

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

JULY 3, 2002

REGULAR MEETING 9:00 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

RICHARD MOBRAATEN, PRESIDENT
MICHAEL WINN, VICE PRESIDENT
ROBERT BLAIR, DIRECTOR
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SEC. TO THE BOARD
JON SEITZ, GENERAL COUNSEL

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

- A. CALL TO ORDER AND FLAG SALUTE NEXT RESOLUTION 2002-823
B. ROLL CALL NEXT ORDINANCE 2002-94

C. PUBLIC COMMENTS PERIOD
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.

- D. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)
- D-1) REQUEST FOR SERVICE – TRACT 2375 - HERNANDEZ
Request for water & sewer service for Tract 2375, a 23-lot development at Orchard & Grande
 - D-2) CANDIDATE STATEMENT – ELECTION CODE §13307
Review regulations for printing Board of Directors candidate statements for the Nov. 2002 election

E. OTHER BUSINESS

- E-1) TEFFT STREET WATER LINE PROJECT
Award bid to construct the Tefft Street Water Line – Pomeroy Road to Thompson Street
- E-2) ACCEPT SEWER LINE EASEMENTS - TRACT 2412
Resolution accepting sewer line easements through Tract 2412 – Nipomo Business Center

- F. 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.*

- F-1) WARRANTS [RECOMMEND APPROVAL]
- F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of June 19, 2002, Regular Board meeting

G. MANAGER'S REPORT

G-1)

H. COMMITTEE REPORTS

I. DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

- A. SMVWCD VS NCSD SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
- B. SAVE THE MESA VS. NCSD CV 020181
- C. ANTICIPATED LITIGATION, ONE CASE

CONFERENCE WITH NEGOTIATOR GC§54956.8

- D. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR - DOUG JONES,
COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE. POSSIBLE LITIGATION INITIATION GC§54956.9

ADJOURN

The next regular Board Meeting will be held on July 17, 2002, at 9:00 a.m.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 3, 2002

**AGENDA ITEM
D-1
JULY 3, 2002**

REQUEST FOR SERVICE
TRACT 2375
HERNANDEZ

ITEM

Request for water & sewer services for Tract 2375, a 23-lot development at Orchard and Grande

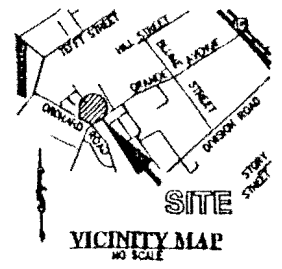
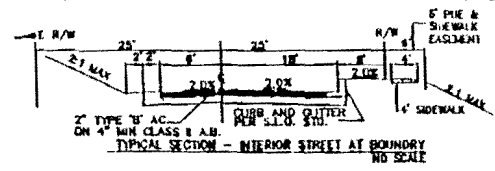
BACKGROUND

The District has received a request form Mr. Hernandez of the Orchard Development Company, for an Intent-to-Serve letter for water and sewer service to Tract 2375, consisting of 23 lots at the corner of Orchard and Grande. Your Honorable Board may grant an Intent-to-Serve letter with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following:
 - a. Reproducible "As Built" - A mylar copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board issue an Intent-to-Serve letter for water and sewer service for Tract 2375 with the above mentioned conditions.



LEGEND
 PAD ELEVATION _____ ①
 LOT NUMBER _____ ④18②

OWNER'S STATEMENT

I HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS PLAT AND STATE THAT I AM THE LEGAL OWNER OF SAID PROPERTY OR THE AUTHORIZED AGENT OF THE LEGAL OWNER AND THAT THE INFORMATION SHOWN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WESTLAND ENGINEERING COMPANY
 75 ZACA LANE, SUITE 100, SAN LUIS OBISPO, CA 93401
 (805)-541-2384

SECOND OWNERS, MR. & MRS. DELFINO M. HERNANDEZ
 836 BARKWOOD DRIVE
 SANTA MARIA, CA 93454

ENGINEER'S STATEMENT

I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIED WITH THE LOT DIVISION ORDINANCE OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

TRENACE K. ORTON, P.E. 21807, EXPIRES 9-30-2001
 WESTLAND ENGINEERING COMPANY
 75 ZACA LANE, SUITE 100, SAN LUIS OBISPO, CA 93401
 (805)-541-2384

