

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL
DATE: JUNE 22, 2007



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 be 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.**

- D-1) APPROVE WARRANTS [RECOMMEND APPROVAL]
- D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Approve Minutes of June 13, 2007 Meeting
- D-3) ACCEPT CYR WATER IMPROVEMENTS ON EASY LANE (APN 091-311-015)
[RECOMMEND ADOPTION]
- D-4) AUTHORIZE VOTE FOR BARBARA MANN TO FILL VACANT LAFCO SEAT
[RECOMMEND ADOPTION]
- D-5) AUTHORIZE EXECUTION OF AN AGREEMENT WITH THE WALLACE GROUP
TO PROVIDE PARKS FUNDING DISTRICT EVALUATION [ADOPT
RECOMMENDATION]
- D-6) ADOPT POLICY REGARDING RETENTION OF CONSTRUCTION MANAGEMENT
SERVICES [ADOPT RECOMMENDATION]
- D-7) ACCEPT NEWDOLL WATER AND SEWER IMPROVEMENTS ON HONEY GROVE
LANE (CO-0089) [ADOPT RECOMMENDATION]

TO: BOARD OF DIRECTORS
 FROM: BRUCE BUEL
 DATE: JUNE 22, 2007

**AGENDA ITEM
 D-1
 JUNE 27, 2007**

HAND WRITTEN CHECKS

06-11-07	18998	M WINN	50.00
06-11-07	18999	L VIERHEILIG	50.00
06-13-07	19000	PRODUCTS EDUCATION	35.00
06-13-07	19001	H SNYDER	32.50
06-18-07	19002	C TROTTER	50.00
06-18-07	19003	E EBY	50.00
06-19-07	19004	M WINN	50.00
06-19-07	19005	L VIERHEILIG	50.00
06-27-07	19006	W HARTMANN	100.00
06-27-07	19007	M KELLEY & J PERKINS	8,473.95
06-27-07	19008	GERALD KANDEL	355.00

**TOTAL COMPUTER
 CHECKS
 \$ 243,859.35**

VOIDED CHECKS

13648

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice # Description
13696	06/15/07	EMP01	EMPLOYMENT DEVELOP DEPT	707.33	.00	707.33	A70611 STATE INCOME TAX
13697	06/15/07	MID01	MIDSTATE BANK-PR TAX DEP	2739.73	.00	2739.73	A70611 FEDERAL INCOME TAX
				145.56	.00	145.56	1A70611 FICA
				685.32	.00	685.32	2A70611 MEDICARE (FICA)
			Check Total.....:	3570.61	.00	3570.61	
13698	06/15/07	MID02	MIDSTATE BANK - DIRECT DP	20189.54	.00	20189.54	A70611 NET PAY
13699	06/15/07	PER01	PERS RETIREMENT	6075.89	.00	6075.89	A70611 PERS PAYROLL REMITTANCE
13700	06/15/07	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A70611 WAGE ASSIGNMENT
13701	06/15/07	STA01	STATE STREET GLOBAL	1105.00	.00	1105.00	A70611 457 DEFERRED COMP
013702	06/20/07	EBY01	EBY, ED	100.00	.00	100.00	062007 SPECIAL MTG 6/20/07
013703	06/20/07	HAR02	HARRISON, JAMES	100.00	.00	100.00	062007 SPECIAL MTG 6/20/07
013704	06/20/07	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	062007 SPECIAL MTG 6/20/07
013705	06/20/07	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	062007 SPECIAL MTG 6/20/08
013706	06/20/07	WIN01	WINN, MICHAEL	100.00	.00	100.00	062007 SPECIAL MTG 6/20/07
013707	06/27/07	ABA01	ABALONE COAST BACTERIOLOG	248.00	.00	248.00	1447 WATER SAMPLES
				20.00	.00	20.00	1448 BL WWTF LAB
				20.00	.00	20.00	1449 BL WATER LAB
				176.00	.00	176.00	1452 TOWN WWTF LAB
				20.00	.00	20.00	1457 BL WWTF LAB
				20.00	.00	20.00	1484 BL WWTF LAB
				80.00	.00	80.00	1485 WATER SAMPLES
				20.00	.00	20.00	1490 BL WWTF LAB
				20.00	.00	20.00	1500 BL WWTF LAB
				20.00	.00	20.00	1510 BL WWTF LAB
				20.00	.00	20.00	1469* BL WWTF LAB
			Check Total.....:	664.00	.00	664.00	
013708	06/27/07	AME02	AMERICAN INDUSTRIAL SUPPL	107.04	.00	107.04	172644 SUPPLIES
				80.58	.00	80.58	172834 SUPPLIES
			Check Total.....:	187.62	.00	187.62	
013709	06/27/07	AME07	AMERICAN RED CROSS	330.00	.00	330.00	40889 ADULT CPR CLASS
013710	06/27/07	AWW01	AWWA BOOKSTORE	146.50	.00	146.50	351622 WATER REUSE BOOK

