# NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 45 Years of Service 1965 - 2010

### **AGENDA**

# MAY 26, 2010 AT 9:00 A.M.

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 {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
  <a href="http://www.ncsd.ca.gov">http://www.ncsd.ca.gov</a>.
- 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 2010-1188 NEXT ORDINANCE 2010-115

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) MIKE NUNLEY OF AECOM Update re: Waterline Intertie Project
  - C-2) NCSD SUPERINTENDENT TINA GRIETENS Update recent Operations 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 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 May 12, 2010
    Approve Minutes of May 19, 2010
  - D-3) ADOPT RESOLUTION SETTING BIENNIAL ELECTIONS [ADOPT RESOLUTION]
- E. ADMINISTRATIVE ITEMS
  - E-1) DANA ADOBE FACILITIES AND WATER SERVICE REVIEW [DIRECT STAFF]
  - E-2) RETAIN WALLACE GROUP TO PREPARE SOURCE CONTROL NEEDS ASSESSMENT FOR THE DISTRICT'S SOUTHLAND WASTEWATER TREATMENT FACILITY SERVICE AREA FOR THE AMOUNT OF \$9822 [RECOMMEND APPROVAL].
  - E-3) CSDA BOARD CALL FOR NOMINATIONS [CONSIDER, DIRECT STAFF]

### The following item (E-4) will be considered at approximately 1:00 P.M.

- E-4) FEE COLLECTION POLICY REVIEW DRAFT ORDINANCE [RECOMMEND DIRECT STAFF]
- E-5) REVIEW FRONTAGE ROAD TRUNK SEWER CONSTRUCTION TIMELINE [RECOMMEND RECEIVE REPORT AND PROVIDE POLICY DIRECTION]
- E-6) LAFCO SPECIAL DISTRICT BALLOT [CONSIDER, DIRECT STAFF]
- E-7) STATUS UPDATE ON MAY 20, 2010, LOCAL AGENCY FORMATION COMMISSION MEETING REGARDING THE DISTRICT'S SPHERE OF INFLUENCE, MUNICIPAL SERVICE REVIEW AND COUNTY DISTRICT MOA REGARDING SERVICE WITH THE SOI [RECEIVE STAFF PRESENTATION, DIRECT STAFF]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- 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);
  - 3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)

## Nipomo Community Services District REGULAR MEETING AGENDA

- 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 June 9, 2010