APN 002-130-064
 APN 002-130-072
 APN 002-130-073

**TRACT 2375
 VESTING TENTATIVE MAP**

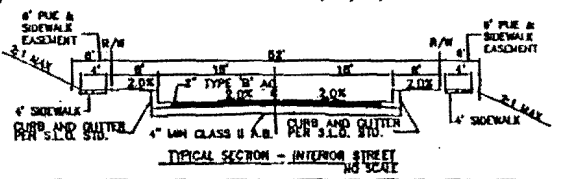
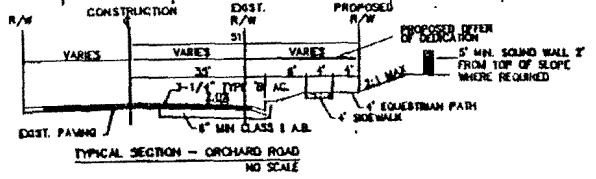
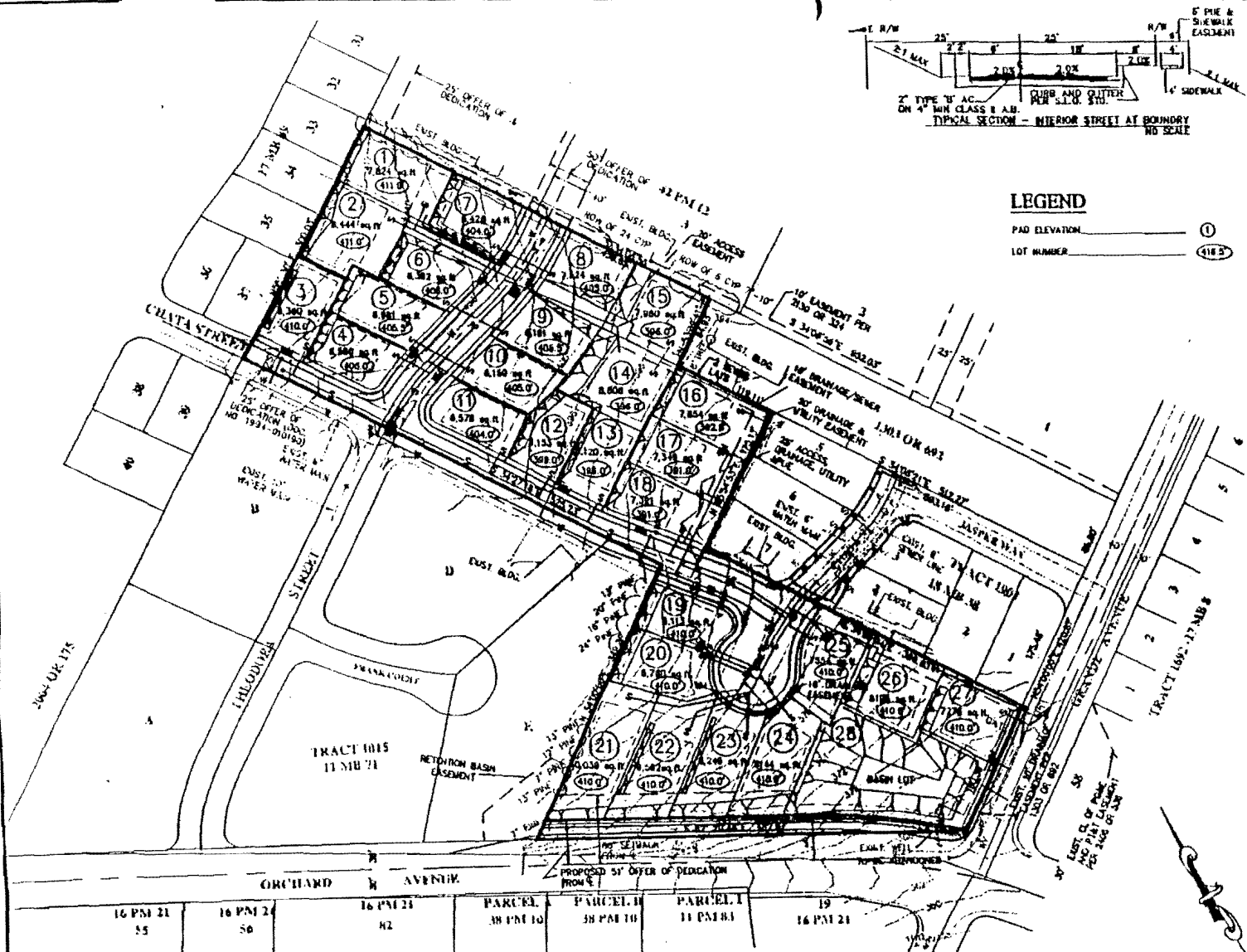
BEING PORTIONS OF PARCELS 1, 2, & 3 OF O.C.M. 84-014 BEING A PORTION OF LOT 4 OF MESA GRANDE TRACT PER A MAP TO IT 080-01 IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

PREPARED FOR:
 DELFINO HERNANDEZ

PREPARED BY:
 WESTLAND ENGINEERING COMPANY

75 ZACA LANE, SUITE 100
 SAN LUIS OBISPO, CALIFORNIA 93401
 (805) 541-2384

JANUARY 2000 JOB NO. 00-068
 SHEET 1 OF 2



June 17, 2002

NCS
148 S. WILSON ST.
NIPOMO, CA 93444

Subject: Water and Sewer for Orchard Hills Home's

NCS:

Tract 2375 consisting of 23 lots is located on the corner of Orchard Rd and Grande Ave. in Nipomo. Westland Eng. has prepared all maps and has worked with County for all requirements. The tract is in the final stages of development.