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JUNE 22, 2007**

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Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description				
013711	06/27/07	BOY01	BOYLE ENGINEERING CORP	42361.26	.00	42361.26	45080	ALTERNATIVE WATER SUPPLY				
				5513.40	.00	5513.40	045079	SOUTHLAND WWTF GROUNDWATE				
				810.00	.00	810.00	045083	PCI TRACT 2689 FOR MAY				
				607.50	.00	607.50	045084	PCI 090-143-005/007 FOR M				
				51.30	.00	51.30	045085	PCI CIDER VILLAGE FOR MAY				
				218.70	.00	218.70	045086	PCI TRACT 2715 FOR MAY				
				145.80	.00	145.80	045087	PCI TRACT 2734 FOR MAY				
				1093.50	.00	1093.50	045088	PCI CO 06-0037 FOR MAY				
				729.00	.00	729.00	045089	PCI TRACT 2732				
				337.50	.00	337.50	045090	PCI CO-05310 FOR MAY				
				72.90	.00	72.90	045092	PCI-CO 05-0176 FOR MAY				
				1239.30	.00	1239.30	045093	PCI 290 E CHESTNUT FOR MA				
				Check Total.....:				53180.16	.00	53180.16		
				013712	06/27/07	BRE02	BRENNTAG PACIFIC INC.	664.51	.00	664.51	BPI683255	CHLORINE
694.39	.00	694.39	BPI683256					CHLORINE				
Check Total.....:				1358.90	.00	1358.90						
013713	06/27/07	CAN02	CANNON ASSOCIATES	23346.59	.00	23346.59	41407	WATER AND SEWER MASTER PL				
				21021.21	.00	21021.21	41434	WET WELL INSTRUMENTATION				
				507.50	.00	507.50	41435	SCADA WORK				
				145.00	.00	145.00	41436	SCADA WORK				
				580.00	.00	580.00	41437	CELL PHONES ALERTS				
				290.00	.00	290.00	41438	HONEY GROVE LIFT STN				
				145.00	.00	145.00	41439	HONEY GROVE LIFT STN REPA				
				Check Total.....:				46252.80	.00	46252.80		
013713	06/27/07	CAN02	CANNON ASSOCIATES	217.50	.00	217.50	41440	REWIRE SCADA FOR BL WELL				
013714	06/27/07	CLE06	CLEVER DUCKS	935.67	.00	935.67	NCSD 075A	COMPUTER SERVICES				
013715	06/27/07	EBY01	EBY, ED	100.00	.00	100.00	062707	REG BD MEETING 062707				
013716	06/27/07	FGL01	FGL ENVIRONMENTAL	67.00	.00	67.00	703899	TOWN WWTF LAB				
				112.00	.00	112.00	704698	TOWN WWTF LAB				
				97.00	.00	97.00	705323	TOWN WWTF LAB				
				97.00	.00	97.00	705681	TOWN WWTF LAB				
				187.00	.00	187.00	705682	TOWN WWTF LAB				
				137.00	.00	137.00	706007	BL WWTF LAB				
				187.00	.00	187.00	706066	TOWN WWTF LAB				
				187.00	.00	187.00	706328	TOWN WWTF LAB				
				187.00	.00	187.00	706331	TOWN WWTF LAB				
				112.00	.00	112.00	706332	BL WWTF LAB				
				Check Total.....:				1370.00	.00	1370.00		
013717	06/27/07	FIS01	FISHER PUMP SERVICE	8998.87	.00	8998.87	423	BEVINGTON WELL				
013718	06/27/07	FRE02	THE FRESNO BEE	628.42	.00	628.42	T06100660	JOB ADVERTISEMENTS				
013719	06/27/07	GAR01	GARING TAYLOR & ASSOC	2475.00	.00	2475.00	7796	TR 1802 & 1856				
				8702.71	.00	8702.71	7797	BL POND #3 LINER				
Check Total.....:				11177.71	.00	11177.71						
013720	06/27/07	GRO01	GROENIGER & CO	1974.25	.00	1974.25	694143SM	BL BOOSTER PARTS				
				19.12	.00	19.12	695331SM	SUPPLIES				
				3872.30	.00	3872.30	695335SM	SUPPLIES				
				600.57	.00	600.57	696074SM	SUPPLIES				
				394.98	.00	394.98	696077SM	SUPPLIES				
				356.55	.00	356.55	698485SM	SUPPLIES				
				384.82	.00	384.82	698883SM	SUPPLIES				
				129.54	.00	129.54	699452SM	SUPPLIES				
				-219.86	.00	-219.86	CM333039C	CREDIT FOR RETURN				
				Check Total.....:				7512.27	.00	7512.27		
013721	06/27/07	HAC01	HACH COMPANY	579.87	.00	579.87	5182730	LAB LDO PROBE				
013722	06/27/07	HAR02	HARRISON, JAMES	100.00	.00	100.00	062707	REG BD MEETING 062707				
013723	06/27/07	HAY01	HAYES & SONS	850.00	.00	850.00	501287	REPAIR WATER DAMAGE ON MI				
013724	06/27/07	KOR01	KORNREICH ARCHITECTS	6000.00	.00	6000.00	060707	SHOP				
013725	06/27/07	MOR02	MORE OFFICE SOLUTIONS	346.38	.00	346.38	365536	COPIER MAINT				
013726	06/27/07	NEW01	R H NEWDOLL CONST INC	4167.90	.00	4167.90	SOUTHLAND	SOUTHLAND SEWER REIMBURSE				
013727	06/27/07	NEX01	NEXTEL COMMUNICATIONS	438.92	.00	438.92	87314067	CELL PHONES				
013728	06/27/07	NEX02	NEXT DAY SIGNS	222.83	.00	222.83	13938	DECALS				

