

# NIPOMO COMMUNITY SERVICES DISTRICT MINUTES

REGULAR BOARD MEETING MARCH 1, 1995 7:00 P.M.  
BOARD ROOM 261 W. DANA STREET, SUITE 100 NIPOMO, CA

## BOARD MEMBERS

STEVEN SMALL, PRESIDENT  
KATHLEEN FAIRBANKS, VICE PRESIDENT  
ALEX MENDOZA, DIRECTOR  
AL SIMON, DIRECTOR  
ROBERT BLAIR, DIRECTOR

## STAFF

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

## CALL TO ORDER AND FLAG SALUTE

President Small called the March 1, 1995 Regular Board Meeting to order at 7:10 p.m.

## ROLL CALL

At roll call Directors Small, Mendoza, Simon and Blair were present. Director Fairbanks was absent. Director Fairbanks arrived at 7:12 p.m.

Mr. Jones introduced an item to the Board. According to Government Code Section 54954.2 (B)(2) the Board noted that there was a need to take immediate action prior to the March 15, 1995 meeting and that staff was notified of the situation after the agenda was posted. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously agreed to add Item 6A (Water Matters-Letter to the Court) to the agenda for this meeting.

## APPROVAL OF MINUTES

1. REGULAR MEETING OF FEBRUARY 15, 1995

Upon motion of Director Mendoza and seconded by Director Fairbanks, the minutes of the February 15, 1995 meeting were unanimously approved by the Board.

## PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

Public comments on matters other than scheduled items.

Presentations limited to three (3) minutes.

Gene Kaye stated that there was public apathy.

People need to be shaken up to stir interest.

## BOARD ADMINISTRATION

Item No. 3 was postponed until after 7:30 p.m. because the notice of the Public Hearing was made before the Board had passed the resolution to change the starting time of the regular meetings. The Board then proceeded with Item 4.

4. SEXUAL HARASSMENT POLICY

The District establishing a sexual harassment policy to be incorporated into the District's Employee Policy and Procedure Manual.

Mr. Jones explained that Title VII of the Civil Rights Act of 1964 and the California Government Code, § 12950 prohibits sexual harassment. Mr. Seitz read the proposed resolution in title and summarized it.

President Small opened the floor to Public Comments. There were no public comments.

Upon motion of Director Simon and seconded by Director Blair, the Board unanimously adopted Resolution No. 95-546.

RESOLUTION NO. 95-546  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ESTABLISHING A SEXUAL HARASSMENT POLICY AND TO  
INCLUDE THIS POLICY IN THE EMPLOYEE POLICY AND PROCEDURE MANUAL

3. CAMINO CABALLO WATER LINE IMPROVEMENTS

A Public Hearing on the Environmental Determination and review the bid results and awarding the bid to the low bidder

At 7:32 p.m. President Small opened the Regular Meeting to a Public Hearing for the Environmental Determination for the Camino Caballo Water Line Improvements.

Mr. Jones reviewed the bid results.

Mr. Gene Kaye asked if the District received any comments from the property owners affected by these improvements.

Mr. Jones said two people had called to ask if they could hook up to the line but were given a negative response.

Mr. Kaye asked what kind of pipe was in the engineer's estimate.

Mr. Jones answered that it was ductile iron pipe.

At 7:50 p.m. President Small closed the Public Hearing and to consider the resolutions concerning Camino Caballo Water Line Improvements.

General Counsel Seitz read Resolution 95-543 in title and summarized it.

President Small opened the floor to Public Comments. There were no public comments.

Upon motion of Director Fairbanks and seconded by Director Mendoza, the Board unanimously adopted Resolution No. 95-543.

RESOLUTION NO. 95-543

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ADOPTING AN ENVIRONMENTAL NEGATIVE DECLARATION AND  
AUTHORIZING THE GENERAL MANAGER TO FILE A NOTICE OF  
DETERMINATION FOR THE CAMINO CABALLO WATER LINE IMPROVEMENTS

General Counsel Seitz read Resolution 95-544 in title  
and summarized it.

President Small opened the floor to Public Comments.  
There were no public comments.

Upon motion of Director Simon and seconded  
by Director Mendoza, the Board adopted  
Resolution No. 95-544 with Director Fairbanks  
voting no.

RESOLUTION NO. 95-544

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
DECLARING INTENTION TO REIMBURSE  
DISTRICT EXPENDITURES FROM THE PROCEEDS OF  
OBLIGATIONS THAT MAY BE ISSUED BY THE DISTRICT  
FOR THE CAMINO CABALLO WATER LINE IMPROVEMENTS

General Counsel Seitz read Resolution 95-545 in title  
and summarized it.

President Small opened the floor to Public Comments.  
There were no public comments.

Upon motion of Director Fairbanks and seconded by  
Director Blair, the Board unanimously adopted  
Resolution No. 95-545.

RESOLUTION NO. 95-545

A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AWARDING THE CONSTRUCTION OF THE  
CAMINO CABALLO WATER LINE CONTRACT TO  
DeCHANCE CONSTRUCTION COMPANY

5. AUDIT PROPOSAL FOR THE DISTRICT ANNUAL AUDIT  
Review audit proposals to audit the District finances for Fiscal Years '95, '96 & '97

Ms. Bognuda explained that bids went out to several  
companies and only 2 made bids. The two companies and  
their bids were as follows:  
Burkart and Salzgeber \$3,700 for 1995, \$3,7000 +CPI  
for 1996 and \$3,700 +CPI for 1997.  
Carlos J. Reynoso \$2,675 for 1995, \$2,675 for 1996 and  
2,675 for 1997 plus free telephone consultation.

Upon motion of Director Fairbanks and seconded by Director Simon, the Board unanimously decided to retain the auditing services of Carlos J. Reynoso, CPA for a three year contract and to authorize the signing of the Acceptance of Engagement letter.

6. BOARD OF DIRECTORS WORKSHOP

Review a time when the Directors may hold a workshop for the development of strategic objects, goals and an action plan for the District.

The Board discussed the possibility of holding a workshop led by Rauch Communication Consultants. No action was taken. The item was tabled for a future meeting.

6a. WATER MATTERS - LETTER TO THE COURT

Mr. Seitz reviewed a letter from Scott Slater of Hatch and Parent, Law Offices. Mr. Slater suggested that a letter be sent no later than March 10, 1995 to the Supreme Court of the State of California concerning the case of Los Osos Valley Associates v. City of San Luis Obispo. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously decided to forward the suggested letter.

FINANCIAL REPORT

7. APPROVAL OF WARRANTS

Upon motion of Director Blair and seconded by Director Mendoza, the Board unanimously accepted the warrants presented at the March 1, 1995 meeting.

OTHER BUSINESS

8. MANAGER'S REPORT

General Manager Doug Jones presented information on the following items:

1. Request for proposal to design an expansion of Wastewater Treatment Plant
2. Water & sewer Master Plan Proposals received
3. AB 1542 Information

9. DIRECTORS COMMENTS

There were none.

10. PUBLIC COMMENTS

There were none.

ADJOURN

Director Small adjourned the meeting at 9:00 p.m.