The development and owner of property is Orchard Development Company (ODC) PO Box 8212, Santa Maria, CA 93456. The ODC respectfully request water and sewer service for the tract.

As part of the development plan ODC has applied and received the allotment for 3 houses, and have submitted 3 plans to the County Building Department for permits. As soon as the tract is approved and recorded, the ODC will apply for 10 more allotments.

Site improvement will begin upon County approval of improvement maps. The ODC will begin the construction of 3 houses in conjunction with site improvement work. More houses will be built as soon as the present system allows.

If you have any questions about tract, contact Carl Wade 805-929-1528.

Thank you,


Orchard Development Co.
Delfino Hernandez

C.C.

West Land Eng.
Attn: Pam Jardini

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 3, 2002

AGENDA ITEM
D-2
JULY 3, 2002

CANDIDATES STATEMENTS
ELECTION CODE §13307

ITEM

Review regulations for printing of candidate statements for the Board of Directors for the upcoming election

BACKGROUND

The SLO County Elections Office has requested whether the District or the candidate will pay for the candidates' statements for the upcoming election. Historically, the Board has indicated that any candidate statement is to be paid by the candidate and not the ratepayers of the District.

RECOMMENDATION

Based on this background, a resolution has been prepared adopting regulations pertaining to candidates' statements for your Honorable Board's consideration.

Board 2002/Election.DOC

RESOLUTION NO. 2002-Election

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING REGULATIONS PERTAINING TO CANDIDATES STATEMENTS
SUBMITTED TO THE VOTERS FOR THE DISTRICT'S GENERAL ELECTION
TO BE HELD ON TUESDAY, NOVEMBER 5, 2002

WHEREAS, §13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a District Election, including costs of the candidates statement.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS

Each candidate for elective office to be voted for at the Election to be held by the Nipomo Community Services District on November 5, 2002, may prepare a candidate's statement of no more than 200 words pursuant to the provisions of Section 13307 of the Elections Code.

SECTION 2. PAYMENT

- (A) The candidate shall pay the cost of printing the candidates statement in English.
- (B) The candidate shall pay the cost of translating the candidate's statement into Spanish pursuant to State and/or Federal law.
- (C) The candidate shall pay the cost of printing the candidate's statement in Spanish.

On the motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors _____
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 3rd day of July 2002.

Richard Mobraaten, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

ELECTIONS CODE

13307. (a) (1) Each candidate for nonpartisan elective office in any local agency, including any city, county, city and county, or district, may prepare a candidate's statement on an appropriate form provided by the elections official. The statement may include the name, age and occupation of the candidate and a brief description, of no more than 200 words, of the candidate's education and qualifications expressed by the candidate himself or herself. However, the governing body of the local agency may authorize an increase in the limitations on words for the statement from 200 to 400 words. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations.

(2) The statement authorized by this subdivision shall be filed in the office of the elections official when the candidate's nomination papers are returned for filing, if it is for a primary election, or for an election for offices for which there is no primary. The statement shall be filed in the office of the elections official no later than the 88th day before the election, if it is for an election for which nomination papers are not required to be filed. If a runoff election or general election occurs within 88 days of the primary or first election, the statement shall be filed with the elections official by the third day following the governing body's declaration of the results from the primary or first election.

(3) Except as provided in Section 13309, the statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period.

(b) The elections official shall send to each voter, together with the sample ballot, a voter's pamphlet which contains the written statements of each candidate that is prepared pursuant to this section. The statement of each candidate shall be printed in type of uniform size and darkness, and with uniform spacing. The elections official shall provide a Spanish translation to those candidates who wish to have one, and shall select a person to provide that translation from the list of approved Spanish language translators and interpreters of the superior court of the county or from an institution accredited by the Western Association of Schools and Colleges.

(c) The local agency may estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the federal Voting Rights Act of 1965, as amended. The local agency may require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the receipt for the payment shall include a written notice that the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the elections official is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the elections official may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the elections official shall prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election.

