

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

October 3, 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**

CLOSED SESSION

9:45 A.M.

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

- Istar Holliday, Jesse Hill vs. NCSD CV 010563
- Property Negotiation - Barlogio/NCSD, Camino Caballo & Via Caballo, Terms & Conditions of purchase

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 9:45 a.m. and led the flag salute. The Board adjourned to Closed Session.

The Board came out of Closed Session and reported that the Board heard an update on the Istar Holliday, Jesse Hill case with no reportable action taken by the Board.

B. ROLL CALL

At 10:40 a.m. President Blair came back into Open Session and reported that the flag salute was led at 9:45 a.m. and the Board went into Closed Session.

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:

Lowell Davis, 1775 Calle Laguna, Nipomo - spoke of Urban Water Mgmt Plans

Herb Kandel, 776 Inga Rd., Nipomo - Requested that the Board members attend a Flood Control Creek meeting on 3rd Wed in November. Also, asked Board about taking on parks power.

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

- D-1) **SPECIAL PRESENTATION FOR ACHIEVING THE TARGET RECYCLING GOALS**
By Bill Worrell - Integrated Waste Management Authority Manager

Mr. Bill Worrell, Manager of the Integrated Waste Management Authority, presented the Board with a plaque representing appreciation to the Nipomo Community Services District for commitment to reduce, reuse and recycle which resulted in a 52% diversion rate, exceeding the state goal of 50%. There was no public comment.

- D-2) **DISTRICT SERVICE CAPACITIES**
Review District water and sewer capacities

The Board reviewed the information presented concerning Nipomo Community Services District service capacities. There was no public comment. There was no Board action.

MINUTES -- OCTOBER 3, 2001
Page 2 of 3

- D-3) PROPOSED ANNEXATION NO. 19 - LMUSD HIGH SCHOOL AREA
To annex approx. 77 ac. off N. Thompson Rd. - Request by Lucia Mar Unified School District

The Board reviewed the proposed Annexation #19, a 77-acre site for the Nipomo High School
The following members of the public spoke:
Jesse Hill, 1910 Grant Ave, Arroyo Grande - Stated that the newspaper reported a 177-acre site. Mr. Jones said it was a typo.
Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved Resolution 2001-789 conditionally approving annexation of 77 acres for LMSD. Vote 5-0.

RESOLUTION NO. 2001 - 789
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
CONDITIONALLY APPROVING THE LUCIA MAR SCHOOL DISTRICT'S REQUEST
TO ANNEX APPROXIMATELY 77 ACRES

- D-4) PROPOSED ANNEXATION NO. 20 - MARIA VISTA - TRACTS 1802, 1808 & 1856 - (BENHAM)
To annex approx. 124 acre dev. near the Santa Maria Speedway (formerly The Bluffs)
Amending the existing District annexation agreement to include Tract 1808
Acquiring consultant service to perform initial environmental review

The Board reviewed a progress report on the proposed Annexation No., 20.
The following members of the public spoke:
Jesse Hill, 1910 Grant Ave, Arroyo Grande - Asked about a CEQA review
Herb Kandel, 776 Inga Rd. Nipomo - Would like to insure the community that this project would not be growth inducing. Would like to see more study go into the development.
Vince McCarthy, 194 E. Dana, Nipomo - against project
The Board discussed the project. Director Wirsing made a motion to deny the annexation project. Motion failed for lack of second.
Eric Benham, developer of Maria Vista Development, answered questions from the Board.
Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved the amended Annexation Agreement to include Tract 1808 conditioned upon 21 lots.
Vote 4-1 with Director Wirsing voting no.
Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved Resolution No. 2001-790 for Douglas Wood to prepare an environmental review (CEQA) for the Maria Vista Dev. Vote 4-1 with Director Wirsing voting no.

RESOLUTION 2001-790
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING DOUGLAS WOOD & ASSOC. TO PREPARE
AN INITIAL ENVIRONMENTAL REVIEW FOR THE MARIA VISTA DEVELOPMENT

- D-5) PROPOSED ANNEXATION NO. 21 - KNOLLWOOD - TRACT 2325 - (MARTIN)
To annex approx. 160 acres, 55 lot development on Willow Rd. across from Black Lake Golf Course

Jon Martin, developer of Tract 2325, 330 E. Canon Perdido St. Santa Barbara - addressed the Board and answered questions.
The following members of the public spoke:
John Snyder, 662 Eucalyptus Rd., Nipomo - Suggested using sewer at Black Lake
Herb Kandel, 776 Inga Rd., Nipomo - Supports this annexation
Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved the annexation agreement with Jon Martin, Martin-Farrell Homes, Inc. for Tract 2325. Vote 5-0.

E. OTHER BUSINESS

- E-1) REQUEST FOR SERVICE - 01-0162 (BODGER)
Request for water service for a 4-lot development between Sandydale & Inga Rd.

There was no public comment.

Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously approve the request for water service for CO 01-0162 (Bodger) and directed staff to write an Intent-to-Serve letter with the conditions as outlined in the Board letter.
Vote 5-0

- E-2) REVIEW BOARD OF DIRECTORS BOARD MEETING TIME
Consider starting Board meeting earlier than 10:30 a.m.

The Board discussed the possibility of changing the Board meetings from 10:30 a.m. to 9:30 a.m. This item will be brought back to next meeting. There was no public comment.
There was no Board action.

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]
Minutes of September 19, 2001 Regular Board meeting
F-3) ACCEPTANCE OF IMPROVEMENTS - CO 90-208 (PRUIT)
Accepting water improvements for a 4-lot commercial dev. on Lindon Lane

RESOLUTION NO. 2001-791
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER IMPROVEMENTS FOR PARCEL MAP CO 90-208 ON LINDON LANE (PRUIT)

There was no public comment.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved the items on the Consent Agenda with a correction in the Minutes on E-3 (Jim not Ken) and G-1 Blair not Mobraaten). Vote 5-0.

G. MANAGER'S REPORT

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

- G-1) SOUTH COUNTY ROAD IMPROVEMENT FEE
G-2) SDRMA BOARD OF DIRECTORS VACANCY

H. DIRECTORS COMMENTS

At 12:25 p.m. President Blair left the meeting. Vice President Mobraaten took the gavel. Legal Counsel, Jon Seitz, announced the need to go into Closed Session to discuss Item c. 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. Property Negotiation - Barlogio/NCSD, Camino Caballo & Via Caballo, Terms & Conditions of purchase

The Board came back into Open Session. There was no reportable action on the Closed Session.

ADJOURN

Vice President Mobraaten adjourned the meeting at 12:35 p.m.

The next regular Board meeting will be held on October 17, 2001.