**NIPOMO COMMUNITY SERVICES DISTRICT
WARRANTS JUNE 22, 2007**

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Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
013729	06/27/07	NUT01	NU TECH PEST MGMT	265.00	.00	265.00	62404	PEST CONTROL
				49.00	.00	49.00	62405	PEST CONTROL
			Check Total.....:	314.00	.00	314.00		
013730	06/27/07	POS01	POSTMASTER	52.00	.00	52.00	063007	BOX RENTAL
013731	06/27/07	RBA01	R BAKER, INC	2183.95	.00	2183.95	07051911	VALVE REPLACEMENTS
				1284.72	.00	1284.72	07051912	VALVE REPLACEMENTS W/O 5
				32402.66	.00	32402.66	07061930	VALVE & HYDRANT REPLACEMENT
				19068.96	.00	19068.96	WO 417-07	BL BOOSTER RETROFIT
			Check Total.....:	54940.29	.00	54940.29		
013732	06/27/07	REL01	RELIABLE	269.66	.00	269.66	FRM64000	SUPPLIES
013733	06/27/07	RIC01	RICHARDS, WATSON, GERSHON	6909.81	.00	6909.81	153010	WATER RIGHTS ADJUDICATION
013734	06/27/07	SAN04	SANTA MARIA TIMES	58.60	.00	58.60	300539	PUBLIC NOTICE -BL STREET
				109.60	.00	109.60	300540	PUBLIC NOTICE - SOLID WAS
				78.00	.00	78.00	300780	PUBLIC NOTICE - WATER ALL
				46.80	.00	46.80	300781	PUBLIC NOTICE - BUDGET
				179.40	.00	179.40	300782	PUBLIC NOTICE - LANDSCAPE
				330.20	.00	330.20	303476	BL POND LINER BID NOTICE
			Check Total.....:	802.60	.00	802.60		
013735	06/27/07	SAN09	SAN LUIS MAILING SERVICE	158.11	.00	158.11	31851A	MAIL BILLS
				582.63	.00	582.63	31851B	POSTAGE FOR BILLS
			Check Total.....:	740.74	.00	740.74		
013736	06/27/07	TGP01	TGP WEST, INC.	1033.56	.00	1033.56	3946	SUNDALE WELL MAINT
013737	06/27/07	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	062707	REG BD MEETING 062707
013738	06/27/07	UND01	UNDERGROUND SERVICE ALERT	124.50	.00	124.50	60049	UNDERGROUND NOTIFICATION
013739	06/27/07	VAL01	VALLEY SEPTIC SERVICE	550.00	.00	550.00	4218	PUMP LIFT STNS
013740	06/27/07	VIE01	VIERHEILIG, LARRY	100.00	.00	100.00	062707	REG BD MEETING 062707
013741	06/27/07	WAY01	WAYNE COOPER AG SERVICES	75.00	.00	75.00	222	SUNDALE WELL MAINT
013742	06/27/07	WIN01	WINN, MICHAEL	100.00	.00	100.00	062707	REG BD MEETING 062707

