

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 45 - Years of Service 1965 - 2010

AGENDA

MARCH 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**} 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 2010-1178
 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

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 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 February 24, 2010
- D-3) ADOPT RESOLUTION APPROVING TEFPT STREET SEWER FACILITY AND WATER WELL EASEMENT TRANSFERS WITH SLO COUNTY [RECOMMEND APPROVAL]
- D-4) APPROVE CONTRACT FOR OTHER POST EMPLOYMENT BENEFITS (OPEB) ACTUARIAL VALUATION [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

- E-1) AECOM CONTRACT AMENDMENT FOR SOUTHLAND WWTF UPGRADE PROJECT ENGINEERING DESIGN [RECOMMEND APPROVAL]
- E-2) FUGRO CONTRACT AMENDMENT FOR PASQUINI PROPERTY HYROGEOLOGIC INVESTIGATION AGREEMENT [RECOMMEND APPROVAL]
- E-3) AUTHORIZE WILLOW ROAD EXTENSION PROJECT PHASE 1 WATERLINE EXPENDITURE [ADOPT RESOLUTION]
- E-4) AUTHORIZE AMENDMENT OF CANNON DESIGN AND CONSTRUCTION MGMT CONTRACT - WILLOW ROAD PHASE 1 WATERLINE [RECOMMEND APPROVAL]
- E-5) CONSIDER CHANGE IN BOARD MEETING SCHEDULE FOR MAY [PROVIDE DIRECTION]
- E-6) LAFCO SPHERE OF INFLUENCE COMMENT LETTER [PROVIDE DIRECTION]

F. MANAGER'S REPORT

G. COMMITTEE REPORT

March 1, 2010 Finance Committee Minutes

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

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 PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD (CASE NO. CV 040877), MARIA VISTA VS. NCSD (CASE NO. CV 061079), AND MARIA VISTA VS. LINDA VISTA FARMS, NCSD ET AL. (CASE NO. CV 040150);

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
 4. 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 March 24, 2010