

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

FEBRUARY 18, 1998 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

ALEX MENDOZA, **PRESIDENT**
KATHLEEN FAIRBANKS, **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 Mendoza called the February 18, 1998 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. Director Fairbanks was absent.

APPROVAL OF MINUTES

1. REGULAR MEETING OF FEBRUARY 4, 1998

Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved the Minutes of the February 4, 1998 Regular Meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

President Mendoza opened the meeting to Public Comments.
John Snyder 662 Eucalyptus Rd. Nipomo - He asked if NCSD is adversely using water rights for overlying owners and has NCSD been pumping Bob Blair's, Abel Maldonado's or Snyder's water?
Jon Seitz, District Legal Counsel, answered that these types of questions are sent to District Special Water Counsel.

BOARD ADMINISTRATION

3. LUCIA MAR SCHOOL DISTRICT - ANNEXATION NO. 18
The School District request for the new high school area to be annexed to the District
Mr. Jones explained the request from Lucia Mar Unified School District for annexation of 76.9 acres north of the NCS D boundary.
Mr. Perry Judd, LMUSD, Director of Facilities, explained that the school district is still investigating the steps needed to annex and build. EIR should be completed by early summer.

Public Comments

During this agenda item the following people spoke:

John Snyder 662 Eucalyptus Rd. Nipomo - doesn't feel that NCS D should require the school district to retrofit at 2:1, which would add cost. If DWR Report says there is not an overdraft, then the retrofit program would not be necessary.

Director Kaye stated that the retrofit policy was brought in for annexations to supply water for projects being annexed.

Mr. Seitz explained that the school project is projected to take about 4 years. The DWR Report will be out before the project is complete.

No action taken on this item.

4. PUBLIC HEARING - EVERGREEN WAY WATER LINE REIMBURSEMENT
Review spread of cost to property owners for water line improvements

Mr. Jones explained that Thor Krichevsky and Mr. and Mrs. Lane, the owners of property on Evergreen Lane have requested a reimbursement agreement to spread the cost of the water line built to serve their properties on Evergreen Lane. There were two options presented to spread the cost evenly. (Unit or front footage basis)

Public Comments:

During this agenda item the following people spoke:

Thor Krichevsky 1054 Evergreen Way Nipomo stated that he was in favor of Option 2. (Front footage basis) Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved Resolution No. 98-636 with requirement to receive Engineer's Certification before reimbursement is possible and have the cost spread on a front footage basis. Vote 4-0

RESOLUTION NO. 98-636

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE REIMBURSEMENT AMOUNTS
FOR WATERLINE IMPROVEMENTS IN EVERGREEN WAY**

5. **SUMMIT STATION WATER PRESSURE**
Review GT&A Engineering report on water pressures

Jim Garing, District Engineer, explained his report to the Board. Report is on file in District office. The Board asked questions.

Public Comments

During this agenda item the following people spoke:

John Snyder 662 Eucalyptus Rd. Nipomo - Showed some slides, explained his theory and gave suggestions to improve water pressure at Summit Station and also ways to save money on electric charges.

Brad Balzano 226 Summit Station Rd. Nipomo - Asked Board to have an independent engineer study the problem for a second opinion.

Thor Krichevsky 1054 Evergreen Way Nipomo - Asked questions about Mr. Snyder's tank chart.

Mr. Snyder explained the chart more fully. Director Blair commented that the responsibility of the District is to provide 20 psi to the meter. The Board agreed to bring this item back at a future meeting. President Mendoza would like to have more study. Upon motion of Director Kaye and seconded by Director Blair, the Board received into file Mr. Garing's report.

6. **ANNEXATION NO. 17 - PROPERTY TAX EXCHANGE**
Approval of property tax revenue for Annexation No. 17 (Hazel Lane)

Mr. Jones explained that a resolution accepting negotiated exchange of property tax revenue and annual tax increment for the County of SLO to NCSD is an administrative procedural item and does not approve or pre-approve the proposed Annexation No. 17. Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved Resolution 98-637. Vote 4-0.

RESOLUTION NO. 98-637

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF
PROPERTY TAX REVENUES AND ANNUAL TAX INCREMENT
FOR ANNEXATION NO. 17 (NEWDOLL) TO THE DISTRICT**

7. **SAFETY MEETING**
Approval of minutes for District Safety Meeting
The Minutes from the Safety Meeting held in the District Conference Room on February 12, 1998 were presented to the Board. Acceptance of the minutes is a procedural item so the District may receive credit on the insurance premium with SDRMA. Upon motion of Director Blair and seconded by Director Simon, the Board unanimously accepted into record the Minutes of the Safety Meeting of February 12, 1998. Vote 4-0.

8. REQUEST FOR AUDIT PROPOSALS

Approval to request audit proposals for the District's 1997-98 FY audit report

Mr. Jones explained that the District is required by law to have an independent auditor to annually perform an audit of the financial statements. There were no Public Comments. Upon motion of Director Blair and seconded by Director Kaye, the Board unanimously agreed to have staff send requests for proposals for audit services.

FINANCIAL REPORT

9. APPROVAL OF WARRANTS

There were no Public Comments. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved the Warrants presented at the February 18, 1998 meeting.

OTHER BUSINESS

10. MANAGER'S REPORT

General Manager, Doug Jones presented information on the following items.

1. EIR Supplement to Black Lake Specific Plan in the office for review
2. AWWA - Info Management and Tech. Conference
3. U S Water News article on 22 year drought
4. Southland Street services to Honey Grove Lane
5. Capitol Seminar Program

There were no Public Comments

11. DIRECTORS COMMENTS

Director Kaye proposed a Study Session for the Summit Station situation. Board directed staff to find a date suitable for a Study Session. The Board will present suggestions to staff for content of the Study Session.

Jon Seitz, District Legal Counsel, explained the need to go into Closed Session for the item below.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

2. Conference with real property negotiator, Dana-Doty Water line easement GC§ 54956.8

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

ADJOURN

President Mendoza adjourned the meeting at 9:10 p.m.

A copy of the tape recording of the meeting is available for public inspection and purchase.