

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

MARCH 21, 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

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 10:34 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 Comment. There was none.

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

D-1) REFINANCING OF EXISTING DEBT - AD 93-1

Review of refinancing debt obligation

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. Vice President Simon took the chair.

Richard Brandis and Nicki Tallman, consultants from IBIS Securities, presented information concerning the possibility of refinancing the existing Assessment District 93-1, Summit Station.

The following members of the public spoke:

Bob Blair, Summit Station area, Rural Arroyo Grande - would like to see interest rate lowered which would lower his payments.

Carol Mitchell, Nipomo resident - Asked question about refinance percentage.

Vince McCarthy, Nipomo resident - Will there be public disclosure of final debt? Ans: Yes
Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously agreed to have IBIS Securities make a presentation to the Board in May. Vote 4-0. President Blair returned to the chair.

D-2) INTEGRATED WASTE MANAGEMENT AUTHORITY - MEMORANDUM OF AGREEMENT (MOA)

Review the IWMA-MOA to allow membership of Special Districts

The Board reviewed the Memorandum of Agreement for the Integrated Waste Management Authority. There were no public comments. Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously approved Resolution 2001-759. Vote 5-0

RESOLUTION NO. 2001-759

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING A MEMORANDUM OF AGREEMENT WITH THE SAN LUIS OBISPO COUNTY
INTEGRATED WASTE MANAGEMENT AUTHORITY**

- D-3) REIMBURSEMENT AGREEMENT - DRUMM LANE SEWERS (MITCHELL)
Review agreement for reimbursement to developer for sewer costs in Drumm Lane

President Blair stepped down from the Board during this item because of a conflict of interest in the matter. He owns property in the Drumm Lane area within 500 feet of the project. Vice President Simon took the chair.

The Board reviewed the information presented concerning the reimbursement to the developer (Mitchell) for sewer costs in Drumm Lane.

The following members of the public spoke:

Carol Mitchell, Drumm Lane, Nipomo - Presented information to the Board concerning the number of buildable lots for a different count than shown in the Board packet information.

Marian Lindberg, Southland Street area, Nipomo - Agreed with the information presented to the Board. Wanted to know the possible time frame for this matter to be resolved.

Answer: Possibly a month.

Bob Blair, Rural Arroyo Grande - would like more information on lot lines.

Upon motion of Director Mobraaten and seconded by Director Wirsing, the Board decided to table this item until more information could be obtained. Vote 4-0.

E. OTHER BUSINESS

- E-1) BOARD OF DIRECTORS BY-LAWS
Review revisions and adoption of Board of Directors By-Laws

The amended Board Bylaws were presented to the Board for possible approval. There were no public comments.

After a few grammatical corrections and upon motion of Director Winn and seconded by Director Wirsing, the Board adopted Resolution 2001-760 establishing Board Bylaws. Vote 5-0.

**RESOLUTION NO. 2001-760
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING BOARD BYLAWS**

- E-2) NIPOMO MESA WATER QUALITY
Review DWR water quality from Jan 2000 Draft Report

The Board reviewed some information concerning the presentation by Regional Water Quality Control Board representatives, Michael LeBrun and Scott Phillips.

The following member of the public spoke:

John Snyder, Rural Nipomo - Warned the Board to look closely at report.

No action was taken.

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 March 7, 2001 Regular Board meeting

President Blair asked to have Item F-3 pulled for discussion.

Upon motion of Director Mobraaten and seconded by Director Winn, the Board approved Items F-1 and F-2 of the Consent Agenda. Vote 5-0

- F-3) DISTRICT CHARGE CARD
Increase charge card limit with Mid-State Bank [RECOMMEND APPROVAL]

The District's charge card presently has a limit of \$2,000. There have been times when necessary purchases have exceeded the present limit. The Board discussed different limits and chose \$7,500. Upon motion of Director Mobraaten and seconded by Director Wirsing, the Board adopted Resolution 2001-761 increasing the charge card limit. Vote 5-0.

**RESOLUTION 2001-761
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING AN INCREASED LIMIT TO THE DISTRICT
MASTER CARD THROUGH MID STATE BANK**

G. MANAGER'S REPORT

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

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|---------------------------------------|------------------------------------|
| G-1) LAFCO REPRESENTATIVE | G-4) CA-NV SECTION AWWA CONFERENCE |
| G-2) SLO-CSDA ANNUAL MEETING APRIL 20 | G-5) WOODLANDS SUPPLEMENTAL EIR |
| G-3) ARTICLE ON WATER CONSOLIDATION | G-6) ARTICLE ON GROWTH CHALLENGES |

Legal Counsel, Jon Seitz, presented information concerning the reorganization of LAFCO and AB 2838 update.

H. DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

- Litigation CPUC Appl. No. A 00-03-029 (Gov. Code §54956.9)
- SMV/WCD vs NCS Santa Clara County Case No. CV 770214 and all consolidated cases.
- NCS vs State Dept of Health Services CV 990716, GC §54956.9

ADJOURN

President Blair adjourned the meeting at 1:00 p.m.

The next regular Board meeting will be held on April 4, 2001.