

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

JULY 15, 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 July 15, 1998 Regular Meeting of the Nipomo Community Services District Board of Directors to order at 7:01 p.m. and led the flag salute.

### **ROLL CALL**

At Roll Call, all Board members were present.

### **APPROVAL OF MINUTES**

1. REGULAR MEETING OF JULY 1, 1998

Upon motion of Director Simon and seconded by Director Kaye, the Board approved the Minutes of the July 1, 1998.

### **PUBLIC COMMENTS PERIOD**

2. PUBLIC COMMENTS

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

John Snyder - 662 Eucalyptus Rd. - He presented the Board with a letter from Glen Priddy to the Board of Supervisors. He would like a letter faxed to John McKenzie for request to provide Mr. Snyder with information on the Woodlands Specific Plan EIR dated May 5, 1998. Also, he talked to DWR - Mike Maisner to find out how they did modeling and calculating for the DWR Report. He seemed willing to come to NCSD to talk to the Board.

Orrin Cocks - 1457 Deer Canyon Rd. Arroyo Grande - He informed the Board of several activities being planned for the Oceano CSD (a possible aquarium, a recreation department, etc.) Sheila Boone wants to develop a 400 acre butterfly palace either in Southern San Luis Obispo County or Northern Santa Barbara County. She would like to know if the District supports her in this effort.

**BOARD ADMINISTRATION**

3. REQUEST FOR WILL-SERVE LETTER AT 378 TYRUS CT APN 92-111-028  
Request for sewer service in CSA 1-A, Galaxy Park

Mr. Jones explained the request from Debbra Stoner for a Will-Serve letter for sewer service to her property at 378 Tyrus Ct. in order for her to receive a lot split of APN 92-111-028. Mr. Jones explained all the issues involved. Originally the County and NCSD contracted for 327 homes to receive sewer service in the CSA 1 area. A lot split would add to that number. The contract would have to be amended before NCSD could serve more than 327 parcels.

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

Debbra Stoner - 378 Tyrus Ct., Nipomo - Feels like she's between a rock and a hard place. If everything goes my way at the County, how long will it be to get a Will-Serve letter?

Director Fairbanks said to let the County Planning know there is a contractual agreement and that it is inappropriate to direct the applicant to come to NCSD for a Will-Serve letter when it is outside our jurisdiction and there are several issues that need to be considered. The District is favorable to serving this applicant once the contract is amended if she complies with the conditions of our Intent-to-Serve once we get the sewer plant expanded. It should be made clear to the County that the contract cannot be continuously amended. Director Kaye would like to request Mr. Boyd's presence at our meeting to get his views on this matter. Director Fairbanks made the motion and Director Blair Seconded to send such a letter to County Planning.

4. LA PLACITA PLAZA - REQUEST FOR SERVICE (D96-00053D)  
Review request for water and sewer service for a commercial project at Orchard & Division

Mr. Jones explained that the developer of Tract 1661 has requested an updated Intent-to-Serve letter for a commercial project, La Placita Plaza. The wastewater from the commercial development will flow through Tract 1661. Upon motion of Director Blair and seconded by Director Kaye, the Board unanimously agreed to table this item and write a letter to the developer that an Intent-to-Serve letter cannot be updated until all required items for Tract 1661 are completed.



5. SUN DALE WELL

Review construction bids and possible award to install pump etc for Sun Dale Well.

Mr. Jones explained that there were only two bids for the installation of a pump and gas engine. The amount bid was \$73,000 over the engineer's estimate and the budgeted amount. The lowest responsible bidder was R. Baker, Inc. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved Resolution 98-659 awarding installation of the pump and motor at the Sun Dale Well to R. Baker Inc. and making a budget adjustment from reserves. There were no public comments.

**RESOLUTION 98-659**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
AWARDING INSTALLATION OF PUMP/MOTOR AT SUN DALE WELL TO R. BAKER, INC.**

6. SOUTHLAND WASTEWATER PLANT EXPANSION

Review amended SRF Loan contract and construction bids. Award construction bid.

Approval of the amended contract has not been received from the State. This item is tabled until approval is received.

7. ACCEPTANCE OF IMPROVEMENTS - TRACT 1805 (SNELLENBERGER)

Resolution accepting water and sewer improvements for Tract 1805

All required items have been completed for Tract 1805. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved Resolution 98-660 accepting Tract 1805. There were no public comments.

**RESOLUTION NO. 98-660**

**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE NIPOMO COMMUNITY SERVICES DISTRICT  
ACCEPTING THE WATER AND SEWER IMPROVEMENTS  
FOR TRACT 1805 (SNELLENBERGER)**

**FINANCIAL REPORT**

8. APPROVAL OF WARRANTS

Upon motion of Director Kaye seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the July 15, 1998 meeting.

9. QUARTERLY INVESTMENT POLICY REPORT

The Finance Officer presented the Quarterly Report of the 1998 Investment Policy for NCSD. According to California Government Code Section 53746, the quarterly report must be filed with the District's auditor and considered by the Board of Directors of the NCSD. Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously accepted the quarterly report into file.

**OTHER BUSINESS**

10. MANAGER'S REPORT

General Manager, Doug Jones, presented information on the following:

1. SENATOR JACK O'CONNELL'S LETTER ON JUVENILE JUSTICE SUMMIT
2. REVIEW RWQCB - WATER QUALITY CONTROL PLAN CORRESPONDENCE

During this agenda item (Item #10) the following public spoke:

John Snyder - 662 Eucalyptus Rd. - He was interested in Item #124 - "Develop Greenhouse Policy" on the Preliminary 1998 Triennial Review Priority List from the Cal/EPA

President Mendoza would like to see letter concerning #124. Board directed staff to put item on agenda in the future.

3. CAL WATER JOURNAL ON ENVIRONMENTAL SPECIES ACT (ESA)
4. CSDA QUICK NEWS If the Board is interested in attending conference in San Francisco, please let staff know. Also, Sat. Aug. 1, 1998, CSDA will be holding a Small Special District Law and Management Seminar at Templeton CSD.
5. Nipomo Community Network has meeting on Friday July 17 to talk about the Woodlands Specific Plan, four-plex on South Oakglen and other items.

11. DIRECTORS COMMENTS

Director Blair asked about the County selling water at \$52.00 per acre foot. It would be smart to keep reserves. Board asked to have item put on a future agenda.

Director Kaye asked if there was any response from Supervisor Brackett about the Summit Station area lot splits. Mr. Jones said there was no response.

President Mendoza asked about the booster pump at Summit Station. Mr. Jones said the pump has been installed.

Legal counsel, Jon Seitz, explained the need to go into a Closed Session. President Mendoza adjourned the meeting to Closed Session.

**CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL**

Existing litigation GC§ 54956.9

1. NCSD vs. Shell Oil, et. al. Case No. CV 077387

Potential Litigation GC§ 54956.9

1. SMVWCD vs CITIES OF SANTA MARIA, GUADALUPE & SO. CAL. WATER CO. et. al, Case No. CV 770214

Public Employee Performance Evaluation GC § 545957

1. General Manager

The Board came back into open session with no reportable action.

**ADJOURN**

President Mendoza adjourned the meeting at 9:30 p.m.