(d) Nothing in this section shall be deemed to make any statement or the authors thereof free or exempt from any civil or criminal action or penalty because of any false, slanderous, or libelous statements offered for printing or contained in the voter's pamphlet.

(e) Before the nominating period opens, the local agency for that election shall determine whether a charge shall be levied against that candidate for the candidate's statement sent to each voter. This decision shall not be revoked or modified after the seventh day prior to the opening of the nominating period. A written statement of the regulations with respect to charges for handling, packaging, and mailing shall be provided to each candidate or his or her representative at the time he or she picks up the nomination papers.

(f) For purposes of this section and Section 13310, the board of supervisors shall be deemed the governing body of judicial elections.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 3, 2002

**AGENDA ITEM
E-1
JULY 3, 2002**

TEFFT STREET WATER LINE PROJECT

ITEM

Award bid for the Tefft Street Water Line Project

BACKGROUND

Your Honorable Board authorized Garing, Taylor & Associates to design a new water line in Tefft Street from the Nipomo Regional Park area to Thompson Avenue to increase east-west water supply of the District. The design has been completed and the project has been put out to bid. The bid opening was April 11, 2002 at 2:00 p.m. The following bids were received.

1.	WHITAKER CONTRACTORS INC	\$613,830.50
2.	R BAKER	\$668,262.75
3.	ENGINEERED PLUMBING	\$768,299.00
4.	CEDRO	\$775,426.61
5.	JOHN MADONNA	\$799,430.75
6.	SOUZA	\$799,935.00
7.	BURKE	\$812,138.05
8.	MADONNA CONST	\$814,934.00
9.	R SIMONS	\$829,054.00
10.	TIERRA CONTRACTING	\$866,760.00
11.	SPECIALTY CONSTRUCTION	\$874,336.75
12.	TLC	\$878,371.50
13.	MGE UNDERGROUND	\$951,280.75
14.	MJ ROSS	\$974,735.00

The engineer's estimate was \$829,653.00. After bid opening, the apparent lowest responsible bidder is WHITAKER CONTRACTORS INC. This project is budgeted for \$1,114,000, which includes engineering, survey, construction and inspection.

The District anticipates that the Cal Trans encroachment permit will be issued July 1, 2002.

RECOMMENDATION

It is recommended that your Honorable Board *award* the Tefft Street Water Line Project to WHITAKER CONTRACTORS INC in the amount of \$613,830.50, conditional upon receipt of Cal Trans permit. After the contract documents are executed and proof of insurance is submitted to the District, a Notice to Proceed will be sent to the contractor.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2002-Award**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AWARDING THE CONTRACT TO WHITAKER CONTRACTORS, INC.
FOR CONSTRUCTION OF A WATER LINE IN TEFFT STREET**

WHEREAS, the Board of Directors of the Nipomo Community Services District ("DISTRICT") is desirous to construct new water lines associated with the District's Water and Sewer Master Plan; and

WHEREAS, the DISTRICT has requested bids to construct the Tefft Street water line and said bids were opened April 11, 2002, at 2:00 p.m.; and

WHEREAS, fourteen (14) bids were received and the apparent responsive and reliable low bid for the water line was from Whitaker Contractors, Inc. in the amount of \$613,830.50; and

WHEREAS, a Negative Declaration was prepared for this project pursuant to the provisions of CEQA.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

- 1) Finds that the District has complied with CEQA Guidelines in adopting a Negative Declaration
- 2) Finds the Staff Report to be in order and attached hereto
- 3) The contract for construction of the water line be awarded to Whitaker Contractors, Inc. in the amount of \$613,830.50
- 4) The President is instructed to execute the contract in behalf of the District.

Upon the motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: _____ Directors

NOES: _____

ABSTAIN: _____

ABSENT: _____

the foregoing resolution is hereby adopted this 3rd day of July 2002.

Richard Mobraaten, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 3, 2002

**AGENDA ITEM
E-2
JULY 3, 2002**

**ACCEPT SEWER LINE EASEMENTS
TRACT 2412**

ITEM

Resolution accepting sewer line easements through Tract 2412 – Nipomo Business Center

BACKGROUND

The developers of Tract 2412, the Nipomo Business Center located at the intersection of South Frontage Road and Story Street, are constructing a sewer line through their project between Crystal Way and S. Frontage Rd. The developers are offering a utility easement so the District can maintain this sewer line, connecting the sewer lines between Crystal Way and South Frontage Rd. The District has received the easement agreement, which offers the 20-foot easement through lots 3, 7 and 14 of Tract 2412. Attached is a map showing the proposed easements.

RECOMMENDATION

Staff recommends that your Honorable Board approve Resolution 2002-easements accepting the utility easement and direct the President of the Board to sign the Easement Agreements.

