



**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

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 April 11, 2007 Meeting

D-3) RECEIVE THIRD QUARTER FINANCIAL REPORT [ADOPT RECOMMENDATION]

D-4) RECEIVE FIRST QUARTER INVESTMENT REPORT [ADOPT RECOMMENDATION]

E. ADMINISTRATIVE ITEMS

E-1) DETERMINE DIVISION OF SOUTHLAND WWTF UPGRADE COSTS BETWEEN CURRENT CUSTOMERS AND FUTURE CUSTOMERS [PROVIDE POLICY GUIDANCE]

E-2) ADOPT SANITARY SEWER OVERFLOW PROGRAM TIMELINE AND SUBMIT TO STATE OF CALIFORNIA [ADOPT RECOMMENDATION]

E-3) INTRODUCE ORDINANCE AMENDING NCSD WATER ALLOCATION PROGRAM AND SET HEARING FOR ADOPTION [ADOPT RECOMMENDATION]

E-4) INTRODUCE REVISIONS TO PERSONNEL POLICY, SET HEARING FOR ADOPTION, REVISE RECRUITMENT AUTHORIZATION APPROVED AT APRIL 11, 2007 BOARD MEETING, AND AUTHORIZE ADDITIONAL RECRUITMENTS [ADOPT RECOMMENDATION]

E-5) CONSIDER NOMINATION(S) FOR LAFCO SPECIAL DISTRICT REPRESENTATIVE APPOINTMENT [FORWARD NOMINATION(S)]

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.

Nipomo Community Services District  
REGULAR MEETING  
AGENDA

I. CLOSED SESSION ANNOUNCEMENTS (continued)

3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCSD VS. SLO COUNTY (CASE NO. CV 070066)

4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES V. NCSD ET AL (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHREN 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 FOLLOWING REGULAR BOARD MEETING IS MAY 9, 2007.

TENTATIVELY SCHEDULED ITEMS INCLUDE:

- Adopt Allocation Ordinance
- Receive Graffiti Abatement Proposal
- Receive Update on Southland Shop Upgrade Project
- Receive Engineer's Report re Landscape Maintenance District #1 Assessment

➤ THE FOLLOWING SPECIAL BOARD MEETING IS MAY 3, 2007.

TENTATIVELY SCHEDULED ITEMS INCLUDE:

- Tour Moorpark WWTF

TO: BOARD OF DIRECTORS  
FROM: BRUCE BUEL  
DATE: APRIL 20, 2007



CONSENT AGENDA

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**Questions or clarification may be made by the Board members  
without removal from the Consent Agenda.**

- D-1) APPROVE WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]  
Approve Minutes of April 11, 2007 Meeting
- D-3) RECEIVE THIRD QUARTER FINANCIAL REPORT  
[ADOPT RECOMMENDATION]
- D-4) RECEIVE FIRST QUARTER INVESTMENT REPORT  
[ADOPT RECOMMENDATION]

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2007\CONSENT AGENDA\CONSENT 04-25-07.DOC

