

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

REGULAR BOARD MEETING      DECEMBER 7, 1994      7:30 P.M.  
BOARD ROOM      261 W. DANA STREET, SUITE 100      NIPOMO, CA

### BOARD MEMBERS

STEVEN SMALL, President  
KATHLEEN FAIRBANKS, Vice President  
ALEX MENDOZA  
ALBERT SIMON  
ROBERT BLAIR

### STAFF

DOUGLAS JONES, General Manager  
DONNA JOHNSON, Secretary to the Board  
JON SEITZ, General Counsel

### **FLAG SALUTE**

Director Small opened the December 7, 1994 meeting and led the flag salute.

### **OATH OF OFFICE, ELECTED BOARD MEMBERS**

The Secretary administered the Oath of Office to the four newly elected Board members.

### **SELECTION OF BOARD PRESIDENT AND VICE PRESIDENT**

Director Small took nominations for President of the Board. Director Mendoza nominated Director Small to be President. Director Simon seconded the motion. There were no other nominations. Motion passed unanimously. Director Small then took over as President. He took nominations for Vice President. Director Small nominated Director Fairbanks. Director Blair seconded the nomination. There were no other nominations. Motion passed unanimously to elect Director Fairbanks as Vice President.

### **CALL TO ORDER**

Director Small officially called the meeting of December 7, 1994 to order.

### **ROLL CALL**

All directors were present at roll call.

### **APPROVAL OF MINUTES**

#### 1. REGULAR MEETING OF NOVEMBER 16, 1994

Director Fairbanks moved to approve the minutes of the November 16, 1994 meeting. Director Mendoza seconded. All Board members who were present as Board members voted and approved the motion unanimously.

### **SPECIAL REPRESENTATION**

#### 2. RESOLUTION COMMENDING PREVIOUS BOARD MEMBERS

GORDON GRACIA AND DAVID MANRIQUEZ

Director Fairbanks made the motion to pass Resolution No. 94-537. Director Mendoza seconded the motion. Motion passed unanimously.

#### **RESOLUTION NO. 94-537**

A RESOLUTION OF THE BOARD OF DIRECTORS THE NIPOMO COMMUNITY SERVICES DISTRICT COMMENDING **GORDON GRACIA** for his Service to this Community

Director Fairbanks made the motion to pass Resolution No. 94-538. Director Blair seconded the motion. Motion passed unanimously.

**RESOLUTION NO. 94-538**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT COMMENDING **DAVID MANRIQUEZ** for his Service to this Community

**PUBLIC COMMENTS PERIOD**

3. PUBLIC COMMENTS

Public comments on matters other than scheduled items.  
Presentations limited to three (3) minutes.  
There were no Public Comments.

**BOARD ADMINISTRATION**

4. ADOPTION OF DISTRICT CODE - ORDINANCE NO. 94-78

Public Hearing on adoption of Book Publishing codification of District's ordinances. President Small opened the floor to a Public Hearing. Mr. Carson asked if the old ordinances and resolutions would be taken out of the Code book and the new replace them. The answer is yes. Former Director Manriquez asked if Board was comfortable with the Code. He stated that he was not. The reasons for passing the ordinances were not included so the history is not there. Director Fairbanks asked for clarification of how the code works. Staff explained that the Code is used in the daily operations of the District. The rationale and history for each code can be found in the files and minutes. Upon motion of Director Fairbanks and seconded by Director Mendoza, the Board unanimously approved the reading of Ordinance 94-78 in title. Counsel Seitz read the title. Upon motion of Director Fairbanks and seconded by Director Simon, the Board unanimously adopted Ordinance 94-78.

