

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

DECEMBER 3, 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

DOUG JONES, GENERAL MANAGER
LISA BOGNUDA, ASSISTANT ADMINISTRATOR
DONNA JOHNSON, BOARD SECRETARY
JON SEITZ, GENERAL COUNSEL

The Nipomo Community Services District's mission is to provide the citizens of the District with quality, innovative, and cost-effective services through responsive and responsible local government to meet the changing needs of the community.

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson. Consistent with the Americans with Disabilities Act, NCSB Board agendas and other writings will be made available to disabled persons in an appropriate alternate format. (If assistance is needed, please contact the District office at least one day before the meeting.)

A. CALL TO ORDER AND FLAG SALUTE

President Winn called the meeting to order at 9:02 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call all members of the Board 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:

Erik Benham, Maria Vista developer – thanked Mr. Seitz for his letter and also asked about the procedure in obtaining the tapes of the meetings. He also asked about the plans sent to Jim Garing of Garing, Taylor and Associates.

C-1) SHERIFF LT. MARTIN BASTI, COMMANDER OF SOUTH COUNTY SHERIFF STATION

Sheriff Lt. Martin Basti, Commander of South County Sheriff Station, introduced himself to the Board. He would like to be on the first agenda of each month to update the public. He stated that the South County jurisdiction covers 1,180 square miles.

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

D-1) URBAN WATER MANAGEMENT PLAN (UWMP) – PUBLIC HEARING

Resolution adopting the District Urban Water Management Plan

The following member of the public spoke:

Ed Eby, NCSB resident – read his letter to the Board containing concerns about the UWMP. (letter inserted into packet on file)

Upon motion of Director Trotter and seconded by Director Wirsing, the Board agreed to continue this Public Hearing to the December 17, 2003 meeting. Vote 5-0

D-2) REQUEST FOR SERVICE – CO 03-0301 (ROBINSON)

Request for water service for a commercial 12-bldg development on Sandydale & N. Frontage

The following members of the public spoke:

Bob Robinson, developer for project – stated that he is willing to connect to the District sewer line.

Glen Rider, EDA – stated that it is easier to design the project connecting to the sewer than to a septic system.

Upon motion of Director Blair and seconded by Director Vierheilig, the Board approved the Intent-to-Serve letter for Parcel Map CO 03-0301 with conditions in Board letter amended to include sewer service to the project. Vote 4-1 with Director Wirsing voting no

- D-3) REQUEST FOR SERVICE - TRACT 2595 (MARTIN/BAUR)
Request for water and sewer service for a 6-lot development on W. Price Street

The following members of the public spoke:

Fred Baur, owner/developer – explained his project to the Board.

Jim Kinninger, NCAC Chair – asked owner if he had brought his project to the Advisory Council. He also asked the Board to hold approval of the project until the developer could bring project to the Advisory Council.

President Winn questioned whether the density was in conformance with the County General Plan.

Upon motion of Director Blair and seconded by Director Vierheilig, the Board agreed to table this item to the January 14, 2004, meeting after the project goes before NCAC and when there could be some clarity on the density of the parcel. Vote 5-0

The Board took a break at 10:20 a.m. and came back into session at 10:32 a.m.

- D-4) REQUEST FOR SERVICE - TRACT 2603 (NEWDOLL)
Request for water and sewer service for a 48-lot development at 652 Story Street

The following members of the public spoke:

Bob Newdoll, Newdoll Construction and representative for the owner of the project – spoke with the Board about the project explaining that a General Plan amendment would be necessary to create 48 low-cost housing units.

Director Blair stated that he could not support even 40 units on this parcel.

Ed Eby, NCSD resident – stated that if the Board approves this project, the Board is certifying that there is a 20-year supply of water to serve this project.

Dennis Cajas, Story Street property owner – stated that he hoped to get his property subdivided to a greater density than the 4 lots for which it is zoned.

Erik Benham, Maria Vista developer – commented on his own project.

Bob Newdoll – stated that he hoped the owner could get the density change.

