

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JUNE 5, 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 9:02 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, the following 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.

Director Blair stepped down from the Board and approached the podium.

Bob Blair, 1449 Dale Ave. AG – Concerned about a fire hydrant hit last week because it is in the middle of Fresca Road rather than in the right-of-way.

Director Blair returned to his seat on the Board.

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

- D-1) NIPOMO DRAINAGE & FLOOD CONTROL STUDY – Dean Benedix (Co. Pub. Works Dept)
Review scope and Schedule of the Flood Control Study

Dean Benedix, Program Manager for the SLO County Flood Control Studies, made a presentation of the studies planned before the maintenance of the flood areas begins. He also presented the proposed time schedule for the work.

Director Blair stated that this study was a waste of the taxpayer money & that the money could be put to better use cleaning out streams & creeks of material & vegetation.

The following members of the public spoke:

Vince McCarthy, in District – Mentioned that public should be educated as to how to keep the creeks clean and no expensive study needed.

No action taken.

- D-2) REVIEW COMPLIANCE TO REGIONAL WATER QUALITY CONTROL BOARD SEWER HOOKUPS
Review existing inventory of residential on-site systems not connected to the sewer system

An overview of the inventory of on-site septic systems not connected to the area-wide sewer system within the Prohibition Zone was presented.

Scott Phillips, representative from the Regional Water Quality Control Board answered questions from the Board.

The following members of the public spoke:

Vince McCarthy, in District – asked about a two-dump rule.

The Board directed staff to meet with the County Health Department and the RWQCB about ways to persuade property owners to connect the unconnected properties to the sewer system and report back to the Board. A draft guideline for implementation of a program to have properties connected to the sewer system will be on a future agenda.

- D-3) PUBLIC HEARING APPROVING THE DISTRICT BUDGET FOR FISCAL YEAR 2002-2003
Resolution adopting the District's FY 2002-03 Budget
Resolution adopting appropriation limitation

A Public Hearing was held to discuss the FY 2002-03 budget for the District. There was some discussion about budgeting for supplemental water in the future. There was no public comment.

Upon motion of Director Winn and seconded by Director Trotter, the Board unanimously approved Resolution 2002-817 adopting the budget. Vote 5-0

RESOLUTION 2002-817
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING THE 2002-03 FISCAL YEAR BUDGET

Upon motion of Director Blair and seconded by Director Wirsing, the Board unanimously approved Resolution 2002-818 determining the appropriation limitation. Vote 5-0

RESOLUTION 2002-818
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DETERMINING THE APPROPRIATION LIMITATION FOR THE 2002-03 FISCAL YEAR

- D-4) PUBLIC HEARING - ESTABLISHING BLACKLAKE STREET LIGHTING CHARGES
Set Blacklake Street Lighting charges for FY 2002-03

A Public Hearing was held to discuss the Blacklake Street Lighting charges for FY 2002-03. Upon motion of Director Blair and seconded by Director Winn, the Board unanimously approved Resolution 2002-819. Vote 5-0. There was no public comment.

RESOLUTION 2002-819
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE BLACKLAKE VILLAGE

E. OTHER BUSINESS

- E-1) CALIFORNIA PUBLIC RETIREMENT SYSTEM CONTRACT AMENDMENT
Approval of a contract amendment with PERS to provide a 3% @ 60 formula

Board and staff discussed the PERS contract. Upon motion of Director Winn and seconded by Director Blair, the Board unanimously approved Resolution No. 2002-820. authorizing an amendment to the PERS Contract. There was no public comment. Vote 5-0

RESOLUTION 2002-820
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING AN AMENDMENT TO THE CONTRACT [PERS]

- E-2) TEFFT STREET WATER LINE PROJECT
Award bid to construct the Tefft St. Water Line – Pomeroy to Thompson Streets

The contractor extended his bid time to July 5, 2002. This item was tabled pending Cal Trans encroachment permit. 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-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of May 15, 2002, Regular Board meeting
- F-3) VARIANCE APPLICATION FEE [RECOMMEND APPROVAL]
Resolution establishing a variance application fee
- F-4) ELECTIVE OFFICES TO BE FILLED - NOTICE TO COUNTY CLERK
Three seats on NCSD Board of Directors to be filled by election

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

RESOLUTION NO. 2002-821
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING FILING FEES FOR VARIANCE APPLICATIONS

RESOLUTION NO. 2002-822
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN LUIS OBISPO TO CONSOLIDATE A GENERAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 5, 2002, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTION CODE

G. MANAGER'S REPORT

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

- G-1 Legislative Updates

H. COMMITTEE REPORTS

There were no committee reports.

I. DIRECTORS COMMENTS

Director Winn – WRAC meeting today 1:30 p.m. concerning water data
Water Planning Forum meeting to be 3rd Monday at 6:30 p.m. District Board Room
Director Trotter would like an agenda item to discuss groundwater quality.

Jon Seitz, Dist. Legal Counsel, announced the need to go into Closed Session to discuss Items B, C & D.

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. SAVE THE MESA VS. NCSD CV 020181
- CONFERENCE WITH NEGOTIATOR GC§54956.8
 - C. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR- DOUG JONES, COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE
 - D. PUBLIC EMPLOYEE ANNUAL EVALUATION – GEN. MGR. GC§54957

The Board came back into open session and announced that the legal counsel presented an update of Item B & C above. A Special Meeting is scheduled for June 12 at 1:00 p.m. for Item D above.

ADJOURN

The next regular Board Meeting will be held on June 19, 2002, at 9:00 a.m.