

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

March 4, 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**

**NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.**

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

President Mendoza called the March 4, 1998 meeting to order 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 FEBRUARY 18, 1998

Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved the Minutes of the February 18, 1998 Regular Meeting.

### **PUBLIC COMMENTS PERIOD**

2. PUBLIC COMMENTS

President Mendoza opened the meeting to Public Comments.

During this agenda item the following person spoke:

Sue Hardy-Family Child Care Association Nipomo Network- She requested that the Board of Directors read a proclamation for the Month of the Child at the April 1, 1998 Board Meeting.

Director Mendoza directed staff to have this item placed on the March 18, 1998 agenda for consideration.

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

3. REIMBURSEMENT AGREEMENT - TRACT 1901 (KATHY JAMES)  
Request from Kathy James for a reimbursement agreement for installing sewer line in Grande Ave.  
Mr. Jones explained the request from Kathy James (Owner/Developer) of Tract 1901. She is requesting a sewer reimbursement agreement for installing a sewer main line from the corner of the Bonita Homes Tract to across the front of her property. Mr. Jones explained the methodology of the reimbursement spread which is consistent with the Bonita Homes reimbursement agreement spread.

Public Comments

During this agenda item the following person spoke:

Kathy James-Owner/Developer – She is not comfortable with the reimbursement spread. She suggested that there is an inequity since the District required her to install the sewer line across the front of her property and the District did not require the same of Bonita Homes. She also stated that she was required to install two sewer laterals to other properties to avoid the tearing up of the street again in the future. The cost of the two sewer laterals and the cost of tearing up and replacing the street are not included in the reimbursement spread.

Director Fairbanks suggested that the rationale for the Bonita Homes sewer installation may be in the minutes. Upon motion of Director Fairbanks and seconded by Director Kaye, the Board unanimously agreed to form a committee to determine why Bonita Homes was not required to extend the sewer main line across the front of their property and to have Ms. James submit the final costs for the project to the District. Director Fairbanks and Director Kaye volunteered to serve on this committee. There was no further public comment. The motion passed unanimously

4.

ANNEXATION NO. 17

Review proposed Annexation No. 17 - 10 acres on Hazel Lane near Tefft St.

Mr. Jones explained that an application for annexation has been received. This item is being presented to the Board as an information item only since there hasn't been enough time for staff to complete the Statement of Findings and Resolution for the Board's consideration. In addition, annexation agreements and appropriate fees have not been received by the District. LAFCO is scheduled to consider this application on March 19, however, Mr. Paul Hood, LAFCO Director has indicated to Mr. Seitz that LAFCO would like all of the above approved by NCSD as a pre-condition to LAFCO approval. It is preferable that the applicant comes to NCSD for approval prior to submitting an application to LAFCO.

Public Comments

During this agenda item the following people spoke:

Robert Newdoll-Applicant – He stated he thought all of the information was submitted. He asked if NCSD took action on March 18, could it still be considered by LAFCO on March 19? It was suggested that Mr. Newdoll ask LAFCO for a continuance to their April meeting.

John Snyder 662 Eucalyptus Rd. Nipomo – He is glad there is a retrofit requirement. He also suggested the Board refer to and consider Appendix A of the South County Area Plan when considering the annexation since NCSD relied on this plan when adopting the negative declaration for the Sun Dale well.

Upon the motion of Director Kaye and seconded by Director Blair, the Board unanimously agreed to continue this item to the next meeting and direct staff to bring back the Resolution with draft findings and the annexation agreement for the Board's approval.



5. MANHOLE REHABILITATION

Review the bid results to rehabilitate sewer manholes

Mr. Jones presented the bid results for the rehabilitation of the sewer manholes. The manholes along the main trunk lines are deteriorating due to gases attacking the concrete. The manholes were not coated when the sewer project was originally installed. The proposed coating is in the District's Standards and Specifications, has a five year warranty and is established within the industry.

There were no public comments.

Upon the motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved Resolution 98-638.

**RESOLUTION NO. 98-638**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AWARDING SEWER MANHOLE REHABILITATION TO  
B & W PRECAST CONSTRUCTION, INC.**

6. NO-SMOKING RESOLUTION

Prohibit smoking in District facilities and equipment

Mr. Jones explained that this No-Smoking Resolution was prepared to prohibit smoking and the inhalation of second hand smoke and to promote a healthy environment within District facilities.

There were no public comments.

Upon the motion of Director Blair and seconded by Director Simon, the Board approved Resolution 98-639, with Director Fairbanks voting no.

**RESOLUTION NO. 98-639**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
PROHIBITING SMOKING IN DISTRICT-OWNED FACILITIES,  
VEHICLES AND EQUIPMENT**

**FINANCIAL REPORT**

9. APPROVAL OF WARRANTS

There were no Public Comments. Upon the motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the March 4, 1998 meeting.

**OTHER BUSINESS**

10. MANAGER'S REPORT

Manager Doug Jones presented information on the following items:

1. Special General Election March 10 District office
2. AWWA - Annual Conference
  
3. Foundation for Community Design
4. Cal/EPA Letter of approval

There were no public comments

11. DIRECTORS COMMENTS

Director Blair stated that the SLO County Board of Supervisors approved the Turn-Out for the Nipomo Valley Mutual Water Company.

Director Mendoza requested that a study session of the Board be established, possibly on a quarterly basis. The first items to be addressed in a study session should be Summit Station and the review of the Boyle Master Plan. The study session is tentatively scheduled for Friday, March 27. Director Fairbanks will check her schedule and get back to staff.

Director Kaye stated he spoke with Kurt Souza of the Department of Health Services. Mr. Souza suggested that Mr. Kaye make a motion to direct staff to report the Summit Station pressures on a monthly basis rather than a quarterly basis.

Staff will submit the Summit Station pressures to the Department of Health Services on a monthly basis rather than on a quarterly basis as Mr. Souza previously requested.

During this agenda item the following people spoke:

John Snyder 662 Eucalyptus Road, Nipomo – He attended the WRAC meeting that afternoon and gave the Board a brief synopsis of his interpretation of the DRW Report presentation. He suggested that NCSD try to get a Draft copy of the report and find out how comments on the draft will be handled.

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

1. Conference with real property negotiator, Dana-Doty Water line easement GC§ 54956.8
2. Deferville/NCSD arbitration

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

**ADJOURN**

President Mendoza adjourned the meeting at 8:48 p.m.