

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

AUGUST 1, 2001

REGULAR MEETING 10:30 A.M.
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
RICHARD MOBRAATEN, VICE PRESIDENT
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, 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 10:32 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.

The following members of the public spoke:

Vincent McCarthy, 194 E. Dana, Nipomo - Asked if the meter reading devices had been corrected. Answer: Still working on them.

Jesse Hill, 1910 Grant Ave, Arroyo Grande - Asked if agenda could be posted on the E Group. Answer: Yes

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

D-1) MITIGATED ENVIRONMENTAL NEGATIVE DECLARATION - TEFFT ST WATER LINE PROJECT
Set a Public Hearing for Sept. 5, 2001 for consideration of Mitigated Negative Declaration

Upon motion of Director Mobraaten and seconded by Director Wirsing, the Board agreed to set a Public Hearing for September 5, 2001 at 10:30 a.m. for CEQA consideration of a Mitigated Negative Declaration for the Tefft Street Water Line Project. Vote 5-0

There were no public comments.

The Board decided to hear Item D-7 before addressing other items.

D-7) DISTRICT ANNEXATION POLICY MODIFICATION
Revise verbiage to Sec IV (B) (2) of the Annexation Policy

The following members of the public spoke:

Istar Holliday, 577 Sheridan Rd., Nipomo Mesa - What is the meaning of appropriate in the resolution? Mr. Seitz answered his interpretation would be sufficient.

Ron Swenson, Black Lake Village Council Advisory Committee, 543 Woodgreen Way - Had clarification about wording for change from "be prepared to dedicate" to "has developed and dedicated."

Jesse Hill, 1910 Grant Ave, Arroyo Grande - suggested that the Board go back to the 1993 Annexation Policy.

Item D-7 continued

Upon motion of Director Mobraaten and seconded by Director Winn, the Board adopted Resolution 2001-782 with modification to add "and sufficient" with the word appropriate in Section IV (B)(2) of the Annexation Policy. Vote 4-1

Yes votes - Mobraaten, Winn, Trotter (with additional comment*) and Blair

No votes - Director Wirsing

*Director Trotter commented that whatever policy is written, it lends itself to interpretation. There are so many unknowns with the water supply. It will eventually be interpreted in many different ways.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2001-782
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING AND READOPTING ITS ANNEXATION POLICY**

D-2) REQUEST FOR ANNEXATION - TRACT 2380 (CRAIG)

Continued item - proposed annexation study for 40 acres at Willow Rd. & Via Concha

This item was brought back from the last meeting. It is to consider the possibility of annexing Tract 2380 into the District.

The following members of the public spoke:

Jim McGillis, 251 Hazel Lane, Nipomo - County suggested that the property owner ask if the District would be interested in having Tract 2380 annexed into the District before going further with the project.

Ron Swenson, Black Lake Village Council Advisory Committee - Stated that it was not the intention of the Black Lake Specific Plan to have the District use the sewer system for anything except Black Lake.

Istar Holliday, 577 Sheridan Rd., Nipomo Mesa - objects to annexation of this project on the grounds that the mesa is in an overdraft condition.

Bob Beedle, 559 Woodgreen, Nipomo -

Vince McCarthy asked who applies for annexation. Mr. Seitz answered that the applicant is usually the developer.

John Snyder, 662 Eucalyptus Rd., Nipomo - Stated discrepancies in the capacity of sewer.

Ron Swenson, Black Lake Village Council Advisory Committee - Asked if proposed school would have its own septic system. Mr. McGillis said it has been designed as such.

Dan File, 755 Countrywood Lane, Nipomo - Is concerned about the density

John Eppard, 1505 Champions Lane, Nipomo - Asked about what to do with the excess water from the Black Lake Sewer Plant during the rain.

The Board commented for and against the proposed annexation of Tract 2380:

Upon motion of Director Winn and seconded by Director Mobraaten, the Board agreed to inform developer that the District would look favorably on the proposed annexation of Tract 2380 but not to the connection to the Black Lake Village Reserve Line. Vote 3-2 with Directors Trotter and Wirsing voting no.

- D-3) REQUEST FOR SERVICE - TRACT 2441 (MID STATE PROPERTIES)
Request for water and sewer service for a 38-lot development at Blume & Grande Ave.

