

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

OCTOBER 6, 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

Vice President Kaye called the meeting to order and led the flag salute because President Blair had not arrived.

At Roll Call the following Board members were present: Vice President Kaye, Directors Simon, Mendoza and Mobraaten. President Blair arrived at 7:25 pm.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

Vice President Kaye asked for Public Comments. There were none.

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

3. SAN LUIS BAY APARTMENTS - INTENT-TO-SERVE (APN 092-130-046)

Request for service for a 120 unit apartment complex at Blume & Grande Ave.

A letter was received from Davis & Company requesting this matter to be re-scheduled. There were no public comments. Upon motion of Director Mendoza and seconded by Director Simon, the Board unanimously decided to continue this matter to a future meeting.

4. CALIMEX PLACE - INTENT-TO-SERVE (CO 94-131) MARQUEZ

Request for water service for a two way lot split on Calimex Place

A request was received from Joe Marquez for service for a lot split on Calimex Place (CO 94-131). There were no public comments. Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board approved the Intent-to-Serve letter with conditions. Vote was 3-1 with Director Kaye dissenting.

5. PROTEST OF DISTRICT PRIVATE FIRE FEES

Developers of La Placita Plaza protests the basis of establishing private fire service fees

The developers of La Placita Plaza wrote a letter of protest for the District's capacity fees associated with private fire service.

Rudy Stowell, agent for Andy Castellanos, the developer - stated his protest of the fire service fee.

District Counsel Jon Seitz explained the appeal procedures. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously denied the protest without prejudice.

6. ENGINEERING SERVICES

Review engineering services to evaluate Summit Station water system

Proposals were received from Boyle Engineering, Cannon Associates and North Coast Engineering, Inc. to perform the evaluation of the Summit Station water system

During this agenda item, the following members of the public spoke both asking to be a part of the process of selecting the engineer.

Maudie Jenkins, 1250 Futura Lane, Nipomo

Mary Holder, 234 Summit Station, Nipomo

President Blair appointed Directors Mendoza and Simon to the sub-committee to review the engineers' proposals and report back to the Board with a recommendation at the October 20, 1999 meeting.

7. **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 September 15, 1999 Regular Board meeting.
- b) WARRANTS (APPROVE)
- c) BOARD OF DIRECTORS BY-LAWS (APPROVE)
Review and adopt amendments to Sections 3.3 and 8 of the By-Laws, Res. No. 99-710
RESOLUTION NO. 99-710

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT REVISING BOARD BYLAWS**

Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved all items on the Consent Agenda.

OTHER BUSINESS

8. MANAGER'S REPORT

Manager, Doug Jones, presented information on the following:

- 1. CSDA Conference
Directors Mendoza and Blair also commented on this conference
- 2. CORRESPONDENCE ON DANA ADOBE PLANNING MEETING
- 3. NIPOMO GROUNDWATER LITIGATION INFORMATION

9. DIRECTORS COMMENTS

Director Kaye commented on the recent odor at the sewer treatment facility, fire hydrant use in Summit Station area, on October 4th, Chamber of Commerce meeting Sept 22 and the NAAC meeting held, Sept. 22nd.

Director Mobraaten commented on the Air Pollution Workshop, October 5th.
President Blair commented on the Board of Supervisors meeting October 5th.

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 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
- b. NCSO 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 8:55 pm.