**NIPOMO COMMUNITY SERVICES DISTRICT  
WARRANTS APRIL 20, 2007**

**AGENDA ITEM  
D-1  
APRIL 25, 2007  
PAGE TWO**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information- Description
013461	04/25/07	CSD01	CALIF SPECIAL DIST ASSOC	195.00 195.00	.00 .00	195.00 195.00	5-07 BUEL 5-07 VIER	SPEC DIST LEGISLATIVE DAY SPEC DIST LEGISLATIVE DAY
			Check Total.....:	390.00	.00	390.00		
013462	04/25/07	DAN02	DANTACK	1468.53	.00	1468.53	3060448	CONFINED SPACE KIT
013463	04/25/07	EBY01	EBY, ED	100.00	.00	100.00	042507	REG BD MEETING 042507
013464	04/25/07	FGL01	FGL ENVIRONMENTAL	97.00	.00	97.00	702688A	TOWN WWTP LAB
013464	04/25/07	FGL01	FGL ENVIRONMENTAL	800.00 137.00	.00 .00	800.00 137.00	702932A 703248A	CCR REPORTS BL & TOWN BL WWTP LAB
			Check Total.....:	1034.00	.00	1034.00		
013465	04/25/07	FLO02	FLO SYSTEMS, INC.	422.28	.00	422.28	7R165	SUPPLIES
013466	04/25/07	GAR01	GARING TAYLOR & ASSOC	65.00 4480.39 929.84	.00 .00 .00	65.00 4480.39 929.84	7584 7585 7587	LANDSCPAE MAINT DISTRICT MARIA VISTA LITIGATION BL POND #3 LINER
			Check Total.....:	5475.23	.00	5475.23		
013467	04/25/07	GRO01	GROENIGER & CO	100.21 170.68 1019.30 -193.05	.00 .00 .00 .00	100.21 170.68 1019.30 -193.05	673773SM 675177SM 677431SM CM330646C	SUPPLIES SUPPLIES SUPPLIES RETURNS
			Check Total.....:	1097.14	.00	1097.14		
013468	04/25/07	HAR02	HARRISON, JAMES	100.00	.00	100.00	042507	REG BD MEETING 042507
013469	04/25/07	IND01	INDUSTRIAL MEDICAL GROUP	135.00	.00	135.00	033007	EMPLOYMENT PHYSICAL WHITL
013470	04/25/07	IRO01	IRON MOUNTAIN RECORDS MGT	25.20	.00	25.20	HA31120	ON SITE SHRED
013471	04/25/07	JUS01	JUSTIFACTS CREDENTIAL	59.00	.00	59.00	127841	PRE EMPLOYMENT BACKGROUND
013472	04/25/07	MCD01	MCDONOUGH HOLLAND & ALLEN	34284.64	.00	34284.64	187500	LEGAL SERVICES-MARIA VIST
013473	04/25/07	OFF01	OFFICE DEPOT	130.80	.00	130.80	381805039	SUPPLIES
013474	04/25/07	ONE01	1-800-CONFERENCE	44.17	.00	44.17	463039	CONFERENCE CALL
013475	04/25/07	PAP01	PAPICH CONSTRUCTION CO IN	46962.00	.00	46962.00	238-02	HETRICK WATER LINE
013476	04/25/07	PWM01	PW MANN ELECTRIC INC	157.50 759.83 708.75 2349.60	.00 .00 .00 .00	157.50 759.83 708.75 2349.60	7027 7029 7030 7032	BL SFT STN MAINT TOWN WWTP MAINT TOWN LET STN MAINT BL WELL #4 PANEL
			Check Total.....:	3975.68	.00	3975.68		
013477	04/25/07	QUI01	QUILL CORPORATION	105.54	.00	105.54	6165120	OFFICE SUPPLIES
013478	04/25/07	QUI03	QUINN RENTAL SERVICES	236.36 44.08	.00 .00	236.36 44.08	2080318 2080537	SUPPLIES SUPPLIES
			Check Total.....:	280.44	.00	280.44		
013479	04/25/07	REL01	RELIABLE	58.93	.00	58.93	YZC37301	SUPPLIES
013480	04/25/07	SAN09	SAN LUIS MAILING SERVICE	38.67 154.44 102.30 579.50	.00 .00 .00 .00	38.67 154.44 102.30 579.50	31611A 31611B 31619A 31619B	MAILING BILLS POSTAGE FOR BILLS MAILING BILLS POSTAGE FOR BILLS
			Check Total.....:	874.91	.00	874.91		
013481	04/25/07	STA04	STATE DEPT OF HEALTH SERV	70.00	.00	70.00	BREWER 47	GRADE 1 CERTIFICATE
013482	04/25/07	STA06	STATE WATER RESOURCES	130.00	.00	130.00	SIMMONS	GRADE II OPER CERT RENEWA
013483	04/25/07	STA09	STANDARD INSURANCE	1074.08	.00	1074.08	050107	INSURANCE FOR MAY 2007
013484	04/25/07	TGP01	TGP WEST, INC.	430.96	.00	430.96	3779	SUNDALE WELL MAINT
013485	04/25/07	THE01	THE GAS COMPANY	87.41	.00	87.41	040207	CAMINO CABALLO GAS ENGINE
013486	04/25/07	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	042507	REG BD MEETING 042507
013487	04/25/07	VAL01	VALLEY SEPTIC SERVICE	1138.50	.00	1138.50	4085	JETTING BL SEWER LINES
013488	04/25/07	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	042507	REG BD MEETING 042507
013489	04/25/07	WIN01	WINN, MICHAEL	100.00	.00	100.00	042507	REG BD MEETING 042507
013490	04/25/07	WIN02	WINN, MICHAEL	97.00 48.50 97.00 220.91	.00 .00 .00 .00	97.00 48.50 97.00 220.91	031607 032907 041007 041307	TRAVEL TO SLO COUNTY MEET TRAVEL TO SLO MEETINGS TRAVEL TO SLO BOARD OF SU TRAVEL TO UCLA FOR COURSE

