

# NIPOMO COMMUNITY SERVICES DISTRICT

Monday March 31, 2008

10:00 A. M.

## SPECIAL MEETING MINUTES

### BOARD of DIRECTORS

MICHAEL WINN, **PRESIDENT**  
JAMES HARRISON, **VICE PRESIDENT**  
ED EBY, **DIRECTOR**  
CLIFFORD TROTTER, **DIRECTOR**  
LARRY VIERHEILIG, **DIRECTOR**

### PRINCIPAL STAFF

BRUCE BUEL, **GENERAL MANAGER**  
LISA BOGNUDA, **ASSIST. GENERAL MANAGER**  
DONNA JOHNSON, **BOARD SECRETARY**  
JON SEITZ, **GENERAL COUNSEL**  
PETER SEVCIK, **DISTRICT ENGINEER**

### MEETING LOCATION

District Board Room  
148 S. Wilson Street  
Nipomo, California

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**Public Comment will be received on each agenda items B and D**

00:00:00

#### A. CALL TO ORDER, FLAG SALUTE, AND ROLL CALL

President Winn called the meeting to order at 10:01 a.m. and led the flag salute. At Roll Call, the following members were present: Directors Vierheilig, Trotter, Harrison and Winn. Director Eby was absent.

00:00:48

#### B. APPOINT TWO MEMBERS TO MEET WITH SOUTH COUNTY ADVISORY COUNCIL REGARDING OAKGLEN SPECIFIC PLAN OR TAKE ALTERNATE ACTION REGARDING SPECIAL MEETING CURRENTLY SCHEDULED FOR APRIL 7, 2008

There was no public present to comment.

Bruce Buel, General Manager, discussed with the Board the possibilities for the proposed meeting with NCSD, the South County Advisory Council and SLO County regarding the Oakglen Specific Plan. The April 7<sup>th</sup> date did not work out for some of the Board members. Several dates were discussed as possibilities. Mr. Buel will check with the other agencies to confirm a date.

00:06:57

#### C. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced the following item to be considered in Closed Session.

1. Conference with District Legal Counsel and Special Counsel (by phone) regarding pending litigation pursuant to California Government Code Section 54956.9, SMVWCD v. NCSD (Santa Clara County Case # CV 770214 and all consolidated cases)

#### D. PUBLIC COMMENT ON CLOSED SESSION ITEM

There was no public present to comment.

00:07:27

#### E. CONVENE CLOSED SESSION

The Board went into Closed Session at 10:09 a.m.

00:07:55

F. OPEN SESSION & ANNOUNCEMENT OF CLOSED SESSION ACTIONS  
TAKEN, IF ANY

The Board came back into Open Session at 10:40 a.m. There was no audience in attendance.

Jon Seitz, District Legal Counsel, announced out of Closed Session:

The Board heard an update from Special Counsel James Markman regarding the groundwater adjudication and the pending notice of appeal by the LOG (Land Owner Group) and the Wineman Group. The Board voted 4-0, with Director Eby absent, to direct legal counsel not to file a notice of cross-appeal and instructed Mr. Markman to defend the decision of the court.

00:08:39

G. ADJOURN

President Winn adjourned the meeting at 10:41 a.m.