

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

REGULAR BOARD MEETING FEBRUARY 19, 1997 7:00 P.M.  
BOARD ROOM 261 W. DANA STREET, SUITE 100 NIPOMO, CA

### BOARD MEMBERS

KATHLEEN FAIRBANKS, **PRESIDENT**  
ALEX MENDOZA, **VICE PRESIDENT**  
AL SIMON, **DIRECTOR**  
ROBERT BLAIR, **DIRECTOR**  
GENE KAYE, **DIRECTOR**

### STAFF

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

### **CALL TO ORDER AND FLAG SALUTE**

President Fairbanks called the February 19, 1997 meeting to order at 7:06 p.m. and led the flag salute.

### **ROLL CALL**

At Roll Call all Board members were present.

### **APPROVAL OF MINUTES**

1. REGULAR MEETING OF FEBRUARY 5, 1997

Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously approved the Minutes of the February 5, 1997 meeting.

### **PUBLIC COMMENTS PERIOD**

2. PUBLIC COMMENTS

Public comments on matters other than scheduled items. Presentations limited to three (3) minutes

President Fairbanks opened the meeting to Public Comments:

There were none.

### **BOARD ADMINISTRATION** (The following may be discussed and acted on by the Board.)

3. TRACT 1912 - LETTER OF CREDIT TIME EXTENSION

Request for time extension for performance schedule of Black Lake Wastewater Facility.

Mr. Jones explained the proposed changes in the Performance Schedule concerning the extension of time in the Letter of Credit for Tract 1912. Mr. Kaye asked about the date change and the wording in Item 4. Mr. Jones explained that the date of May 31, 1996 was changed to October 21, 1997 for both Items No. 3 & 4. Carl Alfano assured the Board that only 25 homes would be occupied. The Board wanted to have good control of the stipulation of the 25 homes. A motion was made by Director Simon and seconded by Director Blair to approve the modified language as reflected on Agenda Item #3 Board letter with the provision that once the house is final locks will be put on the meters to assure that occupancy is limited to 25. The Performance Schedule should read as follows:

- 3) At the earliest of either the occupancy of the 25th home or October 21, 1997, the sewer treatment plant expansion shall be completed in conformance with beneficiary's requirements.
- 4) At the earlier of the occupancy of the 25th (twenty-fifth) home or October 21, 1997, the off-site water system improvements shall be completed in conformance with beneficiary's requirements.

The Board approved the revised language in a 4/1 vote with Director Kaye voting no.

**OTHER BUSINESS**

8. **MANAGER'S REPORT**  
Manager Doug Jones presented information on the following items:

1. CSDA - SLO CHAPTER RECEPTION FEB. 28, TEMPLETON
2. NIPOMO CHAMBER OF COMMERCE - BARN PARTY, MARCH 22
3. AWWA CA-NV SECTION CONFERENCE
4. COUNTY LETTER TO PAVE WEST TEFFT STREET
5. OLDE TOWNE NIPOMO MEETING

9. **DIRECTORS COMMENTS**

There were no Directors comments.

10. **PUBLIC COMMENTS**

John Snyder- Koch California - gave each member of the Board a copy of a portion of Scott Slater's book concerning water rights.

Steve Aslandis of Nipomo spoke about the importance of considering the water needs of all the Mesa rather than just a development here and there.

Jack Carson agreed with Director Mendoza about growth being controlled under one umbrella.

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**

Jon Seitz, Legal Counsel for the District, explained the need for the Board to go into Closed Session. At 8:45 p.m. the Board closed the meeting to discuss the following items:

1. Existing Litigation, Pratt vs. NCSD Case No. CV 79715 GC§54956
2. Real Property Negotiation (Walsh), GC§ 54956.8

\*GC§ refers to Government Code Sections

The Board came back into open session and had no reportable action on the matters discussed in the Closed Session.

**ADJOURN**

President Fairbanks adjourned the meeting at 9:50 p.m.

4. TRACT NO. 1696 - WATER SERVICE  
Discussion on providing water service to Tract 1696, 1749 & 2172  
located at Willow Rd. & Hwy 1(outside the District boundary)

Mr. Jones explained the request from Mr. Sommermeyer to move forward on Tract 1696. Three projects (Tracts 1696, 1749 AND 2172) have a total of 51 lots. Mr. Sommermeyer asked that the well-site easement be moved to his project (Tract 1696) from the original agreement with Tract 1749. The Board requested that the possible well-site on Tract 1696 have a test hole drilled to determine the pumping capacity. John Snyder, Jim McGillis and Steve Aslandis commented on the project. The Board expressed their opinions on the projects and the well-site. Staff will investigate the matter further.

5. NOTICE OF COMPLETION - INSTALLATION OF WATER LINES - TLC BACKHOE  
File Notice of Completion for installation of water lines in Dana, Price, Bennet & Burton Street.

The installation of the water lines replacing old steel lines in Dana, Price, Bennet and Burton Streets is now complete. Upon completion of a project, a Notice of Completion must be filed with the County. There were no public comments. Upon motion of Direct Simon and seconded by Director Kaye, the Board unanimously agreed to file the Notice of Completion for the installation of water lines in Dana, Price, Bennet and Burton Streets.

6. SAFETY MINUTES  
Review and approve Minutes from District Safety Meeting

Upon motion of Director Blair, seconded by Director Mendoza, the Board acknowledged receipt of the Minutes from the Safety Meeting of February 12, 1996 meeting.

#### FINANCIAL REPORT

7. APPROVAL OF WARRANTS  
John Snyder asked if there were any bills from Hatch & Parent. Answer- No  
Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously approved the Warrants presented at the February 19, 1997 meeting.