Jon Seitz, District Legal Counsel, clarified that staff is not denying approval of an Intent-to-Serve letter but is asking the Board for direction. Staff does not consider General Plan amendments. Judgement concerning the groundwater adjudication will be soon. Discussions about supplemental water will be forthcoming. Then the Board will be better informed about water availability. Staff recommends a continuance until the information is received.

Mr. Newdoll asked Mr. Seitz to read the highlighted portion of the agreement between NCSD and Mr. Cajas. [Mr. Seitz read that the property owner could subdivide into two or more parcels.]

President Winn commented that Nipomo needs affordable housing but that build-out was originally figured assuming Nipomo would take State Water. The property in question is zoned for 4 lots, not 48 lots.

Upon motion of Director Vierheilig and seconded by Director Trotter, the Board agreed to continue this item for 90 days. Vote 5-0 with Director Blair abstaining

E. OTHER BUSINESS

E-1) MOSS LANE PROPOSED ANNEXATION
Status Report

The Board reviewed the situation whereby 6 lots within the area of the Maria Vista development had been inadvertently omitted from the annexation of the area. LAFCo would like to see this area annexed into the District.

The following members of the public spoke:

Leopoldo Huitron, Moss Lane resident – stated that he has been a resident at Moss Lane since 1963. He also stated that he informed Mr. Benham by letter that he wanted to be a part of his project. He also stated that he wants to be a part of the City of Nipomo.

Erik Benham, developer of Maria Vista – stated that the property owners on Moss Lane never did want to be a part of the annexation. He also stated that he would like agendized the reimbursement issue and how the Dana Wells will be constructed.

Mary Louise Cavazos, Moss Lane resident – stated that she does not remember not wanting to be a part of the annexation and would like to receive services from NCSD.

Jesse Hill, District customer – stated that the Board should give these six property owners whatever break in the fees was possible.

Upon motion of Director Vierheilg and seconded by Director Trotter, the Board instructed staff to prepare an annexation agreement for the Moss Lane property owners. Vote 5-0 with Director Wirsing abstaining

E-2) RECONSIDERATION OF BOARD MEETING MINUTES
Minutes of October 8, 2003, Regular Board meeting
Minutes of October 16, 2003, Special Board meeting
Minutes of October 21, 2003, Study Session
Minutes of October 22, 2003, Regular Board meeting

At the last Board meeting the Board approved the minutes of the above listed meetings but it was unclear which changes were accepted. Upon motion of Director Vierheilg and seconded by Director Wirsing, the Board agreed to have President Winn go over the minutes for the above dates to clarify the appropriate changes. Vote 5-0

F. CONSENT AGENDA

F-1) WARRANTS [RECOMMEND APPROVAL]

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

G. MANAGER'S REPORT

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

G-1) SAN LUIS OBISPO COUNTY DRAFT PARK & RECREATION ELEMENT

H. COMMITTEE REPORTS

The Incorporation Committee (Directors Wirsing and Winn) will meet to discuss the questionnaires received.

I. DIRECTORS COMMENTS

Director Vierheilig would like to the Board to discuss a possible resolution concerning a moratorium on all zoning changes/density increases in the NCSD boundary. He would also like to consider a landscape ordinance addressing water conservation.

Director Blair reported that he attended the CSDA conference in Sacramento. The topics discussed included having a bond on the March ballot to backfill moneys previously raised by the auto license fee. The CSDA is considering buying a building in Sacramento.

Director Wirsing asked that the District agendize the Maria Vista development to inform the Board of the issues. [Staff will send Mr. Benham a letter asking for a list of specific concerns to agendize.

President Winn reported the following:

- a) Central Coast Greenhouse Growers Association meeting 12-4
- b) WRAC meeting 12-3 considering Housing Element Update Sludge Ordinance
- c) Resource Management System being presented to the Board of Supervisors
- d) Tour of drainage basins next week with staff
- e) Memorandum of Understanding with County still unresolved
- f) Increased density within District boundaries should be subject to supplemental water

There was no need to go into Closed Session

ADJOURN

President Winn adjourned the meeting at 12:20 p.m.

The next regular Board meeting will be December 17, 2003.