

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

AGENDA

JULY 8, 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**
BILL NELSON, **DIRECTOR**

PRINCIPAL STAFF

BRUCE BUEL, **GENERAL MANAGER**
LISA BOGNUA, **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.
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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 {[NCS.D.CA.GOV](http://www.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.
- Please silence all cell phones during the meeting, as a courtesy to others.

A. CALL TO ORDER AND FLAG SALUTE	NEXT RESOLUTION	2009-1152
	NEXT ORDINANCE	2009-113

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) DISTRICT ENGINEER PETER SEVCIK
Update re: June Engineering Activities

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. **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]

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- D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Approve Minutes of 6/24/09 Regular Meeting
- D-3) AUTHORIZE RETENTION OF TWO UTILITY OPERATORS [APPROVE RECOMMENDATION]

NOTE: THE BOARD OF DIRECTORS WILL ADJOURN THE MEETING FROM 11:45AM TO 1:15PM TO PARTICIPATE IN THE PUBLIC CALFIRE RIBBON-CUTTING CEREMONY AT 450 PIONEER AVENUE, NIPOMO.

E. ADMINISTRATIVE ITEMS

- E-1) PROTEST HEARING – RECEIVE PROTESTS AND PUBLIC COMMENTS RELATIVE TO FORMATION OF PARK ZONE OF BENEFIT, DETERMINE SUFFICIENCY OF PROTEST, AND IF THERE IS NO MAJORITY PROTEST ADOPT ZONE OF BENEFIT [ADOPT RESOLUTION]
- E-2) CONSIDER PARK INITIAL STUDY AND MAKE ENVIRONMENTAL DETERMINATION [AUTHORIZE CIRCULATION OF NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION OR TAKE ALTERNATE ACTION]
- E-3) APPROVE PHASE 1 WILLOW ROAD WATERLINE PROJECT AND RELEASE DEPOSIT TO COUNTY [RECOMMEND APPROVAL]
- E-4) CONSIDER REQUEST FROM OTNA TO ASSIST IN INSTALLATION AND REMOVAL OF OLDE TOWNE BANNERS AND FLAGS [PROVIDE POLICY GUIDANCE]
- E-5) DISCUSS WELL LEVEL MONITORING AND REPORTING [PROVIDE POLICY GUIDANCE]
- E-6) VOTE FOR ELECTION OF UP TO FOUR CANDIDATES TO FILL VACANT SEATS ON THE SDRMA BOARD OF DIRECTORS [ADOPT RESOLUTION]
- E-7) CONSIDER PRESIDENT HARRISON'S REQUEST TO SPONSOR SUSTAINABLE COMMUNITIES WORKSHOP [PROVIDE POLICY GUIDANCE]

F. MANAGER'S REPORT

G. COMMITTEE REPORT

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

I. CLOSED SESSION ANNOUNCEMENTS

- 1. 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).

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2. 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 FOLLOWING REGULAR BOARD MEETING IS JULY 22, 2009
TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Public Facilities Corporation Annual Meeting
- Adopt Strategic Plan