

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## AGENDA

**APRIL 27, 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](http://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.

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|----|--|-----------------|-----------|
| A. | CALL TO ORDER AND FLAG SALUTE  | NEXT RESOLUTION | 2011-1216 |
|    |  | NEXT ORDINANCE  | 2011-116  |
| B. | ROLL CALL  |                 |           |
| C. | PRESENTATIONS AND PUBLIC COMMENT   |                 |           |
|    | C-1) SHERIFF COMMANDER KEN CONWAY<br>Update re: South County Law Enforcement Activities  |                 |           |
|    | C-2) CAL FIRE BATTALION CHIEF BILL FISHER<br>Update re: South County Cal Fire Activities   |                 |           |
|    | C-3) NCSd SUPERINTENDENT TINA GRIETENS<br>Update re: Summary of Utility Division Activities  |                 |           |
|    | C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST AND REPORTS ON ATTENDANCE AT PUBLIC MEETINGS, TRAINING PROGRAMS, CONFERENCES, AND SEMINARS.<br>Receive Announcements and Reports from Directors   |                 |           |
|    | C-5) PUBLIC COMMENT ON ITEMS NOT ON AGENDA<br>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. <b>Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.</b> |                 |           |

**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) APPROVE WARRANTS [RECOMMEND APPROVAL]

D-2) BOARD MEETING MINUTES OF APRIL 13, 2011 [RECOMMEND APPROVAL]

D-3) QUARTERLY INVESTMENT POLICY [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

E-1) SUPPLEMENTAL WATER PROJECT OUTREACH PROGRAM REVIEW EDIT REVISED SCOPE OF WORK [RECOMMENDATION: REVIEW OUTREACH SCHEDULE AND SCOPE OF WORK, BY MOTION APPROVE SCOPE OF WORK AND BUDGET]

E-2) CONDUCT HEARING TO ADOPT AN ORDINANCE REVISING DISTRICT METHODOLOGY FOR CALCULATING PRIVATE FIRE CAPACITY CHARGE [RECOMMENDATION: BY MOTION AND ROLL CALL VOTE ADOPT ORDINANCE]

E-3) CONSIDER SCHEDULE FOR WATER RATE STUDY AND IMPLEMENTATION [RECOMMENDATION: BY MOTION APPROVE STUDY AND SCHEDULE IMPLEMENTATION]

F. MANAGER'S REPORT

G. COMMITTEE REPORT

April 14, 2011 Finance and Audit Committee 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. NCSO (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 REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

- Property: Water Storage Tank Site Located at Corner of Dana Foothill Road and East Tefft Street.
- Agency Negotiator: Lillian Jewell and Jon Seitz
- Negotiating Parties: Dana Family Trust
- Under negotiations: Terms and Conditions

4. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: ANTICIPATED LIABILITY CLAIM PURSUANT TO GC SECTION 54956.95; CHRIS FOSSE CLAIM AGAINST DISTRICT.

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