

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JUNE 17, 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 June 17, 1998 Regular Meeting to order at 7:10 p.m. and led the flag salute.

ROLL CALL

At Roll Call, all Board member were present.

APPROVAL OF MINUTES

1. REGULAR MEETING OF JUNE 3, 1998

Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved the Minutes of the June 3, 1998 Regular Meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

President Mendoza opened the meeting to Public comments on matters other than scheduled items.

Orrin Cocks, candidate for 4th District Supervisor, spoke to the Board. He apologized for his absence at the May 20, 1998 meeting. He asked for a copy of those minutes. He spoke about some concerns from the public about the structure of the local government.

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

3. PUBLIC HEARING - BLACK LAKE STREET LIGHTING CHARGE
Adopt the annual street lighting charge. No increase is proposed.

Mr. Jones explained that now is the time and place for the public hearing for the Board to confirm the report for collection of charges on the 1998-99 tax roll and to give opportunity for filing objections and for the presentation of testimony or other evidence concerning said report. There were no Public Comments. Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved Resolution 98-652.

RESOLUTION NO. 98-652

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND
OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE
BLACK LAKE DEVELOPMENT (GOLF COURSE AREA)**

4. PUBLIC HEARING - 1998-99 FISCAL YEAR NCSD BUDGET

- 1) Adoption of the 1998-99 FY Budget
- 2) Adoption of 1998-99 Appropriation Limitation
- 3) Adoption of the Employee Compensation Step Plan

Mr. Jones explained that now is the time to have a Public Hearing on the proposed budget and receive any comments from the public. President Mendoza opened the meeting to a Public Hearing to discuss the 1998-98 FY Budget for Nipomo Community Services District. There were no public comments.

Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously adopted Resolution 98-653.

**RESOLUTION 98- 653
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE 1998-99 FISCAL YEAR BUDGET**

Upon motion of Director Fairbanks and seconded by Director Kaye, the Board unanimously adopted Resolution 98-654.

**RESOLUTION NO. 98- 654
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DETERMINING THE APPROPRIATION LIMITATION
FOR THE 1998-1999 FISCAL YEAR**

Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously adopted Resolution 98-655.

**RESOLUTION NO. 98-655
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES District
ADOPTING AN EMPLOYEE COMPENSATION STEP PLAN**

5. PARCEL MAP CO 97-0134 - INTENT-TO-SERVE
Request for service for a 4 lot development on West Tefft Street

Mr. Jones explained that Mr. Ghormley requested and Intent to Serve letter for a 4 lot development on West Tefft Street. There were no public comments. Upon motion of Director Fairbanks and seconded by Director Kaye, the Board unanimously approved the Intent-to-Serve letter for Parcel Map CO 97-0134 (Ghormley) with the conditions as outlined in the Board letter.

6. HAMPTON GENERAL PLAN AMENDMENT
Review information requested by the County

Mr. Jones explained the request from the County Environmental Division for information on the Hampton Development, a proposed development north of Black Lake Canyon and east of Cypress Ridge. He is requesting comments from the Board before mailing the letter to Eric Wiler of the Planning Department.

Director Blair likes the one acre parcels because they will need a water system and to keep a more country like atmosphere but does not want to see cluster development.

Director Simon would like to see Zenon Rd. open into Los Berros Rd.. There are enough people on Willow Rd.

Director Kaye does not like the cluster subdivision but the County does not seem to care like at Bay View Estates. Director Kaye feels that comments will do no good because of preconceived ideas. The District has no control over County Planning changing the zoning.

President Mendoza would like to know when the County will alert their constituents to the possibility of water shortage in that area. This will impact this District in the future.

During this agenda item (Item #6) the following public spoke:

John Snyder - 662 Eucalyptus Rd. Nipomo - would like to see the quote from Cypress Ridge in Item 7b of the letter to refer only to the Cypress Ridge area.

Orrin Cocks - said that the Varian Ranch is an example of cluster development that is successful. We need to increase our tax base. Chuck Stephenson had a map at a meeting that showed how more of the Mesa is becoming urban-like.

Director Kaye mentioned that the object of the South County Planning Update was to maintain the rural character of the mesa and the opposite is happening.

Director Blair made the motion to add to the letter the Board's position against cluster developments. Director Kaye seconded. All directors were in favor. Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously agreed to approve the letter as amended at #7b and direct staff to attach the minutes of this meeting to the letter and send it to the County.

6a. APPROVE AN AGREEMENT AFFECTING REAL PROPERTY -DEVELOPER R. NEWDOLL
ORAL REPORT

To restrict the use of sewer service to certain lots within the Honey Grove project

Mr. Seitz, District Legal Counsel, explained that addition of this item was within 72 hours of posting of the agenda as required by the Brown Act.

Mr. Jones explained that Mr. Newdoll requested a Will-Serve letter for 4 homes to be built on Honey Grove Lane on half-acre lots. A document needs to be recorded to protect future purchasers of property until water and sewer systems are built and approved by the District. There were no public comments. Upon motion of Director Kaye and seconded by Director Fairbanks, the Board approved Resolution 98-656. Vote 4-1. Director Blair voted no.

**RESOLUTION 98- 656
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING AND APPROVING DOCUMENT FOR RECORDING**

7. TRACT 1805 - ACCEPTANCE OF IMPROVEMENTS (SNELLENBERGER)
Acceptance of water and sewer improvements for Tract 1805, a 38 lot development

More information is needed on this development before acceptance of improvements. There were no public comments. Upon motion of Director Kaye and seconded by Director Blair, the Board agreed to table this item.

FINANCIAL REPORT

8. APPROVAL OF WARRANTS
Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved the Warrants presented at the June 17, 1998 meeting.

OTHER BUSINESS

9. MANAGER'S REPORT

Manager Doug Jones presented information on the following:

1. PROPOSED CONNECTION - TRACT 1790

A volunteer is being found in the Summit Station area to test booster pump.

Sewer sag in the Black Lake sewer system is being cleaned Thursday.

10. DIRECTORS COMMENTS

President Mendoza was glad to hear comments from Mr. Cocks. Water quality and accessibility for the future must be safeguarded.

Director Simon would like to see a draft study of water availability and to have one of the people responsible for DWR to come to the District to explain how the report was prepared.

Mr. 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
2. Deferville/NCSD arbitration
3. Conference with real property negotiator, Dana-Doty Water line easement GC§ 54956.8
4. Conference with Legal Counsel - Anticipated Litigation - One Case

ADJOURN

The Board came back into open session and had no reportable action. President Mendoza adjourned the meeting at 9:17 p.m.