

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

OCTOBER 20, 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.

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

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

Vice President Kaye opened the meeting to Public Comments.

There were none.

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

3. SOUTHLAND SEWER REIMBURSEMENT - PUBLIC HEARING

Review and adoption of reimbursement cost spread to properties benefiting from sewer line improvements (Res. 99-711)

A cost spread was developed from information provided by Mr. Robert Newdollar for the Honey Grove Lane project. Those property owners who can benefit from the sewer line constructed from Frontage Rd. to Honey Grove Lane will pay a reimbursement to Mr. Newdollar (the developer) when or if their property is connected to the sewer line within the next ten years. No written protests were received.

Vice-President Kaye opened the Public Hearing.

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

Steward Hizley, 588 Southland, Nipomo - Asked about properties on south side of Southland. He was told that the area is outside the District and if it were annexed to the District, the spread would be revisited.

Upon motion of Director Mendoza and seconded by Director Simon, the Board unanimously approved Resolution 99-711. Vote 4-0

RESOLUTION 99-711

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE REIMBURSEMENT AMOUNTS FOR SOUTHLAND SEWER LINE IMPROVEMENTS (NEWDOLL)**

4. REQUEST TO MAINTAIN OPEN SPACE - TRACT 2331 (WITTSTROM)

Developer of Tract 2331 requests the District own and maintain the open space of Tract 2331

Mr. Karl Wittstrom, developer of Tract 2331, has requested that the District hold title to the open space, maintain equestrian and bicycle trails on the open space and set a "Zone of Benefit" to acquire the funds to maintain the open space and recreational program.

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

Karl Wittstrom, Paso Robles - repeated request

Mary Caldwell, 110 Dawn Rd., Nipomo - Open Space Committee member spoke in favor of open space.

Upon motion of Director Simon and seconded by Director Mobraaten, the Board unanimously agreed to direct staff to investigate latent powers involving recreation and bring back to the November 17, 1999 regular meeting. Director Mendoza will try to attend Open Space meeting Wed. Oct. 27 at 12:30 pm at the Nipomo Library.

5. SAN LUIS BAY APARTMENTS - INTENT-TO-SERVE- D 99-0051 D
Request for service for a 120-unit apartment complex at Blume St. & Grande Ave.
A request for an Intent-to-Serve letter for a 120-unit apartment complex was received.
During this agenda item, the following member of the public spoke:
Dwight Long, developer - Confirmed the continuance date.
Upon motion of Director Kaye, seconded by Director Simon, the Board unanimously approved to continue this item until the Nov. 17 meeting when a full Board would be present. Vote 4-0
6. ENGINEERING SERVICES - SUMMIT STATION
Recommendation from Board committee for engineering services to evaluate Summit Station water system.
Directors Simon and Mendoza reported on the sub-committee meeting and recommended the proposal from Boyle Engineers to evaluate the water system at the Summit Station area be accepted with approval of the contract. There were no public comments. A motion was made by Director Mendoza and seconded by Director Simon, the Board approved the proposal from Boyle Engineers. Vote 3-1 with Director Kaye dissenting.
7. REQUEST FOR SERVICE CO-99-0243 (SOTO)
Request for water & sewer service for a two-parcel lot split on W. Tefft St.
A request was received from Mr. Fred Soto for an Intent-to-Serve letter for a two-parcel lot split on W. Tefft St. There were no public comments. Upon motion of Director Simon and seconded by Director Mendoza, the Board approved to issue an Intent-to-Serve letter with the conditions as outlined in the Board letter. Vote 3-1 with Director Kaye dissenting.
8. **CONSENT AGENDA**
 - a) Quarterly Financial Statement (Receive and file)
 - b) Quarterly Investment Report (Receive and file)
 - c) WARRANTS (APPROVE)
 - d) BOARD MEETING MINUTES (APPROVE)
Approval of minutes of the October 6, 1999 Regular Board meeting
 - e) Accept water improvements on Sandydale-CO 98-0028 (Buckler) Res. 99-712 (APPROVE)
RESOLUTION 99-712
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING WATER IMPROVEMENTS FOR PARCEL MAP CO 99-0028 (BUCKLER)
There were no public comments.
Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved the items on the Consent Agenda. Vote 4-0

OTHER BUSINESS

9. MANAGER'S REPORT
General Manager, Doug Jones, presented information on the following:
 1. CSDA Committee volunteer
 2. Incident Report
 3. Area Planning Commission - Wheeler Correspondence
 4. Termites have been located in the office building.
10. DIRECTORS COMMENTS -There were no comments from the Board.

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
 - c. NCSD vs. Shell Oil, et. al. Case No. CV 077387

The Board came back into Open Session. The Board directed staff to hire an expert in the case of NCSD vs. the State Department of Health Services.

ADJOURN

Vice-President Kaye adjourned the meeting at 8:35 p.m.