TO: BOARD OF DIRECTORS  
 FROM: BRUCE BUEL  
 DATE: APRIL 20, 2007

**AGENDA ITEM  
 D-1  
 APRIL 25, 2007**

**HAND WRITTEN CHECKS**

04-09-07	18970	L VIERHEILIG	50.00
04-09-07	18971	M WINN	50.00
04-12-07	18972	D LAUER	94.93
04-18-07	18973	L VIERHEILIG	50.00
04-18-07	18974	C TROTTER	50.00

**TOTAL COMPUTER  
 CHECKS  
 \$ 148,487.72**

**VOIDED CHECKS**

13440

**COMPUTER GENERATED CHECKS**

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
13442	04/20/07	EMP01	EMPLOYMENT DEVELOP DEPT	606.17	.00	606.17	A70416	STATE INCOME TAX
13443	04/20/07	MID01	MIDSTATE BANK-PR TAX DEP	2417.20	.00	2417.20	A70416	FEDERAL INCOME TAX
				197.50	.00	197.50	1A70416	FICA
				614.60	.00	614.60	2A70416	MEDICARE (FICA)
			Check Total.....:	3229.30	.00	3229.30		
13444	04/20/07	MID02	MIDSTATE BANK - DIRECT DP	17939.64	.00	17939.64	A70416	NET PAY
13445	04/20/07	PER01	PERS RETIREMENT	5659.44	.00	5659.44	A70416	PERS PAYROLL REMITTANCE
13446	04/20/07	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A70416	WAGE ASSIGNMENT
13447	04/20/07	STA01	STATE STREET GLOBAL	1105.00	.00	1105.00	A70416	457 DEFERRED COMP
013448	04/25/07	ABA01	ABALONE COAST BACTERIOLOG	20.00	.00	20.00	1122	BL WWTP LAB
				20.00	.00	20.00	1132	BL WWTP LAB
				20.00	.00	20.00	1139	BL WWTP LAB
				20.00	.00	20.00	1145	BL WWTP LAB
				20.00	.00	20.00	1161	BL WWTP LAB
				20.00	.00	20.00	1171	BL WWTP LAB
				20.00	.00	20.00	1177	BL WWTP LAB
				20.00	.00	20.00	1185	BL WWTP LAB
			Check Total.....:	160.00	.00	160.00		
013449	04/25/07	AIR01	AIR POLLUTION CONTROL	1584.45	.00	1584.45	040407	PERMIT RENEWAL FEES
013450	04/25/07	AME02	AMERICAN INDUSTRIAL SUPPL	290.81	.00	290.81	170437	SUPPLIES FOR TOWN WWTF
				107.84	.00	107.84	170557	SUPPLIES TOWN WWTF
			Check Total.....:	398.65	.00	398.65		
013451	04/25/07	AME03	AMERI PRIDE	74.01	.00	74.01	F152593	UNIFORMS ETC
				69.24	.00	69.24	F158385	UNIFORMS ETC
			Check Total.....:	143.25	.00	143.25		
013452	04/25/07	ARC01	ARCOS GLASS	478.16	.00	478.16	032207	WINDOW FOR BL WWTF
013453	04/25/07	ATT01	AT&T/MCI	36.81	.00	36.81	T6300368	PHONE 9290161553
				144.50	.00	144.50	T6300370	PHONE 9191133911
				122.31	.00	122.31	T6300371	PHONE 9291341672
			Check Total.....:	303.62	.00	303.62		
013454	04/25/07	BRE02	BRENNTAG PACIFIC INC.	537.54	.00	537.54	BPI662903	CHLORINE
				664.51	.00	664.51	BPI662904	CHLORINE
			Check Total.....:	1202.05	.00	1202.05		
013455	04/25/07	BRI01	BRISCO'S	-94.09	.00	-94.09	132679C	RETURNS
				42.06	.00	42.06	132680	SUPPLIES FOR BL WWTF
				145.82	.00	145.82	132802	MISC SUPPLIES
				124.54	.00	124.54	132816	SUPPLIES
			Check Total.....:	218.33	.00	218.33		
013456	04/25/07	CAM01	CAMPBELL RINKER	11342.50	.00	11342.50	0407	PARK TELEPHONE SURVEY
013457	04/25/07	CAN02	CANNON ASSOCIATES	2203.10	.00	2203.10	40888	SCADA FOR LIFT STATIONS
013458	04/25/07	CAR04	CAR QUEST ARROYO GRANDE	142.43	.00	142.43	151936	SUPPLIES
013459	04/25/07	COM01	COMPUTER NETWORK SERVICES	1027.78	.00	1027.78	NCSD 073A	COMPUTER SUPPORT
013460	04/25/07	CRE01	CREEK ENVIRONMENTAL LABS	176.00	.00	176.00	01890	WATER SAMPLES

