

NIPOMO COMMUNITY SERVICES DISTRICT

REGULAR MEETING - JUNE 5, 1991

BOARD PRESENT

David Manriquez  
Steven Small  
Kathleen Fairbanks  
Alex Mendoza  
Gordon Gracia

STAFF PRESENT

Art Shaw, General Counsel  
W. Ryder Ray, General Manager

CALL TO ORDER AND FLAG SALUTE

President Manriquez called the Regular Meeting to order and led the flag salute.

APPROVAL OF MINUTES

1. REGULAR MEETING - MAY 15, 1991  
On the motion of Director Fairbanks, seconded by Director Gracia the Board unanimously approved the minutes.

BOARD ADMINISTRATION

2. PUBLIC TO CONSIDER NIPOMO COMMUNITY SERVICES DISTRICT RESPONSIBILITY FOR THE SEWER SYSTEM FOR MONTECITO VERDE I AND II
  - A. STATEMENT BY NIPOMO COMMUNITY SERVICES DISTRICT BOARD AND/OR STAFF
  - B. STATEMENT BY SAN LUIS OBISPO COUNTY
  - C. OPEN PUBLIC HEARING FOR PUBLIC COMMENTS
  - D. CLOSE PUBLIC COMMENT PORTION OF HEARING
  - E. BOARD OF DIRECTORS DISCUSSION AND DECISION
  - F. ADJOURN PUBLIC HEARING

Manager Ray stated that the system is failing - there's approximately 2 to 3 feet of sewage which is plugging the lines. He felt that for about \$15,000 the septic system could be connected to the sewer. He further stated that the County would contribute \$7800, and mentioned that the District has a \$10,000 CD for the PSHH project.

However, there would be a \$3500 sewer connection fee. Ryder stated that if the Regional Board acts on a failing system it would have to be done immediately irregardless of the cost. At the present time the District would not have to pay 'any funds out of pocket'.

General Counsel Shaw informed the Board that the present agreement with the county has to be amended. He also stated that we don't want to form an assessment district with the County.

Director Fairbanks asked how payments would be made. Attorneys Shaw stated that if an A.D. was formed for 20 to 30 years it would be added to property taxes - which could possibly be 30 to 40% over cost.

Director Small inquired about the County dumping water from a new tract into their basin and he wanted to know if the terrain has been altered with this process. He also asked what is the definition of 'failed'?

Legal Counsel stated when there is raw sewage in an open area health related problems could surface.

Ryder also said that the final audit on the sewer system grant has to be completed before CSA I can annex to the District.

Director Manriquez wondered why the County stopped taking care of the area when they knew it might fail. (Someone said they did it on purpose).

Legal Counsel informed the Board that there are 4 groups involved - Home Owners', SLO County, Regional Board and the District.

Manager Ray suggested that perhaps opening up negotiations with Supervisor Ruth Brackett might help.

One of the homeowners in attendance asked if they should get a lawyer. He was told that at the present time it wouldn't help.

Director Small moved, seconded by Director Fairbanks to direct staff and legal counsel to prepare a resolution for the next meeting. Unanimously approved by the Board.

3. MANAGERS REPORT

Ryder mentioned that until Santa Barbara County has their election on June 4, 1991 for state water we should do nothing.

Also mentioned was the fact that P.S.H.H. would be closing their escrow the early part of June.

He then informed the Board that he would be on vacation until June 26, 1991. In the meantime they would get a copy of the budget so that when he came back they could meet to review it.

FINANCIAL MANAGEMENT

4. STATUS OF LOCAL AGENCY INVESTMENT FUND ACCOUNT  
Information only.

5. CLAIMS

On the motion of Director Small, seconded by Director Fairbanks to approve the claims, and also the Bank of America - 1966 Bond Issue - Final Payment. Unanimously approved by the Board.

LAND DEVELOPMENT

6. PEOPLES' SELF-HELP HOUSING PROJECT ORCHARD AND DIVISION  
Nothing new at this time.

OTHER BUSINESS

7. REQUEST FROM PEOPLES' SELF-HELP HOUSING TO USE NIPOMO COMMUNITY SERVICES DISTRICT BOARD ROOM THE WEEK OF 5-20-91 THRU 5-24-91 OR 5-27-91 THRU 5-31-91  
On the motion of Director Small, seconded by Director Gracia and unanimously approved by the Board to agree to the request from Peoples' Self-Help Housing.

8. CONSIDER CONTINUING \$4.00 CREDIT FOR SEWER SERVICES FOR 12 MONTHS  
On the motion of Director Fairbanks, seconded by Director Gracia to approve continuation of the \$4.00 Credit for another year. The Board unanimously approved.

