

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 40 - Years of Service 1965 - 2005

MINUTES

AUGUST 24, 2005 9:00 A. M.

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

LARRY VIERHEILIG, **PRESIDENT**
ED EBY, **VICE PRESIDENT**
MICHAEL WINN, **DIRECTOR**
CLIFFORD TROTTER, **DIRECTOR**
JUDITH WIRSING, **DIRECTOR**

PRINCIPAL STAFF

MICHAEL LEBRUN, **GENERAL MANAGER**
LISA BOGNUDA, **ASSIST. ADMINISTRATOR**
DONNA JOHNSON, **BOARD SECRETARY**
JON SEITZ, **GENERAL COUNSEL**
DAN MIGLIAZZO, **UTILITY SUPERVISOR**

Mission Statement: 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.

- 00:00:00 A. CALL TO ORDER AND FLAG SALUTE
President Vierheilig called the August 24, 2005 meeting to order at 9:01 a.m. and led the flag salute.
- 00:01:00 B. ROLL CALL
At Roll Call, all Board members were present.
- 00:01:30 C. PUBLIC COMMENT PERIOD
PUBLIC COMMENT
The following members of the public spoke:
Bob Blair, District resident – stated that he would like to have an answer to the letter he sent to the District.
- 00:02:00 D. CONSENT AGENDA
D-1) WARRANTS
D-2) BOARD MEETING MINUTES
Regular Board meeting, August 10, 2005.
D-3) SAFETY MEETING MINUTES
Director Winn asked about penalties and rewards for safety issues.
D-4) AMEND ADMINISTRATIVE BUDGET
Director Wirsing stated to have staff be sure that the contract with Canon includes developer, etc. for new office machine.
D-5) ENGINEERING SERVICES CONTRACT
RESOLUTION 2005-949
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AWARDING A CONTRACT TO BOYLE ENGINEERING CORP
FOR ENGINEERING SERVICES IN SUPPORT OF HETRICK
WATERLINE IMPROVEMENTS
Upon motion of Director Eby and seconded by Director Winn, the Board unanimously approved the Consent Agenda as amended in the Engineering Services Contract. Vote 5-0
- 00:11:16 E. ADMINISTRATIVE ITEMS
E-1) TELEMETRY CONTRACT UPDATE
Mr. LeBrun reviewed the status of the contract with iPAAC Corporation for the telemetry system.
Mr. Juan Anderson, representative for iPAAC, described the progress made with the system. The Board asked questions of the contractor. There was no public comment. The Board asked that the contractor continue to set firm dates for completion of the project.

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00:37:30

E-2) HERMRECK EXPLORATORY WELL

Mr. LeBrun gave an update on the Hermreck Well project. In an April 19th report, Mr. Tim Cleath recommended to abandon the well. Mr. Cleath was not present at today's meeting. There was no public comment. Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to direct staff to proceed with abandoning the Hermreck Well in accordance with State regulations. Vote 5-0

00:48:09

E-3) CONSIDER CLEANUP WEEK FUNDING PROPOSAL

The Board discussed providing funds to support community solid waste clean up efforts. There was no public comment. Upon motion of Director Trotter and seconded by Director Wirsing, the Board unanimously approved expenditure of an amount not to exceed \$12,000 in association with Clean-Up Week.

00:59:12

E-4) BOARD FALL CALENDAR

The Board discussed revising the Board meeting schedule for September through December 2005. The schedule is as follows:

- September 14 Regular meeting schedule
- September 28 Canceled
- October 12 & 26 Regular meeting schedule
- November 09 rescheduled to November 16
- November 23 rescheduled to November 30
- December 14 Regular meeting schedule
- December 28 Canceled (office closed)
- January resume regular schedule (2nd & 4th Wednesdays)

01:01:56

The Board took a break at 10:00 a.m. and reconvened at 10:15 a.m.

E-5) REVIEW DRAFT ORDINANCE REVISING DISTRICT CODE

Jon Seitz, District Legal Counsel, reviewed some proposed revisions to the District Code. The Board discussed several issues. The Board did not support the mandatory plumbing retrofit verification as a condition to sale of a property. The Board asked to delete the part of the code that prohibits washing cars on hardscape. The Board agreed with the other recommendations in the Board letter.