Board 2002/Tr 2412 easement.DOC

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2002-Easement**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING UTILITY EASEMENT FOR TRACT 2412**

WHEREAS, the developer of Tract 2412 desires to offer sewer utility easements to Nipomo Community Services District; and

WHEREAS, the developer of Tract 2412 has executed and offered the sewer utility easements to the District; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Directors of the Nipomo Community Services District, as follows:

1. The Easement Grant Deed referenced below is accepted by the District and the General Manager is instructed to record the Deed.

A public easement 20 feet wide, along the southeasterly boundary of Lots 3, 7 and 14, as depicted on tract Map 2412, in the County of San Luis Obispo, State of California, according to Map filed in Book 20, page 26 of Maps, in the County Recorder's Office of said County.

2. Authorize the President of the Board to execute said Easement Agreement.

Upon motion of Director _____ seconded by Director _____ on the following roll call vote, to wit:

AYES: Directors

NOES:

ABSENT:

ABSTAIN:

the foregoing resolution is hereby passed and adopted this 3rd day of July, 2002.

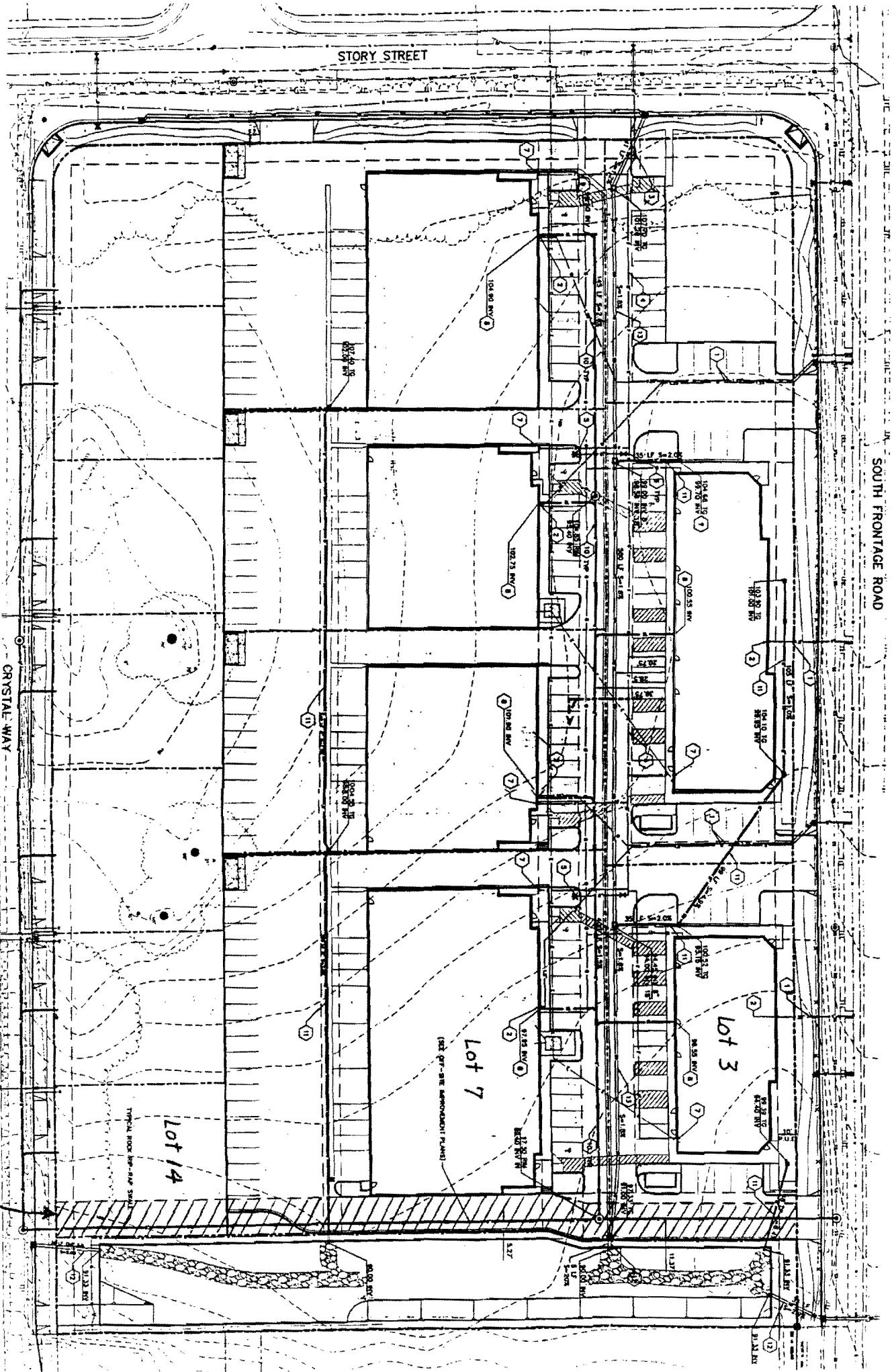
RICHARD MOBRAATEN
President of the Board
Nipomo Community Services District

