

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

AUGUST 7, 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 9:00 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.

There was no public comment.

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

D-1) COUNTY SERVICE AREA NO. 1 FEES

Letter from Ms. Seehof concerning sewer connection fees from CSA1 (Galaxy)

Sherry Seehof, resident of Galaxy Park area, presented her concerns to the Board regarding the sewer connection fees and asked if the Board would consider sending a letter to the County expressing sympathy for her situation. Upon motion of Director Trotter and seconded by Director Wirsing, the Board agreed to have staff draft a letter. Vote 5-0
There was no other public comment.

D-2) DISTRICT ANNEXATION FEES

Sub-Committee review of the District's annexation fees

The Board discussed the District's annexation fees.

The following member of the public spoke:

Jon Martin, property owner of proposed annexation spoke in favor of changing the annexation fee to a per parcel amount rather than per acre.

Upon motion of Director Winn and seconded by Director Trotter, the Board unanimously agreed to table this item for the Annexation Committee to consider further. Vote 5-0

There was no other public comment.

D-3) REQUEST FOR SERVICE – TRACT 2494 (WEATHERFORD)

Request for water & sewer service for an 18-lot development on W. Tefft St.

Pamela Jardini, Westland Engineering representing developer of Tract 2494, described layout of proposed project.

Director Wirsing asked that the following be added to the minutes.

I want to make a motion that Items D-3, D-4, & D-5 be tabled until we are able to meet with Attorney Jim Markman on Friday August 9 at the Closed Session which we will be discussing the Santa Maria Water litigation. As a responsible member of this Board, I believe it is of utmost importance to hear an update on this lawsuit, to insure that we are informed and will be making the right decision that protects the interest and needs of the rate payers of this District. Motion failed for lack of second.

Director Wirsing made the motion to table this item, D-3. Director Trotter seconded the motion. Vote 2-3 with Directors Blair, Winn and Mobraaten voting no. No public comment. Upon motion of Director Winn and seconded by Director Blair, the Board agreed to issue an Intent-to-Serve letter for water and sewer service for Tract 2494, with the conditions as outlined in the Board letter. Vote 4-1 with Director Wirsing voting no. No public comment.

- D-4) REQUEST FOR SERVICE – PARCEL MAP CO 02-0249 (STOKES)
Request for water & sewer service from a 4-lot development at Day & Thompson
A request was received from RRM Design Group for a 4-lot development.
Director Wirsing made the motion to table this item, D-4 until information was presented at Friday's Closed Session. Director Trotter seconded the motion. Vote 2-3 with Directors Blair, Winn and Mobraaten voting no. There was no public comment.
Scott Stokes, owner of development, discussed the project with the Board.
Upon motion of Director Winn and seconded by Director Blair, the Board agreed to issue an Intent-to-Serve letter for water and sewer service for Parcel Map CO 02-0249, with the conditions as outlined in the Board letter. Vote 3-2 with Directors Wirsing and Trotter voting no.

- D-5) REQUEST FOR SERVICE – PARCEL MAP CO 01-0351 (CORELLA)
Request for water & sewer service from a 4-lot development at Mary & Tefft
Director Wirsing made the motion to table this item, D-5. Director Trotter seconded the motion. Vote 2-3 with Directors Blair, Winn and Mobraaten voting no. There was no public comment.
Upon motion of Director Winn and seconded by Director Blair, the Board agreed to issue an Intent-to-Serve letter for water and sewer service for Parcel Map CO 01-0351, with the conditions as outlined in the Board letter. Vote 3-2 with Directors Wirsing and Trotter voting no. There was no public comment.

- D-6) WATER AND SEWER RATE STUDY
Acquiring consulting services to update the District water & sewer rates and charges
Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved the contract with Perry Louck, CPA to prepare a water and sewer rate and fee study in the amount of \$17,940 and make a budget adjustment of \$2,000 to cover the cost of the consultant's fees. There was no public comment. Vote 5-0

**RESOLUTION 2002-827
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING PERRY R. LOUCK, CPA TO CONDUCT A WATER AND WASTEWATER RATE AND FEE**

- D-7) CONFLICT OF INTEREST CODE
Biennial review of the District's Conflict of Interest Code
Jon Seitz, District Legal Counsel, explained some of the Changes in the District's Conflict of Interest Code. This item was tabled to a future meeting.

President Mobraaten called a short break. Reconvened at 11:07 a.m.

E. OTHER BUSINESS

- E-1) REQUEST FOR BIDS – MONTECITO VERDE II SEWER
Request bids to connect MVII on-site sewers to the District system

The Board discussed the Montecito Verde II project. Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to authorize District staff to go to bid on the Montecito Verde II sewer project. There was no public comment. Vote 5-0

- E-2) REQUEST FOR BIDS – UPGRADE TEFFT STREET LIFT STATION
Request bids to increase the pumping capacity of the Tefft St. sewer lift station

The Board discussed the need to go to bid to upgrade the Tefft Street Lift Station. Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to authorize the District to request bids for the Tefft Street Lift Station with a request of no chain link fence. There was no public comment. 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 July 3, 2002, Regular Board meeting
Minutes of July 17, 2002, Regular Board meeting
F-3) PUBLIC EMPLOYEES RETIREMENT SYSTEM [RECOMMEND APPROVAL]
Resolution authorizing a correction to the District's Public Employees Retirement System

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously approved the items on the Consent Agenda with the modification on the Minutes of July 17, 2002. There was no public comment. Vote 5-0

**RESOLUTION 2002-828
AUTHORIZING A CORRECTION TO THE AMENDMENT TO CONTRACT BETWEEN THE BOARD OF
ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE BOARD OF
DIRECTORS NIPOMO COMMUNITY SERVICES DISTRICT**

- G. **MANAGER'S REPORT**

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

- G-1) WATER & SEWER HISTORICAL DATA

- H. **COMMITTEE REPORTS**

None

- I. **DIRECTORS COMMENTS**

Director Winn – Lucia Mar Board Meeting, dedicated easement to District Easement for Dana taken off agenda. He requested it be put back on.
Water Forum August 19, 2002, 6:30 – 8:00 p.m.

Candidates Forum, Wednesday, August 28, 7:00 p.m. Dana Elementary

Jon Seitz, District Legal Counsel, announced the need to go into Closed Session.

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
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
E. PUBLIC EMPLOYEE EVALUATION – GENERAL MANAGER GC\$54957

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

ADJOURN

President Mobraaten closed the meeting at 2:15 p.m.

***The regular Board Meeting scheduled for August 21, 2002, has been canceled.
The next regular Board Meeting will be held on September 4, 2002, at 9:00 a.m.***