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 42 - Years of Service 1965 - 2007

MINUTES

JUNE 13, 2007 9:00 A. M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

AGENDA ITEM

D-2

JUNE 27, 2007

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.

00:00:40

B. ROLL CALL

At Roll Call, the following members of the Board were present:
Directors Eby, Trotter, Vierheilig and Winn.
Director Harrison was absent.

00:00:52

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) COMMANDER BASTI OF SOUTH COUNTY SHERIFF'S OFFICE

Sgt. David Kenitz was representing Commander Basti for this meeting to present information concerning activities on the Nipomo Mesa.

The annual Law Enforcement Torch Run was June 12, 2007, from Jocko's to Hwy 166.

There were a few residential burglaries. Vehicle parts are being stolen from the downtown area.

There were no major problems during the high school graduation.

The Board thanked Officer Kenitz for the report.

C-2) BATTALION CHIEF BILL FISHER OF CAL FIRE

Captain Felix Camacho represented Chief Fisher for this meeting to present information concerning CAL FIRE activities on the Nipomo Mesa.

He gave the Board an activity report summarizing incidents for the month of May, 2007. A copy of the report is available in the District office.

The department has increased staff for the fire season. Wildland engine staffing has increased. The department received a new "Jaws of Life" extrication tool.

The Chipping Event is near completion. It has been paid for with grant money but there is no guarantee that funds will be received in the future.

The Board thanked Captain Camacho for the report.

C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST

Receive Announcements from Directors Items of District & Community Interest

Director Eby

Save the Mesa meeting Saturday, June 16, 2007, 1:30 p.m. NCS D building – will be awarding two scholarships and there will be a question and answer session with Supervisor Achadjian.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

C-3) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
(continued)

Director Winn

Central Coast Greenhouse Growers Association quarterly meeting, Saturday, June 16, 2007, Edwards Barn

LAFCo meeting Thursday, June 21, 2007 – Craig Annexation will be considered. Library Summit being formed – November 19 at Atascadero Lake – looking for funding.

Chamber of Commerce Breakfast – June 26, 2007, 7:30 a.m. at Woodlands

C-4) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

There was no public comment.

00:15:20

D. CONSENT AGENDA

D-1) APPROVE WARRANTS

D-2) APPROVE BOARD MEETING MINUTES

Approve Minutes of May 16, 2007, May 23, 2007 and May 30, 2007 Meetings

D-3) WAIVE JUNE 30, 2007, DATE LIMIT IN FAITH WATKIN'S EMPLOYMENT AGREEMENT

D-4) AUTHORIZE "YES" VOTE ON SDRMA BYLAW CHANGE BALLOT

D-5) CANCEL JULY 11, 2007, REGULAR BOARD MEETING

The Board discussed the Consent Agenda.

There were two corrections: May 16th Minutes (spelling of Mr. Denneen's name) and in D-4 - Resolution Section 2 (comma needed).

Upon motion by Director Eby and seconded by Director Vierheilig, the Board unanimously approved the Consent Agenda, as amended. Vote 4-0.

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

RESOLUTION NO 2007-1019

**A RESOLUTION OF THE GOVERNING BODY OF THE
NIPOMO COMMUNITY SERVICES DISTRICT APPROVING THE FORM OF
AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SIXTH
AMENDED JOINT POWERS AGREEMENT**

00:18:50

E. ADMINISTRATIVE ITEMS

E-1) PUBLIC/PROTEST HEARING – AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES

Bruce Buel, General Manager, reviewed the proposed collection of unpaid solid waste charges. There were two customers who paid the amount due in full and their names will be removed from the list. There were two customers who paid toward the debt and the amount due will be lowered accordingly.

The following members of the public spoke:

Mike Cook, NCS D resident, stated that he had asked for a variance and was denied. He also stated that he had not received a can for his trash service.