ATTEST:

APPROVED:

DONNA K. JOHNSON
Secretary to the Board

JON S. SEITZ
District Legal Counsel



STORY STREET

SOUTH FRONTAGE ROAD

CRYSTAL WAY

TRACT 2412

20' Utility Easement

Lot 14

Lot 7

Lot 3

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 3, 2002

AGENDA ITEM
F
JULY 3, 2002

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.

- F-1) WARRANTS [RECOMMEND APPROVAL]
- F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of June 19, 2002, Regular Board meeting

WARRANTS JUNE 19, 2002

**AGENDA ITEM
F-1
JUNE 19, 2002**

HAND WRITTEN CHECKS

18535	06/25/02	PETTY CASH	73.66
18536	06/25/02	SLO COUNTY CLERK	14.00
18537	06/26/02	R MOBRAATEN	50.00
18538	06/26/02	M WINN	50.00

COMPUTER GENERATED CHECKS

VOID
7030

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
7045	06/21/02	EMP01	EMPLOYMENT DEVELOP DEPT	331.17	.00	331.17	A20617	STATE INCOME TAX
7046	06/21/02	MID01	MIDSTATE BANK-PR TAX DEP	1401.41 375.54	.00 .00	1401.41 375.54	A20617 1A20617	FEDERAL INCOME TAX MEDICARE (FICA)
Check Total.....:				1776.95	.00	1776.95		
7047	06/21/02	MID02	MIDSTATE BANK - DIRECT DP	11349.83	.00	11349.83	A20617	NET PAY DEDUCTION
7048	06/21/02	PER01	PERS RETIREMENT	950.89	.00	950.89	A20617	PERS PAYROLL REMITTANCE
7049	06/21/02	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A20617	WAGE ASSIGNMENT
7050	06/21/02	STA01	STATE STREET GLOBAL	935.00	.00	935.00	A20617	DEFERRED COMP
7051	06/28/02	EMP01	EMPLOYMENT DEVELOP DEPT	263.60	.00	263.60	A20628	STATE INCOME TAX
7052	06/28/02	MID01	MIDSTATE BANK-PR TAX DEP	1230.83 163.62	.00 .00	1230.83 163.62	A20628 1A20628	FEDERAL INCOME TAX MEDICARE (FICA)
Check Total.....:				1394.45	.00	1394.45		
7053	06/28/02	PER01	PERS RETIREMENT	98.67	.00	98.67	A20628	PERS PAYROLL REMITTANCE
7054	06/28/02	STA01	STATE STREET GLOBAL	200.00	.00	200.00	A20628	DEFERRED COMP
7055	07/03/02	ADV01	ADVANTAGE ANSWERING PLUS	79.95	.00	79.95	45336	ANSWERING SERVICE
7056	07/03/02	BLA01	BLAIR, ROBERT L	50.00	.00	50.00	061402	SUB COMMITTEE MEETING-HIG
7057	07/03/02	CHA02	CHARTER COMMUNICATIONS	54.90	.00	54.90	070102	INTERNET PROVIDER
7058	07/03/02	COR01	CORBIN WILLITS SYSTEMS	545.48	.00	545.48	A206151	ENHANCEMENT & SERVICE FEE
7059	07/03/02	CRE01	CREEK ENVIRONMENTAL LABS	30.00 30.00 25.00 30.00 30.00 30.00 30.00	.00 .00 .00 .00 .00 .00 .00	30.00 30.00 25.00 30.00 30.00 30.00 30.00	J2132 J2168 J2169 J2255 J2285 J2343 J2370	BL WWTP LAB BL WWTP LAB TRACT 2182 LAB BL WWTP LAB BL WWTP LAB BL WWTP LAB BL WWTP LAB
Check Total.....:				205.00	.00	205.00		
7060	07/03/02	CUL02	CULLIGAN WATER CONDITION	26.30	.00	26.30	361030-06	DELIVERY
7061	07/03/02	DEW01	J B DEWAR INC	83.69	.00	83.69	69333	DEEP WELL PUMP OIL
7062	07/03/02	DUV01	DUVALL CONTRACTORS	2650.00	.00	2650.00	2099	ROOF REPAIR VENTING OF RI
7063	07/03/02	EME01	EMEDCO SIGN & SOLUTIONS	132.13	.00	132.13	472696-00	MISC WELL SUPPLIES
7064	07/03/02	FGL01	FGL ENVIRONMENTAL	44.80 44.80	.00 .00	44.80 44.80	205509 205510	BL WWTP LAB NIPOMO WWTP LAB
Check Total.....:				89.60	.00	89.60		

