## NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

### **AGENDA**

## **JANUARY 28, 2009 AT 9AM**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, PRESIDENT

LARRY VIERHEILIG, VICE PRESIDENT

CLIFFORD TROTTER, DIRECTOR

MICHAEL WINN, DIRECTOR

ED EBY, DIRECTOR

PRINCIPAL STAFF
BRUCE BUEL, GENERAL MANAGER
LISA BOGNUDA, ASST. GENERAL MANAGER
DONNA JOHNSON, BOARD SECRETARY
JON SEITZ, GENERAL COUNSEL
PETER SEVCIK, DISTRICT ENGINEER

Mission Statement: The Nipomo Community Services District's mission is to provide the community with reliable, quality and cost-effective services.

Vision Statement: The Nipomo Community Services District's vision is to manage the resources and future growth of the community.

#### 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
  <a href="http://www.ncsd.ca.gov">http://www.ncsd.ca.gov</a>.
- 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 2009-1120 NEXT ORDINANCE 2009-111

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) MIKE NULEY OF AECOM ENGINEERING Update re: Waterline Intertie Project Design
  - C-2) NCSD SUPERINTENDENT TINA GRIETENS Update re: Utilities Division Activities
  - C-3) NCSD WATER CONSERVATION COORDINATOR CELESTE WHITLOW Update re: Water Conservation Program
  - C-4) PREVIEW 2009 ANNUAL CHIPPING EVENT
    Presentation by Celeste Whitlow re Chipping Event Schedule
  - C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest

# Nipomo Community Services District REGULAR MEETING AGENDA

C-6) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Any member of the public may give comments on the presentations and address the Board relating to any matter within the Board's jurisdiction but not on the Board's agenda or pending before the Board.

Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.

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 will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda.

The recommendations for each item are noted in brackets.

- D-1) APPROVE WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL] Approve Minutes of 1/14/08 Regular Meeting
- D-3) PREVIEW STRATEGIC PLAN PROCESS [RECOMMEND APPROVAL]
- D-4) APPROVE QUARTERLY INVESTMENT REPORT [RECOMMEND APPROVAL]
- D-5) APPROVE QUARTERLY FINANCIAL REPORT [RECOMMEND APPROVAL]

#### E. ADMINISTRATIVE ITEMS

- E-1) CONDUCT BLACKLAKE WATER RATE ADJUSTMENT PROTEST HEARING, DETERMINE SUFFICIENCY OF PROTEST, AND IF THERE IS NOT A MAJORITY PROTEST, SET FEBRUARY 11, 2009 TO CONSIDER RESOLUTION IMPLEMENTING THE RATE ADJUSTMENT [DETERMINE SUFFICIENCY & SET HEARING]
- E-2) RETAIN WALLACE GROUP TO PERFORM ADDITIONAL RESEARCH REGARDING BASIS OF ASSESSMENT FOR FUNDING CAPITAL PORTION OF WATERLINE INTERTIE PROJECT [RECOMMEND APPROVAL]
- E-3) CONSIDER ADOPTION OF RESOLUTION ESTABLISHING GUIDELINES FOR IMPLEMENTATION OF SLO COUNTY RETROFIT ORDINANCES [EDIT/ADOPT RESOLUTION]
- E-4) REVIEW PHASE 1 REPORT ON PREVENTATIVE MAINTENANCE [PROVIDE POLICY GUIDANCE]
- E-5) CONSIDER ALLSHOUSE REQUEST FOR MODIFICATION OF EXISTING INTENT-TO-SERVE LETTER [APPROVE, DENY OR CONTINUE]
- E-6) AUTHORIZE EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH SLO COUNTY RE TRANSFER OF MILLER PARK SITE TO NCSD [ADOPT RESOLUTION]

# Nipomo Community Services District REGULAR MEETING AGENDA

- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
  - 1. 1/12/08 Water Conservation Committee Meeting
  - 2. 1/12/08 Southland Upgrade Project Committee Meeting
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. CLOSED SESSION ANNOUNCEMENTS
  - 1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES).
  - 2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD (CASE NO. CV 040877), MARIA VISTA VS. NCSD (CASE NO. CV 061079), AND MARIA VISTA VS. LINDA VISTA FARMS, NCSD ET AL. (CASE NO. CV 040150);
  - 3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES VS. NCSD ET AL. (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION)
  - 4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCSD VS. COUNTY OF SAN LUIS OBISPO, ET AL (CASE NO. CV090010)
- 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 NEXT REGULAR BOARD MEETING IS FEB. 11, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:
  - o Sundale Well Conversion
  - o Fats, Oils and Grease Control Program