

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING JULY 16, 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 July 16, 1997 meeting to order at 7:08 p.m. and led the flag salute.

ROLL CALL

At Roll Call, the following Board members were present:
Directors Fairbanks, Blair, Kaye and Simon. Director Mendoza was on vacation.

APPROVAL OF MINUTES

1. **REGULAR MEETING OF JULY 2, 1997**
Upon motion of Director Kaye, seconded by Director Blair, the Board unanimously approved the Minutes of the July 2, 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 no public comments.

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

3. **BLACK LAKE TRACT 2264 - INTENT TO SERVE**
Continued item to review wording for the Intent-to-Serve letter.

Mr. Jones explained that a meeting was tentatively scheduled for July 22 to discuss the matter concerning Tract 2264, Intent-to-Serve. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously agreed to table this item until after the July 22nd meeting. It will be brought up again at the August 6, 1997 Regular Meeting.
4. **TRACT 2210 - REQUEST FOR REFUND**
Developer request for refund of sewer & water capacity fees for Tract 2210.

Mr. Jones explained the request from Raj Ayyar, developer of Tract 2210, for a refund of capacity fees paid to the District in the course of the development. Mr. Seitz explained that Mr. Ayyar signed an agreement to be recorded in order that any future buyers would be aware that the fees were not paid in full. Mr. Ayyar explained his position in the matter. He is unable to complete the project. Mr. Seitz explained the reason for the creation of Ordinance 86-49. Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously approved to record the agreement between the District and Mr. Ayyar and also agreed to refund one-half of the Sewer Capacity Fees paid as stated in District Code 4.160.030 minus the cost of the water used during construction.

5. OAKGLEN-MALLAGH - WATER LINE IMPROVEMENTS - EIR

Consideration to approve a draft negative declaration for proposed water line between Oakglen & Mallagh. Set Public Hearing for August 20, 1997.

Mr. Jones explained that staff has determined that there is no significant effect on the environment for the Oakglen-Mallagh Water Line project to construct a water line beginning at the intersection of Oakglen and Pioneer Ave. and extending Easterly to Mallagh Ave. Russ Thompson of Cannon & Associates, told the Board that he had prepared the Initial Study and draft Negative Declaration. Some environmental concerns included the possibility of the presence of the red-legged frog, a replacement of willow trees, repairing vegetation disturbed during construction, and possible archeological finds.

Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously approved Resolution 97-618 approving the Draft Environmental Negative Declaration pipeline project.

**RESOLUTION NO. 97- 618
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE DRAFT ENVIRONMENTAL NEGATIVE DECLARATION FOR
THE OAKGLEN-MALLAGH WATER TRANSMISSION PIPELINE**

Upon motion of Director Blair, seconded by Director Simon the Board unanimously agreed to advertise for bids for construction.

Upon motion of Director Blair and seconded by Director Kaye, the Board directed staff to negotiate with the owner of the property for 10 days and approved appraisal work after that time.

6. RATE STUDY PROPOSALS

Establish a committee to review proposals from consultants for a rate study for Town Division. Three proposals were received for a water rate study fro the Town Division of the Nipomo Community Services District. The Finance Committee will set meeting date and time later to discuss the proposals.

John Snyder (out of District resident) asked for a copy of the proposals.

7. APPROVAL OF WARRANTS

Upon motion of Director Simon, seconded by Director Kaye the Board unanimously approved the Warrants presented at the July 16, 1997 meeting.

8. SECOND QUARTER INVESTMENT REPORT

Review District's Second Quarter Investment Report

The Second Quarter Investment Report for 1997 was presented to the Board. There were no public comments. Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously received this report into the file.

OTHER BUSINESS

9. MANAGER'S REPORT

Manager, Doug Jones provided information of the following:

1. American Desalting Association Conference
2. AWWA Water Resources Conference

10. DIRECTORS COMMENTS

Director Blair commented about the school site.

Director Kaye said there had been a meeting of the Nipomo Community Network on Friday July 11, 1997

11. PUBLIC COMMENTS

John Snyder (outside District resident) asked when water would be flowing through the State Water Line.

The Closed Session was canceled.

ADJOURN

President Fairbanks adjourned the meeting at 8:25 p.m.