NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

AGENDA

MAY 27, 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 2009-1143
NEXT ORDINANCE 2009-113

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
 - C-1) MIKE DI MILO OF SCIENCE DISCOVERY (@ Approximately 11:30AM) Update re: FY2008-09 Water Conservation Education Program
 - C-2) NCSD UTILITY SUPERINTENDENT TINA GRIETENS
 Update re: Utility Division Activities in April 2009
 - C-3) NCSD WATER CONSERVATION SPECIALIST CELESTE WHITLOW Update re: Water Conservation Program Activities in April 2009
 - C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest
 - C-5) 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 5/13/09 Regular and 5/20/09 Special Meeting
 - D-3) AMEND LEGAL SERVICES AGREEMENT WITH SHIPSEY AND SEITZ [RECOMMEND APPROVAL]
 - D-4) NOT USED
 - D-5) ADOPT SUPPORT POSITION FOR AB1366 PASSAGE [RECOMMEND APPROVAL]
 - D-6) RETAIN UTILITY COST MANAGEMENT TO INVESTIGATE POTENTIAL OVERPAYMENT OF DISTRICT ELECTRIC BILLS [RECOMMEND APPROVAL]
 - D-7) ADOPT OPPOSE POSITION TO GOVERNOR'S PROPOSAL TO SUSPEND PROPOSITION 1A OF 2004 RE LOCAL GOVERNMENT PROPERTY TAXES [AUTHORIZE PUBLICATION OF OPPOSITION]

E. ADMINISTRATIVE ITEMS

- E-1) AUTHORIZE SUBMITTAL OF APPLICATION TO LAFCO TO ACTIVATE LIMITED PARKS AUTHORITY AND INITIATE PROPERTY OWNER OUTREACH PROGRAM [ADOPT RESOLUTIONS]
- E-2) AUTHORIZE SUBMITTAL OF APPLICATION TO LAFCO TO ACTIVATE GRAFFITI ABATEMENT AUTHORITY [ADOPT RESOLUTION OR TAKE OTHER ACTION]
- E-3) DETERMINE VOTE POSITION ON COUNTY VECTOR CONTROL ASSESSMENT AND AUTHORIZE SUBMITTAL [RECOMMEND APPROVAL]
- E-4) APPROVE TURF REPLACEMENT PROGRAM [RECOMMEND APPROVAL]
- E-5) REVIEW CURRENT INVESTMENT POLICY AND DETERMINE FUTURE USAGE OF LAIF [PROVIDE POLICY GUIDANCE]
- E-6) RECEIVE UPDATE FROM WATER CONSERVATION COMMITTEE ON DEVELOPMENT OF EMERGENCY WATER SHORTAGE REGULATIONS [RECEIVE UPDATE]
- E-7) ESTABLISH POSITION ON SLO COUNTY PUBLIC WORKS PROPOSAL QUIT CLAIM PROPERTIES IN SANTA MARIA RIVER CHANNEL TO SANTA BARBARA COUNTY [DEVELOP POSITION AND AUTHORIZE SUBMITTAL]

Nipomo Community Services District REGULAR MEETING AGENDA

- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
 - 1. May 18, 2009 Infrastructure Project Committee Meeting
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- 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).
 - 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. ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54957
- 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 FOLLOWING REGULAR BOARD MEETING IS JUNE 10, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Discussion of Emergency Water Shortage Regulations
 - o FY09-10 Budget
 - o Southland WWTF Upgrade Project Environmental Scoping
- > THE NEXT SPECIAL BOARD MEETING IS JUNE 3, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Interviews of prospective directors