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

- E-1) PUBLIC/PROTEST HEARING – AUTHORIZE RECORDATION OF TAX LIENS FOR PROPERTIES IN ARREARS IN PAYMENT OF SOLID WASTE FEES (continued)

Garey Kuhnle, NCSD resident, stated that he has been taking his household trash to his place of work; therefore, he has not been using the trash service. He also stated that if the amount in arrears could be removed, he would be willing to use the service.

There was much Board discussion after the public spoke. It was noted that the mandatory rates were set by spreading the costs to each customer. Upon motion by Director Eby and seconded by Director Trotter, the Board unanimously approved Resolution 2007-1020, as revised and amended. Vote 4-0.

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

**RESOLUTION NO. 2007-1020
A RESOLUTION OF THE BOARD OF DIRECTORS OF
THE NIPOMO COMMUNITY SERVICES DISTRICT
CONFIRMING REPORT OF DISTRICT GENERAL MANAGER FOR
UNPAID SOLID WASTE COLLECTION CHARGES**

00:40:10

- E-2) PUBLIC/PROTEST HEARING – AUTHORIZE COLLECTION OF FY2007-08 BLACK LAKE STREET LIGHT DISTRICT ASSESSMENTS

Bruce Buel, General Manager, reviewed the proposed resolution to collect charges for the Black Lake Street Lighting District. There was no public comment.

Upon motion by Director Trotter and seconded by Director Vierheilg, the Board unanimously approved Resolution 2007-1021. Vote 4-0.

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

**RESOLUTION NO. 2007-1021
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND
OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE BLACK LAKE VILLAGE**

00:46:00

- E-3) PUBLIC/PROTEST HEARING – AUTHORIZE COLLECTION OF FY2007-08 LANDSCAPE MAINTENANCE ZONE #1 ASSESSMENTS

Bruce Buel, General Manager, reviewed proposed resolution to collect charges for the Landscape Maintenance District. There was no public comment.

Upon motion by Director Vierheilg and seconded by Director Eby, the Board unanimously approved Resolution 2007-1022. Vote 4-0

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

**RESOLUTION NO. 2007-1022
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE NIPOMO COMMUNITY SERVICES DISTRICT STREET LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2007-2008**

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

00:48:16

E-4) PUBLIC HEARING – REVIEW FY 2007-08 NCSD BUDGET

Lisa Bognuda, Assistant General Manager, reviewed the edits for consideration and adoption of the budget at the June 20, 2007, Board meeting. She added that the long-term debts were listed in the audit report as an appendix. There was some Board discussion. There was no public comment.

Upon motion by Director Vierheilig and seconded by Director Eby, the Board unanimously agreed to have the edits incorporated into the budget and continue this Public Hearing to the June 20, 2007, Board Meeting for adoption of the Budget and Appropriations Limitation. Vote 4-0.

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

00:54:30

E-5) PUBLIC HEARING – CONSIDER SECOND READING AND ADOPTION OF ORDINANCE AMENDING NCSD WATER ALLOCATION PROGRAM

Bruce Buel, General Manager, reviewed the process of the second reading and adoption of an ordinance amending the NCSD Water Allocation Program. The Board discussed the ordinance and made minor changes (one spelling error and addition of the word "Single" to Section 3.05.050 A-1(b)). There was no public comment.

Upon motion by Director Vierheilig and seconded by Director Eby, the Board unanimously adopted Ordinance 2007-106, as amended with minor clarification. Vote 4-0.

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

**ORDINANCE NO. 2007-106
AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING THE RULES AND REGULATIONS
FOR ALLOCATION OF INTENT-TO-SERVE LETTERS
CHAPTER 3.05 OF THE DISTRICT CODE**

01:01:30

E-6) REJECT WITHOUT PREJUDICE VAN WINGERDEN NURSERY ANNEXATION APPLICATION REGARDING PROPERTY AT 790 LIVE OAK RIDGE ROAD

Bruce Buel, General Manager, reviewed the annexation application from Van Wingerden Nursery at 790 Live Oak Ridge Road. There was no public comment.

Upon motion by Director Eby and seconded by Director Trotter, the Board unanimously agreed to deny the application without prejudice. Director Eby added that there is no benefit to the District to annex this property. Vote 4-0.