The following member of the public spoke:

Greg Nester, developer – stated that the retrofit program caused a few problems in some of the older houses. He also agreed with Director Trotter that the price of houses is driven by the market (supply and demand) and not the cost of the fees, etc. There was no action required or taken.

2:20:50

E-6) SDRMA BALLOT/RESOLUTION

The Board discussed the candidates vying for a director position on the Special District Risk Management Authority Board. There was no public comment. Upon motion of Director Trotter and seconded by Director Wirsing, the Board unanimously approved a resolution electing four Directors to the SDRMA Board of Directors (Sedano, Aranda, Yeakley, Miller). Vote 5-0

**RESOLUTION 2005-950
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT FOR THE ELECTION OF SEVEN DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS**

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- 02:26:16 E-7) CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BALLOT
 The Board discussed the candidates to represent Region 4 on the California Special Districts Association Board of Directors. There was no public comment. The Board directed staff to send the ballot voting for LeClair for the position on the CSDA Board.
- 02:30:00 E-8) CONSIDER LAFCO STATUS REPORT
 Michael LeBrun, District General Manager and Jon Seitz, District Legal Counsel, reviewed the August 18, 2005, staff report from the Local Area Formation Commission concerning District conditions of annexation. There was no public comment. Upon motion of Director Winn and seconded by President Vierheilig, the Board unanimously agreed to direct staff to write a letter to SLO County expressing the NCSD Board's opposition to the formation of mutual water companies within the District's Sphere of Influence, citing some of the LAFCO principles; send a letter to LAFCO requesting LAFCO adopt a policy position in opposition to the formation of mutual water companies and send to any other agencies in the approval process. Vote 5-0
- 03:14:00 F. MANAGER'S REPORT
 Michael LeBrun, District General Manager reviewed the following:
- Auditor is in house performing the annual audit.
 - Draft letter to be sent to commercial property owners outlining the new sewer billing procedures.
 - Blacklake lagoon liner project is back out to bid. (Garing, Taylor & Assoc. is the consulting engineer.)
 - Santa Maria Pipeline meeting with Cannon – received update. Property owners will be contacted soon about possibly crossing their property.
 - Administrative draft EIR expected in ±30 days.
 - Urban Water Management Plan update is progressing.
- Director Wirsing left the meeting at 12:45 p.m.
- 03:26:25 G. COMMITTEE REPORTS
 Personnel Committee (Director Winn and President Vierheilig) met to discuss the job description. There will be another meeting with Assistant Administrator, Ms. Bognuda, next week.
- 03:38:21 H. DIRECTOR'S COMMENTS
Director Trotter
 Stated that there continues to be a problem with the salt issue in Blacklake.
Director Eby
 Stated that he will be speaking on water at the Nipomo Newcomers Club.
Director Winn
 WRAC meeting Aug 17 - Draft Environmental Impact Study for Central Valley polluted water outfall around Cayucos
 LAFCO met Aug. 18
 Board of Supervisors met Aug 23. They did not agendaize in the closed session to discuss the settlement for Nipomo Summit Station litigation.
 Aug. 26, 9:00-11:00 Partners in Water Quality in SLO
 Aug. 28 going to Sacramento with Paavo Ogren to lobby for Proposition 50 monies (approx. \$680,000) for NCSD pipeline project, the upgrade at Lopez, sewer for Los

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Osos, and Nacimiento water project.

Aug. 31 - Chamber of Commerce luncheon at Jocko's. Supervisor Achadjian will be the speaker.

Sat. Sept. 10 – Meeting with RRM Design Group, representatives for the Crystal Oaks developers here at District office 1:00- to 3:00 p.m.

President Vierheilig

Aug. 18 Nipomo Creek Watershed Steering Committee draft Nipomo Creek Watershed Management Plan

Board needs to look for sources of supplemental water other than the Santa Maria water supply.

03:54:06

- I. CLOSED SESSION ANNOUNCEMENTS
Jon Seitz, District Legal Counsel, announced there was no need to go into Closed Session.
- J. PUBLIC COMMENT ON CLOSED SESSION ITEMS - N/A
- K. ADJOURN TO CLOSED SESSION - N/A
- L. OPEN SESSION - N/A

03:54:30

ADJOURN

President Vierheilig adjourned the meeting at 1:05 p.m.