

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

MAY 2, 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**

With the President and the Vice President absent, Director Winn proposed that Director Mobraaten chair the meeting. Director Wirsing seconded and they all agreed.

Director Mobraaten called the meeting to order at 10:30 a.m. & led the flag salute

#### **B. ROLL CALL**

At Roll Call, the following Board members were present:

Directors Mobraaten, Winn and Wirsing.

President Blair and Vice President Simon were 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.

Chairperson Mobraaten asked for Public Comment for subjects not on the agenda.

The following members of the public spoke:

Jessie Hill, Arroyo Grande - Gave Board a copy of a Notice of a Public Workshop held on May 1, 2001 on Proposition 13 Water Conservation Loan and Grant Proposal Recommendations. He also presented the Board with a map of this area and asked that it be displayed at Nipomo Community Services District.

Donna Mills, Nipomo, - Asked about the retrofits program and about the trailer on Tefft St.

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

##### **D-1) SOLID WASTE DISPOSAL ORDINANCE - PUBLIC HEARING**

Adoption of an ordinance establishing rules & regulation to provide solid waste services

Chairperson Mobraaten opened the meeting to a Public Hearing.

District Legal Counsel, Jon Seitz, explained the Solid Waste Disposal ordinance. The plan is to adopt the County program. Chairperson Mobraaten asked for Public Comment.

There were no public comments.

Upon motion of Director Winn and seconded by Director Wirsing, the Board agreed to have legal counsel read the ordinance in title only. Mr. Seitz read the title of Ordinance 2001-90.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved Ordinance 2001-90. Vote 3-0

**ORDINANCE 2001-90  
AN ORDINANCE OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING SOLID WASTE MANAGEMENT  
RULES, REGULATIONS AND FEES AND CHARGES**

- D-2) DISTRICT ANNEXATION POLICY  
Review revisions to the District's annexation policy

The Board reviewed the proposed Annexation Policy. Director Winn proposed that a special meeting be held next Wednesday evening when the President and Vice President could be in attendance.

The following members of the public spoke:

Vince McCarthy, Nipomo resident - Asked that the meeting could be held at a later date to get more information to the public.

Jesse Hill, Arroyo Grande, NCAC President - Asked that residents be mailed notification before the Board considered the new annexation policy. Asked if the Board considered AB 2838.

John Snyder, Nipomo - Asked Board to consider sewer service without water service.

Donna Mills, Nipomo resident - asked about timing when people's comments could be received at the District.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to hold table this item until the next regular Board meeting with Public Notice about the subject matter. Vote 3-0

- D-3) DRUMM LANE SEWER REIMBURSEMENT (MITCHELL)  
Review reimbursement spread for sewer line costs and set a public hearing

The Board reviewed the reimbursement spread to property owners based on the assessor's parcel map. Jay Johnson of the SLO Planning Department indicated that the County considered one APN as a single lot. The pro rata share is \$2,967.25 for each lot.

There were no public comments

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to set a public Hearing for June 6, 2001 at 10:30 a.m. in the District Board room for the Drumm Lane sewer reimbursement spread. Vote 3-0

- D-4) REQUEST FOR ANNEXATION - TRACTS 1802 & 1856 (TRINCON)  
Review annexation agreement to annex a 77-lot development on 82 acres near Santa Maria racetrack

The Board reviewed the request for annexation of Tracts 1802 and 1856. Director Winn suggested that the property cannot be annexed now with the current annexation policy.

The following members of the public spoke:

Evan Evanoff, District resident, NCAC member - against annexation of this area

Jessie Hill, NCAC President Arroyo Grande - spoke against annexation

Vince McCarthy, Nipomo - suggested that a full EIR be performed before annexation.

Director Wirsing does not want this annexation.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to continue this item until the Annexation Policy was established. The Board asked that an annexation agreement be drafted using the proposed annexation policy and that the annexation of Tracts 1802 and 1858 be tabled and considered at the June 6, 2001 meeting.

## E. OTHER BUSINESS

- E-1) DRAFT FISCAL YEAR 2001-2002 BUDGET  
Presentation of the draft 2001-02 District Budget

A Study Session was set for Wednesday, May 9, 2001 at 1:30 p.m. to review the District's proposed budget for Fiscal Year 2001-2002.

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 April 4, 2001 Regular Board meeting
- F-3) THIRD QUARTER FINANCIAL STATEMENT [RECOMMEND RECEIVE AND FILE]

There were no public comments.

Upon motion of Director Wirsing and seconded by Director Winn, the Board unanimously approved all items on the Consent Agenda. Vote 3-0

**G. MANAGER'S REPORT**

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

- G-1) ARTICLE ON FUNDING INFRASTRUCTURE NEEDS

There were no public comments.

**H. DIRECTORS COMMENTS**

There were no Directors comments.

There was no need to go into Closed Session.

**CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL GC\$54956.9

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

**ADJOURN**

Chairperson Mobraaten adjourned the meeting at 12:00 p.m.

The next regular Board meeting will be held on May 16, 2001.