COMPUTER GENERATED CHECKS

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
7065	07/03/02	FIR01	FIRST AMERICAN REAL EST	101.14	.00	101.14	10607093	APN MAPS
7066	07/03/02	GIL01	GLM	90.00	.00	90.00	34004-05	LANDSCAPE MAINT BL
7067	07/03/02	GWA01	GWA INC	25.00	.00	25.00	070102	FIRE ALARM
7068	07/03/02	IKO01	IKON OFFICE SOLUTIONS	47.20	.00	47.20	16693510	COPIER MAINT
7069	07/03/02	MCC01	MCCROMETER	590.24	.00	590.24	238897 R1	3" METER REPAIR
7070	07/03/02	MID03	MIDSTATE BANK MASTERCARD	244.09	.00	244.09	071502	COMPUTER TRAINING & PARTS
7071	07/03/02	MOB01	MOBRAATEN, RICHARD	50.00 100.00	.00 .00	50.00 100.00	061402 070302	SUB COMMITTEE MEETING-HIG REG BD MEETING
			Check Total.....:	150.00	.00	150.00		
7072	07/03/02	NEX01	NEXTEL COMMUNICATIONS	132.41	.00	132.41	061702	CELL PHONES
7073	07/03/02	NIP06	NIPOMO AUTO PARTS	39.80	.00	39.80	211751	MISC PARTS
7074	07/03/02	PAC01	PACBELL/WORLDCOM	6.18	.00	6.18	T0435634	3432397 Y16449-94
7075	07/03/02	PER02	PERS HEALTH BENEFITS	3835.95	.00	3835.95	1067-0702	HEALTH INSURANCE
7076	07/03/02	PGE01	P G & E	61949.78	.00	61949.78	062602	ELECTRICITY VBV SB 01391
7077	07/03/02	PRE01	PRECISION JANITORIAL	275.00	.00	275.00	103	JUNE JANITORIAL
7078	07/03/02	QUI03	QUINN RENTAL SERVICES	18.14	.00	18.14	2034637	MISC SUPPLIES
7079	07/03/02	RIC01	RICHARDS, WATSON, GERSHON	20435.33	.00	20435.33	121480	WATER RIGHTS ADJUDICATION
7079	07/03/02	RIC01	RICHARDS, WATSON, GERSHON	7939.89	.00	7939.89	121481	SAVE THE MESA
			Check Total.....:	28375.22	.00	28375.22		
7080	07/03/02	SAI01	SAIC	7606.37	.00	7606.37	399436-2	LITIGATION ON SMV GROUNDW
7081	07/03/02	SAN03	SANTA MARIA TOOL	166.72	.00	166.72	24068	EXHAUST MANIFOLD ETC
7082	07/03/02	SHI01	SHIPSEY & SEITZ, INC	5371.52	.00	5371.52	061502	LEGAL FEES
7083	07/03/02	SPE01	SPECIAL DISTRICT RISK	21816.54	.00	21816.54	070102	INSURANCE 7/1/02-6/30/03
7084	07/03/02	THE01	THE GAS COMPANY	24.91	.00	24.91	60949-602	OFFICE HEAT
7085	07/03/02	THE03	THE PERFORMANCE GROUP	120.12	.00	120.12	17084	POSTAL RATE CHIP
7086	07/03/02	VER01	VERIZON	29.39 28.67	.00 .00	29.39 28.67	3432397-6 3436061-6	BL PHONE BL PHONE
			Check Total.....:	58.06	.00	58.06		
7087	07/03/02	VIK01	VIKING OFFICE PRODUCTS	302.93	.00	302.93	721879	SCANNER
7088	07/03/02	WIN01	WINN, MICHAEL	100.00	.00	100.00	070302	REG BD MEETING
7089	07/03/02	WIR02	WIRSING, JUDY	100.00	.00	100.00	070302	REG BD MEETING
7090	07/03/02	XER01	XEROX CORPORATION	80.17	.00	80.17	89441023	COPIER MAINT

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JUNE 19, 2002

AGENDA ITEM

JUL 03 2002



REGULAR MEETING 9:00 A.M.
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

RICHARD MOBRAATEN, PRESIDENT
MICHAEL WINN, VICE PRESIDENT
ROBERT BLAIR, DIRECTOR
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SEC. TO THE BOARD
JON SEITZ, GENERAL COUNSEL

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

A. CALL TO ORDER AND FLAG SALUTE

President Mobraaten called the meeting to order at 9:01 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, Directors Trotter, Wirsing, Winn and Mobraaten were present. Director Blair was absent.

