

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JUNE 19, 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 9:01 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, Directors Trotter, Wirsing, Winn and Mobraaten were present. Director Blair 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) SUMMIT STATION PROPOSED ASSESSMENT DISTRICT

Review Straw vote on establishing an assessment District to finance a hydropneumatic pressure zone
The vote was 2 for and 42 against forming the assessment District

Deputy Legal Counsel, Mike Seitz, explained the procedure after the results of the Straw Poll vote came back against the proposed assessment District (The vote was 2 for and 42 against forming the assessment District). The homeowners with pad elevations above 425 feet will be notified, by certified mail, of the opportunity to participate in the Pressure Pump Rebate Program. Director Trotter asked that the Board members comments be added to the Minutes. *Director Trotter* wants to educate the SS high elev. area customers on the advisability of upgrading their pipeline from the meter to the house, which, in some cases, will eliminate the need for a booster pump.

Director Winn did not want the plumbing on the customer side of the meter to be NCSD's responsibility. The State's pressure requirement at the meter has been met, but the State is requiring the District to assist in providing greater pressure at the house.

Director Wirsing asked to change the time to apply from 90 days to 120 days.

Upon motion of Director Trotter and seconded by Director Winn, the Board unanimously agreed to amend the Rebate Program application to 425 ft, elevation, 120 days to submit application and six months to complete. Vote 4-0

Upon motion of Director Wirsing and seconded by Director Trotter, the Board agreed to modify the rebate program to include the opportunity to improve the water lines from the meter to the house. Vote 3-1 with Director Winn voting no. There was no public comment.

D-2) ANNEXATION FEES – ANNEX NO. 21 – TRACT 2325 (MARTIN)

Request for a District policy change of annexation fees - \$500/acre to \$500/lot

The Board heard information on the request from Tract 2325 for a policy change for annexation fees.

Jon Martin, developer of Tract 2325, asked the Board to consider changing the policy from \$500 per acre to \$500 per lot. The following members of the public spoke:

Ed Eby, District resident – concerned about possible litigation from developers who paid \$500 per acre in the past. Perhaps developer of Tract 2325 should be indemnified for possible suits in the future.

This item was tabled until a future meeting after the Annexation Committee reviewed documentation of open space usage provided by developer.

President Mobraaten skipped to Item E-1.

D-3) NIPOMO GROUNDWATER BASIN WATER QUALITY
Review potential water quality changes in the basin

This item was taken after E-1

The Board reviewed information presented. Director Trotter asked that a letter be sent to SLO County requesting a change in their specifications for wells to include a seal to protect the groundwater from being contaminated by the vertical movement of undesirable water.

Upon motion of Director Trotter and seconded by Director Winn, the Board unanimously agreed to have staff write a letter to WRAC. Vote 4-0

There was no public comment.

E. OTHER BUSINESS

E-1) FALL CLEAN UP WEEK – SOLID WASTE

Approval of a special Fall Garbage Clean-Up Week – September 16-20, 2002

This item was taken after D-2

Nick Cano, supervisor for the Nipomo Garbage, presented information to the Board concerning the September 16-20, 2002, Fall Clean Up Week. He agreed to let Tom Martin know that some wording needed to be changed on the flyer to be sent out. There was no public comment.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved funding for the Clean Up Week. Vote 4-0

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 June 5, 2002, Regular Board meeting

Minutes of June 12, 2002, Special Board meeting

There was no public comment. Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved the items on the Consent Agenda.

G. MANAGER'S REPORT

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

G-1) GOVERNING - ARTICLE ON STATE VS. LOCAL REVENUE

H. COMMITTEE REPORTS

Personnel Committee will be meeting to finalize the Personnel Manual.

I. DIRECTORS COMMENTS

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 NCSA SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.

B. SAVE THE MESA VS. NCSA CV 020181

C. ANTICIPATED LITIGATION, ONE CASE

CONFERENCE WITH NEGOTIATOR GC§54956.8

D. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR - DOUG JONES, COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE. POSSIBLE LITIGATION INITIATION GC§549569

The Board came back into Open Session and had no reportable action.

ADJOURN

The next regular Board Meeting will be held on July 3, 2002, at 9:00 a.m.