

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

FEBRUARY 6, 2002

REGULAR MEETING 9:30 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

RICHARD MOBRAATEN, **PRESIDENT**
MICHAEL WINN, **VICE PRESIDENT**
ROBERT BLAIR, **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 Mobraaten called the meeting to order at 9:32 a.m.

B. ROLL CALL

At Roll Call, the following members of the Board were present.
Directors Wirsing, Blair, Winn, and Mobraaten. Director Trotter was 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.

There was no public comment.

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

D-1) SHERIFF ACTIVITIES IN NIPOMO

Presentation by Lt. Davis of the Sheriff Dept. - Nipomo activities

Lt. Davis from the San Luis Obispo County Sheriff's office informed the Board of the types of services the Sheriff's office performed. He said the report center on Tefft Street has helped reduce the response time for this area, designated as Beat 7. They cover an area of 900 sq. miles. A sub-station is coming to Oceano.

There was no public comment.

D-2) REQUEST FOR ANNEXATION (NUNEZ)

Request for Annexation of approx. 2.5 acre parcel at 427 Amado St. for District services

A request was received from the Nuñez family for annexation of their property at 427 Amado Street in Nipomo. There was no public comment.

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously agreed to direct staff to prepare an annexation agreement for the applicant to execute and have the applicant apply to LAFCO for annexation into the District. Vote 4-0

D-3) REQUEST FOR WAIVER OF DISTRICT WATER AND SEWER POLICY

Request to waive irrigation and sewer lateral requirements

A request was received from Richard Meyers, the developer of Tract 2412, for a waiver from District water and sewer policies concerning the number of water meters and separate sewer lateral connections.

The following members of the public spoke:

Gordon Gill, representative for Meyer Asset Management, spoke with the Board and answered questions.

Russ Thompson, R Thompson Consulting, discussed with the Board the proposed change in the design to connect sewer laterals for Tract 2412 to the NCSD sewer main.

Herb Kandel, 776 Inga Rd., Nipomo - Had questions and comments about project.

Director Blair made a motion to deny a variance but the motion died for lack of a second.

Upon motion of Director Blair and seconded by Director Winn, the Board agreed to deny the proposed revisions to the development of the sewers on the project. Vote 4-0.

Upon motion of Director Winn and seconded by Director Blair, the Board agreed to direct the developer that the Board would consider the possibility of a sewer line between Crystal Way and S. Frontage Rd. and the details should be worked out with developer and staff. Vote 4-0

Upon motion of Director Blair and seconded by Director Winn, the Board agreed to instruct staff to come back to a future meeting with a general variance policy for consideration. Vote 4-0

D-4) ASSIGNMENT OF GARBAGE FRANCHISE SERVICE

Review existing franchise agreement and the possible sale of the company

Legal Counsel, Jon Seitz, explained the pending sale of the existing garbage company. The Board discussed the information provided.

There was no public comment.

This is an information item only. It will be brought back to a future meeting.

D-5) TEFFT ST WATER LINE PROJECT

Request bids to construct a new water line in Tefft St. Tejas to Thompson Street

A new water line in Tefft Street to convey water between the east side to the west side of the District and to have sufficient capacity to provide water service to the new high school is to be built within this year. Plans are ready and bids need to be sent for construction of line.

There was no public comment.

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously agreed to authorize staff to request bids for the Tefft Street Water Line Project. Vote 4-0

D-6) LANDSCAPE MAINTENANCE PROPOSALS

Review landscaping proposal for the District office and Black Lake Water Facility

The Board reviewed the proposal received for landscape maintenance for the office building and the Black Lake Water Treatment Plant. There was no public comment. Director Wirsing would like to see advertising in Telegram Tribune and the Santa Maria Times.

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously agreed to reject all bids and continue using the services of Gillespie Landscape and Maintenance. Vote 4-0

E. OTHER BUSINESS

E-1) REVIEW BOARD OF DIRECTORS BY-LAWS

Annual review of the Board By-Laws Policy

Jon Seitz, District Legal Counsel, reviewed the existing Board of Directors By-Laws and explained that the District's insurance company gives a discount on the premiums if the Board has an annual review of the By-Laws. Each Board member suggested or commented on the existing By-Laws. Legal Counsel will return to the next meeting with a red-lined copy showing the suggested changes. There was no public comment.

E-2) REVIEW BOARD ROOM USE POLICY

The Board discussed the existing policy for use of the Board meeting room. President Mobraaten appointed sub-committee consisting of Directors Winn and Wirsing to discuss the existing guidelines. There was no public comment.

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-3) ACCEPTANCE OF IMPROVEMENTS - PARCEL MAP CO 99-076 (LONGS)

Acceptance of off-site water and sewer improvements Resolution 2002-Accept Longs

Upon motion of Director Blair and seconded by Director Winn, the Board approved Items F-1 and F-3. Vote 4-0

RESOLUTION NO. 2002-809

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR CO 99-076 (LONGS) NIPOMO WESTSIDE L.P.

Item F-2 was pulled for discussion.

F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]

Minutes of January 23, 2002 Regular Board meeting

The following members of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - Was not satisfied with the Minutes as written. Asked the Board to consider his version of a transcript he created from a copy of the tape.

Upon motion of Director Winn and seconded by Director Wirsing, the Board agreed to table Item F-2 until the Minutes could be considered further when Director Trotter could be present to possibly ask for a revision of his comments. Vote 3-1 with Director Blair voting no.

G. MANAGER'S REPORT

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

- STREET LANDSCAPING LEGISLATION

H. COMMITTEE REPORTS

Chamber of Commerce - Director Wirsing attended

Director Blair - High School - some unresolved issues

Supplemental Water - Director Winn said he and Director Wirsing discussed several options

I. DIRECTORS COMMENTS

Director Blair - APCD Town Meeting, March 6th 7:00 p.m. Dana School

BoS - Robinson General Plan Amendment

Director Winn - Sheriff's Dept Ranch Watch meeting, Feb. 26th, 6:30 p.m. at NCSD bldg

Creek sub-committee with Herb Kandel about DWR Flood Restoration Grant

Mallagh Street Bridge - possible letter of support from NCSD

Olde Towne Assoc. Sept 2002 or Jan 2003

Design for culvert at Burton & Tefft rejected by Fish & Game

Draft Personnel Policy on a future agenda

Director Wirsing - Friends of the Library asked for District support, not monetary

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

CONFERENCE WITH NEGOTIATOR

C. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR- DOUG JONES, COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE

ADJOURN

President Mobraaten adjourned the meeting at 12:46 p.m.

The next regular Board Meeting will be held on February 20, 2002 at 9:30 a.m.