

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

FEBRUARY 7, 2001

**REGULAR 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, **SEC. TO THE BOARD**  
JON SEITZ, **GENERAL COUNSEL**

### **CLOSED SESSION**

**9:30 A.M.**

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

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

No reportable action

**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.**

President Blair opened the meeting to Public Comments. There was none.

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

##### **D-1) SUMMIT STATION - REBATE PROGRAM**

Review rebate program and resolution for installation of booster pumps at Summit Station area higher elevation residences

President Blair stepped down from the Board during this item because of a conflict of interest in the matter. He owns property in the Summit Station area.

The revisions to the application for the Summit Station Pressure Pump Rebate Program were reviewed.

There were no public comments. Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved the Summit Station Pressure Pump Rebate Program for homes on a house pad elevation of 425 feet or higher. The program is to be made available after the resolution of the citation from the California Department of Health Services. Vote 4-0 with President Blair not voting.

##### **D-2) REQUEST FOR SERVICE - TRACT 2393 (NEWDOLL)**

Request for water and sewer service for a 7-lot development at Grande & Cyclone Sts.

President Blair returned to the Board.

Developer, Robert Newdoll, is requesting water and sewer service to a 7-lot development on Cyclone and Grande Ave.

Jim McGillis, surveyor for project, Nipomo - changed configuration of tentative map.

There were no public comments.

Upon motion of Director Simon and seconded by Director Mobraaten, the Board unanimously approved an Intent-to-Serve letter for Tract 2393 with the conditions as outlined in the Board letter. Vote - 5-0 with Director Wirsing abstaining.

# MINUTES

FEBRUARY 7, 2001

Page Two

- D-3) REQUEST FOR SERVICE - TRACT 2413 (KENGEL)  
Request for water & sewer service for a two-lot development on Elvira Way

Developer, William Kengel, is requesting water and sewer service for a 2-lot development, Tract 2413, within Tract 1658.

There were no public comments. Upon motion of Director Mobraaten and seconded by Director Simon, the Board unanimously approved the 2-lot development. Vote 5-0.

## **E. OTHER BUSINESS**

- E-1) GIS DATA PROJECT SERVICE AGREEMENT  
Approve an agreement for a water & sewer atlas for the District

An agreement was prepared for the GIS Data Project. Mr. Seitz, District Legal Counsel, explained the changes that were made in the contract. Same changes were made in Garing, Taylor's contract for the water line design.

Mike Sears from Lucia Mar Unified School District offered to check if their system could be used in conjunction with this GIS program. Upon motion of Director Winn and seconded by Director Simon, the Board decided to table this item until the School District can be contacted for possible coordination of programs and directed staff to contact the School District

- E-2) TEFFT STREET WATER LINE DESIGN PROPOSALS  
Review engineer proposal to design the Tefft St. water line

Requests for proposal to design the Tefft Street water line were sent to consulting engineering firms. Three bids were received. There were no public comments. Upon motion of Director Simon and seconded by Director Winn, the Board unanimously decided to award the water line design project to Garing, Taylor & Associates and instructed the President of the Board to execute the agreement and approved the funding for the design work from reserves in the Town Water Capacity Fee Fund.

- E-3) BOARD OF DIRECTORS BY-LAWS  
Annual review of the Board of Directors By-Laws

The time for the review of the Board By-Law Policy is February. President Blair set an ad hoc committee consisting of Directors Winn and Wirsing, staffed by legal counsel, to discuss the Board of Directors By-Laws. There were no public comments.

## **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 January 17, 2001 Regular Board meeting  
F-3) SECOND QUARTER FINANCIAL REPORT [ACCEPT AND FILE]  
F-4) ACCEPTANCE OF TRACT 1712/2383 [RECOMMEND APPROVAL]  
Resolution accepting water & sewer improvements for Tract 1712/2383

**RESOLUTION NO. 2001-755  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR TRACT 1712/2386 (NEWDOLL)**

There were no public comments.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved all items on the Consent Agenda. Vote 5-0

# MINUTES

FEBRUARY 7, 2001

Page Three

## **G. MANAGER'S REPORT**

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

G-1 MONTECITO VERDE II MEETING REVIEW

Possible \$100,000 grant from the Community Block Grant Program

G-2) SCHOOL AGREEMENT UPDATE

Mr. Jones explained EDA has reviewed report from Boyle Engineering. A meeting was held with the School District staff and many items were ironed out. Commodity costs are being discussed with EDA. Capacity charges are being used for the buy-in cost thereby eliminating the tank \$200,000 costs. District expects more information shortly.

Mike Sears from the Lucia Mar Unified School District said that Mr. Jones comments are consistent with his understanding. He spoke with their engineer this morning. Nancy DePue says we're almost there!

G-3) LEGISLATIVE UPDATE

G-4) LAFCO HEARING (2/15) ON NCSD PROVIDING GARBAGE COLLECTION

G-5) ARTICLES ON CHROMIUM & GLOBAL WARMING

G-6) US SUPREME COURT RULING OF CORP OF ENG JURISDICTION

G-7) CONFLICT OF INTEREST INFORMATION

## **H. DIRECTORS COMMENTS**

Director Mobraaten commented about power use during outside groups using the building.

President Blair concerned about the inappropriate comment from Carolyn Moffat at the LAFCO Meeting. Mr. Seitz suggested that it be put on agenda for review.

Director Winn agreed with the request to review LAFCO meeting. Would like more education on what CSDA is (both County-wide and State-wide) and how representation from us to them is achieved and how they represent statewide and so forth. Has attended two seminars about CSDA and has issues he would like to address. Mr. Seitz suggested that this could be discussed in the ad hoc committee. Director Winn also commented about an issue of an incompatible office with the School Board. He also met with the Growth Management Planning Sub-Committee of the NCAC with Scott Phillips of the Regional Water Quality Control Board about changing density and putting septic from 1 acre parcels to 1/2 acre parcels on the Nipomo Mesa. Feels the District needs to look at this policy.

Director Wirsing would like to see an update on the Supplemental Water review. Mr. Jones noted that the consultant, Kennedy-Jenks, is currently working on that and will contact.

Director Winn noted that the Water Forum will be held Monday, Feb.12, 2001 at 6:30 p.m. here. He also mentioned some Brown Act rules.

Editor Black Lake Newsletter informed Board of newsletter now being distributed in the Black Lake area.

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 had no reportable action.

### **ADJOURN**

President Blair adjourned the meeting at 12:35 p.m.

The next regular Board meeting will be held on February 21, 2001.