

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

MAY 1, 2002

REGULAR MEETING 9:00 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 9:03 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.

There was no public comment.

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

D-1) PUBLIC HEARING - SUMMIT STATION-INCREASING WATER PRESSURE-TWO ALTERNATIVES

President Mobraaten opened the Public Hearing. Director Blair excused himself for this item. He owns property in the subject area.

The Department of Health Services (DHS) and NCS D and have settled the suit regarding the citation issued to the District in July of 1999. They agreed upon the two possible alternatives below.

1. Possible formation of an Assessment District to pay for increasing water pressures for house pad elevations 425' or higher
2. Rebate program for installation of individual pressure pumps

The following members of the public spoke:

Residents from inside the District against the proposed alternative #1

<u>Bob Blair</u>	<u>Dan Simmons</u>	<u>Jeannine Della-Grace</u>
<u>Jack Carson</u>	<u>Beverly Freeman</u>	<u>Lee Garafolio</u>
<u>Mary Hodges</u>	<u>Karen Carson</u>	<u>Ed Levy</u>
<u>Modesto Gonzales</u>	<u>Gene Kaye</u>	<u>Mona Simmons</u>

Glen Hille, Boyle Engineering representative – explained the design of the proposed new booster system.

Jim Garing of Garing, Taylor & Associates – explained that the Hetrick tank site was chosen before the design of the Summit Station area water system. He also explained the original and completed designs of the water system.

No action was taken on this item.

Break at 10:13 a.m.

The meeting reconvened at 10:19 a.m.

Director Blair took his seat on the Board again.

D-2) ORDINANCE ESTABLISHING SOLID WASTE RATES

Introduction and first reading of an Ordinance establishing Solid Waste collection rates

Upon motion of Director Winn and seconded by Director Trotter, the Board unanimously agreed to have the ordinance read in title only.

There was no public comment. Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved the first reading of Ordinance 2002-93, adopting fees for solid waste service. Vote 5-0

**ORDINANCE 2002-93
AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING FEES AND CHARGES FOR SOLID WASTE SERVICE**

It will be brought back to the next meeting for the second reading and possible adoption.

D-3) WATER LINE EASEMENT – DANA SCHOOL PROPERTY

Acquiring an easement for a water line across Dana School property and High School update

The Board discussed the possibility of exchanging the District's annexation fees for the easement across the Dana School property for the Tefft Street Water Line.

There was no public comment.

Mike Sears of the Lucia Mar Unified School District - agrees with the conceptual exchange of easement and annexation fees.

Upon motion of Director Wirsing and seconded by Director Winn, the Board unanimously agreed to direct staff to prepare necessary documents to acquire the easement across the Dana School property in exchange for the annexation fees for the Nipomo High School annexation.

D-4) ACCEPTING MONTECITO VERDE II SEWER LINE EASEMENT

Accepting a sewer line easement across the Cajas property

The plans for the proposed connection of the Montecito Verde II sewer system to the District's area-wide sewer indicated a need for an easement across private property. The value, established as \$2,150, was offered to and agreed upon by the owners.

There was no public comment.

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously approved the sewer line easement across the Cajas property, approved Resolution 2002-814 accepting the easement and compensating the property owner \$2,150.00 for said easement, and directed the General Manager to execute the agreement. Vote 5-0

**RESOLUTION NO. 2002-814
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING AN EASEMENT FOR SEWER PURPOSES;
CAJAS APN 092-311-001**

E. OTHER BUSINESS

E-1) TEFFT STREET WATER LINE PROJECT

Awarding of bid to construct the Tefft Street Water Line Project

This item was tabled until a future meeting.

E-2) CSDA-SLO LAFCO REPRESENTATIVE

Consideration of appointment of Special District Representative to the LAFCO Commission

After some discussion, the consensus of the Board was to support Barbara Mann and Campbell for voting by President Mobraaten.

There was no public comment.

- E-3) CALIFORNIA PUBLIC RETIREMENT SYSTEM CONTRACT AMENDMENT
Resolution of Intention to amend contract with PERS for 3% at 60 formula

The Board discussed the possibility of amending the contract with PERS to provide a 3% @ 60 formula for retirement benefits.

There was no public comment.

Upon motion of Director Trotter and seconded by Director Wirsing, the Board unanimously approved the Resolution of Intention with PERS. Vote 5-0

**RESOLUTION 2002-815
RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE BOARD OF DIRECTORS
NIPOMO COMMUNITY SERVICES DISTRICT**

- 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 April 17, 2002 Regular Board Meeting
Minutes of April 3, 2002 Regular Board meeting
F-3) 3RD QUARTER FINANCIAL REPORT

Director Trotter left the meeting.

Director Winn asked to pull the Minutes of the April 17, 2002, for the secretary to listen to the tape for further comment about Item D-2

There was no public comment.

Upon motion of Director Blair and seconded by Director Winn, the Board unanimously approved Items F-1 and F-3 and Minutes of April 3, 2002, on F-2. Vote 4-0

G. **MANAGER'S REPORT**

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

H. **COMMITTEE REPORTS**

Director Winn - Water Forum, May 20, with Christine Ferrara & John Hand
WRAC May 1, at 1³⁰ p.m.

I. **DIRECTORS COMMENTS**

Director Blair – Nipomo Transit, and feels APCD should downsize
Director Wirsing asked if the Summit Station meeting would be held at night. The answer – probably not. But the ballots for the straw vote will be sent and then it will be determined about day or nighttime meeting.

CLOSED SESSION

Mike Seitz, District Legal Counsel announced there was no need to have a Closed Session.

ADJOURN

President Mobraaten adjourned the meeting at 11:09 a.m.

The next regular Board Meeting will be held on May 15, 2002 at 9:00 a.m.