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

01:04:01

E-7) CONSIDER SCHAEFER WATER AND SEWER INTENT-TO-SERVE LETTER APPLICATION FOR 7-LOT SINGLE-FAMILY SUBDIVISION (TRACT 2523) AT TEJAS AND CYCLONE

Bruce Buel, General Manager, reviewed the request from Will Schaefer for water and sewer service to a 7-lot development on Tejas and Cyclone. The Board asked Mr. Schaefer if he was aware that the fees today may significantly increase by the time his project is ready for service. Mr. Schaefer answered yes.

Copy of document found at www.NoNewWipTax.com
MINUTES SUBJECT TO BOARD APPROVAL

Nipomo Community Services District
REGULAR MEETING
MINUTES

- E-7) CONSIDER SCHAEFER WATER AND SEWER INTENT-TO-SERVE LETTER APPLICATION FOR 7-LOT SINGLE-FAMILY SUBDIVISION (TRACT 2523) AT TEJAS AND CYCLONE (continued)

Director Eby stated that he did not like how the sewer easements ran across the planned lots. There was more Board discussion. The Board wanted the easements to be recorded on the deed and to add that the existing house must be connected to the NCSD's water and sewer system. Mr. Buel noted that the Special Condition, listed in the Board letter is to be removed. There was no public comment.

Upon motion by Director Vierheilig, seconded by Director Trotter, the Board approved the issuance of an Intent-to-Serve letter with the conditions listed in the Board letter, as well as the two other conditions discussed. Vote 3-1 with Director Eby voting no.

YES VOTES	NO VOTES	ABSENT
Directors Vierheilig, Trotter, and Winn	Director Eby	Director Harrison

01:34:44

- E-8) AUTHORIZE AMENDMENT OF BOYLE SOUTHLAND WWTF MASTER PLAN AGREEMENT TO ADD INTERIM ENGINEERING SUPPORT SERVICES

Bruce Buel, General Manager, reviewed the proposal to amend the agreement with Boyle Engineering for the Southland WWTF Master Plan to add interim engineering support services. There was some Board discussion. There was no public comment.

Upon motion by Director Vierheilig seconded by Director Trotter, the Board unanimously authorized execution of an amendment to the existing agreement with Boyle to perform the services set forth in the proposal on a time-and-materials basis with a not-to-exceed expenditure limit of \$59,847. Vote 4-0.

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

Discussed with item E-8

- E-9) AUTHORIZE EXECUTION OF AGREEMENT WITH FUGRO WEST TO EVALUATE HYDRO-GEOLOGIC IMPACTS OF DISPOSAL OF TREATED WASTEWATER AT SOUTHLAND WWTF

Bruce Buel, General Manager, reviewed the proposal for the agreement with Fugro West, Inc. to evaluate hydro-geologic impacts of disposal of treated wastewater from the Southland WWTF. There was some Board discussion. There was no public comment.

Upon motion by Director Vierheilig and seconded by Director Eby, the Board unanimously authorized execution of an agreement with Fugro West, Inc. to perform the services set forth in Phase 1 of the proposal on a time-and-materials basis with a not-to-exceed expenditure limit of \$28,860.

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

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

01:54:39

E-10) CONSIDER DIRECTOR TROTTER'S REQUEST TO REVIEW PROCESS FOR RETENTION OF CONSTRUCTION MANAGEMENT SERVICES

Bruce Buel, General Manager, reviewed Director Trotter's request to discuss the process for retention of construction management services. There was some Board discussion. There was no public comment. Director Trotter made a motion to adopt a policy but withdrew his motion. Instead, the Board directed staff to come back with a written policy for adoption.

F. MANAGER'S REPORT

Bruce Buel, General Manager, presented the Manager's Report as written in the Board letter. There was no public comment. Mr. Buel reminded the directors that nominees for the Parks Citizens Advisory Committee need to be in the office by June 20, 2007. Chamber of Commerce Breakfast – would like a good count of those attending.

02:18:01

G. COMMITTEE REPORTS

There will be a Supplemental Water Committee meeting Monday, June 18, 2007. Director Winn reported that the Conservation Committee met Monday, June 11, 2007. The next meeting will be Tuesday, June 19, 2007, 9:30 a.m.

02:23:31

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

Director Vierheilig – requested to agendize long-term obligations and performance evaluation form for non-supervisory personnel.

Director Winn – requested that Fugro West, Inc. be encouraged to look at information from SAIC.

02:27:08

I. CLOSED SESSION ANNOUNCEMENTS

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

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

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no public present to comment.

K. ADJOURN TO CLOSED SESSION

At 11:39 a.m., the Board adjourned to Closed Session.

