

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

AUGUST 18, 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

1. ROLL CALL

President Blair called the August 18, 1999 meeting to order at 7:00 p.m.
At Roll Call, all Board members were present.

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.

During this agenda item, the following member of the public spoke:

Harold Walsh P O Box 747 Nipomo, - commented about his land near the sewer facility.

Pursuant to the Special Meeting requirements of the Brown Act, the following item has been added to the August 18, 1999 agenda.

ITEM 2 A

SUMMIT STATION WATER ISSUES (LIMITED DISCUSSION)

District Legal Counsel described how a Special Meeting is called. Because of the litigation in process, the Board can take Public Comment but is directed at the end of the comments, to prepare answers for a future time.

During this agenda item, the following members of the public spoke regarding low pressure in the Summit Station area and the need for the Board to take action:

Wilbur Swanson, 1250 Futura Lane
Cynthia Osterhout, 1337 N. Frontage
Mary Holder, 234 Summit Station Rd.
Tim Baird, 271 Summit Station Rd.
Harold Walsh, P O Box 747
Maudie Jenkins, 1250 Futura Lane

During this agenda item, the following members of the public spoke regarding high water bills in the Summit Station area and the need for the Board to take action:

Morales, 230 Summit Station Rd.
Jim Gray, 145 Poppy Lane

Director Kaye asked that the petition read by Mr. Swanson be entered into the minutes and is attached as Exhibit A. Mr. Swanson (the second member of the public to speak) read the petition after giving a copy to the members of the Board.

Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously decided to get proposals from independent engineers with a hydrological background to evaluate the Summit Station area.

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

3. FOLKERTS OAKS SEWERS

Review the connection of Folkerts Oaks to the District sewer system and connection fees

Mr. Jones explained that the Folkerts Oaks Subdivision community septic system is ready to be connected to the District sewer system. Jon Seitz told the Board of an addition to the resolution. In the 6th WHEREAS, add "when it".

During this agenda item, the following member of the public spoke:

Ken Crater, representative of the Folkerts Oaks Homeowners Association.

Upon motion of Director Simon and seconded by Director Mobraaten, the Board unanimously approved Resolution 99-706 with the correction.

RESOLUTION 99-706

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING THE
NIPOMO SEWER MAINTENANCE DISTRICT 76-1 (FOLKERTS OAKS) TO:**
1. CONNECT TO THE NIPOMO COMMUNITY SERVICE DISTRICT'S COMMUNITY-WIDE
WASTE WATER TREATMENT FACILITY AND COLLECTOR SYSTEM; AND
2. TRANSFER FUNDS TO PAY FOR NIPOMO COMMUNITY SERVICE DISTRICT'S
SEWER CAPACITY FEES AND CHARGES

4. REVIEW BOARD OF DIRECTORS BY-LAWS

Review Section 3, Preparation of Minutes, of the By-Laws

Mr. Jones stated this item was placed on the agenda at the request of Director Kaye pursuant to District By-Laws.

Upon motion of Director Mendoza and seconded by Director Simon, the Board decided to have a Study Session to review the Board By-Laws. President Blair appointed Director Mendoza and Director Simon to be the committee to study the by-laws before the Study Session is held.

During this agenda item, the following member of the public spoke:

Georgina Aukema, General Manager of California Valley Community Services District
spoke briefly about this item.

5. CSDA BY-LAWS AMENDMENTS

Review and vote on the proposed amendments of the Calif Special Dist. Assoc. By-Laws

Pages 2 and 4 were missing from the packet. Secretary was directed to send those pages to the Board members. Board members will return ballots to the office. Mr. Jones will tally the results and send to CSDA before the September 15, 1999 deadline. There were no public comments.

6. **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 August 4, 1999 Regular Board meeting.

There were no public comments. Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously approved the Minutes of the August 4, 1999 Regular Board meeting.

7. CANCELLATION OF BOARD OF DIRECTORS MEETING

Consideration to cancel Sept. 1, 1999 Board meeting

Mr. Jones reported that there were no items which needed action by the September 1, 1999 regular meeting and suggested that it be canceled. There were no public comments. Upon motion of Director Mendoza and seconded by Director Kaye, the Board unanimously approved to cancel the September 1, 1999 Regular Board meeting unless an item needs immediate attention and a meeting will be called.

FINANCIAL REPORT

8. APPROVAL OF WARRANTS

There were no public comments. Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously approved the Warrants presented at the August 18, 1999 meeting.

OTHER BUSINESS

9. MANAGER'S REPORT

Manager Doug Jones presented information on the following:

1. NIPOMO PRIDE - CLEANUP EVENT

The Board directed this item to be placed on the next agenda.

During this agenda item, the following member of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo

2. LONG'S DRUG STORE DEVELOPMENT

3. 1999 UPDATE SOUTH COUNTY AIR QUALITY PROGRAM

President Blair will be a committee of one to attend the meeting Thursday.

10. DIRECTORS COMMENTS

Directors Kaye and Blair commented.

District Legal Counsel, Jon Seitz, announced the need to go into Closed Session concerning the matters below.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9 (a) & (b)

a. SMVWCD vs NCSD 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

b. NCSD vs. STATE DEPT OF HEALTH SERVICES CV 990706

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

ADJOURN

President Blair adjourned the meeting at 9:50 p.m.