

# NIPOMO COMMUNITY SERVICES DISTRICT

*Celebrating 45 Years of Service 1965 - 2010*

## AGENDA

SEPTEMBER 8, 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**  
MERRIE WALLRAVIN, **SECRETARY/CLERK**  
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](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.*

A. CALL TO ORDER AND FLAG SALUTE	NEXT RESOLUTION	2010-1199
	NEXT ORDINANCE	2010-116

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) SHERIFF COMMANDER KEN CONWAY

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.**

- 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) WARRANTS [RECOMMEND APPROVAL]

D-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]

- AUGUST 25, 2010 REGULAR BOARD MEETING
- AUGUST 20, 2010 STUDY SESSION

D-3) CONTRACT WITH SAN LUIS OBISPO COUNTY FOR CROSS CONNECTION CONTROL INSPECTION [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER AECOM CONTRACT AMENDMENT #3 FOR THE SOUTHLAND WWTF PHASE 1 IMPROVEMENT PROJECT [RECOMMEND APPROVAL]

E-2) CONSIDER MODIFICATION TO GROUNDWATER CONSULTING CONTRACT WITH SAIC [APPROVE STAFF RECOMMENDATION FOR TASK ORDER 220 AND 300 AND PROVIDE DIRECTION AS TO TASK ORDER 100]

**ITEM E-3 IS EXPECTED TO START AFTER 1:00 PM**

E-3) CONSIDER DRAFT WATER RATE STRUCTURE [RECEIVE REPORT AND PROVIDE DIRECTION TO STAFF]

E-4) CONSIDER USE OF SOLAR ELECTRICITY GENERATION [RECEIVE REPORT AND PROVIDE DIRECTION TO STAFF]

E-5) CONSIDER UPDATED PURCHASING POLICY [RECEIVE REPORT AND PROVIDE DIRECTION TO STAFF]

E-6) CONSIDER ESTABLISHING FEES FOR PROCESSING APPLICATIONS FOR DEFERRAL OF DISTRICT CONNECTION CHARGES [ADOPT RESOLUTION]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORT

September 7, 2010 Southland Upgrade Committee

H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

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 September 22, 2010**
- **Future Agenda Items**