

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

AGENDA

SEPTEMBER 9, 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 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.
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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 {[NCSD.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. 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	2009-1158
	NEXT ORDINANCE	2009-113

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) NCS D STAFF MEMBERS TINA GRIETENS AND PETER SEVCIK
Update re: Fire at Sundale Well, Production Limits & Need for Customer Help

C-2) NCS D DISTRICT ENGINEER PETER SEVCIK
Update re: August 2009 Activities

C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
Receive Announcements from Directors Items of District & Community Interest

C-4) 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.**

**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 8/26/09 Regular Meeting

D-3) EXTEND SCIENCE DISCOVERY EDUCATION OUTREACH AGREEMENT
[AUTHORIZE EXECUTION]

D-4) APPROVE TRANSFER OF FUNDS FOR BACKHOE PURCHASE [ADOPT
RESOLUTION]

D-5) AMEND UTILITY WORKER JOB DESCRIPTION TO REQUIRE D-1 CERTIFICATION
[ADOPT RESOLUTION]

D-6) RETAIN THE WALLACE GROUP TO PREPARE FINAL ASSESSMENT REPORT FOR
MILLER PARK ASSESSMENT DISTRICT [AUTHORIZE CONTRACT EXECUTION]

D-7) AUTHORIZE PAYMENT OF YR 2000 INVOICE FOR ARCHEOLOGICAL SERVICES
[AUTHORIZE PAYMENT]

E. ADMINISTRATIVE ITEMS

E-1) PUBLIC HEARING – CONSIDER KENGEL INTENT-TO-SERVE APPLICATION FOR
WATER AND SEWER SERVICE FOR MULTI-FAMILY APARTMENT COMPLEX ON
BLUME STREET SOUTH OF WEST TEFFT STREET [APROVE, DENY OR CONTINUE]

E-2) REVIEW PRELIMINARY ASSESSMENT RESEARCH FOR PARTNER PURVEYORS
FOR WIP CONSTRUCTION FUNDING [PROVIDE POLICY GUIDANCE]

E-3) DISCUSS ORDINANCE ESTABLISHING VOLUNTARY EMERGENCY WATER
SHORTAGE REGULATIONS AND SET HEARING FOR INTRODUCTION [REVIEW AND
SET HEARING]

E-4) REVIEW AND EDIT DRAFT AMENDMENTS TO ALLOCATION PROGRAM AND
DRAFT EDITS TO INTENT-TO-SERVE PROCESS GUIDELINES AND SET DATE FOR
INTRODUCTION [EDIT AND SET DATE]

ITEMS E-5 to E-7 EXPECTED TO START AFTER 1:30PM

E-5) REVIEW DRAFT WATER FUND FINANCIAL ANALYSIS/RATE STUDY AND PROPOSE
FUTURE RATE INCREASE [PROVIDE POLICY GUIDANCE]

E-6) CONSIDER ADOPTION OF PROTEST PROCEEDING GUIDELINES [ADOPT]

E-7) DISCUSS REQUEST TO RECONSIDER POSITION ON SPHERE OF INFLUENCE
DEFINITION FOR LAFCO MUNICIPAL SERVICE REVIEW AND CONSIDER PLACING
ITEM ON SUBSEQUENT AGENDA [DETERMINE PROCESS]

F. MANAGER'S REPORT

G. COMMITTEE REPORT

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

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).
2. CONFERENCE WITH DISTRICT LEGAL COUNSEL PENDING LITIGATION GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
3. ANNUAL PERFORMANCE REVIEW OF GENERAL MANAGER PURSUANT TO GOVERNMENT CODE SECTION 54597

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 SEPT 30, 2009
TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Emergency Water Shortage Regulations
- Allocation Program Edits
- Willow Road Payment Authorization