

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 42 - Years of Service 1965 - 2007

AGENDA

NOVEMBER 14, 2007

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**
PETER SEVCIK, **DISTRICT ENGINEER**

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 at 805-929-1133.
- District-prepared staff reports and documents are generally posted on the District's website {**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, FLAG SALUTE & ROLL CALL NEXT RESOLUTION 2007-1048
AT 8 AM NEXT ORDINANCE 2007-107

B-1. CLOSED SESSION ANNOUNCEMENTS

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (One Case)

B-2. PUBLIC COMMENTS ON CLOSED SESSION ITEM

B-3. ADJOURN TO CLOSED SESSION

B-4. CONVENE OPEN SESSION AND ANNOUNCE ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

C. PRESENTATIONS AND PUBLIC COMMENT AT APPROXIMATELY 9 AM

C-1) COMMANDER HASCALL FROM SLO 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.
- 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 24, 2007 Meeting
- D-3) AUTHORIZE EXECUTION OF AGREEMENT WITH BOYLE ENGINEERING TO UPDATE WATER AND SEWER REPLACEMENT STUDY [RECOMMEND APPROVAL]
- D-4) AMEND CAPITALIZATION POLICY PER RECOMMENDATION OF DISTRICT AUDITOR [ADOPT RESOLUTION]
- D-5) NOT USED
- D-6) ACCEPT PUHEK WATER AND SEWER IMPROVEMENTS ON BURTON STREET [ADOPT RESOLUTION]
- E. ADMINISTRATIVE ITEMS
- E-1) TENTATIVELY APPROVE TOWN AND BLACKLAKE COMBINED WATER SYSTEM FINANCIAL PLAN AND RATE STRUCTURE AND AUTHORIZE PUBLICATION OF NOTICE FOR JANUARY 23, 2008 HEARING [RECOMMEND APPROVAL]
- E-2) PROVIDE POLICY DIRECTION ON FURTHER FUTURE TIERING RATE STRUCTURE FOR COMBINED WATER SYSTEM, ADOPT WATER CONSERVATION PLAN AND AUTHORIZE IMPLEMENTATION [RECOMMEND APPROVAL]
- E-3) AUTHORIZE RECORDATION OF LIEN NOTICE ON TITLE OF LOTS WITHIN TRACT 2494 (OWNER: DLG) AT 781 W. TEFPT REGARDING OBLIGATION TO PAY CAPACITY CHARGES [RECOMMEND APPROVAL]
- E-4) PREVIEW 11/30/07 & 12/1/07 STRATEGIC PLAN WORKSHOP [NO ACTION REQUESTED]
- E-5) APPOINT REPLACEMENT MEMBER TO PARKS CITIZENS ADVISORY SUB-COMMITTEE [APPOINT NOMINEE]

**Nipomo Community Services District
REGULAR MEETING
AGENDA**

F. MANAGER'S REPORT

G. COMMITTEE REPORTS

1. PARKS COMMITTEE Meeting of 10/15/07

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 BRUCE BUEL AND JON SEITZ REGARDING NEGOTIATIONS FOR PURCHASE OF A FEE TITLE INTEREST IN APN 091-152-001 AT CALLENDER ROAD AND HWY 1 (OWNER: TOM MCGONAGILL, OWNER'S NEGOTIATOR: PAT PALANGI) PURSUANT TO SUBDIVISION OF GOVERNMENT CODE SECTION 54956.8

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 28, 2007.
TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Water and Sewer Master Plan Introduction
- Edit Reimbursement Agreement Policy