NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

AGENDA

FEBRUARY 29, 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
 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 2011-1245 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) NCSD SUPERINTENDENT TINA GRIETENS
 Update Report re: Utility Division Activities
 - C-2) 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-3) RECEIVE PUBLIC COMMENT ON PRESENTATIONS AND REPORTS PRESENTED UNDER ITEM C AND BY MOTION RECEIVE AND FILE PRESENTATIONS AND REPORTS

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.
 - D-1) WARRANTS [RECOMMEND APPROVAL]
 - D-2) APPROVE FEBRUARY 8, 2012 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVE]
 - D-3) APPROVE BOARD BY-LAWS [RECOMMEND APPROVAL]
 - D-4) CONSIDER PAY OFF OF INSTALLMENT SALE AGREEMENT FOR 2009 PURCHASE OF SEWER VACUUM TRUCK [REVIEW AND CONSIDER ADOPTION OF RESOLUTION]

E. ADMINISTRATIVE ITEMS

- E-1) REVIEW PROPOSED DEBT MANAGEMENT POLICY [RECOMMEND REVIEW PROPOSED POLICY, PROVIDE EDITS, BY MOTION AND ROLL CALL VOTE ADOPT DEBT MANAGEMENT POLICY]
- E-2) REVIEW DRAFT ASSESSMENT ENGINEER'S REPORT AND DRAFT BALLOT FOR SUPPLEMENTAL WATER PROJECT ASSESSMENT DISTRICT FORMATION [RECOMMEND REVIEW REPORT AND BALLOT, PROVIDE COMMENT, BY MOTION AND ROLL CALL VOTE DIRECT STAFF TO SCHEDULE APPROVAL OF ENGINEER'S REPORT ON MARCH 14, 2012 REGULAR MEETING AGENDA]
- E-3) BENEFIT ASSIGNMENT CHANGES FOR SUPPLEMENTAL WATER PROJECT ASSESSMENT DISTRICT [RECOMMEND RECEIVE UPDATE ON REQUESTED CHANGES]

The following item will be taken after 1pm

- E-4) SOUTHLAND WASTEWATER TREATMENT FACILITY PHASE I UPGRADE PROJECT AUTHORIZATION TO BID BASED ON USING BIOLAC AS THE WASTEWATER INFLUENT TREATMENT TECHNOLOGY [RECOMMEND BY MOTION AND ROLL CALL VOTE AUTHORIZE STAFF TO ADVERTISE BID OF SOUTHLAND WASTEWATER TREATMENT FACILITY PHASE I UPGRADE PROJECT WITH BIOLAC TREATMENT TECHNOLOGY]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORT

Nipomo Community Services District REGULAR MEETING AGENDA

- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- 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).
 - CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
 - CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION PURSUANT to GC 54956.9(c) No. of cases: two. Related to the District's acquisition of two easements in real property through eminent domain: one owned by Durley /McLanahan AP# 090-341-019, 090-331-005,06 & 08 and one owned by Troesh Properties & Investments, LCC AP# 090-341-003.
- 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 March 14, 2012