

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING SEPTEMBER 18 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 18, 1996 meeting at 7:05 p.m. and led the flag salute.

ROLL CALL

At Roll Call, all Board members were present.

APPROVAL OF MINUTES

1. **REGULAR MEETING OF SEPTEMBER 4, 1996**
Upon motion of Director Simon, seconded by Director Mendoza, the Board unanimously approved the Minutes of the September 4, 1996 Regular Meeting.

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 to Public Comments. There were none.

BOARD ADMINISTRATION

President Small moved the following Item 5 to this position to accommodate Mr. Stoddard.

5. **PROPOSED BLACK LAKE DEVELOPMENT ADVISORY COMMITTEE**
Consideration to establish an advisory committee for the Black Lake Golf Course area (Discussion/Action)

Jack Stoddard, President of the Black Lake Management Association, spoke to the Board regarding a resolution to form the Black Lake Advisory Committee. The Association has retained Roger Lyon, Legal counsel and John Wallace & Associates. President Small asked for public comment concerning the resolution. Upon motion of Director Blair, seconded by Director Fairbanks, the Board unanimously approved Resolution 96-592.

RESOLUTION NO. 96-592
RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT ESTABLISHING
BLACK LAKE AREA OVERSIGHT ADVISORY COMMITTEE

President Small continued the meeting in regular order.

3. TRACT 2151 - WATER SERVICE LINES

Review the District's requirements for water service lines re: Sch. 40 PVC vs. Sch. 80 PVC pipe (Discussion/Action)

Mr. Jones explained that when Tract 2151, formerly known as Tract 1409, was under the jurisdiction of SLO County, the County standard for water service lines was Schedule 40 PVC pipe. When Tract Map 1490 expired, the project started over. The County then issued a new number, Tract 2151. When the developers for Tract 2151 requested an Intent-to-Serve letter, the District requirement was that Schedule 80 PVC be used. Mr. Jim Garing, District engineer, told the Board that the reason that Sch 80 is required is because Sch 40 is thinner. Mr. Stoddard feels that the Sch 40 already in place should be left in place. President Small suggested that the newly formed committee could discuss the situation. Pat Speer, representing Charles Pratt, commented about tearing out pipe already in place. Director Fairbanks would like to see the expected life of Sch. 40 versus Sch 80. Upon motion of Director Fairbanks and seconded by Director Blair, the Board agreed to send this item to the Advisory Committee and revisit at the next meeting.

4. PUBLIC HEARING - ENVIRONMENTAL REVIEW OF WASTEWATER PLANT EXPANSION

Environmental evaluation of expanding Southland wastewater treatment plant expansion (Discussion/Action)

Mr. Jones explained that in the process of designing the expansion of the Southland Wastewater Treatment Facility, environmental review documents were prepared. At 8:10 p.m., President Small opened the meeting to a Public Hearing. Jim Garing, Garing, Taylor and Associates, explained to the Board the process of preparing the documents. The District is still waiting for comment from CAL-EPA. There were no public comments. President Small closed the Public Hearing portion of the meeting. Upon motion of Director Blair, seconded by Director Fairbanks, the Board decided to continue this item until the next meeting.

6. PROPOSED ANNEXATION NO. 15 (NEWDOLL) AND ANNEXATION NO. 12 (HASTINGS)

Review LAFCO policy of including Annex. No. 12 with Annex. No. 15 (Discussion/Action)

Mr. Jones explained that LAFCO was considering combining Annex. No. 12 with Annex 15. The LAFCO policy is to have contiguous annexations, not detached ones. Mr. Newdoll handed copies of consent for annexation from the property owners in that area. He suggested that Hastings be required to meet the same conditions of retrofit as was required of Annex 15. There was much Board discussion. Jon Seitz, District counsel, explained about LAFCO policy. He recommended that conditions be put upon Annex. 12 that Hastings would need to come to the Board before annexation could be granted. Lots A & B are currently served by Cal-Cities. Mr. Newdoll indicated that the owners of A & B were not interested in annexation. Byron Briley, Special District Representative, spoke to the Board. Gene Kaye suggested that NCSD exclude Lots A & B. President Small made a motion (1) that staff recommend that Annexation 15 go forward on its own merits and (2) that Annexation 12 return to the District, (3)Mr. Newdoll sign Annexation Agreement and (4) that Lots A & B be excluded at this time. Motion was seconded by Director Simon. Motion passed unanimously.

