### NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

# **AGENDA**

# SEPTEMBER 12, 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
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DISTRICT ENGINEER
MERRIE WALLRAVIN, CLERK

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 NEXT ORDINANCE 2012-1276 2012-118

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) REPORT ON AUGUST 8, 2012 REGULAR MEETING CLOSED SESSION Announcement of Actions, if any, taken in Closed Session
  - C-2) NCSD DISTRICT ENGINEER PETER SEVCIK Update Report re: Recent Activities
  - C-3) NCSD UTILITIES SUPERINTENDENT TINA GRIETENS
    Update Report re: Recent Activities (written report only)
  - 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

Copy of document found at www.NoNewWipTax.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 BOARD MEETING MINUTES:
    - AUGUST 8, 2012 REGULAR MEETING
    - AUGUST 14, 2012 SPECIAL MEETING [RECOMMEND APPROVAL]

#### E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE PRESENTATION FROM SAN LUIS OBISPO COUNTY STAFF REGARDING DRAFT UPDATE TO MEMORANDUM OF UNDERSTANDING ADDRESSES INTEGRATED REGIONAL WATER MANAGEMENT COORDINATION [RECEIVE UPDATE AND DIRECT STAFF]
- E-2) CONSIDER AECOM CONTRACT AMENDMENT IN AMOUNT OF \$219,619 FOR SUPPLEMENTAL WATER PROJECT PHASE 1 FINAL DESIGN AND CONSIDER REVISED PROJECT SCHEDULE. REVIEW FUNDING SOURCES [CONSIDER WATER RESOURCES POLICY COMMITTEE RECOMMENDATION]
- E-3) RECEIVE UPDATE REGARDING SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE [RECOMMEND RECEIVE UPDATE AND DIRECT STAFF]
- E-4) CONSIDER PROPOSAL BY NIPOMO CHAMBER OF COMMERCE AND OLDE TOWNE NIPOMO ASSOCIATION FOR CLEANUP AND MAINTENANCE OF NIPOMO COMMUNITY COMMON AREAS [RECOMMEND CONSIDER PROPOSAL AND DIRECT STAFF]
- E-5) CONSIDER CHANGES TO CONFLICT OF INTEREST CODE [RECOMMEND REVIEW CHANGES IN REGULATIONS AND ADOPT RESOLUTION REVISING DISTRICT CONFLICT OF INTEREST CODE]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORT
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

### Nipomo Community Services District REGULAR MEETING AGENDA

- 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).
  - CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9, WHITLOW/NCSD (CASE # E20112E1116-00-APS FILED WITH THE DEPARTMENT OF FAIR HOUSING AND EMPLOYMENT)
- 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 September 26, 2012, 9 A.M.
- ➤ Next meeting of Supplemental Water Alternatives Evaluation Committee is Monday September 24, 2012, 1:30 P.M.