## NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 42 - Years of Service 1965 - 2007

### **AGENDA**

OCTOBER 24, 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 2007-1046 NEXT ORDINANCE 2007-107

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) GREG BURNS OF MARLOWE AND COMPANY
    Overview of Federal Funding Opportunities and Process
  - C-2) ASSISTANT GENERAL MANAGER LISA BOGNUDA Presentation of Quarterly Financial Report
  - 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 October 10, 2007 Meeting
  - D-3) ACCEPT QUARTERLY FINANCIAL REPORT [RECOMMEND APPROVAL]
  - D-4) ACCEPT QUARTERLY INVESTMENT REPORT [RECOMMEND APPROVAL]
  - D-5) AWARD BID FOR SHOP OFFICE FURNISHINGS [ADOPT RESOLUTION]
  - D-6) ACCEPT HAANPAA WATER IMPROVEMENTS AT MESA ROAD AND EASY LANE [RECOMMEND APPROVAL]

#### E. ADMINISTRATIVE ITEMS

- E-1) REVIEW EDITS TO COMBINED WATER SYSTEM FINANCIAL PLAN AND DISCUSS MERGER OF TOWN AND BLACKLAKE WATER FUNDS [CONTINUE HEARING UNTIL NOVEMBER 14, 2007]
- E-2) ACCEPT FY06-07 AUDIT [RECOMMEND APPROVAL]
- E-3) FORWARD RECOMMENDATIONS TO RWQCB RE USE OF GUADALUPE DUNES' MITIGATION FUND [ADOPT RECOMMENDATION]
- E-4) DISCUSS ARBORIST'S RECOMMENDATIONS FOR OFFICE LANDSCAPE [PROVIDE POLICY DIRECTION]
- E-5) CONSIDER BOB RUSS REQUEST TO PAY FOR GEO-HYDROLOGIC REVIEW OF WATER SUPPLY AVAILABLE ON NIPOMO HILLS PROPERTY [AUTHORIZE EXECUTION OF AGREEMENT]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORTS
  - 1. SWPD&CC Meeting of 10/8/07
  - 2. FAPC Meeting of 10/9/07
  - 3. PCAS Meeting of 10/15/07
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

# Nipomo Community Services District REGULAR MEETING AGENDA

- 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.
  - 2. 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; MARIA VISTA ESTATES V. NCSD 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; NCSD VS. SLO COUNTY (CASE NO. CV 070066)
  - 5. INITIATION OF LITIGATION PURSUANT TO SUBDIVISION (C) OF GOVERNMENT CODE SECTION 54956.95 (ONE POTENTIAL 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 NEXT REGULAR BOARD MEETING IS NOVEMBER 14, 2007. TENTATIVELY SCHEDULED ITEMS INCLUDE:
  - o Water Conservation Program
  - o Miller Park Assessment Funding Report
  - o Combined Water System Financial Plan