# NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

# AGENDA

JULY 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 S. LEBRUN, 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, guality, 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 2011-1231 NEXT ORDINANCE 2011-117

- B. ROLL CALL AND PUBLIC COMMENT ON ITEMS NOT ON AGENDA Any member of the public may address the Board relating to any matter within the Board's jurisdiction but <u>not</u> 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) REPORT ON July 13, 2011 REGULAR MEETING CLOSED SESSION Announcement of Actions, if any, Taken in Closed Session
  - C-2) NCSD SUPERINTENDENT TINA GRIETENS Update Report re: Summary of Utility Division Activities
  - C-3) 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-4) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE and FILE PRESENTATIONS AND REPORTS

- 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) APPROVE WARRANTS [RECOMMEND APPROVAL]
  - D-2) APPROVE JULY 13, 2011 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]
- E. ADMINISTRATIVE ITEMS
  - E-1) RECEIVE PRESENTATION ON SOUTHLAND WASTEWATER TREATMENT FACILITY GROUNDWATER MODELING BY FUGRO CONSULTANTS INC. [RECOMMEND RECEIVE PRESENTATION AND PROVIDE DIRECTION TO STAFF]
  - E-2) CONSIDER APPROVAL OF SCOPE AMENDMENT #5 WITH AECOM FOR ENGINEERING SERVICES IN THE AMOUNT OF \$58,281 FOR DESIGN OF SOUTHLAND WASTEWATER TREATMENT FACILITY PHASE 1 UPGRADE PROJECT [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE SCOPE AMENDMENT #5 WITH AECOM IN THE AMOUNT OF \$58,281 AND AUTHORIZE STAFF TO EXECUTE TASK ORDER]
  - E-3) CONSIDER EARLY PAY OFF OF 1978 WATER REVENUE BOND [RECOMMEND BY MOTION AND ROLL CALL VOTE TO SET PUBLIC HEARING TO CONSIDER EARLY PAY OFF OF 1978 REVENUE BOND]
  - E-4) APPROVE SUPPLEMENTAL WATER OUTREACH MAILER #2 [RECOMMEND REVIEW DRAFT OUTREACH MAILER PROVIDE COMMENT AND BY MOTION AND ROLL CALL VOTE APPROVE MAILER AND DIRECT STAFF TO PUBLISH AND MAIL TO PROPERTY OWNERS]
  - E-5) CONSIDER REQUESTING COUNTY PERMISSION FOR DISTRICT TO LEAD SUPPLEMENTAL WATER PROJECT ASSESSMENT PROCEEDINGS [RECOMMEND, BY MOTION AND ROLL CALL VOTE, DIRECT STAFF TO SEND A FORMAL REQUEST TO SAN LUIS OBISPO COUNTY SEEKING PERMISSION TO LEAD ASSESSMENT FOR SUPPLEMENTAL WATER PROJECT.]
  - E-6) CONSIDER A \$15,000 BUDGET AUGMENTATION FOR WAGNER BONSIGNORE CONSULTING ENGINEERS INCREASING NOT TO EXCEED FOR LITIGATION SUPPORT FOR 2011TO \$95,000 [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE BUDGET AUGMENTATION]
  - E-7) CONSIDER BALLOT FOR LOCAL AREA FORMATION COMMISSION ALTERNATE SPECIAL DISTRICT MEMBER [RECOMMEND CONSIDER BALLOT AND BY MOTION AND ROLL CALL VOTE DIRECT STAFF TO VOTE BOARD CANDIDATE IF ONE IS CHOSEN]

# Nipomo Community Services District REGULAR MEETING AGENDA

E-8) CONSIDER BALLOT FOR CALIFORNIA SPECIAL DISTRICT ASSOCIATION 2011 BOARD ELECTIONS [RECOMMEND REVIEW BALLOT BY MOTION AND ROLL CALL VOTE DIRECT STAFF TO VOTE BOARD CANDIDATE IF ONE IS CHOSEN]

## ADJOURN TO NCSD PUBLIC FACILITIES CORPORATION

## ROLL CALL

# Public Comment on Agenda Items

A. NCSD PUBLIC FACILITIES CORPORATION ANNUAL MEETING Approve 2010 Minutes

# ADJOURN TO NCSD - REGULAR MEETING

- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. CLOSED SESSION ANNOUNCEMENTS
  - 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).
- 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 August 10, 2011