

# NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

## AGENDA

SEPTEMBER 30, 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.

### 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. 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	2009-1161
	NEXT ORDINANCE	2009-113

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) MIKE NUNLEY OF AECOM

Update re: Waterline Intertie Project Design & Southland WWTF Upgrade Design

C-2) NCS.D DISTRICT ENGINEER PETER SEVCIK

Update re: Sundale Well Fire and Re-Build

C-3) NCS.D SUPERINTENDENT TINA GREITENS

Update re: August 2009 Activities

C-4) NCS.D WATER CONSERVATION COORDINATOR CELESTE WHITLOW

Update re: August 2009 Activities

C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST

Receive Announcements from Directors Items of District & Community Interest

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.

**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 9/09/09 Regular Meeting
  - D-3) ADOPT RESOLUTION INITIATING FORMATION OF MILLER PARK ASSESSMENT DISTRICT [ADOPT RESOLUTION]
  - D-4) AUTHORIZE DISBURSEMENT OF FUNDS FOR CONSTRUCTION OF PHASE 1 OF WILLOW ROAD WATER LINE EXTENSION [APPROVE RECOMMENDATION]
  - D-5) AWARD QUOTE FOR EXTENSION OF OFFICE ROOF [AUTHORIZE EXECUTION OF CONTRACT]
  - D-6) AUTHORIZE EXECUTION OF MOU WITH COUNTY OF SLO RE COMMUNICATION PROTOCOLS [AUTHORIZE MOU EXECUTION]
  - D-7) AMEND AGREEMENT WITH CHICAGO GRADE FOR DISPOSAL OF BIO-SOLIDS [RECOMMEND APPROVAL]
- E. ADMINISTRATIVE ITEMS
- E-1) AWARD QUOTE FOR PURCHASE OF STANDBY GENERATOR FOR SUNDALE WELL [AUTHORIZE EXECUTION OF AGREEMENT]
  - E-2) ADOPT SANITARY SEWER OVERFLOW PROGRAM COMPONENTS [ADOPT RESOLUTION AND ORDER IMPLEMENTATION]
  - E-3) INTRODUCE ORDINANCE ESTABLISHING VOLUNTARY EMERGENCY WATER SHORTAGE REGULATIONS AND SET HEARING FOR ADOPTION [SET HEARING]
  - E-4) INTRODUCE ORDINANCE AMENDING ALLOCATION PROGRAM AND INTENT-TO-SERVE PROCESS AND SET HEARING FOR ADOPTION [SET HEARING]
  - E-5) REVIEW PROPOSALS AND SELECT CONSULTANT TO PREPARE URBAN WATER MANAGEMENT PLAN UPDATE [AUTHORIZE EXECUTION OF AGREEMENT]
  - E-6) AWARD QUOTES FOR PURCHASE OF SERVICE TRUCK AND VACUUM TRUCK AND AUTHORIZE FINANCING [ADOPT RESOLUTION]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH DISTRICT LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO 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 GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
3. INSTRUCTION TO NEGOTIATORS BRUCE BUEL, JON SEITZ AND LILLIAN JEWELL PURSUANT TO GOVERNMENT CODE SECTION 54956.8 FOR PURCHASE OF EASEMENT INTEREST IN APN 090-331-005, 006 & 008 AND APN 090-341-019 (OWNER: DURLEY TRUST PROPERTY, NEGOTIATOR: TWITCHELL AND RICE)
4. CONFERENCE WITH LEGAL COUNSEL RE: ANTICIPATED LIABILITY CLAIM PURSUANT TO GC SECTION 54956.95; STEPHANIE GREEN CLAIM AGAINST NCSD
5. INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (THREE CASES)

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 OCTOBER 14, 2009  
TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Emergency Water Shortage Regulations
- Allocation Program Edits
- Miller Park Assessment Report