

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

AUGUST 4, 1999
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

CLOSED SESSION (CONFERENCE ROOM) 6:00 P.M.

The Board opened the meeting at 6:00 p.m. and went into Closed Session in the Conference Room.

CONFERENCE WITH LEGAL COUNSEL GC§54956.9 (b) & (b)
Anticipated Litigation - Initiation of Litigation One case SDHS Citation
The Closed Session had no reportable action.

REGULAR MEETING 7:00 P.M.

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

1. ROLL CALL
President Blair called the meeting to order at 7:04 p.m. and led the flag salute.
At Roll Cal, all Board members were present.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS
President Blair opened the meeting to Public Comments. District Legal Counsel, Jon Seitz reported that the CSDA Reception, Friday, July 23rd was attended by all the districts. Among guests were Abel Maldonado, a rep. for Lois Capps, Supervisor Achadjian, and Shirley Bianchi

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

3. PUBLIC HEARING - STREET LIGHTING IMPROVEMENT DIST - TRACT 2304 (WITTSTROM)
Establish a lighting district for Tract 2304 located at Osage & Mesa Rds.
Manager Doug Jones explained that the Board had requested the developer of Tract 2304, Mr. Wittstrom, to install street lighting in Tract 2304.
During this agenda item, the following member of the public spoke:
Robert Tartaglia, Engineer for Tract 2304
There was Board discussion regarding the lights. Director Simon made a motion to approve the Street Lighting District. The motion failed due to a lack of a second.
Director Kaye made a motion to deny the Street Lighting District. Director Mendoza seconded. Motion passed with a 4-1 vote with Director Simon voting no.
Mr. Tartaglia asked for a letter from the District reflecting the decision.
4. SOUTHLAND WASTEWATER TREATMENT FACILITY EXPANSION - PHASE II
 - a. Approving State Revolving Fund Loan, Approval of Award Agreement (ATA)
Upon motion of Director Kaye and seconded by Director Simon, the Board approved the State Revolving Fund Loan ATA budget amount including construction and allowances of \$843,605. There were no public comments. Vote 5-0

b. Awarding construction contract to Sansone Co.
Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously approved Resolution 99-705 awarding the contract for the Southland Wastewater Treatment Facility Expansion Phase II to Sansone Co. in the amount of \$769,519.80. There were no public comments. Vote 5-0.

**NIPOMO COMMUNITY SERVICES
RESOLUTION NO. 99-705
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AWARDING THE CONTRACT TO SANSONE CONSTRUCTION CO.
TO PERFORM THE SOUTHLAND WASTEWATER TREATMENT
FACILITY EXPANSION, PHASE II**

5. **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 July 21, 1999 Regular Board meeting.

Upon motion of Director Kaye, and seconded by Director Mobraaten, the Board unanimously approved the Consent Agenda.

FINANCIAL REPORT

6. **APPROVAL OF WARRANTS**

Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved the Warrants presented at the August 4, 1999 Regular Meeting.

OTHER BUSINESS

7. **MANAGER'S REPORT**

The Manager had no report to give.

8. **DIRECTORS COMMENTS**

Director Mobraaten enjoyed the CSDA Meeting in Templeton.
President Blair reported on the Nipomo Advisory Meeting last week.
Director Kaye reported on the Chamber of Commerce meeting.
President Blair spoke about the SLOCOG meeting held Wednesday, Aug. 4.
Town Meeting at Dana School next week.

District Legal Counsel, Jon Seitz, announced that the District settled pipeline litigation with Shell Oil for \$145,000 and Wesflex for \$40,000. He also announced the need to go into Closed Session concerning the following: c. SMVWCD vs NCSO Case No. CV 770214 and related cases Case Nos. CV 990556, CV 990391, CV 990392, CV 990558, CV 990266, CV 770214, SM 113422, SM 112867, SM 113425, SM 113421

CLOSED SESSION

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c. SMVWCD vs NCSO Case No. CV 770214 and related cases
Case Nos. CV 990556, CV 990391, CV 990392, CV 990558, CV 990266,
CV 770214, SM 113422, SM 112867, SM 113425, SM 113421

The Board came back into Open Session and had no reportable action.

ADJOURN

President Blair adjourned the meeting at 9:06 p.m.