# NIPOMO COMMUNITY SERVICES DISTRICT

*Celebrating 42 - Years of Service 1965 - 2007*

## MINUTES

**APRIL 11, 2007 9:00 A. M.**

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

**BOARD of DIRECTORS**

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

**PRINCIPAL STAFF**

BRUCE BUEL, **GENERAL MANAGER**  
LISA BOGNUDA, **ASSIST. ADMINISTRATOR**  
DONNA JOHNSON, **BOARD SECRETARY**  
JON SEITZ, **GENERAL COUNSEL**  
DAN MIGLIAZZO, **UTILITY SUPERVISOR**

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.

00:00:00

**A. CALL TO ORDER AND FLAG SALUTE**

President Winn called the meeting to order at 9:00 a.m. and led the flag salute.

00:00:15

**B. ROLL CALL**

At Roll Call, all Board members were present.

00:00:49

**C. PRESENTATIONS AND PUBLIC COMMENT**

**C-1) MIKE NUNLEY OF BOYLE ENGINEERING**

Mike Nunley, Boyle Engineering's Project Manager for the Supplemental Water Alternatives Analysis, provided an update for the project.

At the March 28, 2007, Board meeting the Board amended the contract to give more evaluation to the CCWA pipeline alternative.

Water quality data has been gathered.

Alternatives include: Nacimiento, Santa Maria Valley Groundwater, CCWA, reclaimed water, ag water exchange, Wastewater recharge, and desalination.

The schedule is on track:

There was no public comment.

The Board thanked Mr. Nunley for his presentation.

**C-2) MARK HUTCHINSON OF SLO COUNTY PUBLIC WORKS DEPARTMENT**

Mark Hutchinson of the San Luis Obispo County Public Works Department presented information concerning the Draft SLO County Storm Water Pollution Prevention Program. Copies of the slides presented are available for viewing in the District office.

Mr. Hutchinson answered questions from the Board.

Bruce Buel, General Manager, explained that Nipomo Community Services District will play its part in the Stormwater Management Program with public information and outreach.

**MINUTES SUBJECT TO BOARD APPROVAL**

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST  
Receive Announcements from Directors Items of District & Community Interest

Director Harrison

- Saturday, April 14, 2007, 10<sup>th</sup> Annual Rotary Club Celebration at Edwards Barn.

Director Vierheilig

- Thursday, April 12, 2007, Dunes Collaboration in Oceano
- Thursday, April 12, 2007, Olde Towne Nipomo Association meeting
- Wednesday, April 18, 2007, Finance, Audit, Personnel Standing Committee meets at 9:00 a.m. in the District Board room.
- Thursday, April 19, 2007, Nipomo Native Gardens meets in the District Board room at 7:00 p.m.
- Friday, April 27, 2007, CSDA Annual meeting - Templeton CSD at 7:00 p.m.

Director Winn

- April 25, 2007, TDC meeting
- April 17, 2007, Board of Supervisors will be discussing the Oceano Dunes issue.
- April 23-27, 2007 – Clean Up Week – Collection will be the regular pick up day during that week
- Friday, April 27, 2007, CSDA Annual meeting - Templeton CSD at 7:00 p.m.
- Saturday, April 28, 2007, Central Coast Greenhouse Growers Association Open House
- Monday, April 9, 2007, was the Parks Committee meeting
- Wednesday, May 2, 2007, WRAC meeting – John Snyder and Jon Seitz will present information concerning the groundwater management situation

C-4) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

The following members of the public spoke:

Bill Nelson, liason for the Black Lake Management Association, stated that the members had a meeting April 10, 2007 and agreed to merge the Black Lake water system with the Town Division's water system.

