

# NIPOMO COMMUNITY SERVICES DISTRICT

*Celebrating 45 Years of Service 1965 - 2010*

## AGENDA

**OCTOBER 27, 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  
TINA GRIETENS, FACILITIES SUPERINTENDENT

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](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 2010-1200

NEXT ORDINANCE 2010-116

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) MIKE NUNLEY OF AECOM

Update re: Waterline Intertie Project

C-2) NCS.D 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) WARRANTS [RECOMMEND APPROVAL]

D-2) BOARD MEETING MINUTES OF OCTOBER 13, 2010 [RECOMMEND APPROVAL]

D-3) CANCELLATION OF NOVEMBER 24, 2010 BOARD MEETING [RECOMMEND APPROVAL]

D-4) INVESTMENT POLICY – THIRD QUARTER REPORT [RECOMMEND APPROVAL]

D-5) WITHHOLD PUBLICATION OF PROPOSITION 218 NOTICE [RECOMMEND WITHHOLDING PUBLICATION OF THE NOTICE]

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER CONTRACT AMENDMENT FOR DOUG WOOD AND ASSOCIATES FOR THE SOUTHLAND WWTF PROJECT [RECOMMEND APPROVAL]

E-2) CONSIDER CONTRACT AMENDMENT FOR WATER SYSTEM CONSULTANTS FOR THE URBAN WATER MANAGEMENT PLAN [RECOMMEND APPROVAL]

E-3) CONSIDER DRAFT URBAN WATER MANAGEMENT PLAN UPDATE [APPROVE CIRCULATION OF DRAFT PLAN UPDATE ]

E-4) CONSIDER CONTRACT WITH SCIENCE DISCOVERY [RECOMMEND APPROVAL]

E-5) CONSIDER LOCAL AGENCY FORMATION COMMISSION REQUEST FOR NOMINATIONS [SELECT NOMINEE AND DIRECT STAFF TO SUBMIT TO LAFCO]

F. GENERAL MANAGER'S REPORT

G. COMMITTEE REPORTS

H. DIRECTOR'S 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 RE: 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)

4. PUBLIC EMPLOYEE EVALUATION (GOVERNMENT CODE SECTION 54957(B)): GENERAL MANAGER PURSUANT TO CONTRACT

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

- I. PUBLIC COMMENT ON CLOSED SESSION
- J. ADJOURN TO CLOSED SESSION
- K. OPEN SESSION  
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

- Next Regular Board Meeting is November 10, 2010
- Future Agenda Items