C. PUBLIC COMMENTS PERIOD

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.

There was no public comment.

D. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)

D-1) SUMMIT STATION PROPOSED ASSESSMENT DISTRICT

Review Straw vote on establishing an assessment District to finance a hydropneumatic pressure zone
The vote was 2 for and 42 against forming the assessment District

Deputy Legal Counsel, Mike Seitz, explained the procedure after the results of the Straw Poll vote came back against the proposed assessment District (The vote was 2 for and 42 against forming the assessment District). The homeowners with pad elevations above 425 feet will be notified, by certified mail, of the opportunity to participate in the Pressure Pump Rebate Program. Director Trotter asked that the Board members comments be added to the Minutes. *Director Trotter* wants to educate the SS high elev. area customers on the advisability of upgrading their pipeline from the meter to the house, which, in some cases, will eliminate the need for a booster pump.

Director Winn did not want the plumbing on the customer side of the meter to be NCSD's responsibility. The State's pressure requirement at the meter has been met, but the State is requiring the District to assist in providing greater pressure at the house.

Director Wirsing asked to change the time to apply from 90 days to 120 days.

Upon motion of Director Trotter and seconded by Director Winn, the Board unanimously agreed to amend the Rebate Program application to 425 ft, elevation, 120 days to submit application and six months to complete. Vote 4-0

Upon motion of Director Wirsing and seconded by Director Trotter, the Board agreed to modify the rebate program to include the opportunity to improve the water lines from the meter to the house. Vote 3-1 with Director Winn voting no. There was no public comment.

D-2) ANNEXATION FEES – ANNEX NO. 21 – TRACT 2325 (MARTIN)

Request for a District policy change of annexation fees - \$500/acre to \$500/lot

The Board heard information on the request from Tract 2325 for a policy change for annexation fees.

Jon Martin, developer of Tract 2325, asked the Board to consider changing the policy from \$500 per acre to \$500 per lot. The following members of the public spoke:

Ed Eby, District resident – concerned about possible litigation from developers who paid \$500 per acre in the past. Perhaps developer of Tract 2325 should be indemnified for possible suits in the future.

This item was tabled until a future meeting after the Annexation Committee reviewed documentation of open space usage provided by developer.

MINUTES SUBJECT TO BOARD APPROVAL

President Mobraaten skipped to Item E-1.

D-3) NIPOMO GROUNDWATER BASIN WATER QUALITY
Review potential water quality changes in the basin

This item was taken after E-1

The Board reviewed information presented. Director Trotter asked that a letter be sent to SLO County requesting a change in their specifications for wells to include a seal to protect the groundwater from being contaminated by the vertical movement of undesirable water.

Upon motion of Director Trotter and seconded by Director Winn, the Board unanimously agreed to have staff write a letter to WRAC. Vote 4-0

There was no public comment.

E. OTHER BUSINESS

E-1) FALL CLEAN UP WEEK – SOLID WASTE

Approval of a special Fall Garbage Clean-Up Week – September 16-20, 2002

This item was taken after D-2

Nick Cano, supervisor for the Nipomo Garbage, presented information to the Board concerning the September 16-20, 2002, Fall Clean Up Week. He agreed to let Tom Martin know that some wording needed to be changed on the flyer to be sent out. There was no public comment.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved funding for the Clean Up Week. Vote 4-0

F. 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.*

F-1) WARRANTS [RECOMMEND APPROVAL]

F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]

Minutes of June 5, 2002, Regular Board meeting

Minutes of June 12, 2002, Special Board meeting

There was no public comment. Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved the items on the Consent Agenda.

G. MANAGER'S REPORT

Doug Jones, General Manager, presented information on the following:

G-1) GOVERNING - ARTICLE ON STATE VS. LOCAL REVENUE

H. COMMITTEE REPORTS

Personnel Committee will be meeting to finalize the Personnel Manual.

I. DIRECTORS COMMENTS

Jon Seitz, Dist. Legal Counsel, announced the need to go into Closed Session to discuss Items B, C & D.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

A. SMVWCD VS NCSO SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.

B. SAVE THE MESA VS. NCSO CV 020181

C. ANTICIPATED LITIGATION, ONE CASE

CONFERENCE WITH NEGOTIATOR GC§54956.8

D. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR - DOUG JONES, COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE. POSSIBLE LITIGATION INITIATION GC§54956.9

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

ADJOURN

The next regular Board Meeting will be held on July 3, 2002, at 9:00 a.m.

MINUTES SUBJECT TO BOARD APPROVAL