# NIPOMO COMMUNITY SERVICES DISTRICT

### Serving the Community Since 1965

# AGENDA

# JANUARY 11, 2012 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.

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 2011-1242 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 <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) RECOGNIZE RETIRED UTILITY SUPERVISOR MR. RICK MOTLEY Present Resolution
  - C-2) MIKE NUNLEY OF AECOM Update Report re: Southland Wastewater Treatment Plant Upgrade
  - C-3) NCSD DISTRICT ENGINEER PETER SEVCIK Update Report re: Summary of 2011 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 com

# Nipomo Community Services District REGULAR MEETING AGENDA

- 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) APPROVE DECEMBER 14, 2011 BOARD MEETING MINUTES [RECOMMEND APPROVE]
  - D-3) APPROVE RESOLUTION RECOGNIZING SERVICE OF RETIRED UTILITY SUPERVISOR RICK MOTLEY [RECOMMEND APPROVE RESOLUTION]
  - D-4) CONSIDER BUDGET \$35,000 BUDGET AUGMENTATION WITH WALLACE GROUP FOR ON-GOING ASSESSMENT ENGINEERING IN SUPPORT OF SUPPLEMENTAL WATER PROJECT [RECOMMEND APPROVE \$35,000 BUDGET AUGMENTATION]
- E. ADMINISTRATIVE ITEMS
  - E-1) APPROVE SUPPLEMENTAL WATER PROJECT PROPERTY OWNER LETTER [RECOMMEND APPROVAL]
  - E-2) APPROVE SUPPLEMENTAL WATER PROJECT BENEFIT ASSIGNMENT CHANGE POLICY [RECOMMEND CONSIDER DRAFT BENEFIT ASSIGNMENT CHANGE POLICY, DIRECT CHANGES, BY MOTION AND ROLL CALL VOTE APPROVE RESOLUTION ADOPTING BENEFIT ASSIGNMENT CHANGE POLICY]
  - E-3) AUTHORIZE APPLICATION FOR USDA LOAN TO SUPPORT WOODLANDS MUTUAL WATER COMPANY FINANCING OF SUPPLEMENTAL WATER PROJECT, [RECOMMEND BY MOTION AND ROLL CALL VOTE AUTHORIZE STAFF TO FILE APPLICATION WITH USDA]
  - E-4) CONSIDER INTENT TO SERVE LETTER FOR TRACT 2689, A 25 LOT MIXED USE SUBDIVISION LOCATED AT INTERSECTION OF TEFFT STREET AND BLUME STREET [RECOMMEND APPROVAL]
  - E-5) RATIFY 2012 BOARD COMMITTEE ASSIGNMENTS [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE 2012 COMMITTEE ASSIGNMENTS]
  - E-6) AFFIRM 2012 BOARD MEETING SCHEDULE [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE 2012 REGULAR MEETING SCHEDULE]

## Nipomo Community Services District REGULAR MEETING AGENDA

- F. GENERAL 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. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214, SIXTH APPELLATE COURT CASE NO. H032750 AND ALL CONSOLIDATED CASES).
  - CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AI. (CASE #CV090010)
  - 3. PUBLIC EMPLOYEE EVALUATION (GOVERNMENT CODE §54957) Title: District General Manager Six-Month Performance Evaluation
- 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 January 25, 2012