

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

DECEMBER 13, 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
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, 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 of December 13, 2000 to order at 10:32 am 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 none.

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

D-1) REFUSE COLLECTION BY NCSD

Review the possibility of NCSD providing refuse collection and requesting LAFCO for the latent powers of refuse collection and disposal

Tom Martin, South County Sanitation Service - presented information to the Board about refuse collection in the South County area and how it may pertain to Nipomo Community Services District. The service area is from Santa Barbara County line to Avila Beach. There was much Board discussion.

Legal Counsel, Jon Seitz, gave an overview of some of the processes necessary to activate the latent power of refuse collection.

Director Winn asked Mr. Martin how the baseline is figured from which the waste reduction was calculated?

Mr. Martin: A waste characterization study was performed in 1990 and identified Nipomo as a service area. The number of tons coming from Nipomo was established.

There were no public comments.

Upon motion of Director Winn and seconded by Director Simon, the Board directed staff to prepare appropriate documents to proceed with this matter with information on rates. Roll call vote 5-0.

D-2) MONTECITO VERDE II SEWER CONNECTION

Review EDA proposed design to connect MVII on-site sewer system to the District system

EDA has proposed several concepts for connecting the Montecito Verde II waste disposal system to the District's area-wide sewer system. Upon motion of Director Mobraaten and seconded by Director Winn, the Board directed staff to proceed with Option 3 of the Sanitary Sewer Feasibility Study Montecito Verde II prepared by EDA with the addition of aligning the gravity sewer in the public right-of-way instead of the back easement. There were no public comments. Roll Call Vote 5-0.

E. OTHER BUSINESS

E-1) TEFFT STREET WATER LINE DESIGN

Approval to request engineering services to design Tefft St. water line improvements

The 1995 Boyle Engineering Water and Sewer Master Plan indicated that additional water line crossings need to be constructed across the freeway to Thompson Ave. to improve distribution of the District's water system. Upon motion of Director Mobraaten and seconded by Director Simon, the Board unanimously authorized staff to request proposals to design the Tefft Street water line improvements that meet our requirements and Boyle's old and new requirements. There were no public comments. Roll Call vote 5-0

E-2) ELECTION OF BOARD OF DIRECTORS OFFICES

Election of Board President and Vice President

Director Simon nominated Director Blair for President for the year of 2001.

There were no other nominations. Roll Call vote 5-0.

President Blair nominated Director Simon for Vice-President for the year of 2001.

There were no other nominations. Roll Call vote 5-0.

There were no public comments.

Committee members will be appointed in January.

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 29, 2000 Special Board meeting

F-3) EARLY RETURN TO WORK POLICY [RECOMMEND APPROVAL]

Consideration of an Early Return to Work Policy

F-4) TRANSFER OF OPERATING FUNDS TO REPLACEMENT FUNDS [RECOMMEND APPROVAL]

Consideration of resolution authorizing transfers

F-5) ACCEPTANCE OF TRACT 2304 IMPROVEMENTS (WITTSTROM) [RECOMMENDED APPROVAL]

Accept water system improvements for a 46 lot development

F-6) ACCEPTANCE OF DRUMM LANE SEWER IMPROVEMENTS (MITCHELL) [REC APPROVAL]

Accept sewer system improvements to existing lots on Drumm Lane

Director Winn asked that Item F-5 be pulled for discussion.

Upon motion of Director Simon and seconded by Director Winn, the Board unanimously approved Items F1 thru F4 and F-6 of the Consent Agenda. There were no public comments. Roll Call vote 5-0

00-749

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT APPROVING THE TRANSFER OF OPERATING FUNDS FROM THE TOWN SEWER DIVISION AND BLACK LAKE WATER DIVISION TO THE REPLACEMENT FUND ACCOUNTS

00-751

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING THE SEWER IMPROVEMENTS FOR DRUMM LANE (MITCHELL)

F-5) Director Winn wanted more information on this tract. Mr. Jones explained where it is located and the type of service it has. Upon motion of Director Winn and seconded by Director Mobraaten, the Board accepted the improvements of Tract 2304. Vote 5-0 with Director Wirsing abstaining.

**00-750
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER IMPROVEMENTS FOR TRACT 2304 (WITTSTROM)**

G. MANAGER'S REPORT

General Manager, Doug Jones presented information on the following.

G-1) Notice of County Public Hearings

- 1) The Bluffs (115 buildable lots) (Hutton Rd & Santa Maria Raceway)
- 2) Bay Development (120 Unit Apartment Complex) (Grande Ave. & Blume St.)

G-2) Environmental Review-Mesa Royale Tract Map

Board of Supervisors meeting January 11, 2001 concerning Summit Station. Board requested that it be put on the January 3 agenda for discussion.

There were no public comments.

H. DIRECTORS COMMENTS

Director Mobraaten wished to thank staff for the letter written to Ms. Maloney.

Reported on UPC and traffic meeting.

President Blair also attended the traffic meeting. Attended meeting with PGE. Electricity rates will triple in the next year. Gas rates will double.

Director Wirsing thanked other Board members for welcoming her to the Board.

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. Litigation CPUC Appl. No. A 00-03-029 (Gov. Code §54956.9)
- b. NCSD vs State Dept of Health Services CV 990716, GC §54956.9

The Board came back into Open Session and reported:

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

Board agreed to sign a stipulation to provide all services and keep water as a latent power. Vote 5-0 with Director Wirsing abstaining.

- b. NCSD vs State Dept of Health Services CV 990716, GC §54956.9
Board directed staff to present District settlement solution .

ADJOURN

President Blair adjourned the meeting at 1:10 p. m.

The next regular Board meeting will be held on January 3, 2001.