANCE & SET HEARING DATE FOR ADOPTION]
  - E-2) CONSIDER APPROVAL OF SCOPE AMENDMENT WITH WSC INC. IN THE AMOUNT OF \$14,960 FOR CONTINUED SUPPORT IN UPDATING THE DISTRICT'S URBAN WATER MANAGEMENT PLAN [RECOMMEND APPROVAL]
  - E-3) CONSIDER A SCHEDULE AND CONTRACT REVISION WITH SUPPLEMENTAL WATER PROJECT OUTREACH CONSULTANT TEAM (TRAMUTOLA, TRUENORTH, TERRAIN) IN THE AMOUNT OF \$165,000 [RECOMMEND ACTIVATE AD-HOC COMMITTEE TO REVIEW PROPOSAL AND SCOPE OF CONTRACT REVISION]
- 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. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
  - 2. PUBLIC EMPLOYEE EVALUATION (GOVERNMENT CODE §54957) Title: District Interim General Manager Performance Evaluation
  - 3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD vs. County SLO, ET Al. (CASE #CV090010)

## Nipomo Community Services District REGULAR MEETING AGENDA

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

> Next Regular Board Meeting is April 27, 2011