

# NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 42 - Years of Service 1965 - 2007

## AGENDA

**NOVEMBER 28, 2007 AT 9AM**

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. 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 {**NCS.D.CA.GOV**} on the same date the agenda is posted.
- 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 turn off any cell phone during the meeting, as a courtesy to others.

A. CALL TO ORDER AND FLAG SALUTE            NEXT RESOLUTION    2007-1051  
    NEXT ORDINANCE     2007-107

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) NCS.D UTILITY SUPERVISOR DAN MIGLIAZZO

Update re Utility Department Activities

C-2) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST

Receive Announcements from Directors Items of District & Community Interest

C-3) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction 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 November 14, 2007 Meeting
  - D-3) PREVIEW 11/30/07 & 12/1/07 STRATEGIC PLAN WORKSHOP [NO ACTION]
  - D-4) AUTHORIZE PURCHASE OF COMPUTER, PHONE, AND GENERATOR SYSTEMS FOR SHOP OFFICE AND AMEND FY07-08 BUDGET [RECOMMEND APPROVAL]
- E. ADMINISTRATIVE ITEMS
- E-1) RECEIVE DRAFT WATER AND SEWER MASTER PLAN AND SET HEARING TO CONSIDER TENTATIVE ADOPTION [RECOMMEND APPROVAL]
  - E-2) DISCUSS DRAFT STAFF PROPOSAL RE SOLID WASTE FEE EXEMPTIONS AND SET HEARING TO CONSIDER ADOPTION [RECOMMEND APPROVAL]
  - E-3) DISCUSS ARBORIST'S RECOMMENDATIONS FOR OFFICE LANDSCAPE [PROVIDE POLICY DIRECTION]
  - E-4) INITIATE BYLAWS REVISION TO INCREASE MEETING COMPENSATION AND SET HEARING TO CONSIDER ADOPTION [RECOMMEND APPROVAL]
  - E-5) CONSIDER TRACT 2611 (FRONTAGE AT HILL MIXED-USE PROJECT) VARIANCE APPLICATION TO EXTEND INTENT-TO-SERVE APPROVAL TERM [APPROVE OR DENY APPLICATION]
  - E-6) ENROLL BOARD MEMBERS IN STATE MANDATED NIMS/SEMS/ICS TRAINING COURSE [ENROLL MEMBERS]
  - E-7) REVIEW REQUEST TO RECONSIDER FINANCIAL PLAN COMPONENTS OF MOTION ADOPTED AT 11/14/07 BOARD MEETING RE BLACKLAKE AND COMMISSION SPECIAL COUNSEL LEGAL ANALYSIS OF INCLUDING/EXCLUDING TOWN WATER FUND 700 (CAPACITY CHARGES) IN EQUITY COMPARISON [RECOMMEND APPROVAL]
  - E-8) CONFIRM IMPLEMENTATION OF 2008 TOWN AND BLACKLAKE WATER RATE INCREASE PREVIOUSLY APPROVED [RECOMMEND APPROVAL]
  - E-9) INITIATE CONSIDERATION OF STATE GRANT APPLICATION TO FUND NIPOMO MESA GROUNDWATER RESEARCH AND SET 12/12/07 HEARING TO ADOPT [RECOMMEND APPROVAL]

**Nipomo Community Services District  
REGULAR MEETING  
AGENDA**

F. MANAGER'S REPORT

G. COMMITTEE REPORTS

1. Water Conservation Committee Meeting of 11/9/07

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

I. CLOSED SESSION ANNOUNCEMENTS

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; MARIA VISTA ESTATES V. NCSA ET AL. (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION
4. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; NCSA VS. SLO COUNTY (CASE NO. CV 070066)
5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(B) (ONE CASE)

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 DECEMBER 12, 2007.  
TENTATIVELY SCHEDULED ITEMS INCLUDE:**

- Report on Supplemental Water Development
- Draft Emergency Water Shortage Regulations