

# NIPOMO COMMUNITY SERVICES DISTRICT

*Serving the Community Since 1965*

## AGENDA

**JUNE 22, 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.
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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://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 | 2011-1226 |
|                                     | 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 June 8, 2011 REGULAR MEETING CLOSED SESSION

Announcement of Actions, if any, Taken in Closed Session

#### C-3) NCSd SUPERINTENDENT TINA GRIETENS

Update Report 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.

Receive Announcements and Reports from Directors

**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 including reports received by the Board of Directors under Item C.*

D-1) APPROVE WARRANTS [RECOMMEND APPROVAL]

D-2) PUBLIC DRAFT SOUTHLAND ENVIRONMENTAL IMPACT REPORT [RECEIVE REPORT AND AUTHORIZE CIRCULATION]

D-3) PUBLIC EMPLOYEE RETIREMENT TIER II [ADOPT RESOLUTION ESTABLISHING TIER II EMPLOYEE RETIREMENT BENEFITS]

D-4) RECEIVE AND FILE REPORTS PRESENTED UNDER ITEM C. ABOVE [RECOMMEND RECEIVE AND FILE REPORTS]

E. ADMINISTRATIVE ITEMS

E-1) RECEIVE SPRING 2011 GROUNDWATER INDEX PRESENTATION BY BRAD NEWTON, Ph.D, PG FROM WAGNER& BONSIGNORE CONSULTING CIVIL ENGINEERS [RECEIVE PRESENTATION]

E-2) ADOPT 2011/2012 FISCAL BUDGET [RECOMMENDATION: CONTINUE PUBLIC HEARING, APPROVE RESOLUTION ADOPTING 2011/2012 BUDGET]

E-3) SUPPLEMENTAL WATER PROJECT UPDATE [RECEIVE UPDATE, DIRECT STAFF]

E-4) CALIFORNIA SPECIAL DISTRICT ASSOCIATION BYLAW AMENDMENTS [CONSIDER PROPOSED AMENDMENTS AND BY MOTION AUTHORIZE STAFF TO SUBMIT BALLOT WITH DISTRICT VOTE, IF ANY]

F. 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. NCSO (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).

2. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: ANTICIPATED LIABILITY CLAIM PURSUANT TO GC SECTION 54956.95; CHERYL SIDWELL 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

➤ **Next Regular Board Meeting is July 13, 2011**