

# NIPOMO COMMUNITY SERVICES DISTRICT

## MINUTES

FEBRUARY 17, 1999 7:00 P.M.  
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

### BOARD MEMBERS

ROBERT BLAIR, **PRESIDENT**  
GENE KAYE, **VICE PRESIDENT**  
AL SIMON, **DIRECTOR**  
RICHARD MOBRAATEN, **DIRECTOR**  
ALEX MENDOZA, **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 Blair called the February 17, 1999 meeting 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 FEBRUARY 3, 1999**

Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved the Minutes of the February 3, 1999, Regular Meeting.

### **PUBLIC COMMENTS PERIOD**

2. **PUBLIC COMMENTS**

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board.

**Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.**

There was no public to make comments.

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

3. **INTENT-TO-SERVE, CO-90-208 (PRUITT)**

Developer requests an extension of Intent-to-Serve letter

Mr. Jones explained the request from the developer of Parcel Map CO-90-208. Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously approved the request for an extension on the Intent-to-Serve letter with the conditions for Project CO-90-208 (Pruitt). There were no public comments.

4. **BLACK LAKE INTER-TIE**

Approval to request bids to construct the inter-tie

Mr. Jones explained that bids to construct an Inter-tie between the Town Division and the Black Lake Division water systems needs to be published. Upon motion of Director Simon and seconded by Director Mobraaten, the Board unanimously approved the request for bids to construct the Inter-tie.

There were no public comments.

5. **CALIF PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)**

Review possible change of PERS benefit formula

Mr. Jones explained the proposal to amend NCSD's contract with PERS to a 2% at 55 formula versus the 2% at 60 now in place. Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously directed staff to bring back the necessary resolutions to proceed with the modification of the PERS program.

There were no public comments.

6. OUTSIDE DISTRICT USER AGREEMENT

Select a committee to review agreement with School District  
 President Blair appointed Director Mendoza and Director Mobraaten to the sub-committee to review and modify, as necessary, the draft agreement ("Outside District User Agreement") for water and sewer services to the proposed high school site on North Thompson Road in Nipomo. There were no public comments.

**FINANCIAL REPORT**

7. APPROVAL OF WARRANTS

Upon motion of Director Kaye and seconded by Director Mobraaten, the Board unanimously approved the Warrants presented at the February 17, 1999 meeting. There were no public comments.

**OTHER BUSINESS**

8. MANAGER'S REPORT

Manager Doug Jones presented information on the following:

1. Nipomo Community Advisory Council Meeting Feb. 24, 1999
2. Urban Streams Conference April 11-13, 1999
3. Draft Economics Element - SLO Co. General Plan document is in the office for review.
4. Personnel - District will be recruiting personnel to replace the employee who resigned a few months ago.
5. Retrofit - A letter is ready to be sent out to homeowners within the District whose homes were built prior to 1990.
6. 1996 Truck wrecked

9. DIRECTORS COMMENTS Appointment of directors to committees

The following established committees were filled where there were vacancies.

<u>Committee</u>	<u>Member</u>	<u>Alternate</u>
Nipomo Community Advisory Committee	Al Simon	Bob Blair
Water Resources Advisory Committee	Doug Jones	Bob Blair
Chamber of Commerce	Gene Kaye	Dick Mobraaten
Finance Committee	Gene Kaye	Al Simon
Water Committee (Ad hoc)	Al Simon	Bob Blair

Deputy Legal Counsel, Mike Seitz, explained the need to go into Closed Session. He identified that the property to be negotiated was at the intersection of Dana-Foothill and Tefft Roads in Nipomo. The purpose of the negotiation is for terms and conditions to purchase an easement for a proposed tank site. He identified the negotiator for the District as Doug Jones and the negotiator for the Dana Estates as Attorney Dick Weldon, esq.

**CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL (a) and (b) GC§ 54956.9 (c) GC§54956.8

The Board came back into Open Session

- a. SMVWCD vs. NCSO Case No. CV 770214  
 The Board had no reportable action.
- b. NCSO vs. Shell Oil, et. al. Case No. CV 077387  
 The Board had no reportable action.
- c. REAL PROPERTY NEGOTIATION, DANA ESTATE, TANK SITE  
 The Manager was directed to continue negotiations with the Dana's representative.

**ADJOURN**

President Blair adjourned the meeting at 8:10 p.m.