Mr. Terry Orton from Westland was representing the owners of Mid State Properties. The Board asked questions about the design of the project. There were no public comments. Upon motion of Director Mobraaten and seconded by Director Winn, the Board approved the Intent-to-Serve letter for Tract 2441 with the conditions as outlined in the Board letter. Directors Trotter and Wirsing vote no and President Blair abstained. Vote 3-2

- D-4) REQUEST FOR SERVICE - TRACT 2277 (NEWDOLL)
Request for renewal of Intent-to-Serve letter/water & sewer for 4-lot development at Mesa & Ida

Mr. Newdoll requested a renewal of an Intent-to-Serve letter for water and sewer service for a 4-lot development at Mesa & Ida Place. There were no public comments. Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved the request for renewal of an Intent-to-Serve letter for Tract 2277 (Newdoll) with the conditions as outlined in the Board letter. Vote 5-0

- D-5) REQUEST FOR SERVICE - TRACT 2261 (NEWDOLL)
Request for renewal of Intent-to-Serve letter/water & sewer for 16-lot development at Tejas & Ida

Mr. Newdoll requested a renewal of an Intent-to-Serve letter for water and sewer service for a 16-lot development at Tejas & Ida Place. There were no public comments. Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously approved the request for renewal of an Intent-to-Serve letter for Tract 2261 (Newdoll) with the conditions as outlined in the Board letter. Vote 5-0

- D-6) REQUEST FOR SERVICE - TRACT 2299 (KENGEL)
Request for renewal of Intent-to-Serve letter/water & sewer for 16-lot development/Orchard & Tanis

Mr. Terry Orton from Westland was representing the owner of Tract 2299, Mr. Kengel. He asked the Board if original language from the expired Intent-to-Serve letter could be used on the renewal letter. There were no public comments. Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved the request for renewal of the Intent-to-Serve letter with the present language used with the conditions as outlined in the Board letter. Vote 5-0

- D-7) DISTRICT ANNEXATION POLICY MODIFICATION
Revise verbiage to Sec IV (B) (2) of the Annexation Policy

Item D-7 was moved to be heard before Item D-2.

E. OTHER BUSINESS

- E-1) a) Selection of Vice President of the Board of Directors
b) President appointment of sub-committee members

Director Winn nominated Director Mobraaten for Vice President for the rest of this year to replace the vacancy created by the passing of Director Simon. There were no other nominations. Nominations were closed. There were not public comments. Vote 5-0 appointing Director Mobraaten as Vice President.

Item E-1 continued

President Blair appointed sub-committee members to the open positions.
 The following are the Committees for 2001.

<u>Committees for 2001</u>	<u>Member</u>	<u>Alternate</u>
Nipomo Community Advisory Committee (Will Include NCAC Water Committee)	Mike Winn	Judy Wirsing
Water Resources Advisory Committee	Doug Jones	Bob Blair
Chamber of Commerce	Judy Wirsing	Mike Winn

These committees require two (2) members.

<u>Committees for 2001</u>	<u>Members</u>	
Finance Committee	Dick Mobraaten	Cliff Trotter
Water Committee	Mike Winn	Bob Blair
High School Committee	Dick Mobraaten	Bob Blair
Annexation Policy Committee	Mike Winn	Bob Blair
Personnel	Dick Mobraaten	Mike Winn

F. CONSENT

- F-1) WARRANTS
- F-2) BOARD MEETING MINUTES
 Minutes of July 18, 2001 Regular Board meeting

There were no public comments.

Upon motion of Director Winn and seconded by President Blair. The Board unanimously approved the items on the Consent Agenda

G. MANAGER'S REPORT

General Manager, Doug Jones presented information on the following:

- G-1) WOODLAND SUPPLEMENTAL EIR REPORT
- G-2) CSDA LEGISLATIVE UPDATE

H. DIRECTORS COMMENTS

The following Board members commented on the following topics:

Woodland, Black Lake and CSA 1-G, Town Division water added to Black Lake Division water Study Session on redevelopment, landscape powers, Conservation Status, change in policy for Will Serve letters, EIR Report, Cal Trans waste of water,

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

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation 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 990716
- c. Istar Holliday, Jesse Hill vs. NCSD CV 010563

The Board came back into Open Session and reported Legal Counsel update on matters above.
 There was no reportable action.

ADJOURN

President Blair adjourned the meeting at 1:14 p.m.

The next regular Board meeting will be held on August 15, 2001.