

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

NOVEMBER 19, 1997 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET 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

Vice President Mendoza called the meeting to order at 7:02 p.m. and led the flag salute.

ROLL CALL

At Roll Call, the following Board members were present. Directors Kaye, Blair, Simon and Mendoza. President Fairbanks was absent.

APPROVAL OF MINUTES

1. REGULAR MEETING OF NOVEMBER 5, 1997

Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously approved the Minutes of the November 5, 1997 with corrections noted in Items 7, 12 and 13.

PUBLIC COMMENTS PERIOD

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

Vice President Mendoza opened the meeting up for Public Comment. There were none.

BOARD ADMINISTRATION (The following may be discussed and action may be taken by the Board.)

3. TRACT 2151 - CONDITIONAL WILL SERVE LETTER
Request from developer of Tr 2151 for conditional will serve letter to start four model homes.

Mr. Jones explained that developers of Tract 2151 requested a Will-Serve letter for four model homes. A conditional Will-Serve was drafted. Mr. Seitz explained that a precedence is being set if developer is allowed to build without all off-site improvements being completed. Mr. Pat Speer answered questions from the Board. While Mr. Speer read the draft letter, the Board discussed the situation. The Black Lake Advisory Committee will review draft letter Nov. 20. Mr. Stoddard, President of BLAC, did not object to the letter. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously tentatively approved the Conditional Will-Serve letter, striking condition #5, subject to approval by the BLAC.

After Item 3 was complete, the Board skipped to Item 10 Manager's Report, to report on the status of the Summit Station area. Mr. Jones presented information concerning the water there. The water quality has tested okay. Several pressure tests that have been taken show a static pressure of 40 psi. He explained that the varied terrain and the backflow devices have effect on the pressure. There is on-going investigation into the problem. More information will be presented at future meetings. Doug and Lee are meeting with Boyle Engineering Nov. 25 to get some ideas to remedy the problem. Mrs. Holder, 234 Summit Station, spoke her concerns. Mr. Norman Forcier, 231 Summit Station Rd., complained about the pressure not being enough to run his dishwasher.

4. FENCING WASTEWATER 20 ACRE PARCEL
Review proposals to fence 20 acres of the Southland Wastewater Facility area

Mr. Jones explained that a fence is necessary around the newly acquired 20 acre parcel of the Southland Wastewater Facility. Two proposals were received. There were no public comments. Upon motion of Director Blair and seconded by Director Simon, the Board unanimously awarded the contract to construct a 5-strand barbed wire fence to Central Coast Fence at a bid of \$5,620.00.

5. SOUTH COUNTY AIR QUALITY FEE PROGRAM
Review changes and additions of the Air Quality Fee Program

Mr. Jones explained that the Environmental Division of the SLO County Planning Department is requesting comments on the South County Air Quality Fee Program. Mr. Seitz indicated that the Planning Department is asking for comments in an advisory manner. NCSD has no jurisdiction.

Motion by Director Kaye, seconded by Director Blair to write letter to Mr. McKenzie saying that NCSD questions the numbers and the validity of the fees. The numbers do not justify the fees. The letter should request that Mr. McKenzie come down and explain this to NCSD Board and to the residents of Nipomo. Also invite Ruth Brackett to attend. All in favor.

6. ELECTION TO FILL CONGRESSIONAL VACANCY
Review office building use for special Congressional election

SLO County will be holding a special election to fill the vacancy of the 22nd District seat. The use of the building was requested for a polling place. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved the use of the building for election purposes.

7. PROPOSITION 208 - CANDIDATES EXPENDITURE LIMITS
Review legislation establishing spending limits for elective candidates
Mr. Jones presented information about Proposition 208 which limits the expenditures for elective offices to one dollar per resident within the jurisdiction of the District. The Board took no on this item.

8. TRACT 1901 - SEVEN (7) LOT SUBDIVISION (JAMES)
Review resolution accepting water and sewer improvements for Tract 1901

The developer for Tract 1901, has completed the water and sewer improvements up to District standards and met all the conditions necessary for approval. Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved Resolution 97-628 approving Tract 1901.

**RESOLUTION NO. 97-628
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR TRACT 1901**

FINANCIAL REPORT

9. APPROVAL OF WARRANTS

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved the Warrants presented at the November 19, 1997 Regular Meeting.

OTHER BUSINESS

10. MANAGER'S REPORT

Manager Doug Jones presented information on the following:

1. LAFCO review of NCSD Annex. #16 (Wastewater Facility) Nov. 20, 1997
Public Hearing
 2. State Water Contractors Advisory Comm. Meeting Nov. 20, 1997
Board directed Doug to write a letter to Mr. Priddy requesting meeting of all the players.
 3. Summit Station Status Report
Moved after Item 3
 4. CSDA Information
11. DIRECTORS COMMENTS
Director Blair was concerned with the cost of an emergency turnout being \$5,000.
12. PUBLIC COMMENTS
John Snyder informed the Board that the City of Santa Maria extended the agreement with the Woodland project.

At 9:10 p.m. Legal counsel, Jon Seitz, explained the need to go into Closed Session.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

1. NCSD vs. Shell Oil, et. al. Case No. CV 077387

The Board came back into open session. There was no reportable action.

ADJOURN

Vice President Mendoza adjourned the meeting at 9:26 p.m.