### NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 45 Years of Service 1965 - 2010

# RESCHEDULED REGULAR MEETING AGENDA DECEMBER 15, 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

DAN GADDIS, DIRECTOR

PRINCIPAL STAFF
MICHAEL LEBRUN, INTERIM GENERAL MANAGER
LISA BOGNUDA, ASSIST GM/FINANCE DIRECTOR
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} 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 NEXT ORDINANCE 2010-1204 2010-116

- B. SWEAR IN DIRECTORS AND ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) INTRODUCTION OF INTERIM GENERAL MANAGER MICHAEL LEBRUN
  - C-2) SHERIFF COMMANDER KEN CONWAY
    Update re: South County Law Enforcement Activities
  - C-3) CAL FIRE BATTALION CHIEF BILL FISHER Update re: South County Cal Fire Activities
  - C-4) MIKE NUNLEY OF AECOM
    Update re: Southland Wastewater Treatment Plant Upgrade
  - C-5) NCSD DISTRICT ENGINEER PETER SEVCIK
    Update re: Recent Activities
  - C-6) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest
  - C-7) 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.

Copy of document found at www.NoNewWipTax.com

### Nipomo Community Services District RESCHEDULED 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 DECEMBER 1, 2010 [RECOMMEND APPROVAL]
  - D-3) APPROVE WAGNER & BONSIGNORE TASK ORDER BUDGETS FOR 2011 CONSULTING SERVICES AS FOLLOWS:
    - TASK ORDER 100 GENERAL CONSULTATION NOT-TO-EXCEED \$10,000
    - TASK ORDER 200 SANTA MARIA GROUNDWATER ADJUDICATION NOT-TO-EXCEED \$80.000
    - TASK ORDER 300 OSO FLACO LAKE REPLACEMENT SERVICES NOT-TO-EXCEED \$5,000 [RECOMMEND APPROVAL]
- E. ADMINISTRATIVE ITEMS
  - E-1) CONSIDER INTENT-TO-SERVE LETTER FOR WATER AND SEWER SERVICE FOR TRACT 2441 (38 PARCELS) ON GRANDE/BLUME [RECOMMEND APPROVAL]
  - E-2) URBAN WATER MANAGEMENT PLAN UPDATE [RECEIVE REPORT AND PROVIDE DIRECTION]
  - E-3) PROPOSITION 84 GRANT APPLICATION LETTER OF INTENT TO DEVELOP MOU WITH COUNTY OF SAN LUIS OBISPO [EDIT AND APPROVE LETTER]
  - E-4) NOMINATIONS FOR SPECIAL DISTRICT SEAT ON SLO COUNTY IWMA [PROVIDE DIRECTION]
  - E-5) ELECTION OF 2011 BOARD PRESIDENT AND VICE PRESIDENT [BOARD ACTION]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORT
  Minutes from December 6, 2010 Water Conservation Committee Meeting
- H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- CLOSED SESSION ANNOUNCEMENTS
  - 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).
  - 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 RESCHEDULED REGULAR MEETING AGENDA

- CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8
  - Property: Waterline Intertie Project easement: APN 118-002-095
  - · Agency Negotiator: Lillian Jewell and Jon Seitz
  - Negotiating Parties: North Preisker Ranch Limited Partnership
  - · Price and Terms of Payment
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS
  - ADJOURN TO CLOSED SESSION
- L. OPEN SESSION ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

#### **ADJOURN**

FUTURE BOARD MEETING DATES Regular Board Meeting on December 22, 2010 has been cancelled. Regular Board Meeting January 12, 2011