NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 45 Years of Service 1965 - 2010

AGENDA

JUNE 23, 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

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 2010-1192 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-1) APPROVE WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL] Approve Minutes of June 9, 2010
- E. ADMINISTRATIVE ITEMS
 - E-1) SECOND READING AND ADOPTION OF ORDINANCE PROVIDING FOR PHASING OF CAPACITY CHARGE PAYMENTS FOR CERTAIN RESIDENTIAL AND COMMERECIAL DEVELOPMENTS [ADPOT AMD PUBLISH]
 - E-2) PUBLIC HEARING ADOPT FY 2010-11 BUDGET [APPROVE]
 - E-3) REVIEW AND APPROVAL OF THE MEMORANDUM OF AGREEMENT BETWEEN THE NIPOMO COMMUNITY SERVICES DISTRICT AND THE COUNTY OF SAN LUIS OBISPO REGARDING THE NCSD'S SPHERE OF INFLUENCE [REVIEW AND APPROVE THE MEMORENDUM OF AGREEMENT]
 - E-4) CONSIDER CHANGE IN BOARD MEETING SCHEDULE IN JULY [PROVIDE DIRECTION TO STAFF]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
- 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);
 - 3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
- 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 July 14, 2010