NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

MEETING AGENDA MARCH 11, 2009 AT 9AM

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

JAMES HARRISON, PRESIDENT

LARRY VIERHEILIG, VICE PRESIDENT

CLIFFORD TROTTER, DIRECTOR

MICHAEL WINN, DIRECTOR

ED EBY, DIRECTOR

PRINCIPAL STAFF
BRUCE BUEL, GENERAL MANAGER
LISA BOGNUDA, ASST. 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.
- Any writing or document pertaining to an open session item on this agenda which is
 distributed to 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 at the District Secretary's Office, 148 S. Wilson Street,
 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.

00:00:00

A. CALL TO ORDER AND FLAG SALUTE

NEXT RESOLUTION NEXT ORDINANCE

2009-1125 2009-111

- B. ROLL CALL
- C. PRESENTATIONS AND PUBLIC COMMENT
 - C-1) COMMANDER BRIAN HASCALL OF 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) DISTRICT ENGINEER PETER SEVCIK Update re: District Engineer Activities
 - C-4) DISTRICT GENERAL MANAGER BRUCE BUEL Report on Trip to Washington, D.C. to Seek Federal 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 give comments on the presentations and address 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 2/25/09 Regular & 2/27/09 Special Meeting
- D-3) ADOPT RESOLUTION UPDATING 2006 WATERLINE INTERTIE PROJECT REIMBURSEMENT RESOLUTION [ADOPT RESOLUTION]
- D-4) ADOPT RESOLUTION AMENDING TRAVEL PER DIEM PROVISIONS IN PERSONNEL POLICY [ADOPT RESOLUTION]
- D-5) ADOPT RESOLUTION APPROVING AMENDMENT TO HOLLOWAY OUTSIDE USER AGREEMENT [ADOPT RESOLUTION]

E. ADMINISTRATIVE ITEMS

- E-1) DISCUSS DRAFT BLACKLAKE AREA OVERSIGHT COMMITTEE BYLAWS, REVIEW DISTRICT RESOLUTION 96-592 AND CONSIDER OPTIONS TO FACILITATE COMMUNICATION WITH CONSTITUENTS [PROVIDE POLICY GUIDANCE]
- E-2) CONSIDER LATHROP INTENT-TO-SERVE LETTER APPLICATION FOR SEWER SERVICE TO MIXED USE PROJECT AT DIVISION AND HAZEL [APPROVE, DENY OR CONTINUE]
- E-3) REVIEW PROPOSED EDITS TO BOARD BY-LAWS, DEVELOP PROPOSAL AND SET HEARING FOR ADOPTION [SET HEARING]
- E-4) PROVIDE DIRECTION REGARDING RE-INVESTMENT OF SUPPLEMENTAL WATER PROJECT RESIDUAL COP PROCEEDS [PROVIDE DIRECTION]
- E-5) CONSIDER STRUCTURAL REPAIR AND SOLAR RETROFIT CONCEPTS FOR DISTRICT OFFICE [PROVIDE POLICY GUIDANCE]
- E-6) CONSIDER ADOPTION OF "LOCK OUT" SAFETY POLICY [ADOPT RESOLUTION]
- E-7) CONSIDER DIRECTOR WINN'S REQUEST TO REVIEW DEVELOPER REIMBURSEMENT POLICY [PROVIDE POLICY GUIDANCE]
- E-8) CONSIDER DIRECTOR WINN'S REQUEST TO DISCUSS GOVERNOR'S WATER SHORTAGE PROCLAMATION [PROVIDE POLICY DIRECTION]

Nipomo Community Services District REGULAR MEETING AGENDA

- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
 - 1. 2/23/09 Water Conservation Committee Meeting
 - 2. 3/2/09 Finance and Audit 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 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)
 - 3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCSD VS. COUNTY OF SAN LUIS OBISPO, ET AL (CASE NO. CV090010)
- 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 MARCH 25, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Conversion of Sundale Well from Gas to Electric
 - o Standpipe Storage Reservoir Mixing Design