

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

REGULAR BOARD MEETING SEPTEMBER 4, 1996 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 opened the September 4, 1996 Regular Meeting at 7:08 p.m. and led the flag salute.

### **ROLL CALL**

Upon Roll Call, the following Board members were present:  
Directors Blair, Simon, Mendoza and Small. Director Fairbanks was absent.

### **APPROVAL OF MINUTES**

1. **REGULAR MEETING OF JULY 3, 1996**  
Upon motion of Director Mendoza and seconded by Director Simon, the Minutes of the July 3, 1996 were unanimously approved. Director Fairbanks was 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 opened the meeting up to Public Comments. There were no comments.

### **BOARD ADMINISTRATION**

3. **NEW OFFICE BUILDING - PROFESSIONAL SERVICES**  
Review architectural services, contract architectural service and soils work by Earth Systems consultants for the District's new office building. (Discussion/Action)
  1. **ADDITIONAL ARCHITECTURAL SERVICES**  
Mr. Jones explained that the original agreement with Barry L. Williams Associates for architectural services did not include some of the additional work performed by Mr. Williams' firm. Mr. Williams explained what that work included. The cost for the additional work was \$4,675.00. Upon motion of Director Simon and seconded by Director Mendoza, the Board unanimously (vote 4-0) approved the additional \$4,675.00.
  2. **CONSTRUCTION ADMINISTRATION**  
Mr. Williams presented a proposal at a cost not to exceed \$5,800 to provide construction administration during the construction of the new office building. Mrs. Fairbanks arrived at 7:15 p.m. There were questions by the Board. Upon motion of Director Simon and seconded by Director Mendoza, the Board approved the consultant service agreement with Mr. Barry Williams and authorized the Board President to execute the agreement. Vote 3-2 Directors Fairbanks and Blair voted no.
  3. **GRADING AND SOIL FOUNDATION SERVICES**  
Proposal from Earth Systems Consultants (a soil engineering firm) not to exceed \$2,661.00 to review the site after the old building has been demolished to determine the soil condition and foundation requirements for the new building. Counsel Jon Seitz explained some of the changes proposed by Earth Consultants and had no problem with the changes on the contract. Upon motion of Director Fairbanks and seconded by Director Blair, the Board unanimously approved the agreement and authorized the Board President to sign the agreement.



4. **REPLACEMENT OF OLD WATER LINES**  
Request for bids to install new water lines. (Discussion/Action)

Mr. Jones explained the need for the District to go out to bid for replacement of water lines in Dana, Price, Mallagh, Burton and Bennett Streets. Upon motion of Director Simon and seconded by Director Fairbanks, the Board unanimously authorized the District to advertise and solicit bids to replace water lines.

5. **INTENT-TO-SERVE FOR COMMERCIAL PROJECT D96-0053, CASTELLANOS**  
Review a request for an intent-to-serve for a commercial development at the intersection of Division St. and Orchard Rd. (Discussion/Action)

Mr. Jones presented the plan from developer Andy Castellanos for a commercial project at the intersection of Division St. and Orchard Rd. Director Fairbanks mentioned that a traffic light at Orchard and Division is needed. The District does not have jurisdiction over roads but it would be noted to the Planning Department. Upon motion of Director Simon and seconded by Director Fairbanks, the Board unanimously approved to issue an Intent to-Serve letter for Project No. D96-0053D with conditions as shown on the board letter, replacing should with shall.

6. **ACCEPTANCE OF EASEMENTS, TRACT 1747 - HERMRECK**  
Tract 1747 has offered a well and access easement to the District. (Discussion/Action)

Mr. Jones explained that one of the conditions of the Intent-to-Serve letter which was issued to Tract 1747, was that an easement to an existing well-site and an access to the well-site easement be dedicated to the District. The owners have complied. Upon motion of Director Blair and seconded by Director Fairbanks, the Board unanimously adopted Resolution No. 96-591 accepting the dedication.

**RESOLUTION NO. 96-591  
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING  
WELL SITE AND ACCESS EASEMENTS WITHIN TRACT 1747**

7. **FINANCIAL COMMITTEE REPORT**  
Directors Small and Fairbanks (Discussion/Information)

The Board discussed the two committee meetings held on August 26 and 29. The next meeting will be Sept. 10, at 8:15 p.m. with Directors Fairbanks and Small. Cees Dobbe asked about the Advisory Committee's functions. Director Fairbanks agreed that the advisory board for the should represent the feelings of the Black Lake residents.

8. **SAFETY COMMITTEE MINUTES**  
Review and accept quarterly Safety Committee Minutes (Discussion/Action)

Upon motion of Director Blair and seconded by Director Simon, the Board directed the Board secretary to acknowledge the receipt of the Minutes of the Safety Meeting held on August 27, 1996. The motion passed unanimously.

**FINANCIAL REPORT**

9. **APPROVAL OF WARRANTS**  
Upon motion of Director Blair and seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the September 4, 1996 meeting.

**OTHER BUSINESS**

10. **MANAGER'S REPORT**

Manager Doug Jones presented information concerning the following items:

1. CSDA-SLO RECEPTION SEPT. 16
2. STATE SENATE BILL 900-WATER BOND

Mr. Jones reminded the Board of the Calif. Constitution Revision Information meeting Thurs. LAFCO Sept. 19 meeting to consider Annexation No. 15.

11. DIRECTORS COMMENTS

Director Blair commented about the SLOCOG meeting held Sept 4. and about the Board of Supervisors meeting on Tuesday. Cees Dobbe commented about SLO County's regulations.

12. PUBLIC COMMENTS

Cees Dobbe asked about the minutes of the last meeting concerning the DanDe & Clow settlement. Asked about what happens in the Closed Sessions. Mr. Seitz answered.

President Small adjourned the meeting to a Closed Session.

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**

1. Existing litigation GC§ 54956.9  
NCSD vs. Shell Oil, et. al. Case No. CV 077387
2. Anticipated Litigation, One Case GC§54956.9 (c)

The Board came back into open session and announced:

1. No reportable action was taken
2. The Board decided to seek recovery of damages due to improper installation of pipe line in the Black Lake Area.

**ADJOURN**

President Small adjourned the meeting at 9:30 p.m.

\*GC§ refers to Government Code Sections