

NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

AGENDA

NOVEMBER 16, 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, 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 {[NCS.D.CA.GOV](http://www.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.*

A.	CALL TO ORDER AND FLAG SALUTE	NEXT RESOLUTION	2011-1238
		NEXT ORDINANCE	2011-117

B. ROLL CALL AND PUBLIC COMMENT FOR ITEMS NOT ON AGENDA

Any member of the public may 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. PRESENTATIONS AND REPORTS

C-1) SHERIFF COMMANDER ROBIN WECKERLY

Update Report re: South County Law Enforcement and Department News

C-2) MIKE NUNLEY OF AECOM

Update Report re: Southland Wastewater Treatment Plant Upgrade

C-3) NCS.D DISTRICT ENGINEER PETER SEVCIK

Update Report 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) 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) WARRANTS [RECOMMEND APPROVAL]
- D-2) BOARD MEETING MINUTES:
OCTOBER 26, 2011, REGULAR MEETING [RECOMMEND APPROVAL]
- D-3) REVIEW PROPOSED AMENDMENT TO THE CALIFORNIA EMPLOYER'S RETIREE BENEFIT TRUST PROGRAM ("CERBT") AGREEMENT TO ALLOW THE USE OF THE ALTERNATIVE MEASUREMENT METHOD (AMM) TO PERFORM POST EMPLOYMENT BENEFIT VALUATION [RECOMMEND APPROVAL]
- D-4) REVIEW SOLID WASTE FRANCHISE FEE AND RATE INCREASE DEFERRAL [RECOMMEND REVIEW INFORMATION CONTINUE RATE INCREASE DEFERRAL]
- E. ADMINISTRATIVE ITEMS
- E-1) REVIEW FINANCIAL AUDIT REPORT FOR FISCAL YEAR ENDING JUNE 30, 2011 [RECOMMEND BY MOTION AND ROLL CALL VOTE ACCEPT AND DIRECT STAFF TO FILE THE FISCAL YEAR 2010-2011 AUDIT REPORT]
- E-2) REVIEW SUPPLEMENTAL WATER PROJECT FINANCING OPTIONS [RECOMMEND CONSIDER INFORMATION AND DIRECT STAFF]
- E-3) CONSIDER A \$11,500 BUDGET AUGMENTATION FOR WAGNER BONSIGNORE CONSULTING ENGINEERS INCREASING NOT TO EXCEED FOR TASK 200 LITIGATION SUPPORT FOR 2011 TO \$106,500 [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE BUDGET AUGMENTATION FOR WAGNER & BONSIGNORE AND AUTHORIZE STAFF TO ISSUE A TASK ORDER IN THE AMOUNT OF \$15,000]
- E-4) CONSIDER A \$5,000 BUDGET AUGMENTATION FOR WAGNER BONSIGNORE CONSULTING ENGINEERS INCREASING NOT TO EXCEED FOR TASK 100 LITIGATION SUPPORT FOR 2011 TO \$20,000 [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE BUDGET AUGMENTATION FOR WAGNER & BONSIGNORE AND AUTHORIZE STAFF TO ISSUE A TASK ORDER IN THE AMOUNT OF \$5,000]

NOTE: Item E-5 will be considered after the Board's lunch recess and no sooner than 1 p.m.

Nipomo Community Services District
REGULAR MEETING
AGENDA

E-5) CERTIFY SOUTHLAND WASTEWATER TREATMENT FACILITY IMPROVEMENTS FINAL ENVIRONMENTAL IMPACT REPORT [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE RESOLUTION CERTIFYING THE FINAL EIR FOR SOUTHLAND WWTF IMPROVEMENTS]

E-6) CONSIDER ESTABLISHING A PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR THE SOUTHLAND WASTEWATER TREATMENT FACILITY IMPROVEMENT PROJECT PHASE 1 [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION ESTABLISHING PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR SOUTHLAND WWTF IMPROVEMENT PROJECT PHASE 1]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORT

November 1, 2011 Finance Committee Meeting 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. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSO vs. County SLO, ET AL. (CASE #CV090010)

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 December 14, 2011**