NIPOMO COMMUNITY SERVICES DISTRICT

Serving the Community Since 1965

REGULAR MEETING OF THE BOARD OF DIRECTORS AGENDA

DECEMBER 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 DAN GADDIS, DIRECTOR BOB BLAIR, DIRECTOR CRAIG ARMSTRONG, 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 2012-1283 NEXT ORDINANCE 2012-118

B. SWEAR IN DIRECTORS, 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) NIPOMO CHAMBER OF COMMERCE PRESIDENT RUDY STOWELL Update Report re: solid waste service grant
 - C-2) DISTRICT UTILITIES SUPERINTENDENT Update Report re: October and November 2012 Operations Report

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- C-3) NCSD 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) APPROVE NOVEMBER 14, 2012 REGULAR BOARD MEETING MINUTES [RECOMMEND APPROVAL]
 - D-3) ADOPT RESOLUTION COMMENDING FORMER DIRECTOR MICHAEL W. WINN [RECOMMEND APPROVAL]
 - D-4) ADOPT RESOLUTION COMMENDING FORMER DIRECTOR EDWARD D. EBY [RECOMMEND APPROVAL]
- E. ADMINISTRATIVE ITEMS
 - E-1) ELECTION OF 2013 BOARD PRESIDENT AND VICE PRESIDENT [RECOMMEND DIRECTORS ELECT BOARD OFFICERS FOR 2013 CALENDAR YEAR]
 - E-2) CONSIDER SOLID WASTE RATE ADJUSTMENT REQUEST AUTHORIZE PROPOSITION 218 PROCEEDINGS TO INCREASE SOLIDWASTE RATES [RECOMMEND CONSIDER REQUESTED SOLID WASTE RATE INCREASE AND AUTHORIZE RATE INCREASE PROCEEDINGS]
 - E-3) CONSIDER CYPRESS RIDGE APPLICATION TO SLO COUNTY FOR CONDITIONAL USE PERMIT IN SUPPORT OF INCREASED RESIDENTIAL DEVELOPMENT WITHIN THE NIPOMO MESA GROUNDWATER CONSERVATION AREA [CONSIDER APPLICATION AND DIRECT STAFF]
 - E-4) CONSIDER SUPPLEMENTAL WATER ALTERNATIVES REVIEW COMMITTEE NOMINATION TO FILL SEAT VACATED BY CRAIG ARMSTRONG [CONSIDER NOMINEE AND ALTERNATE, APPOINT NEW MEMBER TO COMMITTEE]

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- E-5) APPROVE SOLICITATION OF CONSULTING SERVICES TO UPDATE THE DISTRICT'S FIVE-YEAR STRATEGIC PLAN [RECOMMEND APPROVE CIRCULATING REQUEST FOR PROPOSALS]
- E-6) CONSIDER CASH RESERVE POLICY [RECOMMEND CONSIDER FINANCE AND AUDIT COMMITTEE RECOMMENDATION ADOPT RESOLUTION ESTABLISHING A CASH RESERVE POLICY]
- 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).
 - 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 December 26, 2012 Regular Board Meeting is cancelled.
- > Next Regular Board Meeting is January 9, 2013, 9AM.