

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

April 5, 2000

REGULAR SESSION 7:00 P.M.
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

GENE KAYE, PRESIDENT
AL SIMON, VICE PRESIDENT
ROBERT BLAIR, DIRECTOR
RICHARD MOBRAATEN, DIRECTOR
ALEX MENDOZA, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SECRETARY TO THE BOARD
JON SEITZ, GENERAL COUNSEL

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

A. CALL TO ORDER AND FLAG SALUTE

President Kaye called the meeting to order and led the flag salute.

B. ROLL CALL

At Roll call, all Board members were present.

SPECIAL PROCLAMATION

STATING APRIL AS "MONTH OF THE CHILD" AND APRIL 15 AS "KID'S DAY"

Legal Counsel read the Special Proclamation recognizing April as "Month of the Child" and the third Saturday of the month as "Kids Day". Upon motion of President Kaye and seconded by Director Simon, the Board unanimously accepted the Proclamation. Cheryl Villaran, Executive Director of Nipomo Recreation Center thanked the Board and introduced Lisa Marie, the Committee Chairperson.

C. PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

There were no public comments.

D. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)

D-1) SUPPLEMENTAL WATER

Review possible sources of a supplemental (Back Up) water supply for the District

Information was presented to the Board with suggested options for supplemental water. During this agenda item, the following member of the public spoke:

Lowell Davis, 1775 Calle ?, Arroyo Grande - asked who would be voting for State

Water if it should be put on the November ballot. *Answer:* District residents

Upon motion of Director Simon and seconded by Director Blair, the Board directed the Water Committee to meet and bring recommendations back to the Board.

D-2) WATER AND SEWER RATE STUDY

Review proposals from consultants for rate study and recommend awarding contract

The District received one proposal for a water and sewer rate study for the Town Division and Black Lake Division from Perry Louck, CPA. There were no public comments. Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board approved Resolution 00-728. Vote 4-1 with Director Blair dissenting.

RESOLUTION 00-728

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING PERRY R. LOUCK, CPA TO CONDUCT
A WATER AND WASTEWATER RATE STUDY**

D-3) ACQUISITION OF A COPY MACHINE
Purchase of a new copy machine

Upon motion of Director Blair and seconded by Director Mobraaten, the Board unanimously approved the purchase of a Xerox 5830 analog copy machine for \$2,700, plus tax. There were no public comments.

D-4) SURPLUS EQUIPMENT

The Board to declare equipment to be sold as surplus

Upon motion of President Kaye and seconded by Director Simon, the Board unanimously agreed to declare the obsolete equipment as surplus and sold as such. The Board directed staff to present an audit of disposed equipment. There were no public comments.

E. OTHER BUSINESS

E-1) CALIFORNIA PUBLIC EMPLOYEES RETIREMENT (PERS) CONTRACT REVISIONS

Approving contract amendment with PERS for Survivor Allowance and 1959 Survivor Benefits

Staff reported that all the employees agreed to participate in the PERS program for the 1959 Survivors Benefits. There were no public comments. Upon motion of Director Simon and seconded by Director Mobraaten, the Board unanimously approved Resolution 00-729 approving the contract amendment with PERS.

RESOLUTION 00729

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE BOARD OF DIRECTORS NIPOMO COMMUNITY SERVICES DISTRICT

E-2) GUIDELINES FOR USING BOARD ROOM

Board to review the guidelines for using the District Board room

President Kaye requested that the "Guidelines for Using the Nipomo Community Services District Meeting Room" be reviewed for possible changes. Upon motion of Director Mobraaten and seconded by Director Blair, the Board unanimously decided to add the following exception to Item 16 of the Guidelines: "... except Directors and staff during Board meetings." There were no public comments.

E-3) CHANGE IN BOARD MEETING TIME

Consideration to change meeting time from evening (7:00 p.m.) to daytime (9:30 or 10:00 a.m.) the first and third Wednesday of the month

During this agenda item, the following member of the public spoke: John Snyder, 226 Eucalyptus Rd., Nipomo - Asked the Board to consider having meeting later or earlier than the proposed 9:00 a.m. to accommodate working people, perhaps at lunch time or before or after regular working hours.

Mary Holder, 234 Summit Station Rd., Nipomo - Asked if the Board could still hold evening meetings if needed. Answer: Yes

Upon motion of Director Mendoza and seconded by Director Blair, the Board decided to poll the directors about morning meetings. The following directors voted for morning meetings: Mendoza, Blair, Mobraaten and Simon. President Kaye voted no. President Kaye made a motion to continue the 7:00 p.m. meetings. The motion failed for a lack of second. There was discussion about the time to start the meetings and if a trial period could be implemented. Upon motion of Director Mendoza and seconded by Director Blair, the Board approved Resolution 00-730 with amending it to include the following: The Board of Directors shall change the time of its Regular Board Meeting to 11:00 a.m. from 7:00 p.m. on the first and third Wednesday of the month at its regular meeting

place for a trial period of three months. The Board will review the time at the second Board meeting in June. Vote 3-2 with Director Simon and President Kaye voting no.

**RESOLUTION 00-730
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT ESTABLISHING THE
TIME FOR HOLDING ITS REGULAR MEETINGS**

F. 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. The recommendations for each item are noted in parenthesis.*

- F-1) WARRANTS (RECOMMEND APPROVAL)
- F-2) BOARD MEETING MINUTES (RECOMMEND APPROVAL)
 - Approval of Minutes of March 15, 2000 Regular Board meeting
 - Approval of Minutes of March 22, 2000 Study Session
- F-3) APPROVE USE OF BOARD ROOM FOR POLLING PLACE FOR PRESIDENTIAL GENERAL ELECTION NOVEMBER 7, 2000. (RECOMMEND APPROVAL)

Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved the Consent Agenda. President Kaye asked that the Hand Written Checks have dates shown on Warrants list. There were no public comments.

G) MANAGER'S REPORT

General Manager, Doug Jones, presented information on the following:

G-1) CALIF. COUNTY ARTICLE ON UNINCORPORATED COMMITTEE

Firefly Radio Read devices were installed at six meters for remote meter read testing.

* Fire hydrant testing will take place in the Summit Station area Thursday.

H. DIRECTORS COMMENTS

Director Mobraaten reported on the March 29 Chamber of commerce meeting with John Hand from County Planning as the guest speaker. Also, he asked about the Ad Hoc Planning meeting at the County Library.

Director Blair thanked staff for dividers in packets.

President Kaye suggested that the request from Oceano for money for a vehicle for the Sheriff's Auxiliary Patrol be postponed until further information is received.

District Legal Counsel, Jon Seitz, announced the need to go into Closed Session concerning the matters below.

President Kaye announced his resignation from the President's seat and the Board of Directors.

District Legal Counsel, Jon Seitz, advised Mr. Kaye that his resignation must be submitted in writing.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

- a. SMVWCD vs NCSD Case No. CV 770214 and related cases, Case Nos. CV 990266, CV 990391, CV 990392, CV 990556, CV 990558, CV 990738, CV 990739, SM 112867, SM 113421, SM 113422, SM 113424, SM 113425, SM 113788, SM 113789 AND OTHERS

The Board came back into Open Session and had no reportable action.

ADJOURN

Vice President Simon adjourned the meeting at 8:50 p.m.