NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

AGENDA

MAY 13, 2009 AT 9AM

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, PRESIDENT

LARRY VIERHEILIG, VICE PRESIDENT

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 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 2009-1138 NEXT ORDINANCE 2009-113

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
 - C-1) NCSD DISTRICT ENGINEER PETER SEVCIK Update re: Project Activities in April 2009
 - C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest
 - C-3) 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.

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 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 4/22/08 Regular Meeting
 - D-3) AUTHORIZE EXECUTION OF MUTUAL ASSISTANCE AGREEMENT ENABLING MEMBERSHIP IN CALIFORNIA WATER/WASTEWATER AGENCY RESPONSE NETWORK [RECOMMEND APPROVAL]
 - D-4) APPROVAL OF THE ENGINEER'S LEVY REPORT AND DECLARATION OF INTENTION TO LEVY ANNUAL ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT #1 FOR FY2009-10 [ADOPT RESOLUTIONS]
 - D-5) AUTHORIZE SUBMITTAL OF "YES" VOTE ON PROPOSED CSDA BYLAWS AMENDMENT [RECOMMEND APPROVAL]
 - D-6) APPROVE QUARTERLY FINANCIAL STATEMENT [RECOMMEND APPROVAL]
 - D-7) APPROVE QUARTERLY INVESTMENT STATEMENT [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

- E-1) APROVE WATERLINE INTERTIE PROJECT AND AUTHORIZE FILING OF NOTICE OF DETERMINATION [ADOPT RESOLUTION]
- E-2) REVIEW PROPOSALS AND AUTHORIZE EXECUTION OF AGREEMENT WITH RATE CONSULTANT TO PREPARE 2010-2014 WATER SYSTEM FINANCIAL PLAN AND RATE STUDY [RECOMMEND APPROVAL]
- E-3) REVIEW PROPOSALS AND AUTHORIZE EXECUTION OF AGREEMENT WITH CONSTRUCTION MANAGEMENT FIRM FOR PHASE 1 OF SOUTHLAND WASTEWATER UPGRADE PROJECT [RECOMMEND APPROVAL]
- E-4) DISCUSS OPTIONS FOR REGULATION OF MUTUAL WATER COMPANIES [PROVIDE POLICY GUIDANCE]
- @ Approximately 1:30pm
- E-5) RECEIVE AND EDIT ROUGH DRAFT STRATEGIC PLAN AND SET PROCESS FOR ADOPTION [PROVIDE POLICY DIRECTION]
- E-6) AUTHORIZE PURCHASE OF CONSERVE TRACK SOFTWARE AND AMEND FY08-09 BUDGET [ADOPT RESOLUTION]
- E-7) CONSIDER REQUEST FROM PRESIDENT HARRISON TO SCREEN QUAD TANKS [PROVIDE POLICY GUIDANCE]
- E-8) CONSIDER REQUEST FROM DIRECTOR WINN TO DISCUSS VECTOR CONTROL BALLOT MEASURE [PROVIDE POLICY GUIDANCE]
 Copy of document found at www.NoNewWipTax.com

Nipomo Community Services District REGULAR MEETING AGENDA

- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
 - 1. April 20, 2009 Supplemental Water Project Committee Meeting
 - 2. May 4, 2009 Water Conservation Committee Meeting
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. CLOSED SESSION ANNOUNCEMENTS
 - CONFERENCE WITH DISTRICT LEGAL COUNSEL PENDING LITIGATION 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 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)
 - 3. 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)
 - 4. INTIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956 (ONE 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 NEXT SPECIALBOARD MEETING IS MAY 20, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o FY09-10 Budget
 - o WIP Assessment Research
- > THE FOLLOWING REGULAR BOARD MEETING IS MAY 27, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Discussion of Emergency Water Shortage Regulations
 - o Review of Miller Park Financial Plan
- > THE NEXT SPECIAL BOARD MEETING IS JUNE 3, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Interviews of prospective directors