

# NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 42 - Years of Service 1965 - 2007

## AGENDA

SEPTEMBER 12, 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 BOGNUA, **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 **{[NCS.D.CA.GOV](http://NCS.D.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 2007-1039

NEXT ORDINANCE 2007-107

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) NOT USED

C-2) BATTALION CHIEF BILL FISHER OF CAL FIRE

Presentation of CAL FIRE Activities on the Nipomo Mesa

C-3) DR. BRAD NEWTON OF SAIC

Presentation of Revisions to Storage Calculations & Draft Water Emergency Triggers

C-4) MIKE NUNLEY OF BOYLE ENGINEERING CORPORATION

Updates on Supplemental Water Project & Southland WWTF Upgrade

C-5) TOM MARTIN OF SOUTH COUNTY SANITATION

Review of Clean Up Event and Respond to Questions re Recycling

C-6) PRE-VIEW OF CREEK CLEAN UP EVENT

Summarize Opportunities for Volunteers to Help

- C-7) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST  
Receive Announcements from Directors Items of District & Community Interest
- C-8) 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.**
- 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 August 15, August 22, and August 29, 2007 Meetings
- D-3) ACCEPT PACE BROS EASEMENT AND WATER AND SEWER IMPROVEMENTS ON GROVE WEST OF SOUTH OAKGLEN [ADOPT RESOLUTION]
- D-4) OPPOSE SB 619 AND AUTHORIZE SUBMITTAL OF POSTION STATEMENT [RECOMMEND ADOPTION]
- D-5) ACCEPT PEOPLES SELF HELP HOUSING WATER AND SEWER IMPROVEMENTS FOR MONTECITO VERDE UNIT III [ADOPT RESOLUTION]
- D-6) ADOPT REVISIONS TO STANDARD SPECIFICATIONS [ADOPT RESOLUTION]
- D-7) AMEND PERSONNEL POLICY TO CORRECT PERFORMANCE REVIEW FORM AND REFORMAT SECTION ON STANDBY PAY [ADOPT RESOLUTION]
- D-8) ACCEPT BEAUCHAMP WATER AND SEWER EASEMENT FOR THREE LOT SUBDIVISION OFF SOUTH OAKGLEN – CO 06-0082 [ADOPT RESOLUTION]
- D-9) AMEND NOT TO EXCEED EXPENDITURE LIMIT IN SAIC GROUNDWATER MANAGEMENT PLAN AGREEMENT [ADOPT RECOMMENDATION]
- D-10) DECLARE BLACKLAKE WATER SYSTEM BOOSTER STATION EQUIPMENT SURPLUS AND ZERO VALUE [ADOPT RECOMMENDATION]
- E. ADMINISTRATIVE ITEMS
- E-1) CONSIDER EXECUTION OF AGREEMENT WITH MARLOWE AND COMPANY TO ASSIST IN SECURING FEDERAL FUNDING FOR SUPPLEMENTAL WATER PROJECT [ADOPT RECOMMENDATION]

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

- E-2) AUTHORIZE REDUCTION IN SOLID WASTE FRANCHISE FEE TO OFFSET PROPOSED SOUTH COUNTY SANITARY COMPANY FEE INCREASE [ADOPT RESOLUTION]
- E-3) NOT USED
- E-4) AUTHORIZE EXECUTION OF AGREEMENT WITH FUGRO WEST TO IMPLEMENT PHASE II RESEARCH RE DISCHARGE OF SOUTHLAND WWTF EFFLUENT [ADOPT RECOMMENDATION]
- E-5) ACCEPT PEG MILLER'S RESIGNATION FROM PCASC AND CONSIDER SELECTION OF REPLACEMENT [ADOPT RECOMMENDATION]
  
- F. MANAGER'S REPORT
- G. COMMITTEE REPORTS
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. CLOSED SESSION ANNOUNCEMENTS
  - 1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS NCSA SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
  - 2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSA CASE NO. CV 040877, MARIA VISTA VS. NCSA CASE NO. CV 061079, AND MARIA VISTA VS. LINDA VISTA FARMS, NCSA ET AL CASE NO. CV 040150;
  - 3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES V. NCSA ET AL. (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION
  - 4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCSA VS. SLO COUNTY (CASE NO. CV 070066)
  - 5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – PROVIDE INSTRUCTIONS TO BRUCE BUEL AND JON SEITZ REGARDING NEGOTIATIONS ON PRICE AND TERMS WITH JESSE SILVA (OWNER AND NEGOTIATOR) REGARDING THE FEE TITLE PURCHASE OF APN 091-311-026 (776 MESA ROAD, NIPOMO).PURSUANT TO GOVERNMENT CODE SECTION 54956.8
  - 6. CONFERENCE WITH LABOR NEGOTIATORS – PROVIDE INSTRUCTIONS TO JON SEITZ AND MIKE WINN REGARDING NEGOTIATIONS WITH UNREPRESENTED EMPLOYEE (GENERAL MANAGER) PURSUANT TO GOVERNMENT CODE SECTION 54957.6
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS
- K. ADJOURN TO CLOSED SESSION

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

- L. OPEN SESSION
- ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION
- ADJOURN

➤ **THE NEXT REGULAR BOARD MEETING IS SEPTEMBER 26, 2007.**

**TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Review Rate Studies and Financial Plans
- Water Conservation Program Concept Review
- Emergency Water Supply Ordinance Conceptual Review