## NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 42 - Years of Service 1965 - 2007

### **AGENDA**

JUNE 13, 2007 9:00 A. M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS
MICHAEL WINN, PRESIDENT
LARRY VIERHEILIG, VICE PRESIDENT
CLIFFORD TROTTER, DIRECTOR
ED EBY, DIRECTOR
JAMES HARRISON, 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 community with reliable, quality and cost-effective services.

Vision Statement: The Nipomo Community Services District's vision is to manage the resources and future growth 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 {NCSD.CA.GOV} 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.
- Please turn off any cell phone during the meeting, as a courtesy to others.
- A. CALL TO ORDER AND FLAG SALUTE

NEXT RESOLUTION 2007-1019 NEXT ORDINANCE 2007-106

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) COMMANDER BASTI OF SOUTH COUNTY SHERIFF'S OFFICE Presentation of Sheriff's Activities on the Nipomo Mesa
  - C-2) BATTALION CHIEF BILL FISHER OF CAL FIRE Presentation of CAL FIRE Activities on the Nipomo Mesa
  - 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 address and ask questions of the Board relating to any matter within the Board's jurisdiction not on the Board's agenda or pending before the Board.

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. 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 May 16, 2007, May 23, 2007 and May 30, 2007 Meetings
  - D-3) WAIVE JUNE 30, 2007, DATE LIMIT IN FAITH WATKIN'S EMPLOYMENT AGREEMENT [RECOMMEND ADOPTION]
  - D-4) AUTHORIZE "YES" VOTE ON SDRMA BYLAW CHANGE BALLOT [RECOMMEND ADOPTION]
  - D-5) CANCEL JULY 11, 2007, REGULAR BOARD MEETING [ADOPT RECOMMENDATION]

#### E. ADMINISTRATIVE ITEMS

- E-1) PUBLIC/PROTEST HEARING AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES [CONDUCT PROTEST HEARING AND CONFIRM OR AMEND GENERAL MANAGER'S REPORT]
- E-2) PUBLIC/PROTEST HEARING AUTHORIZE COLLECTION OF FY2007-08 BLACK LAKE STREET LIGHT DISTRICT ASSESSMENTS [CONDUCT PROTEST HEARING AND CONFIRM OR AMEND GENERAL MANAGER'S REPORT]
- E-3) PUBLIC/PROTEST HEARING AUTHORIZE COLLECTION OF FY2007-08 LANDSCAPE MAINTENACE ZONE #1 ASSESSMENTS [CONDUCT PROTEST HEARING AND CONFIRM OR AMEND GENERAL MANAGER'S REPORT]
- E-4) PUBLIC HEARING REVIEW FY2007-08 NCSD BUDGET [ORDER EDITS FOR CONSIDERATION AND ADOPTION OF BUDGET AT JUNE 20, 2007 BOARD MEETING]
- E-5) PUBLIC HEARING CONSIDER SECOND READING AND ADOPTION OF ORDINANCE AMENDING NCSD WATER ALLOCATION PROGRAM [RECOMMEND ADOPTION]
- E-6) REJECT WITHOUT PREJUDICE VAN WINGERDEN NURSERY ANNEXATION APPLICATION REGARDING PROPERTY AT 790 LIVE OAK RIDGE ROAD [RECOMMEND REJECTION OF APPLICATION]
- E-7) CONSIDER SCHAEFER WATER AND SEWER INTENT TO SERVE LETTER APPLICATION FOR 7-LOT SINGLE-FAMILY SUBDIVISION (TRACT 2523) AT TEJAS AND CYCLONE [RECOMMEND APPROVAL]
- E-8) AUTHORIZE AMENDMENT OF BOYLE SOUTHLAND WWTF MASTER PLAN AGREEMENT TO ADD INTERIM ENGINEERING SUPPORT SERVICES [RECOMMEND APPROVAL]

# Nipomo Community Services District REGULAR MEETING AGENDA

- E-9) AUTHORIZE EXECUTION OF AGREEMENT WITH FUGRO WEST TO EVALUATE HYDRO-GEOLOGIC IMPACTS OF DISPOSAL OF TREATED WASTEWATER AT SOUTHLAND WWTF [RECOMMEND APPROVAL]
- E-10) CONSIDER DIRECTOR TROTTER'S REQUEST TO REVIEW PROCESS FOR RETENTION OF CONSTRUCTION MANAGEMENT SERVICES [PROVIDE POLICY DIRECTION]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORTS
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- 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, 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 GOVERNMENT CODE SECTION 54956.9; NCSD VS. SLO COUNTY (CASE NO. CV 070066)
  - 4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES V. NCSD ET AL (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION
- 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 REGULAR BOARD MEETING IS JUNE 27, 2007. TENTATIVELY SCHEDULED ITEMS INCLUDE:
  - o Review Supplemental Water Project "Fatal Flaw" Analysis
  - o Award Black Lake WWTF Liner Replacement Bid
  - o Appoint Parks Citizen Advisory Sub-Committee Members
- > THE FOLLOWING SPECIAL BOARD MEETING IS JUNE 20, 2007. TENTATIVELY SCHEDULED ITEMS INCLUDE:
  - FY07-08 Budget Adoption
  - Discuss Office Maintenance Issues
  - Review Water and Sewer Master Plan Proposed Projects
     Copy of document found at www.NoNewWipTax.com