# NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

## **AGENDA**

## **MAY 14, 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 2007-1079
  NEXT ORDINANCE 2008-108
- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) COMMANDER HASCALL FROM SLO COUNTY SHERIFF'S OFFICE Update re: Sheriff's Activities on the Nipomo Mesa
  - C-2) BATTALION CHIEF BILL FISHER OF CAL FIRE Update re: CAL FIRE activities on the Nipomo Mesa
  - C-3) NCSD DISTRICT ENGINEER PETER SEVCIK Update re: NCSD Engineering 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 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 4/30/08 Meeting
  - D-3) APPROVE 2008-09 ENGINEER'S REPORT FOR LANDSCAPE MAINTENANCE DISTRICT #1 [ADOPT RESOLUTION]
  - D-4) ADOPT FIRE SAFETY POLICY [ADOPT RESOLUTION]
  - D-5) RETAIN SCIENCE DISCOVERY TO IMPLEMENT 2008-09 WATER CONSERVATION CLASSROOM EDUCATION PROGRAM [RECOMMEND APPROVAL]

#### E. ADMINISTRATIVE ITEMS

- E-1) ADOPT FINAL REPORT ESTABLISHING BLACKLAKE WATER FUND EQUITY BUY-IN, ADOPT RESOLUTION TENTATIVELY APPROVING BLACKLAKE WATER RATE INCREASE, AND INTRODUCE ORDINANCE MERGING BLACKLAKE AND TOWN WATER DIVISIONS [ADOPT RESOLUTION]
- E-2) ADOPT ORDINANCE AMENDING MAXIMUM TERM FOR SOLID WASTE FRANCHISE AGREEMENT FROM 10 YEARS TO 15 YEARS [ADOPT ORDINANCE]
- E-3) CONSIDER DIRECTOR VIERHEILIG REQUEST TO REVIEW STANDARD SPECIFICATIONS LOOPING REQUIREMENT [PROVIDE POLICY GUIDANCE]
- E-4) CONSIDER REQUESTING AMENDMENT OF CSA 1A AGREEMENT TO ADD LATHRUP MIXED-USE PROJECT AT HAZEL & DIVISION [RECOMMEND APPROVAL]
- E-5) CONSIDER VILLAGE AT NIPOMO VARIANCE APPLICATION REGARDING OMISSION OF WATER VALVE CANS [APPROVE, DENY OR CONTINUE]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
  - 1. April 29, 2008 Finance and Audit Committee Meeting
  - 2. May 5, 2008 Southland WWTF Upgrade Project 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)
  - 5. ANNUAL PERFORMANCE EVALUATION OF DISTRICT LEGAL COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54957
- 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 MAY 28, 2008. TENTATIVELY SCHEDULED ITEMS INCLUDE:
  - o SCSS Franchise Agreement
- > THE NEXT SPECIAL BOARD MEETING IS MAY 21, 2008. TENTATIVELY SCHEDULED ITEMS INCLUDE:
  - o FY08-09 Budget Workshop