NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

AGENDA

OCTOBER 22, 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 2007-1106 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) MIKE NUNLEY OF BOYLE ENGINEERING
 Update re: Waterline Intertie Project Final Design
 - C-3) NCSD GENERAL MANAGER BRUCE BUEL
 Presentation re 2008 State Legislation Adopted and Rejected
 - C-4) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST Receive Announcements from Directors Items of District & Community Interest

Nipomo Community Services District REGULAR MEETING AGENDA

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.

- 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) NOT USED
 - D-4) ACCEPT QUARTERLY INVESTMENT REPORT [RECOMMEND APPROVAL]
 - D-5) ACCEPT PHASE II CARRIAGE HOMES (TRACT 1747) WATER AND SEWER IMPROVEMENTS AND EASEMENTS [ADOPT RESOLUTION]
 - D-6) ACCEPT DAVID WATER SYSTEM IMPROVEMENTS ON EVERGREEN WAY [RECOMMEND APPROVAL]
 - D-7) AUTHORIZE SUBMITTAL OF LETTER TO CPUC SUPPORTING PROPOSED REVISION TO GOLDEN STATE WATER COMPANY'S RATE STRUCTURE [RECOMMEND APPROVAL]
 - D-8) REVISE 2008 BOARD MEMBER ASSIGNMENTS TO SUPPLEMENTAL WATER COMMITTEE [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

- E-1) AUTHORIZE REPLACEMENT OF NATURAL GAS MOTOR AT SUNDALE WELL WITH ELECTRIC MOTOR INCLUDING PURCHASE OF DIESEL GENERATOR AND AMEND FY08-09 BUDGET [APPROVE RECOMMENDATION OR TAKE ALTERNATE ACTION]
- E-2) AUTHORIZE EXECUTION OF AGREEMENT WITH VILLAGE AT NIPOMO (VAN) TO REIMBURSE VAN FOR OVERSIZING MARY WATER MAIN [RECOMMEND APPROVAL]
- E-3) COMPARE STAFFING VERSUS CONSULTANT OPTIONS TO ACCOMPLISH CURRENT AND NEAR FUTURE DISTRICT WORKLOAD [PROVIDE POLICY DIRECTION]
- E-4) SELECT FACILITATOR AND FORMAT FOR PREPARATION OF 2009-2014 STRATEGIC PLAN [RECOMMEND APPROVAL OR PROVIDE POLICY GUIDANCE]

Nipomo Community Services District REGULAR MEETING AGENDA

- F. MANAGER'S REPORT
- G. COMMITTEE REPORTS
- 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).
 - 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. CONFERENCE WITH REAL PROPERTY NEGOTIATOR BRUCE BUEL TO DISCUSS TERMS AND CONDITIONS OR FEE TITLE OR EASEMENT INTEREST PURCHASE OF A PORTION OF ONE OR MORE OF THE FOLLOWING PARCELS:

APN 090-031-003, FOOTHILL RD. AT E. TEFFT ST, OWNER-NEGOTIATOR: MARY DOTY

APN 090-032-002, 630 CLAMSHELL MOUNTAIN WAY, OWNER-NEGOTIATOR: BENITO MALDONADO

APN 090-032-003, FOOTHILL RD, OWNER-NEGOTIATOR: DOTY WILSON

APN 090-004 & 005, GRADE MOUNTAIN WAY, OWNER-NEGOTIATOR: AUDRE J. DOWELL

- 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 NOV. 12, 2008. TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - Provision of Water Service to Blacklake