NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 46 Years of Service 1965 - 2011

AGENDA

JANUARY 12, 2011 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. 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} 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 2011-1203 2011-116

- 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) FIRE PREVENTION SPECIALIST, COUNTY FIRE MARSHAL PAUL LEE Fire Prevention Overview
 - 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 on 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 DECEMBER 15, 2010 [RECOMMEND APPROVAL]
 - D-3) CONFIRM BOARD MEETING SCHEDULE FOR 2011 [RECOMMEND APPROVAL]
 - D-4) ADOPT RESOLUTION EXPENDING \$505,155 IN SOLID WASTE FUNDS TO ABATE SOLID WASTE ENTERING DISTRICT SEWER TREATMENT FACILITIES [RECOMMEND APPROVAL]
 - D-5) CONSIDER PURCHASE OF WATERLINE INTERTIE EASEMENT ON APN 118-002-095 FOR \$500.00 [RECOMMEND APPROVAL]
 - D-6) RECEIVE ADMINISTRATIVE DRAFT EIR, SOUTHLAND WWTP UPGRADE COMMENTS [RECEIVE REPORT]
 - D-7) ADOPT RESOLUTION COMMENDING FORMER DIRECTOR BILL NELSON, FOR PRESENTATION AT SUBSEQUENT MEETING

E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE GROUNDWATER INDEX PRESENTATION BY BRAD NEWTON, Ph.D, PG FROM WAGNER& BONSIGNORE CONSULTING CIVIL ENGINEERS [RECEIVE PRESENTATION]
- E-2) REVIEW RURAL WATER COMPANY APPLICATION TO CALIFORNIA PUBLIC UTILITIES COMMISSION FOR EXPANDED SERVICE AREA [REVIEW AND DIRECT STAFF]
- E-3) RATIFY 2011 BOARD MEMBER COMMITTEE ASSIGNMENTS [RECOMMEND APPROVAL]
- E-4) ADOPT 2011 INVESTMENT POLICY [RECOMMEND APPROVAL]
- E-5) SCIENCE DISCOVERY PRESENTATION AND 2011 CONTRACT CONSIDERATION [RECEIVE PRESENTATION CONSIDER CONTRACT]
- F. GENERAL MANAGER'S REPORT
- G. COMMITTEE REPORT
- H. DIRECTOR'S REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- CLOSED SESSION ANNOUNCEMENTS
 - 1. CONFERENCE WHITHOUGHISTRICT WIEGALWINGOUNSEL RE: PENDING

Nipomo Community Services District REGULAR MEETING AGENDA

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)
- 4. PUBLIC EMPLOYEE APPOINTMENT (GOVERNMENT CODE §54957) Title: District General Manager.
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS
 - ADJOURN TO CLOSED SESSION
- OPEN SESSION
 ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

Next Regular Board Meeting is January 26, 2011