

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

OCTOBER 18, 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 10:32 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.

Present Blair opened the meeting to Public Comment. There were none.

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

D-1) REQUEST FOR WATER SERVICE (ORTIZ)

Request for water service due to hardship outside District boundary at 660 Cherokee Place

The request from Salvador and Helen Ortiz for water service to 660 Cherokee Place on the basis of an extreme hardship case was revisited after 2 previous times on the Board's agenda. The District Code § 3.16.010 allows property outside the District boundary to be served if there is an extreme hardship or if there is a benefit to the District or community.

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

Vince McCarthy, 194 E. Dana, Nipomo – Asked about the size of the storage tank on the property. Ans: There are storage tanks, but the size is unknown.

Susie Hermreck, Nipomo - felt the property owners were over-using the allowed land use.

Donna Mehlschau, 101 Mehlschau Road, Nipomo - Serving this property would be setting a precedent.

Their well report indicated that there was adequate water for two houses on the property. Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously denied the request from Salvador and Helen Ortiz for water service to 660 Cherokee Place on the basis that the property is outside the District and has not been determined an extreme hardship case.

D-2) WATER AND SEWER SYSTEM MASTER PLAN

Review proposal from Boyle Engineering to update District's 1995 Water and Sewer Master Plan

This item was postponed until a representative from Boyle Engineering arrived.

Pam Cosby from Boyle Engineering presented information on the proposal to update the District's 1995 Water and Sewer System Master Plan. There was Board discussion.

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

Evan Evanoff, 490 Brytec Ct., Nipomo - Asked if new water storage facility would help Summit Station. Mr. Seitz explained that the District cannot comment on the subject because of ongoing litigation.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously authorized the President of the Board to execute an agreement with Boyle Engineering to provide the service and appropriate funds from reserves to pay for the study.

D-3) DISTRICT INSTALLED WATER LINES REIMBURSEMENT

Review connection fee to District installed water lines

A request was received from the developers of Tract 2219 (Barlogio and Dana) to reconsider the amount of the fee to reimburse the District for the District-installed water line on the basis that at some future time, the property on the other side of the water line could possibly be served and the property owners could pay their half at that time.

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

John Barlogio, Nipomo - wished to thank the Board for considering his request.

Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously approved Resolution 00-742 with the elimination of paragraph 4.

RESOLUTION NO. 00-743

**A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS APPORTIONING FRONT FOOTAGE FEES
BETWEEN TRACT 2219 AND FUTURE DEVELOPMENT**

D-4) REQUEST FOR WATER AND SEWER SERVICE - TRACT 2381 (CRAIG)

Request for water and sewer service for a 20-lot development at Pomeroy & Willow Rds.

The District received a request for water and sewer service for Tract 2381 in the Black Lake Specific Plan, located at Pomeroy and Willow Roads.

There were no public comments.

Upon motion of Director Simon and seconded by Director Mobraaten, the Board unanimously approved an Intent-to-Serve letter to be issued for Tract 2381 with the conditions as outlined in the Board letter.

D-5) REQUEST FOR WATER AND SEWER SERVICE - TRACT 2399 (KING VENTURES)

Request for water and sewer service for a 59-lot development at S. Frontage & Division.

The District received a request for water and sewer service for Tract 2399, a 59-unit development located at S. Frontage Rd. and Division.

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

Evan Evanoff, 490 Brytec Ct., Nipomo - asked why give a Will-Serve letter with a warning.

Guy Murray, 182 Danny Lane, Nipomo - Commented on the Will-Serve letters and incorporation

Vince McCarthy, 194 E. Dana, Nipomo - Commented that he knows the Board has not control of the density.

Upon motion of Director Winn and seconded by Director Simon, the Board unanimously approved an intent-to-Serve letter to be issued for Tract 2399 with the conditions as outlined in the Board letter.

E. OTHER BUSINESS

E-1) ANNUAL AUDIT SERVICES

District audit proposal services for FY 01-03

A proposal was received from Carlos Reynoso, CPA, to perform the District's audit for the next three years. There were no public comments. Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved the audit proposal from Mr. Reynoso and authorized staff to execute the Audit Engagement Letter.

E-2) APPOINTMENT TO COUNTY WATER RESOURCES ADVISORY COMMITTEE

Present members from the District are Doug Jones (member) and Bob Blair (alternate member)

The San Luis Obispo County Flood Control and Water Conservation District Water Resources Advisory Committee has requested that nomination for a non-expiring term for appointment to the WRAC. There were no public comments. President Blair appointed Manager Doug Jones and himself as member and alternate to WRAC.

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 October 18, 2000 Regular Board meeting

F-3) ACCEPTANCE OF TRACT 2304 IMPROVEMENTS (WITTSTROM) [RECOMMEND APPROVAL]

F-4) ACCEPTANCE OF TRACT 1854 IMPROVEMENTS (GREENWALD) [RECOMMEND APPROVAL]

RESOLUTION NO. 00-744

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR TRACT 1854

F-5) ACCEPTANCE OF TRACT 2264 IMPROVEMENTS (BLACK LAKE ESTATES PARTNERS) [REC APPROVAL]

RESOLUTION NO. 00-745

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR TRACT 2264 (BLACK LAKE ESTATES PARTNERS)

Item F-3 was removed for lack of completion.

There were no public comments.

Upon motion of Director Mobraaten and seconded by Director Simon, the Board unanimously approved the Consent Agenda presented.

G. MANAGER'S REPORT

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

G-1) U S WATER NEWS ARTICLE ON EAST COAST DE-SAL PLANT

G-2) GOVERNING - LAND USE ARTICLE

H. DIRECTORS COMMENTS

Director Mobraaten reported on the candidates meeting October 17th. Both Director Mobraaten and President Blair enjoyed the meeting and learned a lot.

Director Mendoza asked about the gas bill. Mr. Jones explained that it is for the Sundale Well.

Mr. Winn asked for the status of the Lucia Mar proceedings. There is a meeting next Tuesday.

There was no need to go into Closed Session.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

a. SMVWCD vs NCSA Santa Clara County Case No. CV 770214 and all consolidated cases.

b. NCSA vs. State Dept of Health Services CV 990706, GC§54956.9

c. Litigation CPUC Appl. No. A 00-03-029 (Gov. Code §54956.9)

ADJOURN

President Blair adjourned the meeting at 11:49 a.m.