

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

April 22, 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 April 22, 1998 Regular Meeting to order at 7:01 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 APRIL 1, 1998

Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved the Minutes presented at the April 22, 1998.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

During this agenda item the following people spoke:

Jack Stoddard, 1172 Oakmont Place, Nipomo - commented about the responsibility of the sewer laterals in the public right-of-way belonging to the District rather than the homeowner. Mr. Jones suggested that the item be placed on a future agenda. Upon motion of Director Simon and seconded by Director Blair, the Board agreed to put this item on the next agenda. Vote 4-0
The Board also asked staff to postpone the small claims action on this matter.

Ed Sauer, 363 Hazel Lane, Nipomo - commented about possibility of hooking up to NCSD sewer or the sewer system for CSA 1F.

John Snyder 662 Eucalyptus Rd. Nipomo - asked when he would get an answer to the question he asked in February. He gave Board a letter asking the same question. A copy was added to the packet in the office.

BOARD ADMINISTRATION

3. NEW WELL STATUS REPORT

Report by Jim Garing on the Sun Dale Well

Jim Garing, District Engineer, gave a report on the Sun Dale Well. The well can be pumped permanently at 1,250 gallons per minute and recommended that the well be put on line. He presented a comparison of an electric motor drive versus a natural gas fueled engine drive for the well pump.

Public Comment

During this agenda item (Item #3) the following person spoke:

John Snyder 662 Eucalyptus Rd. Nipomo - agreed that a gas fueled pump would be more efficient and good as an alternate source of water when the electricity goes out. He suggested making sure the noise level was kept to a minimum for neighboring property owners.

Upon motion of Director Blair and seconded by Director Simon, the Board agreed to direct staff and engineer to proceed with plans and specifications for a gas engine, get an application to UPCD for fixed base engine and acoustic engineering for a proper facility to enclose the engine.

Vote 4-0.

4. WOODLAND PROJECT - EIR

Review of the water and wastewater sections of the EIR

The Board discussed the draft letter to John McKenzie, Environmental Division of the County Planning and Building Department concerning the Woodlands Specific Plan - Draft EIR.

Public Comment

During this agenda item the following person spoke:

John Snyder 662 Eucalyptus Rd. Nipomo - said the comment period has been extended to May 8.

Upon motion of Director Blair and seconded by Director Simon, the Board agreed to send the letter included in the agenda packet with a little more supportive wording added. Vote 3-1 with Director Mendoza voting no.

5. PROPOSED PEARLIE/STORY ST SEWER IMPROVEMENTS

Property owner interested in extending the sewer line in Story to Pearlie Lane

Mr. Jones explained that a request was received from some property owners on Pearlie Lane to extend the sewer line to Pearlie Lane. Funding of the project could be obtained through the formation of a benefit District and a bonding process for the construction costs. The District would front the engineering costs and be paid back by the property owners. No Public comment. Upon motion of Director Kaye and seconded by Director Mendoza, the Board directed staff to proceed with the approval of funding of the engineering portion of the project, prepare the necessary petitions and notify the property owners for circulation. Vote 4-0

6. PARCEL MAP CO 97-0134 - REQUEST FOR SERVICE
Request for Intent-to-Serve letter for a 3 lot parcel on W. Tefft St.

Mr. Jones explained the request from Westland Engineering for a 3-lot parcel proposed on Tefft Street. No public comment. Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved the issuance of an Intent-to-Serve letter for Parcel Map CO 97-0134. Vote 4-0.

7. TRACT 1912 - ACCEPTANCE OF IMPROVEMENTS (BLACK LAKE)
Tract 1912- Accept water & sewer improvements & Wastewater Treatment Plant improvements

Mr. Jones explained that the improvements for Tract 1912 have been completed and are acceptable.

Brad Brechwald, engineer for the Wastewater Treatment Facility for Tract 1912, explained a few minor details of the project and feels that the project is complete. No Public Comment. Upon motion of Director Kaye and seconded by Director Simon, the Board approved Resolution 98-643 accepting the water and sewer improvements and wastewater treatment plant improvements for Tract 1912, an 80-lot subdivision within the Black Lake area. Vote 4-0.

RESOLUTION NO. 98-643

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR TRACT 1912 (BLACK LAKE)**

FINANCIAL REPORT

8. APPROVAL OF WARRANTS

No Public Comment

Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved the Warrants presented at the April 22, 1998 meeting. Vote 4-0

9. INVESTMENT POLICY

Mr. Jones presented the Third Quarter Investment Report which is consistent with the District's 1998 Investment Policy. Upon motion of Director Kaye and seconded by Director Simon, the Board accepted the Investment Policy - Quarterly Report. Vote 4-0.

10. THIRD QUARTER FINANCIAL REPORT

Public Comment

During this agenda item (Item #3) the following person spoke:

John Snyder 662 Eucalyptus Rd. Nipomo - asked a question about revenues of the water funds. The Assistant Administrator responded to Mr. Snyder's question.

Upon motion of Director Blair and seconded by Director Kaye the Board received in file the Third Quarter Financial Report presented at the April 22, 1998 meeting. Vote 4-0.

OTHER BUSINESS

11. MANAGER'S REPORT

Manager Doug Jones presented information on the following items:

1. PROP 224 - Mr. Jones will bring back at May 20 meeting.
2. SLO-CSDA GENERAL MEMBERSHIP MEETING

12. DIRECTORS COMMENTS

Director Kaye reported that a customer from Summit Station asked about the proposed Study Session. Board members are trying to set a date for the Study Session. Bring calendars to next meeting to agree on a date.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

1. NCSD vs. Shell Oil, et. al. Case No. CV 077387
2. Conference with real property negotiator, Dana-Doty Water line easement GC§ 54956.8
3. Deferville/NCSD arbitration

The Board reconvened into open session with no reportable action from the Closed Session.

A Special Meeting of the Board was set for April 29, 1998 at 7:00 p.m. for a closed session with legal counsel on the following case: NCSD vs. Shell Oil, et. al. Case No. CV 077387

ADJOURN

President Mendoza adjourned the meeting at 9:03 p.m.