

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 45 - Years of Service 1965 - 2010

AGENDA

FEBRUARY 10, 2010 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

MICHAEL LEBRUN, **INTERIM GENERAL MANAGER**
LISA BOGNUDA, **ASSIST. 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.*

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| A. | CALL TO ORDER AND FLAG SALUTE | NEXT RESOLUTION | 2010-1176 |
| | | NEXT ORDINANCE | 2010-115 |
| B. | ROLL CALL | | |
| C. | PRESENTATIONS AND PUBLIC COMMENT | | |
| C-1) | SHERIFF COMMANDER BRIAN HASCALL
Update re: South County Law Enforcement Activities | | |
| C-2) | CAL FIRE BATTALION CHIEF BILL FISHER
Update re: South County Cal Fire Activities | | |
| C-3) | MIKE NUNLEY OF AECOM
Update re: Southland Wastewater Treatment Plant Upgrade | | |
| C-4) | NCS.D DISTRICT ENGINEER PETER SEVCIK
Update re: Recent Activities | | |
| C-5) | DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
Receive Announcements from Directors Items of District & Community Interest | | |

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- 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.**
- 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 at the conclusion of the Administrative Items. 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 January 27, 2010
- D-3) CONSIDER CHANGE IN BOARD MEETING SCHEDULE IN MARCH [PROVIDE DIRECTION]
- D-4) APPROVE REPLACEMENT OF SECOND GRINDER CARTRIDGE AT SOUTHLAND WASTEWATER TREATMENT FACILITY [ADOPT RESOLUTION]
- E. ADMINISTRATIVE ITEMS
- E-1) LETTER IN SUPPORT OF DANA ADOBE [REVIEW AND PROVIDE DIRECTION]
- E-2) BYLAWS REVIEW [REVIEW AND PROVIDE DIRECTION]
- E-3) APPOINT DELEGATE TO NIPOMO MESA MANAGEMENT AREA TECHNICAL GROUP [RATIFY APPOINTMENT]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
December 07, 2009 Infrastructure Committee Minutes
December 18, 2009 Water Conservation Committee Minutes
January 25, 2010 WIP Committee Minutes
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. CLOSED SESSION ANNOUNCEMENTS
1. CONFERENCE WITH LEGAL COUNSEL RE: ANTICIPATED LIABILITY CLAIM PURSUANT TO GC SECTION 54956.95; LORI FOSTER CLAIM AGAINST NCSD
 2. CONFERENCE WITH LEGAL COUNSEL RE: ANTICIPATED LIABILITY CLAIM PURSUANT TO GC SECTION 54956.95; M. SCOTT GILLESPIE CLAIM AGAINST NCSD
 3. 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)

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4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
 5. INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (1 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

➤ Next Regular Board Meeting is February 24, 2010