**ORDINANCE NO. 94-78**

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING THE NIPOMO COMMUNITY SERVICES DISTRICT CODE

5. NOTICE OF COMPLETION - ASSESSMENT DISTRICT NO 93-1

Approving a Notice of Completion for the Summit Station water system improvements. When the floor was opened up for public comment, Mr. Carson asked if the clean up of a few cut branches work could be traded for removal of old washing machines and old cars that have been dumped on the side of the roads. Mr. Seitz reminded him that the contract did not include that type of clean-up. Mr. Kaye said that some of the roads look better now than they did before the work started. Mr. Carson & Mr. Kaye agreed that the contractor did a good job. Director Fairbanks made a motion to file the Notice of Completion for the Summit Station area (Assessment District No. 93-1) water system improvements. Director Blair seconded. The motion passed unanimously.

6. AIR QUALITY MITIGATION PROGRAM

Telecommunication center for Nipomo

After much discussion, Director Fairbanks made the motion to write a letter to Mr. John McKenzie of the County Planning Department explaining the Board's position on the South County Air Quality Program as presented at the Nov. 16, 1994 meeting. The following would be included in the letter. They felt that the telecommunications center was premature for Nipomo and that more information would be needed to justify such a facility. If a bus is to be put into service, it should be a small one. Any money spent could be used for some type of capital improvements which would not have an on-going maintenance need. The Park 'N Ride areas were good ideas, but that some type of advertising was needed to make the public aware of these services. Director Mendoza seconded writing such a letter. The motion passed unanimously.

LAND DEVELOPMENT

7. LOT SPLIT, TENTATIVE MAP NO. CO 94-131

Request for Intent-to-Serve for two one-acre parcels at 832 Calimex Place.

Director Simon moved to issue an Intent-to-Serve letter to Mr. Nix for two one-acre parcels for Tentative map No. CO 94-131. Director Fairbanks seconded. Motion passed unanimously.

FINANCIAL REPORT

8. APPROVAL OF WARRANTS

Director Fairbanks moved to approve the warrants presented at the December 7, 1994 meeting. Director Simon seconded. The motion passed unanimously.

OTHER BUSINESS

9. MANAGER'S REPORT

1. Hazel Lane area -Proponents for Hazel Lane annexation asked to be taken off the Dec 7 agenda. PUC - A notice was received of the Public Utility Commission (PUC) Administrative Law Judge's ruling setting a hearing and a memorandum of telephone conferences. Communication was received from the Division of Ratepayer Advocates (DRA), the Southern California Water Company (SoCal) the Local Agency Formration Commission (LAFCO) and NCSD. A hearing was set for Feb. 7 & 8, 1995 in San Francisco.

Director Mendoza moved to direct staff to put on the agenda for the next meeting to consider a Study Session to discuss several items: Hazel Lane, annexations in general, serving sewer but not water. Director Fairbanks seconded. Motion passed unanimously.

California Water Journal - A copy of an article titled 'Bringing the State Water Project to the Central Coast' was included in packet.

Special District Law Brief - A copy was included in the Board's packet.

Rauch Communication Consultants - Information on of a possible board workshop.

Holder residence - Water pressure test at 234 Summit Station Road showed a 44 psi at the meter and 24 psi at the house.

Via Concha - Noise level was challenged by Mrs. Joan Packett and son Calvin Packett. Noise test results taken by the County indicated that the District was in compliance with the San Luis Obispo County Noise Ordinance.

State Health Dept. - Letter concerning Sept monthly coliform monitoring report. Notification to be given to public that sampling procedures were in error.

Standpipe - Tank being prepared to be painted to repair bubbles. It will be back on line by Dec 22 or 23.

LAFCO - Election of Special District representatives to LAFCO. Bill Engels - 4 yr rep. Byron Briley - 2 yr. rep and Carol Moffat - alt. 2 yr rep. They will be seated Jan. 19, 1995.

10. DIRECTORS COMMENTS

Director Small wished to welcome the new members of the board.

11. PUBLIC COMMENTS

None

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL REGARDING WATER PIPE WARRANTIES, DEFENDANTS UNKNOWN AT THIS TIME. PLAINTIFF, NCSD GC 54956.9,B,C, PUBLIC EMPLOYMENT, TEMPORARY EMPLOYMENT CONTRACT GC 54957

After the Closed Session, the Board came back to open session and directed staff to explore the possibility of hiring temporary help to replace service lines.