

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

November 7, 2001

REGULAR MEETING 9:30 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 9:30 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:

Herb Kandel, 776 Inga Rd., Creek Committee

John Snyder, 662 Eucalyptus, Nipomo - reported that SLO County was out of the groundwater suit.

Jim Kinninger, 660 Camino Roble - reported on the success of the Mesa Clean Up Day and asked the Board for \$2,000 more for unexpected expenses.

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

D-1) WATER SUPPLIES AND TRANSFERS - DICK MOSS

Mr. Moss review of California water supplies and transfers

Mr. Moss could not attend the meeting, therefore, this item was cancelled.

D-2) HAZARDOUS WASTE COLLECTION - INTEGRATED WASTE MANAGEMENT AUTHORITY

Review proposed location of hazardous waste collection site and agreement approval

Mr. Bill Worrell, IWMA, described the proposed waste collection site at 509 Southland.

The following members of the public spoke:

Herb Kandel, 776 Inga Rd., Nipomo - asked about advertising. Mr. Worrell explained.

Jesse Hill, 1910 Grant Ave, Arroyo Grande - asked about the Southland on-ramp interfering with the site. Mr. Seitz explained there was a condemnation clause in the agreement.

Upon motion of Director Mobraaten and seconded by Director Blair, the Board unanimously approved Resolution 2001-796 approving the agreement with IWMA. Vote 5-0.

**RESOLUTION 2001-796
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING HAZARDOUS WASTE COLLECTION AGREEMENT WITH
INTEGRATED WASTE MANAGEMENT AUTHORITY**

- D-3) REVIEW SERVICES AND THE PROJECT DESCRIPTION FOR PROPOSED ANNEX. No. 20 TRACT 1808 CONDITIONS -MARIA VISTA
Review the number of lots to be served in Tract 1808 and approve the project description

The Board reviewed the previous condition to limit the number of lots to Tract 1808.

The following members of the public spoke:

Jesse Hill, 1910 Grant Ave, Arroyo Grande - read from CEQA, re: accurate project description.
Herb Kandel, 776 Inga Rd., Nipomo -showed pictures to the Board taken of the Bluffs before and after the March 5th rain. Spoke of the sensitivity of the Bluffs.

Mike Hodge, EDA - discussed the project with the Board.

Director Wirsing made a motion to table this item until further information is received from the County Board of Supervisors. The motion failed for lack of a second.

Director Winn made a motion that the limitation on the number of lots that were stipulated in the last meeting be removed and to accept the number of parcels be whatever the County approves. Director Mobraaten seconded the motion. Vote 4-1 with Director Wirsing voting no.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved the project description for Tracts 1802, 1808 & 1856 of the proposed Annexation No. 20, including the map exhibit. Vote 4-1 with Director Wirsing voting no.

- D-4) ENVIRONMENTAL REVIEW OF INFRASTRUCTURE TO TRACT 1802, 1808 & 1856, MARIA VISTA Set Public Hearing - 12/12/01 to review draft Initial Study/Mitigated prop Anx. No. 20- Maria Vista Dev

The Board briefly reviewed the Draft Environmental Report for the infrastructure to Tracts 1802, 1808 and 1856. Director Trotter asked that V-8 - no impact be changed to no further impact.

The following members of the public spoke:

Jesse Hill, 1910 Grant Ave, Arroyo Grande - spoke about CEQA requirements

Vince McCarthy, 194 E. Dana, Nipomo - asked if the comments were to be sent to NCSD. Yes

Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously agreed to set a Public Hearing for December 12, 2001 at 9:30 a.m. to review the Initial Study/Mitigated Declaration for the infrastructure to Tracts 1802, 1808 and 1856. Vote 5-0

- D-5) ANNEXATION NO. 21 - TRACT 2325 - KNOLLWOOD

Waiver of protest proceeding for annexation No. 21

The Board reviewed the proposal to waive the protest proceeding for Annexation No. 21 because there is only one property owner who does not protest. Then LAFCO will hold the protest proceeding.

There was no public comment.

Upon motion of Director Winn and seconded by Director Trotter, the Board unanimously agreed to Director staff to write a letter to LAFCO approving the waiver of protest proceedings for Tract 2325, Annexation No. 21. Vote 5-0

E. OTHER BUSINESS

- E-1) SURPLUS EQUIPMENT

Authorize the disposal of obsolete District equipment and items

The Board discussed the need to dispose of obsolete District equipment and items.

There was no public comment.

Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously authorized staff to dispose of the following items:

- Six (6) used surface aerators
- 25 used fire hydrants
- Two (2) used computer monitors and 2 used hard drives
- Used flag pole.

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 October 17, 2001 Regular Board meeting
- F-3) FIRST QUARTER FINANCIAL REPORT (JULY-SEPT, 01)
- F-4) PROPERTY TAX EXCHANGE FOR ANNEXATION NO. 20 - MARIA VISTA
Approve property tax exchange with SLO County on proposed Annexation No. 20
RESOLUTION NO. 2001-797
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 20 (MARIA VISTA)
- F-5) PROPERTY TAX EXCHANGE FOR ANNEXATION NO. 21 - KNOLLWOOD
Approve property tax exchange with SLO County on proposed Annexation No. 21
RESOLUTION NO. 2001-798
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 21 (KNOLLWOOD)
- F-6) ACCEPTANCE OF IMPROVEMENTS - CO 99-0115 (SAV ON DRUG)
Accepting water and sewer improvements for a commercial dev. on Tefft Street
RESOLUTION NO. 2001-799
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR PARCEL MAP CO 99-0115 (SAV ON)

There was no public comment.

After the Board discussed the items on the Consent Agenda, Director Winn made a motion to approve all the items. Director Blair seconded. Vote 5-0 with Director Wirsing abstaining.

G. MANAGER'S REPORT

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

- 1. CSDA LEGISLATIVE UPDATE
- 2. GENERAL PLAN AMENDMENT - BRAND (Notice of Preparation of Draft EIR)

H. DIRECTORS COMMENTS

At 11:50, Legal Counsel, Jon Seitz announced the need to go into Closed Session pursuant to GC§54956.9 .

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

The Board came back into Open Session and made the following announcement:

- a. SMVWCD vs NCSA Santa Clara County Case No. CV 770214 and all consolidated cases.
Not discussed
- b. NCSA vs State Dept of Health Services CV 990716
Board heard update and gave direction to legal counsel.
- c. Holliday/Hill vs NCSA CV 010563
Board heard update and gave direction to legal counsel.

ADJOURN

President Blair adjourned the meeting at 12:20 p.m.

A Special Board meeting will be held on November 9, 2001. Study Session on supplemental water. The regularly scheduled Board meeting for November 21, 2001 has been canceled. The next regular Board Meeting will be held on November 28, 2001.