

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

November 28, 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 9:32 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 asked for comments from the public. There was no public comment.

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

D-1) AUDIT REPORT FOR FISCAL YEAR 2000-2001

Auditor Carlos Reynoso, CPA, to review District's FY 00-01 audit report

Auditor Carlos Reynoso, CPA, reviewed the District's FY 00-01 audit report. He explained some changes from last year's report due to new requirements. There was some Board discussion. There was no public comment.

Upon motion of Director Mobraaten and seconded by Director Wirsing, the Board unanimously agreed to accept and file the FY 2000-2001 Audit Report.

The order of business was changed to accommodate visitors in the audience.

Next Item, D-4

D-4) REVIEW LAFCO ACTIONS ON PROPOSED ANNEX NO. 20 (MARIA VISTA)

Consideration of District options with respect to possible LAFCO actions

The following members of the public spoke:

Erik Benham, developer of proposed Annexation NO. 20.

Barbara Mann, LAFCO Commissioner

Carolyn Moffatt, LAFCO Commissioner

Bonnie Mayesh, Indiana Way business owner - opposes annexation

Jesse Hill, 1910 Grant Ave, Arroyo Grande

John Snyder, 662 Eucalyptus Rd., Nipomo - Handed letter to Board and a document entitled "Mitigated Negative Declarations, CEQA Technical Advice Series" and asked that the document be entered into the minutes and put in the files for this proposed annexation. Upon motion of Director Winn and seconded by Director Mobraaten, the Board agreed to advise LAFCO that the District wishes to annex The Bluffs - Tracts 1802 and 1856 and 1808 if it is in concurrence with the current owner. If County staff rules that a waterline, whether from NCSD or Cal Cities, is not in compliance with a tentative map, then NCSD would annex it and provide service with an on-site water supply. Vote 4-1 with Director Wirsing voting no.

E. OTHER BUSINESS

E-1) PROPOSED DRAFT PRELIMINARY DISTRICT SPHERE OF INFLUENCE

Review a proposed District Sphere of Influence boundary

The Board reviewed a DRAFT proposed Sphere of Influence boundary for the District.

The Board discussed the different boundaries, including the existing NCSD Boundary, Cal Cities service area, CSA-1 and a proposed NCSD Sphere of Influence. Barbara Mann and Carolyn Moffatt discussed subject with the Board from the audience.

The following members of the public spoke:

Jesse Hill, 1910 Grant Ave, Arroyo Grande - quoted from Title 22 Sec 4-19, 20 & 21.

John Snyder, 662 Eucalyptus Rd., Nipomo - Need to get supplement water in motion first

Bonnie Mayesh, Indiana Way, Nipomo - Would like to have more public awareness

Upon motion of Director Winn and seconded by Director Trotter, the Board agreed to request staff to continue working with LAFCO to look at the new guidelines as they come up, be informed by those, and to establish a Sphere of Influence, somewhat modeled by what was presented today, but to take special care in framing it in such a way that we do not add urban density in the areas that are currently being farmed, so far as we can go with planning. (After clarification) Motion to request staff to continue working with LAFCO to pursue a Sphere of Influence map modeled, basically on what we had today, take into account the new guidelines that legal counsel assured is coming out and to integrate with that such indicators as we can give to LAFCO that we are not doing this to urbanize agricultural land. Vote 4-1 with Director Wirsing voting no.

D-5) SPECIAL DISTRICT REPRESENTATION ON LAFCO

Review Special District representatives action concerning NCSD's interests

The Board discussed the voting record of the two LAFCO representatives from special districts in regard to NCSD interests. There was no public comment.

Barbara Mann and Carolyn Moffatt addressed the Board concerning their position as commissioners on LAFCO. The Board thanked them for attending and invited them back to other meetings in which LAFCO would be interested. It was agreed that NCSD agenda items that involve LAFCO should be sent to LAFCO.

D-3) SUPPLEMENTAL WATER OPTIONS

Review Study Session - supplemental water options

The Board reviewed supplemental water options from the Kennedy/Jenks Consultants Report which were discussed at the November 9, 2001 Study Session. There was no public comment.

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously agreed to direct staff to proceed immediately in negotiations with the City of Santa Maria, looking at desalination of sea water and leaving open the possibility of hard rock drilling to obtain supplemental water. Vote 5-0.

D-2) NIPOMO COMMUNITY CLEAN-UP PHASE II FUNDING

Request from the Clean-Up Committee for an additional \$2,000 for expenses

A request was received from the Nipomo Community Clean-up Committee for an additional \$2,000 for expenses incurred during the October 20th Mesa Clean Up Day. There was no public comment. Upon motion of Director Mobraaten and seconded by Director Trotter, the Board unanimously agreed to allocate an additional \$2,000 from the Solid Waste Fund to be paid directly to vendors associated with Phase II of the October 20th Mesa Clean Up Day. Vote 5-0.

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 November 7, 2001 Regular Board meeting
Minutes of November 9, 2001 Study Session Board meeting

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved the Consent Agenda as presented. There was no public comment. Vote 5-0.

G. MANAGER'S REPORT

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

- G-1) "LAWBRIEFS" BULLETIN
- G-2) INCIDENT REPORT

H. DIRECTORS COMMENTS

There was no need to go into Closed Session.

ADJOURN

President Blair adjourned the meeting at 12:43 p.m.

The regular Board meetings for December 5 & 19, 2001 have been canceled.
The next regular Board Meeting will be held on December 12, 2001 at 9: 30 a.m.