# NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

## **AGENDA**

# **AUGUST 27, 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, FINANCE DIRECTOR
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.
- Any writing or document pertaining to an open session item on this agenda which is distributed to a
  majority of the Board of Directors after the posting of this agenda will be available for public
  inspection at the time the subject writing or document is distributed. The writing or document will
  be available for public review in the District Secretary's Office, 148 S. Wilson, Nipomo, CA, during
  normal business hours, and may be posted on the District's web site at http://www.ncsd.ca.gov.
- 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 2007-1099
  NEXT ORDINANCE 2008-109
- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
  - C-1) NCSD UTILITY SUPERINTENDENT TINA GRIETENS
    Update re: Utility Department Operations & New Employees
  - C-2) WATER CONSERVATION COORDINATOR CELESTE WHITLOW Update re: Water Conservation Activities & Program Kickoff
  - C-3) MIKE NUNLEY OF BOYLE ENGINEERING
    Update re: Waterline Intertie Project Final Design
  - C-4) MALCOLM MCEWEN OF BOYLE ENGINEERING
    Presentation re Town & Blacklake Water and Sewer Replacement Study
  - C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest

# Nipomo Community Services District REGULAR MEETING AGENDA

C-6) 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.

- 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 8/13/08 Regular Meeting
  - D-3) ADOPT RESOLUTION ADDING POLICY REGARDING LATERAL TRANSFERS TO PERSONNEL POLICY [ADOPT RESOLUTION]
  - D-4) REQUEST SLO COUNTY NOT TO HOLD 11/4/08 NCSD ELECTION [ADOPT RESOLUTION]
  - D-5) RATIFY EXECUTION OF TASK ORDER FOR CANNON TO PERFORM PHASE 1 WILLOW ROAD DESIGN SERVICES [RECOMMEND APPROVAL]
  - D-6) DIRECT STAFF TO INCLUDE A FISCAL STATEMENT TO ALL SUBSEQUENT ADMINISTRATIVE ITEM BOARD LETTERS [RECOMMEND APPROVAL]

#### E. ADMINISTRATIVE ITEMS

- E-1) APPROVE PHASING OF SOUTHLAND WWTF UPGRADE PROJECT AND AMEND AGREEMENT WITH BOYLE ENGINEERING TO COMPARE WASTEWATER DISPOSAL OPTIONS [APPROVE RECOMMENDATION]
- E-2) DISCUSS POTENTIAL REVISIONS TO NCSD CODE AND STANDARD SPECIFICATIONS REGARDING NEW COUNTY REQUIREMENTS FOR FIRE SPRINKLERS IN NEW DEVELOPMENT [PROVIDE POLICY GUIDANCE]
- E-3) PUBLIC HEARING ADOPTION OF REIMBURSEMENT AGREEMENT FOR INSTALLATION OF HONEY GROVE WATER AND SEWER IMPROVEMENTS [ADOPT RESOLUTION]
- E-4) AUTHORIZE EXECUTION OF AGREEMENT WITH MNS ENGINEERS FOR PHASE 1
  OF WATERLINE INTERTIE PROJECT CONSTRUCTION MANAGEMENT SERVICES
  [RECOMMEND APPROVAL OR PROVIDE POLICY GUIDANCE]
- E-5) AUTHORIZE EXECUTION OF 15-YEAR SOLID WASTE DISPOSAL FRANCHISE AGREEMENT WITH SOUTH COUNTY SANITARY SERVICE [RECOMMEND APPROVAL]

### Nipomo Community Services District REGULAR MEETING AGENDA

- E-6) DISCUSS NEGATIVE FUND BALANCE IN BLACKLAKE SEWER FUND AND AUTHORIZE DEVELOPMENT OF INTERFUND LOAN PROCESS [RECOMMEND APPROVAL]
- E-7) LIMIT PRODUCTION OF BLACKLAKE WELLS #3 AND #4 TO CORRESPOND TO BLACKLAKE WATER DIVISION DEMANDS [PROVIDE POLICY DIRECTION]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
  - 1. 8/8/08 Finance and Audit Committee Meeting
  - 2. 8/11/08 Supplemental Water Project Committee Meeting
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS.
- CLOSED SESSION ANNOUNCEMENTS
  - CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES).
  - 2. 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)
  - 4. INITIATION OF LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9C (1 CASE)
  - 5. PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE SECTION 54957 GENERAL MANAGER ANNUAL REVIEW
- 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 SEPT. 10, 2008. TENTATIVELY SCHEDULED ITEMS INCLUDE:
  - o Revisions to Town Capacity Charges
  - o Set Blacklake Sewer User Fee Increase Protest Hearing
  - o Comment on County Water Fixture Retrofit Proposals