NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 41 - Years of Service 1965 - 2006

AGENDA

OCTOBER 25, 2006 9:00 A. M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS
LARRY VIERHEILIG, PRESIDENT
MICHAEL WINN, VICE PRESIDENT
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, DIRECTOR
ED EBY, DIRECTOR

PRINCIPAL STAFF
BRUCE BUEL, GENERAL MANAGER
LISA BOGNUDA, ASSIST. ADMINISTRATOR
DONNA JOHNSON, BOARD SECRETARY
JON SEITZ, GENERAL COUNSEL
DAN MIGLIAZZO, UTILITY SUPERVISOR

Mission Statement: The Nipomo Community Services District's mission is to provide the citizens of the District with quality, innovative, and cost-effective services through responsive and responsible local government to meet the changing needs of the community.

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 or Assistant Administrator at 805-929-1133.
- District-prepared staff reports and documents are generally posted on the District's website {Nipomocsd.com} on the same date the agenda is posted.
- 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.
 - A. CALL TO ORDER AND FLAG SALUTE

NEXT RESOLUTION 2006-997 NEXT ORDINANCE 2006-106

- B. ROLL CALL
- C. PUBLIC COMMENT PERIOD PUBLIC COMMENT

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is <u>not</u> on the Board's agenda, or pending before the Board. **Presentations are limited to three (3) minutes or otherwise at the discretion of the President.**

- C-1) LARRY KRAEMER OF CANNON RE WATER AND SEWER MASTER PLAN Presentation of Progress in Developing Master Plan
- C-2) NCSD UTILITY SUPERVISOR DAN MIGLIAZZO Presentation of Utility Department Operations
- C-3) NCSD WATER CONSERVATION SPECIALIST MADONNA DUNBAR Update of Water Conservation Activities
- C-4) NCSD ASSISTANT ADMINISTRATOR LISA BOGNUDA
 Presentation of Quarterly Financial and Investment Performance
- 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. 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] Approve minutes of October 11, 2006 Regular Meeting

Nipomo Community Services District REGULAR MEETING AGENDA

- D. CONSENT AGENDA (CONTINUED)
 - D-3) AMEND HETRICK REPLACEMENT PROJECT AGREEMENT WITH BOYLE TO ADD ENGINEERING SERVICES DURING CONSTRUCTION [RECOMMEND APPROVAL]
 - D-4) ACCEPT FIRST QUARTER FINANCIAL REPORT AND SUMMARY OF BUDGET AMENDMENTS [RECOMMEND APPROVAL]
 - D-5) ACCEPT THIRD QUARTER INVESTMENT REPORT [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE STATUS REPORT REGARDING REQUEST FROM MARIA VISTA ESTATES TO ACCEPT WATER AND SEWER IMPROVEMENTS AND TO SET WATER METERS IN TRACTS 1802 AND 1856 [RECOMMENDATION PENDING]
- E-2) AWARD BID AND AUTHORIZE EXECUTION OF CONSTRUCTION CONTRACT FOR HETRICK WATERLINE REPLACEMENT PROJECT [RECOMMEND APPROVAL]
- E-3) CONSIDER APPROVING PLANS FOR BLACKLAKE WATER PUMP STATION REBUILD AND AUTHORIZE PROCESSING OF BIDS FOR SUBSEQUENT BOARD CONSIDERATION [RECOMMEND APPROVAL]
- E-4) RECEIVE STAFF PRESENTATION ON WATER ALLOCATION AND ANNEXATION POLICY ISSUES AND SCHEDULE SPECIAL MEETING TO CONSIDER REVISIONS TO WATER ALLOCATION POLICY AND TO ANNEXATION POLICY [RECEIVE PRESENTATION AND SET MEETING]
- E-5) CONSIDER APPROVING WATER AND SEWER INTENT TO SERVE LETTER FOR 38 UNIT SUBDIVISION AT BLUME AND GRANDE [RECOMMEND APPROVAL]
- E-6) DISCUSS IMPACTS OF CALIFORNIA SUPREME COURT DECISION IN BIGHORN CASE ON DISTRICT PROCESSES [RECEIVE PRESENTATION]
- E-7) DISCUSS SELECT LEGISLATION ADOPTED BY STATE [RECEIVE PRESENTATION]
- E-8) CONSIDER OPPOSING MEASURE J ON NOVEMBER 7, 2006 BALLOT [RECOMMEND ADOPTING OPPOSE POSITION]
- E-9) RECEIVE STAFF REVIEW OF SUPPLEMENTAL WATER SUPPLY PROJECTS AND SET WORKSHOP TO RECEIVE PRESENTATION ON DESALINATION TECHNOLOGY [SCHEDULE WORKSHOP AND PROVIDE DIRECTION TO STAFF]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORTS
 - G-1) October 16, 2006, Parks Committee Meeting Minutes

Nipomo Community Services District REGULAR MEETING AGENDA

- H. DIRECTOR'S COMMENTS
- CLOSED SESSION ANNOUNCEMENTS
 - CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS NCSD SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
 - CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD CASE NO. CV 040877
 - CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION GC 54956.9 NCSD VS. COUNTY OF SAN LUIS OBISPO (SUMMIT STATION LAND USE ORDINANCE AND ENVIRONMENTAL IMPACT REPORT
 - CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; SAN LUIS OBISPO COASTKEEPER VS. NCSD (CASE NO. CV060349)
- 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 NEXT REGULAR BOARD MEETING IS NOVEMBER 8, 2006. TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Waterline Intertie Project Pre-Design Technical Memorandum
 - o FY2005-2006 Audit