

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

NOVEMBER 29, 2000

SPECIAL MEETING 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, the following members were present:

Directors Winn, Mendoza, Mobraaten and Blair. Director Simon was absent.

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 none.

D. ADMINISTRATIVE ITEMS

D-1) WATER AND SEWER RATE ADJUSTMENTS (ORDINANCE NO. 2000-89)

Second Reading and proposed adoption of an ordinance adjusting water and sewer rates

The Board had the second reading of the ordinance adjusting water and sewer rates. There were no public comments.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved Ordinance 2000-89 adjusting water and sewer rates.

Vote 4-0 with Director Simon absent.

ORDINANCE 2000-89

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING TITLE 3 AND TITLE 4 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO

- (1) ESTABLISH BI-MONTHLY RATES FOR WATER AND SEWER SERVICE; and
- (2) CLARIFY SECTION 3.03.070(A) OF THE DISTRICT CODE

D-2) REQUEST FOR ANNEXATION NO. 18 (TRACT 2393) NEWDOLL

Annex No. 18, a 2½ ac, 8-lot development at Cyclone & Grande Ave.

The following members of the public spoke:

Jim McGillis, Surveyor on behalf of Mr. Newdoll - handed the members of Board a page from the South County General Plan changing lots for 6000 sq ft lots to 10,000 sq ft lots

John Snyder, 662 Eucalyptus, Nipomo - I am asking that NCSD openly disclose any knowledge it has that's supplying water to this Annexation #18 will require adverse use of landowner's groundwater production before approving this item.

Donna Mills, 655 Sweet Donna Place, Nipomo - This project will have an impact on the schools which are in a Severity 3 Level. Would like to see this project come before NCAC before approval.

Jessie Hill, 1910 Grant Ave, Nipomo - Would like to see LAFCO uniformity.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved the request for Annex #18 to NCSD with the requirements listed in the application in addition to which notification will be sent to LAFCO that this matter will be considered by NCAC prior to the LAFCO meeting, December 21, 2000. Vote 4-0 with Director Simon absent.

RESOLUTION NO. 00-748
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
CONDITIONALLY APPROVING THE ANNEXATION OF APPROXIMATELY 2.5 ACRES
LOCATED AT THE INTERSECTION OF CYCLONE AND GRANDE STREET, NIPOMO, CALIFORNIA
ANNEXATION NO. 18

D-3) INSTALLATION OF AUTOMATIC METER READING DEVICES (AMR)
Consideration to award bid to install AMR's

The Board considered awarding the contract to install Automatic Meter Reading devices. Amick Construction was the lowest bidder at \$4.50 per unit.

There were no public comments.

Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously awarded the contract to install Automatic Meter Reading devices to Amick Construction of Morro Bay and to fund this item of approx. \$14,850.00 from reserves of the Property Tax Fund. Vote 4-0 with Director Simon absent.

E. OTHER BUSINESS

E-1) CELL SITE LEASE AGREEMENT

Review and possible approval of standpipe lease site agreement for cell phone antennas with Tacit Communications, Cox PCS Assets

The Board reviewed the cell site lease agreement between NCSD, Nipomo Oaks and Cox PCS Assets (Sprint).

The following member of the public spoke:

Donna Melschau, Partner in Nipomo Oaks - Received the final draft this morning and has not had a chance to read it. She will inform staff later about signing.

Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously approved the lease agreement as presented. Vote 4-0 with Director Simon absent.

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 November 15, 2000 Regular Board meeting
Approval of Minutes of November 17, 2000 Special Board meeting

There were no public comments. Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved the Consent Agenda with the addition to the Minutes as suggested by Director Winn.

G. MANAGER'S REPORT

CSDA seminar January 30-31 for new Board members

Mr. Seitz mentioned that the local chapter of CSDA would also be holding a training in Los Osos January. Time and date will be announced later.

H. DIRECTORS COMMENTS

Director Mobraaten letter to Planning concerning the UPC 608

Director Winn has been asked about odor from strawberry fields. Mr. Jones explained that it was the hydrogen sulfide gases.

NCAC has inquired about NCSD exploring activation of landscaping on Tefft.

At Board of Supervisors meeting 11/21/00 ad hoc committee was discussed. Option 2 was chosen.

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

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

- a. SMVWCD vs NCSD Santa Clara County Case No. CV 770214 and all consolidated cases.
- b. NCSD 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

The Board came back into Open Session and reported in the case of NCSD vs State Dept. of Health Services, the Board considered the Boyle Report and recommendations of staff and directed staff to come up with a rebate program in regards to Option 2 considered in the Boyle Report which relates to booster pumps and the Board also agreed to consider Options 4, 5 & 6 as part of an overall view for future Master Plan. Motion by Director Winn, seconded by Director Mobraaten. Vote 4-0 with Director Simon absent.

The regular Board meetings scheduled for December 6 and December 20, 2000 will be canceled. A Special Board meeting will be held on December 13, 2000.