NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 45 Years of Service 1965 - 2010

AGENDA

JUNE 9, 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
DON SPAGNOLO, 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
 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 2010-1189
NEXT ORDINANCE 2010-115

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
 - C-1) SHERIFF COMMANDER
 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) NCSD 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 May 26, 2010

E. ADMINISTRATIVE ITEMS

- E-1) INTRODUCE, EDIT & READ BY TITLE ORDINANCE PROVIDING FOR PHASING OF CAPACITY CHARGE PAYMENTS [COMPLETE 1st READING & SET SECOND READING]
- E-2) PUBLIC HEARING AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES [CONDUCT HEARING AND CONFIRM OR AMEND GENERAL MANAGER'S REPORT]
- E-3) PUBLIC/PROTEST HEARING AUTHORIZE COLLECTION OF FY2010-11 BLACKLAKE STREET LIGHT DISTRICT ASSESSMENTS [CONDUCT PROTEST HEARING AND CONFIRM OR AMEND GENERAL MANGER'S REPORT]
- E-4) PUBLIC/PROTEST HEARING AUTHORIZE COLLECTION OF FY2009-10 LANDSCAPE MAINTENANCE ZONE #1 ASSESSMENTS [CONDUCT PROTEST HEARING AND CONFIRM OR AMEND GENERAL MANAGER'S REPORT]
- E-5) PUBLIC HEARING REVIEW FY2010-11 BUDGET [ORDER EDITS FOR CONSIDERATION AND ADOPTION OF BUDGET AT 6/23/09 MEETING]
- E-6) AWARD CONTRACT FOR SHOP STORAGE BUILDING [REVIEW STAFF RECOMMENDATION, AWARD CONTRACT]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT

May 17, 2010 Southland Upgrade Committee May 24, 2010 WIP Committee

- 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. ANNUAL PERFORMANCE REVIEW OF DISTRICT LEGAL COUNSEL PERSUANT TO GOVERNMENT CODE SECTION 54957
- 5. INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956 (ONE 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 June 23, 2010