NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 44 - Years of Service 1965 - 2009

MEETING AGENDA APRIL 8, 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

2009-1132 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) 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 3/25/09 Regular Special Meeting
- D-3) ADOPT RESOLUTION INITIATING FY09-10 LANDSCAPE MAINTENANCE ZONE #1 ENGINEERS REPORT [ADOPT RESOLUTION]
- D-4) SET DISCUSSION RE REGULATION OF MUTUAL WATER COMPANIES [ADD ITEM TO MAY 13, 2009 AGENDA]
- D-5) AUTHORIZE PURCHASE OF CONSERVE TRACK SOFTWARE [ADOPT RESOLUTION]
- D-6) EDIT DISTRICT MISSION STATEMENT AND VISION STATEMENT [APPROVE RECOMMENDATION]
- D-7) AUTHORIZE EXECUTION OF MOU WITH SLO COUNTY RE GRANT FUNDING [RECOMMEND APPROVAL]
- D-8) AUTHORIZE THE OPENING OF A CERTIFICATE OF DEPOSIT ACCOUNT REGISTRY SERVICE ACCOUNT AT MISSION COMMUNITY BANK [RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

- E-1) RECEIVE WATERLINE INTERTIE PROJECT CONCEPT DESIGN AND SCHEDULE ADOPTION [ORDER EDITS AND SET HEARING]
- E-2) RECEIVE WATERLINE INTERTIE PROJECT FINAL EIR AND DRAFT FINDINGS AND SCHEDULE CERTIFICATION [ORDER EDITS AND SET HEARING]
- E-3) REVIEW ACTION BY SLO COUNTY BOARD OF SUPERVISORS TO APPROVE MILLER PARK MOU AND DISCUSS NEXT STEPS [PROVIDE POLICY DIRECTION]
- E-4) REVIEW STATE AND NIPOMO DROUGHT STATUS AND DISCUSS RESPONSE PLAN [PROVIDE POLICY GUIDANCE]
- E-5) REVIEW RESPONSES TO REQUEST FOR PROPOSALS FOR PREPARATION OF SOUTHLAND WWTF UPGRADE EIR AND AUTHORIZE EXECUTION OF AGREEMENT [AUTHORIZE EXECUTION]

Nipomo Community Services District REGULAR MEETING AGENDA

- E-6) INTRODUCE, EDIT & READ BY TITLE ORDINANCE PROVIDING FOR PHASING OF CAPACITY CHARGE PAYMENTS FOR LARGE COMMERCIAL PROJECTS [COMPLETE 1st READING & SET SECOND READING]
- E-7) AMEND AND RESTATE RESOLUTION 96-592 TO FACILITATE COMMUNICATIONS WITH CONSTITUENTS [ADOPT RESOLUTION]
- E-8) AUTHORIZE SUBMITTAL OF COMMENTS TO SLO COUNTY RE STRATEGIC GROWTH AMENDMENTS [AUTHORIZE SUBMITTAL]
- F. MANAGER'S REPORT
- G. COMMITTEE REPORT
 - 1. 3/23/09 SWP Committee Meeting
- 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 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 APRIL 22, 2009 TENTATIVELY SCHEDULED ITEMS INCLUDE:
 - o Discuss Basis of Assessment for WIP Funding
 - o Certify WIP FEIR