

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

NOVEMBER 17, 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
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.

President Blair 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. REQUEST TO MAINTAIN OPEN SPACE - TRACT 2331 (WITTSTROM)
Request for the District to own and maintain open space

This item was postponed until the arrival of Ernie Del Rio from SLO County.
The request from the developer of Tract 2331 for the District to maintain open space and a trail system was reviewed. Several challenges in maintaining a trail system were presented to the Board.

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

Ernie Del Rio, San Luis Obispo County General Services Department - explained the procedures used by the County in maintaining the existing parks and trail systems.

Karl Wittstrom, Paso Robles, developer of Tract 2331 - explained his position with his tract and open space.

Mary Caldwell, 110 Dawn Rd., Nipomo - Open Space Committee member spoke in favor of open space, including a general overall plan for the Nipomo area.

Upon motion of Director Mendoza and seconded by Director Kaye, the Board unanimously decided to pursue the idea of the District involving itself in the recreational power that has been discussed and that we express to County authorities a willingness to contemplate and consider our involvement in such a plan. Vote 5-0.

4. REQUEST FOR SERVICE (INTENT-TO-SERVE)

- a) D 99-005 D (San Luis Bay Apartments) - Request for water & sewer service for a 120-unit apartment building at Blume and Grande Ave.

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

Mike Schulte, San Luis Bay Development - spoke in favor of the project

Upon motion of Director Simon and seconded by Director Mendoza, the Board approved the Intent-to-Serve letter improvements for Project D99-005D, a 120-unit apartment complex at Blume and Grande with the conditions as outlined in the Board letter as well as the additional verbiage:

- a. Reproducible "As Builts" - A paper copy and digital format disk (Auto Cad) which includes engineer, developer, tract no. and water/sewer.

Vote 4-1 with Director Kaye dissenting.

- b) Parcel Map CO 99-0293 (Grce) - Request for water service for a three (3) lot development on Story Street.

There were no public comments. Upon motion of Director Simon and seconded by Director Mobraaten, the Board approved the Intent-to-Serve letter for Parcel Map 99-0293, a three lot development on Story Street with the conditions as outlined in the Board letter as well as the additional verbiage:

- a. Reproducible "As Builts" - A paper copy and digital format disk (Auto Cad) which includes engineer, developer, tract no. and water/sewer.

Vote 4-1 with Director Kaye dissenting.

- c) Tract 2363-(Kelly) Request for water and sewer service for a 6 lot development at Daffodil & Camino Caballo

There were no public comments. Upon motion of Director Simon and seconded by Director Mendoza, the Board approved the Intent-to-Serve letter for Tract 2363, a 6 lot development at Daffodil and Camino Caballo with the conditions as outlined in the Board letter as well as the additional verbiage:

- a. Reproducible "As Builts" - A paper copy and digital format disk (Auto Cad) which includes engineer, developer, tract no. and water/sewer.

Vote 4-1 with Director Kaye dissenting.

5. ELECTRONIC MAIL (E-MAIL) POLICY

Review & adoption of an E-mail policy for the District

District Counsel, Jon Seitz, explained the reasons for the formation of the E-mail policy. There were no public comments. Upon motion of Director Kaye and seconded by Director Mobraaten, the Board unanimously approved Resolution 99-713. Vote 5-0.

RESOLUTION 99-713

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING ELECTRONIC MAIL/ INTERNET USE POLICY AND GUIDELINES**

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) WARRANTS (APPROVE)
- b) BOARD MEETING MINUTES (APPROVE)

Approval of minutes of the November 3, 1999 Regular Board meeting
There were no public comments. Upon motion of Director Kaye and seconded by Director Simon, the Board unanimously approved the items on the Consent Agenda.
Vote 5-0

OTHER BUSINESS

7. **MANAGER'S REPORT**

Manager Doug Jones presented information on the following:

- 1. Article on low-flush toilets

8. **DIRECTORS COMMENTS**

The following directors commented:

Director Kaye - re: Greenhouse Meeting, Monday, Advisory Council in the future and the next Chamber of Commerce meeting Dec. 15th will feature John Janeck of the Woodlands Project.

Jon Seitz told Board about committee forming in Templeton re: Planning of land use. More info will be coming soon.

Director Mobraaten - re: PB pipe repair at Ridge Rd.

Director Simon - re: Black Lake Highlands project

Director Mendoza - re: development on Nipomo Mesa

District Legal Counsel, Jon Seitz, announced the need to go into Closed Session concerning the matter 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

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

ADJOURN

President Blair adjourned the meeting at 8:40 p.m.