Bruce Buel, General Manager, apologized for not putting the presentations by Commander Martin Basti (Sheriff Dept.) and Battalion Chief Bill Fisher (Cal Fire) on the agenda.

01:13:27

D. CONSENT AGENDA

D-1) APPROVE WARRANTS

D-2) APPROVE BOARD MEETING MINUTES

Approve Minutes of March 21, 2007, Special Meeting

Approve Minutes of March 28, 2007, Regular Meeting

D-3) REQUEST THAT STATE LEGISLATURE AMEND SB 343 TO CLARIFY REQUIREMENTS TO SUBMITTAL OF LATE INFORMATION TO THE DISTRICT BOARD



**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

D. CONSENT AGENDA (continued)

D-4) INITIATE PROCESS TO APPROVE FY2007-08 ASSESSMENTS FOR STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1

RESOLUTION NO. 2007-1008  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

D-5) ACCEPT TRACT 2439 WATER IMPROVEMENTS (5 LOT SUBDIVISION ON GLENHAVEN PLACE)

RESOLUTION NO. 2007-1009  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING THE WATER IMPROVEMENTS FOR THE FOR TRACT 2439 (ALONZO)

D-6) ACCEPT APN 092-130-084 (CO 02-0246) WATER AND SEWER IMPROVEMENTS FOR COMMERCIAL COMPLEX AT THE BACK OF 681 WEST TEFFT STREET

RESOLUTION NO. 2007-1010  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR THE FOR CO 02-0246 (DIAZ)

D-7) ACCEPT TRACT 2619 WATER AND SEWER IMPROVEMENTS FOR MULTI-FAMILY COMPLEX AT 1 AVENIDA DE AMIGOS

RESOLUTION NO. 2007-1011  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR THE FOR TRACT 2619 (ALLSHOUSE)

There were corrections to the Minutes of March 28, 2007, for Items C-3, C-4, D-6, E-3, and F. Director Vierheilg asked about the warrant for TGP (Sundale Well repair). Dan Migliazzo, Utility Supervisor, explained that the Sundale Well motor has been problematic for years. He stated that hopefully, this rebuild of the motor will solve the problem. Director Eby asked about the State Revolving Fund Loan warrant. Mr. Buel explained that it was a payment for the Southland Wastewater Treatment Facility expansion. There was no public comment. Upon motion of Director Eby and seconded by Director Harrison, the Board unanimously approved as amended in the Minutes of March 28, 2007. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Eby, Trotter, Vierheilg, Harrison, and Winn	None	None

01:28:50 E. ADMINISTRATIVE ITEMS

E-1) AUTHORIZE EXECUTION OF AGREEMENT WITH THE REED GROUP TO PERFORM RATE STUDIES AND AMEND FY06-07 BUDGET

Bruce Buel, General Manager reviewed the proposal from The Reed Group to perform rate studies necessary to address the respective requirements of the three projects described below:

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

E-1) AUTHORIZE EXECUTION OF AGREEMENT WITH THE REED GROUP TO PERFORM RATE STUDIES AND AMEND FY06-07 BUDGET (continued)

- (1.) Evaluating the equity implications of merging the Black Lake Water Fund with the Town Water Fund;
- (2.) Evaluating the impacts of the Black Lake WWTF Liner on Black Lake Sewer Rates for 2008, 2009 and 2010; and
- (3.) Evaluating the impacts of the Southland WWTF Upgrade on the Town Sewer User Rates and Capacity Fees for 2008, 2009 and 2010.

Director Trotter stated that the study should be per connection and not per capita. There was more Board discussion.

The following member of the public spoke:

Bill Nelson, NCSD resident – suggested that the Board look at the projects planned for the next three years to aid in the rate amendments.

Director Harrison asked about equity for Black Lake rate payers and the Town Division rate payers.

Director Trotter stated that the residents of Black Lake want to pay their fair share.

