

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

AGENDA

DECEMBER 9, 2009 AT 9AM

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

MICHAEL LEBRUN, **INTERIM GENERAL MANAGER**
LISA BOGNUA, **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](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 1:30 p. m.*
- *Please silence all cell phones during the meeting, as a courtesy to others.*

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|------|--|-----------------|-----------|
| A. | CALL TO ORDER AND FLAG SALUTE | NEXT RESOLUTION | 2009-1171 |
| | | NEXT ORDINANCE | 2009-115 |
| B. | ROLL CALL | | |
| C. | PRESENTATIONS AND PUBLIC COMMENT | | |
| C-1) | SHERIFF COMMANDER BRIAN HASCALL | | |
| | Update re: South County Law Enforcement Activities | | |
| C-2) | CAL FIRE BATTALION CHIEF BILL FISHER | | |
| | Update re: South County Cal Fire Activities | | |

NOTE: ITEMS C-3 THROUGH C-5 WILL BE HEARD FOLLOWING ITEM E-7

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|------|---|--|--|
| C-3) | NCSD DISTRICT ENGINEER PETER SEVCIK | | |
| | Update re: Monthly Activities and Sundale Well Fire Remediation | | |
| C-4) | NCSD SUPERINTENDENT TINA GRIETENS | | |
| | Update re: Monthly Utility Division Activities | | |
| C-5) | NCSD WATER CONSERVATION COORDINATOR CELESTE WHITLOW | | |
| | Update re: Semi-Annual Performance and Monthly Outreach Activities | | |
| C-6) | DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST | | |
| | Receive Announcements from Directors Items of District & Community Interest | | |

Nipomo Community Services District
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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.**

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) APPROVE WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]

Approve Minutes of 11/13/09 Special Meeting
Approve Minutes of 11/18/09 Regular Meeting
Approve Minutes of 11/20/09 Special Meeting

D-3) APPROVE THE FIRM OF CROSBY COMPANY TO PROVIDE DISTRICT AUDIT SERVICES FOR FY 2010 TO FY 2012 IN THE AMOUNT OF \$8,000 PER YEAR [RECOMMEND APPROVAL]

D-4) NOT USED

D-5) ADOPT BUDGET AMENDMENT IN THE AMOUNT OF \$51,000 FOR GENERAL MANAGER REPLACEMENT [RECOMMEND APPROVAL]

D-6) ADOPT RESOLUTION IMPLEMENTING ELECTRICAL SAFETY POLICY [RECOMMEND APPROVAL]

NOTE: AT 11:30 A.M. THE BOARD OF DIRECTORS WILL CONSIDER ITEM E-7 –
ADOPT A RESOLUTION OF APPRECIATION TO BRUCE BUEL

E. ADMINISTRATIVE ITEMS

E-1) BRAD NEWTON, SAIC FALL GROUNDWATER LEVEL UPDATE [RECEIVE REPORT AND GIVE DIRECTION TO STAFF]

E-2) REVIEW SCOPE OF WORK AND SCHEDULE FOR URBAN WATER MANAGEMENT PLAN UPDATE BY WATER SYSTEMS CONSULTING [RECEIVE REPORT AND GIVE DIRECTION]

E-3) RECEIVE REPORT FROM GREG BURNS, VAN SCOYOC ASSOCIATES FOR LOBBYING SERVICES AND CONSIDER CONTRACT EXTENSION (RECEIVE REPORT AND GIVE DIRECTION).

E-4) RETAIN WALLACE GROUP TO IMPLEMENT FATS, OILS, AND GREASE EDUCATIONAL OUTREACH AND INSPECTION PROGRAM FOR DISTRICT SEWER SERVICE AREAS [RECOMMEND APPROVAL].

E-5) REVIEW DRAFT POLICY ON THE TRANSPORTATION OF DISTRICT PRODUCED WATER OUTSIDE NCSD BOUNDARY [PROVIDE POLICY GUIDANCE, SET HEARING FOR ADOPTION]

E-6) ELECTION OF 2010 BOARD PRESIDENT AND VICE PRESIDENT [BOARD ACTION]

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- E-7) ADOPT RESOLUTION OF APPRECIATION RECOGNIZING THE ACHIEVEMENTS AND SERVICES OF BRUCE BUEL, DISTRICT GENERAL MANAGER [RECOMMEND APPROVAL]

These items will be heard at 1:30 p.m.

- E-8) RECEIVE ENGINEER'S UPDATE FROM AECOM ON INTERTIE WATERLINE PROJECT AND SOUTHLAND WASTE WATER TREATMENT PLANT UPGRADE (RECEIVE UPDATE GIVE DIRECTION TO STAFF)

- E-9) AECOM CONTRACT AMENDMENT WATERLINE INTERTIE PROJECT DESIGN (RECEIVE REQUEST AND GIVE DIRECTION).

- E-10) AUTHORIZE EXECUTION OF WATERLINE INTERTIE CONSISTENCY REVIEW AGREEMENT WITH THE CITY OF SANTA MARIA [AUTHORIZE EXECUTION OF AGREEMENT]

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 RE: PENDING LITIGATION PURSUANT TO GC SECTION 54956.9; NCSD VS. COUNTY SLO, ET AL. (CASE #CV090010)
- 3. INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (1 CASE)

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

➤ **THE FOLLOWING SPECIAL BOARD MEETING IS DECEMBER 16, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Park Maintenance District No 1 Public Hearing

Note: December 23, 2009, Regular Board Meeting is canceled.

Next Regular Board Meeting is January 13, 2010