NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

AGENDA

MAY 11, 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 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 2011-1216 NEXT ORDINANCE 2011-117

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
 - C-1) 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.
 - C-2) REPORT ON APRIL 27, 2011 REGULAR MEETING CLOSED SESSION Announcement of Actions, if any, Taken in Closed Session
 - C-3) MIKE NUNLEY OF AECOM Update Report re: Southland Wastewater Treatment Plant Upgrade
 - C-4) NCSD DISTRICT ENGINEER PETER SEVCIK Update Report re: Recent Activities
 - C-5) BASELINE SURVEY OF PROPERTY OWNER REPORT Receive Survey Report Supplemental Water Polling Conducted February 2011

Nipomo Community Services District REGULAR MEETING AGENDA

PRESENTATIONS AND PUBLIC COMMENT (Continued)

- 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
- 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 APRIL 27, 2011 [RECOMMEND APPROVAL]
 - D-3) QUARTERLY FINANCIALS (3RD QUARTER 2010/2011 FISCAL YEAR) [REVIEW AND ACCEPT REPORT]
 - D-4) APPROVAL OF THE ENGINEER'S LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2011-2012 [RECOMMEND APPROVAL]
 - D-5) RECEIVE AND FILE REPORTS PRESENTED UNDER ITEM C. ABOVE [RECOMMEND RECEIVE REPORTS]
- E. ADMINISTRATIVE ITEMS
 - E-1) CONSIDER AMENDMENT OF DISTRICT STANDARD SPECIFICATIONS ADOPT RESOLUTION AMENDING DISTRICT STANDARDS [ADOPT RESOLUTION]
 - E-2) ADOPT BUDGET AMENDMENT RESOLUTION AND APPROVE PURCHASE OF PORTABLE GENERATORS [RECOMMEND ADOPT RESOLUTION APPROVE PURCHASE]
 - E-3) ADOPT RESOLUTION OF INTENTION TO ESTABLISH CALPERS TIER II RETIREMENT FOR NEW EMPLOYEES [RECOMMEND ADOPT RESOLUTION]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORT
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Nipomo Community Services District REGULAR MEETING AGENDA

- 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 APPOINTMENT (GOVERNMENT CODE §54957) Title: District General Manager.
 - 3. ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL 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 May 25, 2011