Upon motion of Director Eby and seconded by Director by Director Trotter with the per connection amendment, the Board unanimously agreed to accept the recommendation from Staff that (1) the Board authorize execution of an agreement with the Reed Group to perform the work detailed in the proposal on a time and materials basis with a not-to-exceed expenditure limit of \$52,450. (2) Board transfer \$8,250 from Black Lake Water Reserves to the Black Lake Operating Budget; \$7,350 from Black Lake Sewer Reserves to the Black Lake Sewer Operating Budget; and \$10,625 from Town Sewer Reserves to the Town Sewer Operating Budget to pay for the respective work to be done in FY06-07. Staff proposes to include the remainder of the required funding in the FY07-08 Budget. Vote 5-0

YES VOTES	NO VOTES	ABSENT
Directors Eby, Trotter, Vierheilig, Harrison, and Winn	None	None

01:43:03

E-2) REVIEW WATER AND SEWER MASTER PLAN DEMAND PROJECTIONS AND PROVIDE POLICY GUIDANCE

Bruce Buel, General Manager, reviewed the history of previous Board meetings discussing water and sewer demand projections. The Board had directed staff and Cannon Associates to develop a scenario based on a water demand of 10,000 AFY.

Jon Seitz, District Legal Counsel, described a case in which a water district planned a water project to match the proposed the County's General Plan. The Court determined that the water district should not plan the water system in excess of the general plan. Mr. Seitz' opinion is that this district can look at different scenarios but the plan for the project should match the densities of the County's existing General Plan.

Mike Cannon presented information concerning land use scenarios. There was much Board discussion.

Upon motion of Director Eby and seconded by Director Trotter, the Board unanimously agreed to adopt Staff's recommendation to primarily base the plumbing upgrades on Scenario 1 of the Water & Sewer Master Plan, which includes full build-out of the current District and Sphere of Influence as set forth in the relevant County General Plan. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Eby, Trotter, Vierheilig, Harrison, and Winn	None	None

Nipomo Community Services District  
REGULAR MEETING  
MINUTES

02:24:17

E-3) ACCEPT CLASSIFICATION STUDY, AUTHORIZE RECRUITMENT OF INSPECTOR, AND SET HEARING TO REVISE PERSONNEL POLICY

Bruce Buel, General Manager, reviewed some of the history of this Classification Study performed by Koff & Associates. Mr. Buel handed the Board more information (available for viewing in the District office).

Dan Migliazzo, gave his opinion of the study as was presented at the March 25<sup>th</sup> meeting.

The Board discussed different some step options for the positions of Inspector, Superintendent and Supervisor. There was no public comment.

**Recommendation #1**

Upon motion of Director Vierheilig and seconded by Director Harrison, the Board unanimously agreed to accept the Final Report of the Classification Study, as amended, changing the title of the Supervisor to "Inspector and Preventative Maintenance Supervisor" and adding detail to the Superintendent job description. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Harrison, Trotter, Eby, and Winn	None	None

**Recommendation #2 & 3**

Upon motion of Director Eby and seconded by Director Harrison, the Board unanimously agreed to accept the general manager's recommendations numbers 2 and 3:

2. Direct Staff to prepare the modifications to the Personnel Policies and Procedures Manual for tentative approval at the April 25, 2007 Board meeting (modifications include new job descriptions and organizational chart); and
3. Direct Staff to circulate the changes to the Personnel Policy to District employees and request that their comments in writing be submitted to the General Manager by May 9, 2007;

YES VOTES	NO VOTES	ABSENT
Directors Eby, Harrison, Trotter, Vierheilig, and Winn	None	None

Vote 5-0

**Recommendation #4**

Director Vierheilig made a motion to accept the salaries that were recommended at the March 28<sup>th</sup> meeting for the 3 positions at Steps 46 and 52 respectively and direct Staff to prepare revisions to the adopted Monthly Salary Scale showing the Utility Superintendent at Salary Range #52, the Utility Supervisor at Salary Range #46, and the Inspector/Maintenance Supervisor at Salary Range #46. The motion died for a lack of a second.

Director Harrison asked what the monetary difference between the April 11<sup>th</sup> recommended salary range and the salary range which was proposed in the motion made by Director Vierheilig. Mr. Buel answered that it would be approximately \$18,000 per year. The Board discussed the situation a little further.

Director Vierheilig made the same motion as above. Director Harrison seconded the motion. Motion passed with a 4-1 vote with Director Winn voting no.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Harrison, Trotter, and Eby	Director Winn	None

**Nipomo Community Services District  
REGULAR MEETING  
MINUTES**

- E-3) ACCEPT CLASSIFICATION STUDY, AUTHORIZE RECRUITMENT OF INSPECTOR, AND SET HEARING TO REVISE PERSONNEL POLICY (continued)

**Recommendation #5**

Upon motion of Director Harrison and seconded by Director Eby, the Board unanimously agreed to authorize recruitment only for the Inspector/Preventative Maintenance Supervisor at NCS D Monthly Salary Range #46. Vote 5-0.

