

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JANUARY 8, 2003

REGULAR MEETING 9:00 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

MICHAEL WINN, **PRESIDENT**
JUDITH WIRSING, **VICE PRESIDENT**
ROBERT BLAIR, **DIRECTOR**
CLIFFORD TROTTER, **DIRECTOR**
LARRY VIERHEILIG, **DIRECTOR**

STAFF

DOUGLAS JONES, **GENERAL MANAGER**
DONNA JOHNSON, **SEC. TO THE BOARD**
MICHAEL SEITZ, **DEPUTY 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

NEXT RESOLUTION 2003-848

President Winn called the meeting to order at 9:00 a.m. and led the flag salute.

B. ROLL CALL

NEXT ORDINANCE 2003-95

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.

The following member of the public spoke:

Jim McGillis, office inside District – Referred to an article in the newspaper about the number of houses to be built in Nipomo. "Don't believe everything you read."

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

D-1) WATER AND WASTEWATER PROPOSED RATE INCREASES

Second reading and adoption of an ordinance to increase water & wastewater rates/capacity fees

The Board discussed the ordinance on the table. There was no public comment.

Upon motion of Director Vierheilig and seconded by Director Blair, the Board unanimously approved Ordinance 2003-95, adjusting the water and sewer rates. Vote 5-0

ORDINANCE NO. 2003-RATES

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING TITLE 3 AND TITLE 4 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO**

- (1) ESTABLISH BI-MONTHLY RATES FOR WATER AND SEWER SERVICE;**
- (2) ESTABLISH CAPACITY CHARGES FOR WATER AND SEWER SERVICE; AND**
- (3) REAFFIRM PRIVATE FIRE SERVICE MONTHLY FEES AND CAPACITY CHARGES**

D-2) MUNICIPAL FINANCIAL CONSULTANT SERVICES

Agreement with Perry Louck, CPA, for financial services for issuance of indebtedness.

The Board discussed a proposal from Mr. Perry Louck, CPA to perform a municipal financial consultant service.

There was no public comment.

Upon motion of Director Trotter and seconded by Director Blair, the Board unanimously approved Resolution 2003-848 accepting the proposal from Mr. Louck. Vote 5-0

E. OTHER BUSINESS

E-1) CITY INCORPORATION

Review procedure for the District to initiate incorporation

The Board discussed the possibility of the District initiating city incorporation.

The following members of the public spoke:

Jim Kinneger, 660 Camino Roble – In favor of incorporation

Jim McGillis, office inside District – In favor of incorporation study

Guy Murray, local resident – In favor of incorporation

Ed Eby, Inside District – Cautioned Board and asked questions to be answered.

“What role would NCSD play? Who pays for the feasibility study? What authority to give money? Which funds would study be paid from?”

Homer Fox, Inside District – In favor of incorporation

Pastor Bill Johnson, Inside District – In favor of incorporation

The Board directed staff to invite Mr. Hood to make a presentation about incorporation.

Director Trotter wanted it on the record that he is not against incorporation, he is simply cautioning the Board.

E-2) BOARD OF DIRECTORS COMMITTEES

Review and appointment to Board committees

President Winn assigned the following members to committees

Committee Assignments	Member	Alternate
Nipomo Community Advisory Committee (Includes NCAC Water subcommittee)	Mike Winn	Judy Wirsing
Water Resources Advisory Committee	Doug Jones	Bob Blair
Chamber of Commerce	Judy Wirsing	Mike Winn

These committees require two (2) members.

Present Committee Assignments	Present Members	
Finance	Larry Vierheilig	Cliff Trotter
Water Resources	Cliff Trotter	Bob Blair
High School	Bob Blair	Larry Vierheilig
Annexation Policy	Mike Winn	Judy Wirsing
Personnel	Cliff Trotter	Mike Winn
Flood Control	Mike Winn	Cliff Trotter
New Community Services	Larry Vierheilig	Judy Wirsing

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 December 16, 2002, Special Board meeting

Minutes of December 18, 2002, Regular Board meeting

Minutes of December 20, 2002, Special Board meeting

There was no public comment. Upon motion of Director Vierheilig and seconded by Director Wirsing, the Board unanimously approved the Consent Agenda with amendment in Minutes of the December 18, 2002, meeting. (Include Mr. Eby's letter in the minutes.)
 Vote 5-0

G. MANAGER'S REPORT

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

- G-1) SAVE THE MESA LAWSUIT – NCSD PREVAILED ON ALL COUNTS
- G-2) LEGAL FEE UPDATE

H. COMMITTEE REPORTS

None

I. DIRECTORS COMMENTS

Director Blair talked about chipping of diseased trees and then the spread of the disease. He feels the trees should be burned to rid the disease.

President Winn – 1) Gave an overview of WRAC meeting agenda being held today at 1:30 p.m. 2) He presented his ideas of tasks ahead for the year of 2003. Director Trotter added to develop a hydrologic inventory. 3) Informed Board of the Regional Planning Seminar, Friday Feb. 28 from 9-4 at the SLO Embassy Suites. Cost \$35.00 per person. 4) Save the Mesa judge's comments about planning issues 5) Water Forum, Jan. 20, 6:30 at NCSD bldg.

Deputy Legal Counsel, Mike Seitz, 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§54956.9

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

ADJOURN

President Winn adjourned the meeting at 10:46 a.m. in memory of Lucia Mar Unified School District Board member Carol Harvey.

***The regular Board meeting of January 15, 2003 has been canceled.
The next regular Board Meeting will be held on January 22, 2003, at 9:00 a.m.***