NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

## REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

NOVEMBER 14, 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 <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 2012-1282 NEXT ORDINANCE 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 OCTOBER 24, 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) 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

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- 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) WARRANTS [RECOMMEND APPROVAL]
  - D-2) APPROVE OCTOBER 24, 2012 REGULAR BOARD MEETING MINUTES: [RECOMMEND APPROVAL]
  - D-3) FIRST QUARTER FINANCIAL REPORT [RECOMMEND ACCEPT REPORT]
- E. ADMINISTRATIVE ITEMS
  - E-1) BLACKLAKE SEWER SYSTEM MASTER PLAN PROJECT, AUTHORIZE STAFF TO CIRCULATE REQUEST FOR PROPOSALS [RECOMMEND AUTHORIZING STAFF TO CIRCULATE REQUEST FOR PROPOSALS TO COMPLETE A BLACKLAKE SEWER SYSTEM MASTER PLAN]
  - E-2) AUTHORIZE PURCHASE A UTILITY TRUCK FOR \$20,050 AND A SERVICE TRUCK FOR \$80,691 [RECOMMEND ADOPT RESOLUTION AUTHORIZING STAFF TO PURCHASE TWO UTILITY VEHICLES AT A COMBINED COST OF \$100,741]
  - E-3) STANDPIPE MIXING AND RECOAT PROJECT AUTHORIZATION TO BID [RECOMMEND ADOPT RESOLUTION AUTHORIZING STAFF TO BID STANDPIPE MIXING AND RECOAT PROJECT]
  - E-4) BLACKLAKE WELL 4 PUMP REPLACEMENT PROJECT AUTHORIZATION TO BID [RECOMMEND ADOPT RESOLUTION AUTHORIZING STAFF TO BID BLACKLAKE WELL #4 REPLACEMENT PROJECT]
  - E-5) ESTABLISH PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR SUPPLEMENTAL WATER PROJECT BID PACKAGE 1 – SANTA MARIA CROSSING [RECOMMEND BY MOTION AND ROLL CALL VOTE ADOPT RESOLUTION ESTABLISHING PRE-QUALIFICATION POLICY AND APPEALS PROCEDURE FOR SUPPLEMENTAL WATER PROJECT BID PACKAGE 1 – SANTA MARIA RIVER CROSSING]
  - E-6) CONSIDER A \$32,000 BUDGET AUGMENTATION FOR HAMNER, JEWELL & ASSOCIATES INCREASING NOT TO EXCEED LIMIT FOR PROPERTY NEGOTIATION SERVICES IN SUPPORT OF SUPPLEMENTAL WATER PROJECT FROM \$82,000 TO \$114,000 [RECOMMEND BY MOTION AND ROLL CALL VOTE APPROVE BUDGET AUGMENTATION]

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- E-7) REVIEW WATER CONSERVATION PROGRAM 2012 ACTIVITY AND DISCUSS PROGRAM DIRECTION IN 2013 [RECOMMEND RECEIVE REPORT AND DIRECT STAFF]
- E-8) CONSIDER LOCAL AREA FORMATION COMMISSION'S REQUEST FOR NOMINATIONS TO FILL SPECIAL DISTRICT SEAT [RECOMMEND DISCUSS AND CONSIDER FORWARDING NOMINEE]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORT
  - OCTOBER 2, 2012 SUPPLEMENTAL WATER ALTERNATIVES EVALUATION COMMITTEE MEETING MINUTES
  - OCTOBER 25, 2012 WATER CONSERVATION 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. NCSD (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, WHITLOW/NCSD (CASE # E20112E1116-00-APS FILED WITH THE DEPARTMENT OF FAIR HOUSING AND EMPLOYMENT)
  - CONFERENCE WITH LEGAL COUNSEL PURSUANT TO GOVT. CODE §54956.9(b): Anticipated litigation - 1 case
- 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

- > The November 28, 2012 Regular Board Meeting is cancelled.
- > Next Regular Board Meeting is December 12, 2012, 9AM.