NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

AGENDA

MARCH 26, 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 | 2007-1071 |
|-----------------|-----------|
| NEXT ORDINANCE | 2008-108 |

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT C-1) BRAD NEWTON OF SAIC Presentations re Fall Groundwater Storage Volumes and Inter-Basin Transfers

- C-2) MIKE DIMILO OF SCIENCE DISCOVERY Presentation re Water Conservation Education Outreach Proposal
- C-3) NCSD WATER CONSERVATION COORDINATOR CELESTE WHITLOW Update re: NCSD Conservation Activities
- 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

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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 3/12/08 Meeting
 - D-3) AUTHORIZE NEGOTIATIONS WITH SOUTH COUNTY SANITARY SERVICE FOR EXTENDING SOLID WASTE FRANCHISE AGREEMENT TERM [RECOMMEND APPROVAL]
 - D-4) APPROVE 3.22% COLA FOR DISTRICT EMPLOYEES EFFECTIVE JULY 1, 2008 [RECOMMEND APPROVAL]
 - D-5) REVISE FY07-08 BUDGET [ADOPT RESOLUTION]
 - D-6) REVISE STANDARD SPECIFICATIONS [ADOPT RESOLUTION]
 - D-7) ACCEPT NESTER TRACT 2499 WATER IMPROVEMENTS AND EASEMENT [RECOMMEND APPROVAL]
- E. ADMINISTRATIVE ITEMS
 - E-1) CONSIDER REVISED WATER AND SEWER INTENT-TO-SERVE APPLICATIONS FOR HILL STREET HOTEL AND NIPOMO COMMONS COMMERCIAL PROJECTS [APPROVE, DENY OR CONTINUE APPLICATIONS]
 - E-2) REVIEW DRAFT AMENDMENTS TO RWQCB BASIN PLAN RELATIVE TO ON-SITE WASTE MANAGEMENT SYSTEMS AND AUTHORIZE COMMENTS, IF ANY [RECOMMEND APPROVAL]
 - E-3) DISCUSS OPTIONS TO MINIMIZE WASTEFUL USE OF WATER [PROVIDE POLICY GUIDANCE]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
- 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)
 - 5. CONFERENCE WITH LEGAL COUNSEL RE: INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9c (2 POTENTIAL CASES)
 - CONFERENCE WITH LEGAL COUNSEL RE: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9b (1 POTENTIAL CASE) – PAT EBY THREAT OF LEGAL ACTION TENDERED TO BOARD AT MARCH 12, 2008 BOARD MEETING
- 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 APRIL 9, 2008. TENTATIVELY SCHEDULED ITEMS INCLUDE:

- o Sanitary Sewer Overflow Submittals
- o Initiation of Landscape Maintenance District #1 Engineer's Report
- Merger of Town and Blacklake Water Systems