NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 42 - Years of Service 1965 - 2007

AGENDA

JULY 25, 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. GENERAL MANAGER
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 2007-1030 NEXT ORDINANCE 2007-107

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
 - C-1) MIKE NUNLEY OF BOYLE ENGINEERING
 Update on Southland Wastewater Treatment Facility Master Plan
 - C-2) NCSD UTILITY SUPERVISOR DAN MIGLIAZZO Update on District Utility Operations
 - 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 June 20, 2007; June 27, 2007; and July 2, 2007 Meetings
 - D-3) REVIEW PROCESS FOR REVIEW OF GENERAL MANAGER'S PERFORMANCE [RECOMMEND ADOPTION]
 - D-4) ENDORSE SLO COUNTY INTEGRATED REGIONAL WATER MANAGEMENT PLAN [RECOMMEND ADOPTION]
 - D-5) ACCEPT 2ND QUARTER INVESTMENT REPORT [ACCEPT REPORT]
 - D-6) AUTHORIZE RECORDATION OF QUITCLAIM DEEDS REJECTING MARIA VISTA ESTATES DRAINAGE FACILITIES [ADOPT RECOMMENDATION]
 - D-7) ACCEPT BAUR TRACT 2595 WATER AND SEWER IMPROVEMENTS AT 180 WEST PRICE STREET [ADOPT RECOMMENDATION]
 - D-8) RECEIVE STAFF'S PROPOSED POLICY RE REQUIRING APPLICANTS TO PAY FOR THE ADDITIONAL COST OF SPECIAL MEETINGS CALLED TO CONSIDER A SPECIFIC PROJECT [SET ADOPTION DATE]

E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE DRAFT PARKS SURVEY AND ORDER EDITS [ADOPT RECOMMENDATION]
- E-2) AWARD BID FOR CONSTRUCTION OF BLACK LAKE WWTF POND #3 LINER REPLACEMENT PROJECT AND ADOPT RESOLUTION AUTHORIZING LOAN FROM TOWN SEWER FUND PREDICATED ON REPAYMENT BY BLACK LAKE SEWER CUSTOMERS [ADOPT RESOLUTIONS]
- E-3) RECEIVE DRAFT COMBINED WATER SYSTEM FINANCIAL PLAN AND USER RATES EVALUATION; ORDER EDITS; AND SET WORKSHOP FOR PUBLIC FEEDBACK [ADOPT RECOMMENDATION]
- E-4) RECEIVE DRAFT TOWN SEWER SYSTEM FINANCIAL PLAN AND USER RATES EVALUATION; ORDER EDITS; AND SET WORKSHOP FOR PUBLIC FEEDBACK [ADOPT RECOMMENDATION]

Nipomo Community Services District REGULAR MEETING AGENDA

- E-5 RECEIVE DRAFT BLACK LAKE SEWER SYSTEM FINANCIAL PLAN AND USER RATES EVALUATION; ORDER EDITS; AND SET WORKSHOP FOR PUBLIC FEEDBACK [ADOPT RECOMMENDATION]
- E-6) CONSIDER REQUEST FROM DIRECTOR HARRISON TO RECONSIDER USE OF BOARD CHAMBERS BY INCORPORATION COMMITTEE [PROVIDE POLICY GUIDANCE]

Adjourn to the Nipomo Community Services District Public Facilities Corporation

ROLL CALL

Public Comment on Agenda Items

The public has the right to comment an any item on the Public Facilities Corporation Meeting Agenda. Comments are limited to three minutes or otherwise at the discretion of the President.

A. NIPOMO COMMUNITY SERVICES DISTRICT PUBLIC FACILITIES CORPORATION

Annual Meeting of the Nipomo Community Services District Public Facilities Corporation

ADJOURN TO NCSD REGULAR MEETING

- F. MANAGER'S REPORT
- G. COMMITTEE REPORTS
 - 1. 7/18/07 Parks Committee Meeting
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. CLOSED SESSION ANNOUNCEMENTS
 - 1. 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

Nipomo Community Services District REGULAR MEETING AGENDA

- 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 AUGUST 8, 2007. TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Southland WWTF Upgrade Project Geo-Hydrology Review
 - o Reduction of Solid Waste Franchise Fee
- > THE FOLLOWING SPECIAL BOARD MEETING IS AUGUST 15, 2007. TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Review of Draft Water and Sewer Master Plan