

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JUNE 16 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**

CALL TO ORDER AND FLAG SALUTE

In President Blair's absence, Vice President Kaye called the meeting to order at 7:00 p.m. and led the flag salute.

1. ROLL CALL

At Roll Call, the following Board members were present.
Directors Kaye, Mendoza, Mobraaten and Simon. President Blair was absent.

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.**

Vice President Kaye asked for Public Comment
Donna Melschau wished to thank the Board for its support and especially Mr. Mendoza and Mr. Mobraaten for participating in the meetings for the school. The committee is leaving all options open.

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

3. OLDE TOWN PRESENTATION - PROPOSED PARK

Review park proposal and installation of a fence around pump station

Mr. Jones explained the concept for a proposed park and a request from the Olde Towne Association for a fence to be constructed around the Tefft St. lift station.

Beverly Chapman of the Olde Towne Nipomo Association spoke to the Board about the plans for the proposed park and asked the Board for its support in the project. She provided the Board with minutes from the June 3, 1999 Planning Meeting.

The Board asked questions.

During this agenda item, the following member of the public spoke:
Barbara Papageorge, 1665 La Cumbre Lane, Nipomo - asked for Board participation.

Gus Vanderstad, Nipomo - supports the park idea.

Upon motion of Director Simon and seconded by Director Mobraaten, the Board decided to table this item until additional conceptual plans are developed. Vote 4-0

4. STREET LIGHTING - TRACT 2304 (WITTSTROM)
Create a Street Lighting Improvement District for Tract 2304

Mr. Jones explained that Mr. Wittstrom, developer of Tract 2304, was asked by the District to install street lights in his tract.

During this agenda item, the following member of the public spoke: Barbara Papageorge, 1665 La Cumbre Lane, Nipomo - asked how a street lighting district can be formed. Staff answered

Upon motion of Director Simon and seconded by Director Mendoza, the Board unanimously approved Resolution 99-701 and set a Public Hearing for August 4, 1999. Vote 4-0

**RESOLUTION NO. 99-701
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
INITIATING PROCEEDINGS
STREET LIGHTING IMPROVEMENT DISTRICT NO. 1**

5. RETRO-FIT POLICY

General discussion with staff on establishing policy

Mr. Jones explained that the Board has established a policy that any new annexation or services outside the District boundary have an established water supply sufficient for the proposed development. One method is through retrofitting older plumbing fixture units. An agreement needs to be developed to reflect a policy concerning retrofit.

Mr. Bob Newdoll, developer for two tracts outside the District, would like to know if he would be in line for the retrofits. There were no other public comments.

Jon Seitz, District legal counsel, had several suggestions for the agreement. Upon motion of Director Simon and seconded by Director Mendoza, the Board directed staff to develop a Retro-fit Agreement and bring it back to the next meeting.

6. PAYMENT OF DISTRICT CAPACITY FEES

Approve a methodology of securing Capacity Fees payments for subdivisions

Mr. Jones described the present District policy for paying Water and Sewer Capacity Fees prior to issuance of a Will-Serve Letter (Code Section 3.04.05[D]). Some developers have asked that payment of fees be paid through an escrow account.

Mr. Bill Kengel, developer for Tract 1658, asked the Board for assistance for payment of the fees. There were no other public comments.

Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved Resolution 99-702 as amended in Item 2 a (a base) & b (a bank or other securities and Item 3 (Letter of Credit or other securities).

**RESOLUTION NO. 99-702
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
SECURING PAYMENT OF DISTRICT CONNECTION FEES**

7. DISTRICT INSURANCE COVERAGE

Review two proposals for insurance coverage

Mr. Jones explained that quotes from SDRMA and Coregis were about \$539.00 apart with a Y2K exclusion with SDRMA. Jon Seitz, District Legal counsel, explained further. There were no public comments. After some discussion by the Board, Director Simon made the motion to accept the quote from SDRMA. Director Mendoza seconded the motion. All Board members were in favor. Vote 4-0.

8. **CONSENT AGENDA** *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the consent agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*

a) BOARD MEETING MINUTES (APPROVE)

Approval of minutes of the June 2, 1999 Regular Board meeting.

There were no public comments.

Upon motion of Director Mendoza and seconded by Director Kaye, the Board unanimously approved the item on the Consent Agenda. Vote 4-0

FINANCIAL REPORT

9. APPROVAL OF WARRANTS

Upon motion of Director Kaye and seconded by Director Mobraaten, the Board unanimously approved the Warrants presented at the June 16, 1999 Regular meeting.

OTHER BUSINESS

10. MANAGER'S REPORT

Mr. Jones presented information on the following:

1. Article on water banking
2. Legislative update
3. There have been surges of water in the Summit Station area. After some investigation, the cause is still unknown. There will be more investigation tomorrow.

11. DIRECTORS COMMENTS

District Legal Counsel, Jon Seitz, announced the need to go into Closed Session to discuss the following items:

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL (a) and (b) GC\$54956.8

a. NCSO vs. Shell Oil, et. al. Case No. CV 077387

b. Real Property Negotiations, Dist. Rep. Gen. Mgr., Prop rep. Dana Estates, acquisition of tank site easement at Dana-Foothill Rd & Tefft Street

The Board came back into open session and had no reportable action.

ADJOURN

Vice President Kaye adjourned the meeting at 8:54 p.m.