

# NIPOMO COMMUNITY SERVICES DISTRICT MINUTES

REGULAR BOARD MEETING    APRIL 5, 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, District Legal Counsel

## CALL TO ORDER AND FLAG SALUTE

Director Small called the April 5, 1995 meeting to order and led the flag salute at 7:08 p.m.

## ROLL CALL

At roll call, Directors Fairbanks and Simon were absent. Director Simon's absence was a planned absence. Director Fairbanks arrived at 7:20 p.m.

## APPROVAL OF MINUTES

1. REGULAR MEETING OF MARCH 15, 1995  
Upon motion of Director Mendoza and seconded by Director Blair, the minutes of the March 15, 1995 meeting were unanimously approved by the Board with one minor typo correction in Item 3 (Brad Brad). Directors Fairbanks and Simon were absent for the vote.

## PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS  
Public comments on matters other than scheduled items. Presentations limited to three (3) minutes. President Small called for Public Comment but no one responded.

BOARD ADMINISTRATION

3. ERRORS AND OMISSION INSURANCE POLICY

Establish E & O Insurance limits for consultants doing work for the District.

Counsel Seitz read the proposed resolution in title only and summarized its content. He suggested a change to add the words "in excess of \$20,000" to #1. Upon motion of Director Mendoza and seconded by Director Blair, the Board, by unanimous roll call vote, adopted Resolution 95-548. Directors Fairbanks and Simon were absent for the vote.

RESOLUTION NO. 95-548  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ESTABLISHING ERRORS AND OMISSIONS POLICY

PUBLIC COMMENTS

President Small took the meeting back to Item 2 (Public Comments Period) to allow some late arriving people an opportunity to make comments concerning the Black Lake Development (Tract 1912).

Comments were taken by Jeff Latimer of Imperial Bank, Kenneth Blummer, Attorney for Imperial Bank, Brad Brechwald of John Wallace and Associates and Jack Stoddard, President of the Black Lake Management Association.

The Board then took a 20 minute break.

4. AGREEMENT FOR PROFESSIONAL SERVICES

Agreement with Boyle Engr. to prepare the District's Water & Sewer Master Plan

Counsel Seitz explained the changes in the agreement as acceptable to both parties (NCSD and Boyle).

Upon motion of Director Fairbanks and seconded by Director Mendoza, the Board, by unanimous roll call vote, approved Resolution 95-549.

RESOLUTION NO. 95-549  
A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
APPROVING THE SERVICES OF BOYLE ENGINEERING CORPORATION  
TO DEVELOP A WATER AND SEWER MASTER PLAN FOR THE DISTRICT



5. REIMBURSEMENT FOR DISTRICT INSTALLED FACILITIES  
Introduction of Ordinance establishing a front footage fee for  
District-installed water lines.

Mr. Jones explained the reasons for an ordinance  
establishing a front footage for District-installed  
water lines.

Jose Ponce spoke from the audience asking about the  
charges.

The item was tabled to a future meeting.

It was suggested that the landowners affected by front  
footage fee be notified of proposed ordinance.

6. FIRE HYDRANT WATER USE  
Introduction of Ordinance and Resolution revising procedures, fees and penalties of the  
District's code on fire hydrant use.

Counsel Mike Seitz explained the need to repeal certain  
sections of the code and amend other sections to  
establish a District policy regarding fire hydrants.

A Public Hearing date of May 3, 1995 was set for the  
second reading and adoption of Ordinance 95-79.

Jack Stoddard spoke from the audience.

Director Fairbanks moved to have Counsel Seitz read the  
ordinance in title only. Director Blair seconded. The  
motion passed unanimously.

Counsel Jon Seitz read the ordinance in title only.

Upon motion of Director Fairbanks and seconded by  
Director Blair, the Board, by unanimous roll call vote,  
adopted the first reading of Ordinance 95-79.

ORDINANCE NO. 95-79

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT  
REPEALING SECTIONS 3.04.100 AND 3.04.140(A)2 AND  
AMENDING SECTION 3.20.010 THROUGH 3.20.050 TO ESTABLISH  
DISTRICT POLICY REGARDING FIRE HYDRANTS AND  
TEMPORARY WATER SERVICE FOR CONSTRUCTION AND OTHER PURPOSES

The Resolution that was on the agenda was tabled until  
the adoption of Ordinance 95-79.

7. WATER BASIN MANAGEMENT

Review of the Ground Water Management Act, AB 3030, in establishing a Ground Water Management Agency and Instruction to staff.

Mr. Jones explained about the Ground Water Management Act, AB 3030, which was signed into law in 1992.

Upon motion of Director Mendoza and seconded by Director Fairbanks, the Board directed staff to initiate investigation into AB 3030 and how it affects this District. Director Blair wished to go on record that he opposes another bureaucratic agency to tell us what to do.

Jose Ponce, 111 E. Roemer, Santa Maria, 93454 spoke from the audience.

George Layman, Nipomo Advisory Group, and Susan Ostrov also spoke from the audience.

LAND DEVELOPMENT

8. TRACT NO. 2182 - REQUEST FOR INTENT-TO-SERVE LETTER

An eight lot development at Camino Caballo & Calle de Topo Roads

Developer, Jim McGillis, wishes to change his previously approved project from a 7-lot subdivision to 8 lots. Upon motion of Director Blair and seconded by Director Mendoza, the Board unanimously approved an "Intent-to-Serve" letter for Tract 2182.

9. TRACT NO. 2172 - REQUEST FOR INTENT-TO-SERVE LETTER

A 10 lot development on Hwy 1 between Sheridan & Guadalupe Rds.

Developer, Mark Wendler, wishes to change his previously approved project from 4 to 10 parcels. Upon motion of Director Fairbanks and seconded by Director Blair, the Board unanimously approved an "Intent-to-Serve" letter for Tract 2172.

FINANCIAL REPORT

10. APPROVAL OF WARRANTS

Upon motion of Director Mendoza and seconded by Director Blair, the Board unanimously approved the warrants presented at the April 5, 1995 meeting.

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OTHER BUSINESS

11. MANAGER'S REPORT

Mr. Jones presented information on the following items:

- |                             |  |
|-----------------------------|--|
| 1. Proposed Annexations     | 4. Tehame Co. Ground Water Regulations |
| 2. CSDA Information         | 5. Board Workshop                      |
| 3. Am Desalting Information | 6. CCWA water line route               |

Upon motion of Director Fairbanks and seconded by Director Blair, staff was directed to cancel the April 19, 1995 meeting and to notify the public.

12. DIRECTORS COMMENTS

None

13. PUBLIC COMMENTS

None

At 9:47 the Board went into a closed session.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

1. Conference with Legal Counsel, Initiation of litigation \*GC§ 54956.9 (c) one case

The Board came back to open session and announced that no reportable action was taken.

ADJOURN

President Small adjourned the meeting.

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