

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

AUGUST 19, 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 Regular Meeting of August 19, 1998 to order at 7:02 p.m. and led the flag salute.

ROLL CALL

At Roll Call, all Board members were present.

APPROVAL OF MINUTES

1. REGULAR MEETING OF AUGUST 5, 1998

Upon motion of Director Simon and seconded on Director Kaye, the Board unanimously approved the Minutes of the August 5, 1998 Regular Meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

Members of the public, wishing to address the Board on matters other than scheduled items, may do so when recognized by the Chairperson. The Board will listen to all communications; however, in compliance with the Brown Act, the Board cannot act on items not on the agenda. **Presentations are limited to three (3) minutes.**

President Mendoza opened the meeting to Public Comments. The following people spoke.

John Snyder - 662 Eucalyptus Rd. Nipomo - Received letter from the District but felt that it was not clear. He asked that the District answer another letter which he passed to each member of the Board. Jon Seitz, District Legal Counsel, read the last paragraph of letter to Mr. Snyder in answer to his questions. Mr. Snyder also asked about getting a representative from the DWR to explain the Report. Upon motion of Director Fairbanks and seconded by Director Kaye, the Board unanimously agreed to direct staff to invite an engineer from the DWR to discuss the DWR Report.

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

3. **SUMMIT STATION AREA LAND USE**

Discussion about removing the restriction on land divisions

Mr. Jones explained that Ruth Brackett, Fourth District Supervisor, sent a letter to the District wishing to discuss the Summit Station area concerning the possible lifting of restrictions that were placed on the area as a condition of annexation.

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

Ruth Brackett, - Fourth District Supervisor - spoke to the Board - Ms. Brackett received several telephone calls but no formal request for changing the present land use in the Summit Station area. She wanted to get the Board's feelings about the water availability.

Norman Forcier - 231 Summit Station Rd. If you cannot handle water pressure now, how are you (the District) going to serve water to even more parcels?

President Mendoza said that the District is working on the solution to the problem. The residents of Summit Station have requested the change of land use and not the District.

Jim Ferrara - 1650 Rocky Place - Is still interested in splitting his property.

Wanda Pabst - 190 Poppy Lane - Speaking to Ms. Brackett, wants to have amendment fee waived to split or put another house on her property.

John Snyder - 662 Eucalyptus Rd. - Nipomo - Asked the Board if an overdraft does indeed exist, then where would the water come from if the restriction were lifted?

Jim Garing, District Engineer who designed the Summit Station water system - Mr. Garing presented some background to the design of the Summit Station water system. It was originally designed for 1000 gpm but after discussion with SS resident and ok from CDF, the system was put in with 500 gpm. Testing hydrants with CDF for two years, once in the winter months and once in the summer months, showed 800 gpm.

Director Kaye had originally submitted a petition to maintain the 5 acre parcels in the area but the County took it to mean restriction of any splitting of parcels.

Ed Sauer - 363 Hazel Lane, Nipomo - Offered his help to residents to write up a petition to take to the County.

Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously agreed that a letter be written to the County stating that the District is sympathetic to the wishes of the residents of Summit Station. When the area was annexed into the District 284 AFY of water was allocated to the area, anticipating 1 acre foot per parcel. The District would recommend the removal of the restrictions placed on the area in 1993.

4. **EXCESS WATER USE - WYCHE**

Review water usage for Account No. 5071

Mr. Jones explained that Mr. Wyche requested an adjustment of his water bill for the billing period of March 18th to May 5, 1998. He was not in the house but had signed up for water during some of that time.

During this agenda item (Item #4) the following public spoke:

D L Wyche - 621 Sandydale Dr., Nipomo - told the Board that he saw no reason for the water use. He was not there. He is asking for relief. Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously decided to table this item for one year to establish a basis for any adjustment.

5. ENGINEERING SERVICES

Sub-Committee report on services to design water line and storage

Sub-Committee members, Directors Al Simon and Bob Blair recommended Garing, Taylor and Associates for the engineering services to design the Thompson-Tefft water line and storage facility. There were no public comments. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously agreed to accept the proposal from Garing, Taylor and Associates and directed staff to prepare an agreement.

6. REQUEST FOR INTENT-TO-SERVE LETTER - TRACT 2297 (EDWARDS)

Request for water service for a 7 lot development at Pomeroy and Willow Rds.

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

Mavi Camacho Edwards, 772 Sandydale, Nipomo - requested 4 additional services for a lot split at Willow and Pomeroy Roads, Tract 2297.

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved an Intent-to-Serve letter for Tract 2297 with the conditions outlined in the Board letter.

7. REQUEST FOR INTENT-TO-SERVE LETTER - TRACT 1747 (HERMRECK)

Renewed request for water and sewer service for a 149 lot development at Chestnut and Thompson Rd.

Mr. Jones explained that a request was received from EDA for renewal of the Intent to Serve letter for Tract 1747 at the northeast corner of Chestnut and Thompson Avenues. Tract 1747 has been changed from a 189-lot development to a 149-lot subdivision. There were no public comments.

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved an Intent-to-Serve letter for Tract 1747 with the conditions outlined in the Board letter.

8. REQUEST FOR INTENT-TO-SERVE LETTER - TRACTS 1924 & 2304 (WITTSTROM)

Request for water service for Tract 1924 a 32 lot development at Camino Caballo & Osage Rd. and Tract 2304 a 39 lot development at Mesa & Osage Rds

During this agenda item (Item #8) the following public spoke:

Orrin Cocks asked if the quality of a developer affects the decision of the Board in approving a development. It did not.

Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved Intent-to-Serve letters for Tracts 1924 and 2304 with the conditions outlined in the Board letter.

9. SURPLUS EQUIPMENT

Approved by the Board to dispose of District surplus equipment

Mr. Jones explained that there is obsolete equipment needing to be disposed. Upon motion of Director Kaye and seconded by Director Fairbanks, the Board unanimously approved to authorize staff to dispose of the surplus equipment.

FINANCIAL REPORT

10. APPROVAL OF WARRANTS

Upon motion of Director Blair and seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the August 19, 1998 Regular Meeting.

OTHER BUSINESS

11. MANAGER'S REPORT

Mr. Jones presented information on the following:

1. COMPLIMENT/COMPLAINT LOG
2. Correspondence from SLO County concerning CSA 1 and 1F.
3. NCSD Board Candidates

Welcome to new Board members to begin December 4, 1998
Al Simon, incumbent, Caren Moore, and Richard Morbraaten

12. DIRECTORS COMMENTS

Director Blair suggested a special fund to be set up for future water.
Mr. Jones said the WRAC meeting had some suggestions for water management.

Legal counsel, Jon Seitz, explained the need to go into a Closed Session. President Mendoza adjourned the meeting to Closed Session at 8:50 p.m.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

- A. Existing litigation GC§ 54956.9
 1. NCSD vs. Shell Oil, et. al. Case No. CV 077387
- B. Conference with real property negotiator-District Negotiator-General Manager GC§ 54956.8
 1. - Dana-Doty water line/tank easements
- C. Public Employee Performance Evaluation GC § 545957
 1. General Manager

- A. The Board came back into open session and had no reportable action.
- B. The Board cancelled the Special Meeting that had been scheduled for August 25th.
- c. The Board had no reportable action.

ADJOURN

President Mendoza adjourned the meeting at 10:10 p.m.