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MINUTES SUBJECT TO BOARD APPROVAL

**Nipomo Community Services District
REGULAR MEETING
MINUTES**

02:28:35

**L. OPEN SESSION
ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION**

The Board came back into Open Session at 12:27 p.m.
Jon Seitz, District Legal Counsel, announced that the Board heard an update on the items listed above and gave instructions to staff. There was no reportable action.

ADJOURN

President Winn adjourned the meeting at 12:28 p.m.

- **THE FOLLOWING REGULAR BOARD MEETING IS JUNE 27, 2007.
TENTATIVELY SCHEDULED ITEMS INCLUDE:**
 - Review Supplemental Water Project "Fatal Flaw" Analysis
 - Award Black Lake WWTF Liner Replacement Bid
 - Appoint Parks Citizen Advisory Sub-Committee Members
- **THE FOLLOWING SPECIAL BOARD MEETING IS JUNE 20, 2007.
TENTATIVELY SCHEDULED ITEMS INCLUDE:**
 - FY07-08 Budget Adoption
 - Discuss Office Maintenance Issues
 - Review Water and Sewer Master Plan Proposed Projects

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JUNE 22, 2007

**AGENDA ITEM
D-3
JUNE 27, 2007**

ACCEPTANCE OF WATER IMPROVEMENTS
APN 091-311-015 AND 091-311-016 (CYR)

ITEM

Acceptance of water improvements for APN 091-311-015 and 091-311-016 on Easy Lane.

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project after all requirements have been met. The developer (Cyr) for APN 091-311-015 and 091-311-016 on Easy Lane installed water improvements and has met the District's conditions:

- Installed the improvements
- Paid associated fees
- Provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification

RECOMMENDATION

Staff recommends that your Honorable Board approve Resolution 2007-Accept CYR accepting the water improvements for APN 091-311-015 and 091-311-016.

ATTACHMENT

Resolution 2007-Accept CYR

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**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2007-CYR**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER IMPROVEMENTS
FOR APN 091-311-015 AND 091-311-016 (CYR)**

WHEREAS, the District approved the construction plans on February 15, 2005, for the water improvements to be constructed; and

WHEREAS, the water improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, on May 15, 2007, the Owner offered the water improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law, and

WHEREAS, all water fees for service, required in conformance with District ordinances, have been paid in full for APN 091-311-015 and 091-311-016 (Cyr).

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

That the water improvements to serve APN 091-311-015 and 091-311-016 in Nipomo are accepted by this District.

On the motion by Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 27th day of June, 2007.

Michael Winn, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JUNE 22, 2007

**AGENDA ITEM
D-4
JUNE 27, 2007**

AUTHORIZE VOTE FOR BARBARA MANN TO FILL VACANT LAFCO SEAT

ITEM

Authorize Vote for Barbara Mann to fill vacant LAFCO seat [RECOMMEND ADOPTION].

BACKGROUND

Attached is background information from LAFCO on the election to fill their vacant Special District Representative seat and a blank ballot. As set forth in the materials, two candidates – Barbara Mann of OCSD and William Miller of GFCWD have been nominated. No other information on the candidates has been received.

RECOMMENDATION

Staff recommends that the Board authorize the General Manager to submit a ballot naming Barbara Mann as NCSD's choice to fill the vacant LAFCO Special District representative seat.

ATTACHMENTS

- MATERIALS ON THE ELECTION FROM LAFCO
- BLANK BALLOT

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2007\LAFCO VOTE.DOC

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Serving the Area of San Luis Obispo County

COMMISSIONERS

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CHAIR, County Member

RICHARD ROBERTS
Vice-Chair,
Public Member

DAVID BROOKS
Special District Member

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Special District Member

Duane Picanco
City Member

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City Member

ALTERNATES

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Public Member

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City Member

JAMES R. PATTERSON
County Member

STAFF

PAUL L. HOOD
Executive Officer

RAYMOND A. BIERING
Legal Counsel

DAVID CHURCH
Senior LAFCO Analyst

DONNA J. BLOYD
Commission Clerk

TO: EACH INDEPENDENT SPECIAL DISTRICT
FROM: PAUL L. HOOD, EXECUTIVE OFFICER ^{PLH}
DATE: MAY 31, 2007
RE: BALLOT FOR LAFCO SPECIAL DISTRICT MEMBER

Two individuals have been nominated to fill the Special District Member vacancy on the San Luis Obispo Local Agency Formation Commission (LAFCO). The term expires in December 2010. The two nominees are as follows:

Barbara Mann

William Miller

The nomination period expired on May 30, 2007. The Government Code states that "at the end of the nomination period, the Executive Officer shall prepare and deliver, or send by certified mail, to each independent special district one ballot and voting instructions." The ballot is attached. Each Independent Special District may vote for one nominee.

