# NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

## **AGENDA**

# **MARCH 12, 2008 AT 9AM**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS
MICHAEL WINN, PRESIDENT
JAMES HARRISON, VICE PRESIDENT
CLIFFORD TROTTER, DIRECTOR
LARRY VIERHEILIG, DIRECTOR
ED EBY, 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 {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 2007-1068
  NEXT ORDINANCE 2008-108
- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) COMMANDER BRIAN HASCALL OF SLO COUNTY SHERIFF'S OFFICE Update re: Nipomo Mesa Sheriff's activities
  - C-2) BATTALION CHIEF BILL FISHER OF CAL FIRE Update re: Nipomo Mesa Cal Fire activities
  - C-3) TOM MARTIN OF SOUTH COUNTY SANITARY
    Presentation re Extension of Solid Waste Franchise Agreement
  - C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest
  - C-5) 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 but 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 2/27/08 Meeting
  - D-3) AGREE TO CONDUCT SPECIAL MEETING RE OAKGLEN PLAN AND TENTATIVE SET DATE/TIME [RECOMMEND APPROVAL]
  - D-4) ADOPT RESOLUTION RATIFYING ADOPTION OF WATER CONSERVATION PROGRAM [ADOPT RESOLUTION]
  - D-5) NOTICE OF COURT HEARING AND PROPOSED JUDGMENT (DEGROOT) [NO ACTION REQUIRED]

#### E. ADMINISTRATIVE ITEMS

- E-1) REVIEW/EDIT DRAFT ORDINANCE MERGING TOWN WATER SYSTEM WITH BLACKLAKE WATER SYSTEM AND SET SCHEDULE [RECOMMEND APPROVAL]
- E-2) AUTHORIZE SUBMITTAL OF REQUEST TO SLO COUNTY TO TRANSFER PROPERTY LOCATED AT NE CORNER OF TEFFT AND CARRILLO (COMMONLY KNOWN AS MILLER PARK) AND TO NEGOTIATE MEMORANDUM OF UNDERSTANDING [RECOMMEND APPROVAL]
- E-3) CONSIDER ADOPTION OF RESOLUTION SUSPENDING PROCESSING OF INTENT-TO-SERVE LETTERS UNTIL JUNE 11, 2008 [ADOPT RESOLUTION]
- E-4) AUTHORIZE SUBMITTAL OF COMMENTS TO SLO COUNTY REGARDING AFFORDABLE HOUSING ORDINANCES REVISED DRAFT EIR [RECOMMEND APPROVAL]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORTS
  - 1. Feb 25, 2008 Supplemental Water Project Committee Meeting
  - 2. March 3, 2008 Finance & Audit Committee Meeting
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

# Nipomo Community Services District REGULAR MEETING AGENDA

- 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; 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)
- 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 MARCH 26, 2008. TENTATIVELY SCHEDULED ITEMS INCLUDE:
  - o Revise Standard Specifications
  - o On-Site Waste Management Regulations