

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

July 19, 2000

REGULAR SESSION 10:30 A.M.  
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

### BOARD MEMBERS

ROBERT BLAIR, PRESIDENT  
AL SIMON, VICE PRESIDENT  
RICHARD MOBRAATEN, DIRECTOR  
ALEX MENDOZA, DIRECTOR  
MICHAEL WINN, 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 Blair called the meeting to order at 10:35 a.m. and led the flag salute.

#### B. ROLL CALL

At Roll Call, all Board members were present.

#### 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.

President Blair opened the meeting to Public Comments

There were no public comments.

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

##### D-1) HIGH SCHOOL WATER EVALUATION (RECOMMEND APPROVAL)

District's water system evaluation for the new high school - Boyle Engineer

Pam Cosby of Boyle Engineering presented a draft evaluation of water supply and demand on the NCSD water distribution system for the L.M.U.S.D. new high school.

Mr. Jones asked if the present District distribution system could meet the demand required by the high school. Ms. Cosby recommended improvements would be necessary to supply the school. There was much Board discussion.

During this agenda item, the following member of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - Asked how the Summit Station problem figures into this evaluation.

Legal Counsel, Jon Seitz, advised that Mr. Snyder's comments be received but could not answer at this time because of the on-going litigation.

Upon motion of President Blair and seconded by Director Mobraaten, the Board unanimously agreed to receive the Draft Boyle Report into file.

##### D-2) THE WOODLAND'S PROJECT

Review District's position on the proposed Woodland project

The Board discussed the District's position on the proposed Woodland Project. The Board's position remains the same as in the past. There was no Board action necessary.

There were no public comments.

- D-3) CYPRESS RIDGE DEVELOPMENT  
Review PUC intervene procedures/So. Cal. Application for the Cypress Ridge water system

The Board requested, at their last meeting, that this item be placed on the agenda for discussion.

The Board reviewed the Southern California Water Company's application to the Public Utility Commission to provide service to the Cypress Ridge Golf Course development. Several citizens from Santa Maria are protesting to the cost of obtaining Cypress Ridge and spreading the costs to the rate payers. Legal Counsel, Jon Seitz, explained the process to file a Motion to Intervene either in support or opposition of Cal Cities position. If the Board wishes to intervene, it should consider the cost issues on annexing Cypress Ridge. Costs to consider: Attorney, purchase, annexation process, supplemental water., infrastructure improvements

During this agenda item, the following member of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - Stated that this was the second application Cal Cities has sent to the PUC to acquire Cypress Ridge. He feels that it is inappropriate for Cal Cities to pay \$1.6 million and charge that to their customers.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously directed staff to write a letter, as a legal brief, to PUC stating the District's position on supplemental water supply and the payment issues.

- D-4) REQUEST FOR WATER SERVICE (MONEY)  
Request for water service to 1108 Pomeroy Rd. - one 8½ acre parcel

A request was received for water service to an 8½ acre parcel on Pomeroy Rd. There were no public comments. Upon motion of Director Mendoza and seconded by Director Winn, the Board unanimously approved and Intent-to-Serve letter to Mr. Money for water service to 1108 Pomeroy Rd. with the conditions as outlined in the Board letter.

*{ After the meeting, correspondence was received from Mr. Money correcting the potential service address to 1112 Pomeroy Rd. for the APN 091-240-024. }*

**E. OTHER BUSINESS**

- E-1) DISTRICT BOARD ROOM USE  
Review District policy of use of the Board room

The Board reviewed the District's policy on use of the Board room by other groups. Some groups had asked if drinks could be brought into the room for use by the leaders of the group using the building.

During this agenda item, the following member of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - Suggested having a group representative to be responsible for the condition of the room.

Upon motion of President Blair and seconded by Director Mobraaten, the Board decided to maintain the present policy. Vote 4-1 Director Winn voted no. It was suggested that a small hand-out be created to give to users of the room to remind them of certain rules needing to be enforced.

- E-2) SOUTH COUNTY AREA PLAN PROPOSED AMENDMENTS  
Review three proposed projects outside but adjacent to NCSD boundaries
- Nipomo Oaks Partnership industrial park development
  - Commercial and residential development adjacent to Southland St.
  - 40-lot development next to Black Lake Golf Course

The Board reviewed the proposed amendments to the South County Area Plan. This was an information item only. No action was necessary.

**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 June 21, 2000 Regular Board meeting  
Approval of Minutes of July 5, 2000 Regular Board meeting

During this agenda item, the following member of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - Did not feel Mr. Garing's answer was complete.

Legal Counsel, Jon Seitz, explained that the tapes are available .

Upon motion of Director Winn and seconded by Director Mendoza, the Board unanimously approved the Consent Agenda.

**G) MANAGER'S REPORT**

Manager Doug Jones presented information on the following items:

- G-1) CSDA LEGISLATIVE UPDATE  
G-2) Templeton CSD correspondence on CSDA Board seat

LAFCO Meeting Thursday to consider The Bluff's project.

**H. DIRECTORS COMMENTS**

Director Mobraaten attended a meeting considering "Green Waste Burning Alternatives" with the Air Pollution Control Board.

Director Winn reported that NCAC did not have time to arrange a meeting with SOAR but would consider co-sponsoring a meeting. He also reported that the upcoming Chamber of Commerce meeting will include matters concerning SOAR.

District Legal Counsel, Jon Seitz, announced the need to go into Closed Session concerning the matters below with Item b to be discussed first.

**CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

- SMVWCD vs NCSD Santa Clara County Case No. CV 770214 and all consolidated cases.
- NCSD vs. State Dept of Health Services CV 990706, GC§54956.9

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

**ADJOURN**

President Blair adjourned the meeting at 3:05 p.m.