NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

AGENDA

JULY 23, 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 silence all cell phones during the meeting, as a courtesy to others.

A. CALL TO ORDER AND FLAG SALUTE NEXT RESOLUTION 2007-1097 NEXT ORDINANCE 2008-110

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
 - C-1) NCSD UTILITY SUPERINTENDENT TINA GRIETENS Update re: Utility Department Activities
 - C-2) NCSD WATER CONSERVATION COORDINATOR CELESTE WHITLOW Update re: Water Conservation Activities and Chipping Event
 - 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 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 7/9/08 Regular Meeting
 - D-3) ADOPT HAZARD COMMUNICATIONS POLICY [ADOPT RESOLUTION]
 - D-4) ACKNOWLEDGE EXECUTION OF HAMNER-JEWELL AGREEMENT FOR PROPERTY NEGOTIATION SERVICES [NO ACTION REQUIRED]
 - D-5) ACKNOWLEDGE EXECUTION OF REEDER, GILMAN & MILLION AGREEMENT FOR APPRAISAL SERVICES [NO ACTION REQUIRED]
 - D-6) APPROVE TASK ORDER WITH GARING AND TAYLOR FOR PEER REVIEW PANEL SERVICES [RECOMMEND ADOPTION]
 - D-7) APPROVE TASK ORDER AGREEMENT WITH PAUL KARP FOR PEER REVIEW PANEL SERVICES[RECOMMEND APPROVAL]
 - D-8) ACCEPT SECOND QUARTER INVESTMENT REPORT [ACCEPT REPORT]

E. ADMINISTRATIVE ITEMS

- E-1) PROTEST HEARING RECEIVE BLACKLAKE WATER RATE ADJUSTMENT PROTESTS; DIRECT SECRETARY TO TABULATE PROTESTS; PROVIDE POLICY GUIDANCE AND CONTINUE ITEM TO 8/13/08 BOARD MEETING [PROVIDE POLICY GUIDANCE]
- E-2) SCOPING HEARING RECEIVE FEEDBACK ON SCOPE FOR WATERLINE INTERTIE PROJECT EIR [RECEIVE FEEDBACK]
- E-3) REVIEW CURRENT DISTRICT CODE SECTION REGARDING EMERGENCY WATER SHORTAGE STAGES [SUSPEND CODE SECTION 3.24 OR TAKE OTHER ACTION]

ADJOURN TO NCSD PUBLIC FACILITIES CORPORATION

ROLL CALL

Public Comment on Agenda Items

A. NCSD PUBLIC FACILITIES CORPORATION ANNUAL MEETING Approve 2007 Minutes and Provide Policy Guidance re 2009 Financings

ADJOURN TO NCSD - REGULAR MEETING

Nipomo Community Services District REGULAR MEETING AGENDA

- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- 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 VS. NCSD ET AL. (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION)
- 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 AUGUST 13, 2008. TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Blacklake Sewer Fund Financial Report
 - o Supplemental Water Capacity Charges