NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

AGENDA

SEPTEMBER 24, 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/ASST GM
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 2007-1103 NEXT ORDINANCE 2008-109
- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
 - C-1) NCSD UTILITY SUPERINTENDENT TINA GRIETENS
 Update re: Utility Department Operations
 - C-2) WATER CONSERVATION COORDINATOR CELESTE WHITLOW Update re: Water Conservation Activities
 - C-3) MIKE NUNLEY OF BOYLE ENGINEERING
 Update re: Waterline Intertie Project Final Design
 - C-4) DISTRICT COUNSEL JON SEITZ

 Presentation re California Supreme Court Decision on Assessment Funding
 - 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 9/10/08 Regular Meeting
 - D-3) ADOPT HEARING PROTECTION SAFETY POLICY [ADOPT RESOLUTION]
 - D-4) AWARD BID FOR PURCHASE OF TWO NEW PICK-UP TRUCKS [AWARD BID AND AUTHORIZE PURCHASE]
 - D-5) EXTEND TERM OF HOLLOWAY OUTSIDE-USER AGREEMENT [RECOMMEND APPROVAL]
 - D-6) APPROVE PROPOSED POLICY REGARDING ABANDONMENT-IN-PLACE OF ASBESTOS-CEMENT WATER MAINS [RECOMMEND APPROVAL]
 - D-7) EXTEND TERM OF GENERAL MANAGER'S EMPLOYMENT AGREEMENT [AUTHORIZE EXECUTION OF AMENDMENT TO AGREEMENT]

E. ADMINISTRATIVE ITEMS

- E-1) CONSIDER OPTIONS TO REDUCE FUTURE WATER PRESSURE TO CUSTOMERS IN SOUTHERN AREA AND AUTHORIZE BOYLE TO INCLUDE CHANGES IN WIP DESIGN [APPROVE RECOMMENDATION OR TAKE ALTERNATE ACTION]
- E-2 CONSIDER OPTIONS TO PAY FOR WATERLINE INTERTIE PROJECT DEBT SERVICE [APPROVE RECOMMENDATION OR TAKE ALTERNATE ACTION]
- E-3) AUTHORIZE COMMENTS ON STATE RECHARGE REGULATIONS [PROVIDE POLICY GUIDANCE]
- E-4) ADOPT RESOLUTION FORMALIZING BLACKLAKE SEWER FUND LOAN TO TRACK INTEREST OWED TO BLACKLAKE WATER FUND [ADOPT RESOLUTION]
- E-5) TERMINATE STREET SWEEPING AGREEMENT BASED ON PROVISION OF SERVICE BY SLO COUNTY [RECOMMEND APPROVAL OR PROVIDE POLICY GUIDANCE]

Nipomo Community Services District REGULAR MEETING AGENDA

- E-6) CONSIDER OPTIONS TO ADDRESS OFFICE STRUCTURAL PROBLEMS [RECOMMEND APPROVAL]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
 - 1. 9/8/08 Water Conservation Committee Meeting
 - 2. 9/8/08 Supplemental Water Project Committee Meeting
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS
- I. 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)
- 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 OCT. 8, 2008. TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Provision of Water Service to Blacklake
 - o Salts Management