Please schedule this matter for a vote at your Board of Directors meeting as soon as possible. The completed ballot should be returned to the LAFCO office **no later than July 2, 2007**. A self-address stamped envelope and current Commission Membership Sheet are also enclosed.

Please let me know if you have any questions.

cc: Members, Formation Commission

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JUN 01 2007

NIPOMO COMMUNITY
SERVICES DISTRICT

1042 Pacific Street, Suite A • San Luis Obispo, California 93401

Tel: 805.781.5795 Fax: 805.788.2072

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BALLOT FOR LAFCO SPECIAL DISTRICT MEMBER

Please check only one:

_____ Barbara Mann

_____ William Miller

From the _____
(Please insert name of Special District)

Board of Director's action was taken on:

(Please insert date of Board action)

**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
INFORMATION SHEET**

Authority:

Cortese-Knox-Hertzberg Local Governmental Reorganization Act of 2000 (Government Code Section 56000 et seq.)

Objective:

The Local Agency Formation Commission is a regulatory body responsible for the "discouragement of urban sprawl and the encouragement of the orderly formation and development of local governmental agencies based upon local conditions and circumstances."

Powers:

LAFCO is required to review and approve or disapprove proposals for boundary changes or governmental reorganizations of cities and special districts, including: (1) the formation of special districts and cities, and (2) the annexation and detachment of territory to cities and special districts. In addition, LAFCO is also required to determine a "sphere of influence" for each local governmental agency within the county. A sphere of influence is a plan for the probable, physical boundaries and service area of the agency; after adoption, it is used by the Commission as a factor considered in review of proposals.

Membership:

The Commission is comprised of seven (7) Regular Members (two county, two city, two special district, and one public member) and four (4) Alternate Members (one county, one city, one special district, and one public member) serving four-year terms. Current members and their term expiration dates are as follows:

Barbara Mann	Special District Member Oceano CSD	December 2006
Katcho Achadjian	County Member District 4 Supervisor	December 2009
Bruce Gibson	County Member District 2 Supervisor	December 2007
David Brooks	Special District Member Templeton CSD	December 2008

Duane Picanco	City Member, City of Paso Robles	December 2007
Allen Settle	City Member City of San Luis Obispo	December 2009
Richard Roberts	Public Member	December 2008
Ed Eby	Alt. Special District Member	December 2009
Tom Murray	Alt. Public Member	December 2008
James R. Patterson	Alt. County Member	December 2009
Gary Nemeth	Alt. City Member	December 2006

Commission Staff:

The Commission's staff serves in an administrative capacity, reviewing proposals, preparing sphere of influence studies and acting as a liaison with local agencies and the public.

Paul L. Hood	Executive Officer	phood@slolafco.com
Raymond A. Biering	Legal Counsel	biering@ammglaw.com
David Church	Senior LAFCO Analyst	dchurch@slolafco.com
Donna J. Bloyd	Commission Clerk	dbloyd@slolafco.com

Meeting Dates:

Regular meeting dates are the third Thursday of each month at 9:00 A.M. in the Board of Supervisors' Chambers, County Government Center, San Luis Obispo.

Commission Correspondence:

LAFCO

1042 Pacific Street, Suite A, San Luis Obispo, CA 93401
Tel: (805) 781-5795 Fax: (805) 788-2072 www.slolafco.com

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MEMORANDUM

COMMISSIONERS

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CHAIR, County Member

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Legal Counsel

DAVID CHURCH
Senior LAFCO Analyst

DONNA J. BLOYD
Commission Clerk

TO: EACH INDEPENDENT SPECIAL DISTRICT
FROM: PAUL HOOD, EXECUTIVE OFFICER ^{PLH}
DATE: JUNE 4, 2007
RE: BALLOT FOR LAFCO SPECIAL DISTRICT MEMBER

Further information for your consideration in placing your vote for the LAFCO Special District Member:

Barbara Mann is the LAFCO incumbent from the Oceano Community Services District.

William Miller is from the Garden Farms County Water District.

cc: Members, Formation Commission

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