7. COUNTY AIR POLLUTION CONTROL DISTRICT MONITORING SITE (Discussion/Action)
APCD request to relocate monitoring facility to District's Twin Tank site at Tefft St. and Dana-Foothill Rd.

Mr. Jones explained that the SLO County Air Pollution Control District monitoring station, which is presently located behind the old office building, is looking for another space to re-locate. Paul Allen from APCD asked if they could lease an area at the Twin Tanks site. Motion made by Director Blair, seconded by Director Simon to investigate other possibilities for location of building. Motion passed unanimously.

8. OLD OFFICE DEMOLITION - CEQA DETERMINATION & DEMOLITION BIDS (Discussion/Action)
Review CEQA exemption and bids received to demolish District old office building at 148 S. Wilson St.

Upon motion of Director Simon, seconded by Director Mendoza, the Board unanimously approved Resolution 96-593 awarding the demolition contract to George Garcia & Sons in the amount of \$31,160.00.

**RESOLUTION NO. 96-593
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE CONTRACT WITH GEORGE F. GARCIA & SONS
TO DEMOLISH THE DISTRICT OLD OFFICE BUILDING**

Upon motion of Director Blair, seconded by Director Fairbanks the Board unanimously approved Resolution 96-594 making this project categorically exempt for CEQA.

RESOLUTION NO. 96-594

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REGARDING A FINDING THAT THE DEMOLITION AND
RECONSTRUCTION OF THE NEW DISTRICT OFFICE BUILDING
IS CATEGORICALLY EXEMPT FROM CEQA**

9. RESOLUTION FOR REIMBURSEMENT OF EXPENDITURES (Discussion/Action)
Consideration to adopt a resolution to replace District expenditures from issuance of obligations.

Upon motion of Director Simon, seconded by Director Mendoza, the Board approved Resolution 96-595 with a 3-2 vote. Directors Fairbanks and Blair voted no.

**RESOLUTION NO. 96-595
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 REPLACEMENT OF WATER LINES
AND THE BUILDING OF AN OFFICE FACILITY**

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

Directors Small and Fairbanks discussed their Financial Committee meeting with Carlos Reynoso, CPA. Mr. Reynoso will be meeting with the Board on October 2, 1996. No action was taken.

FINANCIAL REPORT

11. APPROVAL OF WARRANTS

John Snyder asked if there were any bills from Hatch and Parent.. Answer - No. Upon motion of Director Blair, seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the September 18, 1996 Regular Meeting.

OTHER BUSINESS

12. MANAGER'S REPORT

Mr. Jones presented information on the following items:

1. Nipomo Library Dedication Ceremony 9/28/96 10-Noon
2. Chamber of Commerce Mixer
3. Correspondence from Senator Jack O'Connell

13. DIRECTORS COMMENTS

Director Blair asked about attending the Cal Nev. meeting.
Director Small asked about the LAFCO meeting.

14. PUBLIC COMMENTS

Gene Kaye asked if District had received notice of meeting for Sept. 30, 1996, at the SLO County Planning Commission concerning the Cypress Ridge development.

Counsel Jon Seitz explained the need to go into Closed Session. At 9:50 p.m. President Small closed the open session of the meeting.

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)

At 10:25 the Board came back into Open Session.

1. The Board announced that there was a settlement with the Marmon Co. for \$20,000.
2. No reportable action.

ADJOURN

*GC§ refers to Government Code Sections

At 10:27 p.m. President Small adjourned the meeting.