

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

March 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 meeting to order at 7:00 p.m. and led the flag salute

ROLL CALL

At Roll call the following Board members were present: Directors Kaye, Blair, Simon and Mendoza.

APPROVAL OF MINUTES

1. REGULAR MEETING OF MARCH 4, 1998

Upon motion of Director Simon seconded by Director Blair, the Board unanimously approved the Minutes of the March 4, 1998 meeting. President Mendoza explained that the reason the minutes are approved quickly is because they have an opportunity to review the minutes before the meeting. Vote 4-0 There were no public comments.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

President Mendoza opened the meeting to public comment but no one spoke.

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

3. PROPOSED PROCLAMATION - MONTH OF THE CHILD

Consideration of proclaiming April the Month of the Child at the April 1, 1998 Board Meeting

Mr. Jones explained that Sue Hardy, Chairperson of the Month of the Child Committee, requested the Board consider, at their April 1, 1998 Regular Meeting, the Proclamation Recognizing April, 1998 as "Month of the Child: and April 18, 1998 as "Day of the Child".

During this agenda item the following person spoke:

Sue Hardy explained to the Board that the "Month of the Child: was started to recognize that the early childhood years lay the foundation for children's success in school and later life and to focus on the needs of children and families.

Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously agreed to proceed with the consideration of the proclamation at the April 1, 1998 Regular Meeting.

Director Fairbanks arrived at 7:05 p.m.

4. PROPOSED ANNEXATION NO. 17 (NEWDOLL)
Review proposed annexation #17, 10 acres on Hazel Lane near Tefft Street

Mr. Jones explained that Mr. Bob Newdoll requested annexation of approx. 10 acres on Hazel Lane near Tefft Street. Mr. Seitz, District Legal Counsel, commented about the Retrofit Plan in the Annexation Agreement. He answered questions from the Board.

Upon motion of Director Kaye and seconded by Director Blair, the unanimously agreed to conditionally approve the annexation of the 10 acres as Resolution 98-640.

**RESOLUTION NO. 98-640
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
CONDITIONALLY APPROVING THE ANNEXATION OF 10 ACRES LOCATED
ON HAZEL LANE NEAR THE INTERSECTION OF
TEFFT STREET, NIPOMO, CALIFORNIA**

During this agenda item the following people spoke:

Ed Sauer - 363 Hazel Lane, Nipomo - asked why not annex the whole area including his property rather than just piece meal.

Bob Newdoll - Grover Beach - thanked the Board and asked on which agenda this annexation could be placed. Mr. Seitz explained that it could be as soon as Mr. Newdoll provided the development plan and agreements from other property owners.

5. COUNTY ELECTION OFFICE REQUEST - USE OF DISTRICT FACILITIES
Request use of the Board Room for June 2 and November 3, 1998 elections

Upon motion of Director Kaye, seconded by Director Simon, the Board approved the use of the NCSO Board Room for the upcoming elections on June 2, 1998 and November 3, 1998 and waived the fee for the use of the building. Director Fairbanks voted no. Vote 4-1 There were no public comments.

6. TRACT 2282 (COOL) - INTENT-TO-SERVE

A request for an Intent to Serve letter for a 9 lot subdivision on Juniper Street near Lema Dr.

Mr. Jones explained the request from San Luis Engineering representing the property owner, Monte Cool, for an Intent-to-Serve letter for Tract 2282. This tract was originally issued an Intent-to-Serve May 24, 1989 under the ownership of Wallace Rodine as Tract 1726.

Upon motion of Director Simon seconded by Director Kaye, the Board approved the Intent to serve letter for Tract 2282 with the conditions as outlined in the Board letter.

1. Developer enter into the District's plan, check and inspection agreement and pay the appropriate fee.
2. Improvement plans be submitted to the District for approval and be prepared in accordance with the District's Standards and Specification.
3. All appropriate District water and sewer fees be paid.
4. A 3/4 inch conduit be placed between the meter and the phone jack on the house for future automatic meter reading.

Vote 5-0. There were no public comments.

7. TIME EXTENSION OF INTENT-TO-SERVE LETTER - CO 90-208 (PRUITT)
A request for a time extension of the Intent to Serve letter for Parcel Map CO 90-208
Mr. Jones explained that a request was received from Don Pruitt for an extension of the Intent-to-Serve letter for Parcel Map CO 90-208 which was originally issued January 14, 1997. Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved the Intent-to-Serve letter with the following conditions included in Item #1 so the looping can be accomplished:

- a. A 10' utility easement on the northerly property line be granted to the District.
- b. The Developer acquire a utility easement from the northerly end of the project to Camino Caballo so the utility service(s) may be looped to Camino Caballo.

Vote 5-0. There were no public comments.

8. TRACT 1736 (COLT LANE) ACCEPTANCE OF IMPROVEMENTS
Consideration of adopting Resolution accepting water and sewer improvements
Mr. Jones explained that Tract 1736 is complete and has met all the conditions imposed by the District. Upon motion of Director Simon and seconded by Director Blair the Board unanimously approved Resolution 98-641. Vote 5-0. There were no public comments.

**RESOLUTION NO. 98-641
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR
TRACT 1736 (COLT LANE-BONITA HOMES)**

9. AUDIT PROPOSALS
Review proposals for audit services for three consecutive years and award contract

Mr. Jones explained that six proposals were returned after a request was sent out to nine auditing firms. Upon motion of Director Blair and seconded by Director Fairbanks, the Board, based on reports of a good working relationship with staff and a time saving for staff, unanimously agreed to authorize staff to execute the agreement for audit services of Carlos Reynoso, CPA to conduct the audit for NCSD for the next three years (June 30, 1998, 1999 and 2000). Vote 5-0. There were no public comments.

10. ACQUISITION OF PROPERTY
Resolutions approving purchase of approx. 6 acres at Sun Dale Way and Camino Caballo Rd.

Mr. Jones explained that the escrow on the property for the proposed Sun Dale Well site is scheduled for closing on March 24, 1998. Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved Resolution 98-642 to complete the acquisition of the property. Vote 5-0. There were no public comments.

**RESOLUTION NO. 98-642
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE GRANT DEED FROM IDELL P. NISBET TRUST**

FINANCIAL REPORT

11. APPROVAL OF WARRANTS

During this agenda item the following person spoke:

John Snyder 662 Eucalyptus Rd. Nipomo - Asked if there were any bills from Hatch and Parent. Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the March 18, 1998 meeting.

OTHER BUSINESS

12. MANAGER'S REPORT

Mr. Jones presented information on the following items:

1. Sacramento Government Affairs Day - April 27, 1998
2. State WRCB approval of SRF Loan for sewer expansion
3. Woodland Project - Draft EIR in office for review

Mr. Jones will send copy of pages from EIR that relate to NCSD to Board members.

Director Kaye and Director Blair will be the sub-committee for Woodland. Director Kaye and Director Fairbanks determining date for sub-committee meeting on Bonita Homes.

4. Compliment and Complaint Log

13. DIRECTORS COMMENTS

Need to set up date for Study Session.

Director Blair would like to see Woodland Project go forward.

Director Kaye tried to explain to Mr. Sauer about annexation.

At 8:20 p.m., Mr. Seitz explained the need for the Board 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 and had no reportable action.

ADJOURN

President Mendoza adjourned the meeting at 8:50 p.m.