YES VOTES	NO VOTES	ABSENT
Directors Harrison, Eby, Trotter, Vierheilg, and Winn	None	None

- 03:23:08 E-4) REVIEW PROCESS TO MERGE BLACK LAKE WATER FUND WITH TOWN WATER FUND AND TO RESET WATER RATES FOR BLACK LAKE CUSTOMERS

Bruce Buel, General Manager, reviewed the potential for two water funds to merge. The Black Lake community has indicated that it supports the merger. The Board discussed the proposed process and timeline. There was no public comment. No action is necessary on this item.

- 03:34:58 F. MANAGER'S REPORT

Bruce Buel, General Manager, presented the Manager's Report as written. He urged the directors to attend the CSDA Annual meeting on April 27<sup>th</sup> in Templeton. {Director Trotter asked that the District send an RSVP for him and his wife.} Reminded the directors of a presentation by Supervisor Achadjian on April 25<sup>th</sup>. He suggested that the Board recess at approximately 11:45 am and reconvene at 2:00 pm to attend the chamber lunch at Black Lake. Director Eby asked about the status of the Nipomo Mesa Management Technical Group forming and becoming effective. Mr. Buel answered that timing will be discussed during Closed Session. Director Eby also asked about timing of desalination presentation. Mr. Buel answered that the desalination presentation is scheduled for May 16, 2007.

***The Board chose to go to Closed Session at this time and consider Items G and H after Closed Session.***

- 03:38:30 I. CLOSED SESSION ANNOUNCEMENTS

Jon Seitz, District Legal Counsel, announced the following items for the Closed Session:

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS NCS D SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCS D CASE NO. CV 040877, MARIA VISTA VS. NCS D CASE NO. CV 061079, AND MARIA VISTA VS. LINDA VISTA FARMS, NCS D ET AL CASE NO. CV 040150;
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCS D VS. SLO COUNTY (CASE NO. CV 070066)
4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES V. NCS D ET AL (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION

- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS**  
03:39:41 There was no public comment.
- K. ADJOURN TO CLOSED SESSION**  
03:39:49 The Board adjourned to Closed Session at 12:55 p.m.
- L. OPEN SESSION**  
03:40:00 **ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION**  
The Board came back into Open Session.  
Jon Seitz, District Legal Counsel, announced that the Board heard an update on the items listed above.  
There was no reportable action taken.  
  
Director Trotter left the meeting at 2:00 p.m.
- G. COMMITTEE REPORTS**  
03:40:59 The Conservation Committee (Directors Winn and Vierheilig) met with Mr. Buel, Monday, April 9, 2007. The Committee worked on a draft of conservation measures. Information will be circulated to entire Board before action is taken.
- H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS**  
03:41:31 Director Eby  
Level III will be discussed at the SLO County Board of Supervisors in June. He stated that SAIC needs to redo the study as of April 2007 to take to the Board of Supervisors meeting in June.  
SCAC has on its agenda in May to take position on Level III.  
  
Director Winn  
WRAC meeting discussed the AB 885 – new septic systems  
Vineyard Supreme Court Ruling – higher standard for California to certify an EIR for water supply  
Rainfall 30% of the average, reservoirs are down 20 to 40 percent.  
Central Valley is discussing options to help get rid of polluted water (selenium).  
Court ruled State Water allocation shut off.  
WRAC asked for Mr. Buel to attend CCWA Board meetings and technical meetings and report to WRAC  
WRAC voted unanimously on the support certification of a Level of Severity III.  
WRAC is asking to change the by-laws concerning selecting alternates.  
Mr. Winn and Mr. Buel will be attending the Arroyo Grande Cemetery District meeting today
- ADJOURN**  
03:46:26 President Winn adjourned the meeting at 2:14 p.m.
- **THE FOLLOWING SPECIAL BOARD MEETING IS APRIL 25, 2007.**  
**TENTATIVELY SCHEDULED ITEMS INCLUDE:**
- Introduce Allocation Ordinance
  - Division of Southland WWTF Upgrade Costs
  - Receive Sanitary Sewer Overflow Timeline
  - Amend Personnel Policy