9. DIRECTORS COMMENTS

10. PUBLIC COMMENTS

ADJOURN

NIPOMO COMMUNITY SERVICES DISTRICT

REGULAR MEETING - JUNE 5, 1991

BOARD PRESENT

David Manriquez  
Steven Small (late)  
Kathleen Fairbanks  
Alex Mendoza  
Gordon Gracia

STAFF PRESENT

Art Shaw, General Counsel  
W. Ryder Ray, General Manager

CALL TO ORDER AND FLAG SALUTE

President Manriquez called the Regular Meeting to order and led the flag salute.

APPROVAL OF MINUTES

1. REGULAR MEETING - MAY 15, 1991  
Minutes to be continued to the next meeting.

BOARD ADMINISTRATION

2. AN ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT REFERRING TO THE VOTERS THE FINAL DECISION RE DISTRICT PARTICIPATION IN THE STATE WATER PROJECT ELECTIONS CODE SECTION 5201  
FIRST READING

General Counsel Shaw read Ordinance No. 91-62. On the motion of Director Gracia, seconded by Director Fairbanks and on the following roll call vote, to wit:

Ayes: Directors Gracia, Fairbanks, Mendoza, Manriquez

Noes: None                                  Absent: Director Small

the ordinance was introduced.

3. RESOLUTION TO CONSOLIDATE STATE WATER PROJECT ELECTION WITH SAN LUIS OBISPO COUNTY

On the motion of Director Fairbanks, seconded by Director Gracia, Resolution No. 445, "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT REQUESTING THAT THE DISTRICT'S GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 1991, BE CONSOLIDATED WITH OTHER ELECTIONS TO BE HELD ON THE SAME DAY AND IN THE SAME TERRITORY" and on the following roll call vote:

Ayes: Directors Fairbanks, Gracia, Mendoza, Manriquez

Noes: None                                  Absent: Director Small

the resolution was adopted.

4. MANAGERS REPORT

Manager Ray reported that he had sent a letter to the Sheriffs' office suggesting that perhaps they might consider moving their office to Nipomo. The letter was then forwarded to the County General Services Department. The SLO Supervisors also received copies.

He also mentioned that the Augmentation Fund monies should be available about the 29th or 30th of the month.

Ryder also informed the Directors that the composite maps of the water and sewer lines were moving forward toward completion.

FINANCIAL MANAGEMENT

5. STATUS OF LOCAL AGENCY INVESTMENT FUND ACCOUNT

Ryder mentioned the letter received from Kathleen Brown, Treasurer of the State of California, informing all investors in the Local Agency Investment Fund that Section 16429.3 of the State Government Code specifically excludes these same deposits from impoundment or seizure by any State Agency of Official.

6. CLAIMS

On the motion of Director Gracia, seconded by Director Fairbanks the Board unanimously approved the claims.

LAND DEVELOPMENT

7. STATUS OF PEOPLES' SELF-HELP HOUSING PROJECT - ORCHARD AND DIVISION

Manager Ray will send a letter to the Escrow Company, per their request, stating the exact amount that has to be paid to the District for Tract 1898, PSHH.

The money should be available about the end of this month.

OTHER BUSINESS

8. AGREEMENT FOR WATER SYSTEM INTERCONNECTION FOR EMERGENCY PURPOSES ONLY. CALIFORNIA CITIES WATER COMPANY SUBMITTAL

To be continued to the next meeting.

9. WATER TANK SITE RENT ADJUSTMENT BEGINNING JUNE 15, 1991  
Information only. (Every five years the rate is readjusted).

10. AUDIT PROPOSAL FOR THE 1990-1991 FISCAL YEAR AUDIT

On the motion of Director Fairbanks, seconded by Director Mendoza the Board unanimously approved the selection of James L. Hayes, CPA to do the audit.

Ryder will write a letter to Carlos Reynosa who had also requested to do the audit. (Formerly with GBPB).

11. PROPOSAL TO UP-DATE THE 1984 SEWER SERVICE AGREEMENT WITH SAN LUIS OBISPO COUNTY

Legal Counsel Shaw stated that he would up-date the agreement to make sure that the District is reimbursed for their efforts.

Tract 1898 is going thru Galaxy Park on a separate force main in the road all the way to our gravity flow where the District will pick-up at the manholes.

President Manriquez stated that the District should not accept the responsibility for the system until it gets to our manholes.

Ryder stated that this is an expense we are paying for but the County must reimburse us.

Ryder plans to have a contractor in and out of the project in approximately 1 week.

12. OFFER OF DEDICATION - PARCEL MAP CO 89-149 (APN 92-135-06)

The project has been completed and the Offer of Dedication has been given to the District. On the motion of Director Fairbanks, seconded by Director Mendoza the Board unanimously approved.

On the motion of Director Fairbanks, seconded by Director Mendoza, Resolution No. 446, "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING THE WATER AND SEWER SYSTEM IMPROVEMENTS FOR APN 92-135-06, CO 89-149", and on the following roll call vote:

Ayes: Directors Fairbanks, Mendoza, Gracia, Manriquez

Noes: None

Absent: Small

the resolution was adopted.

13. PROPOSED 1991-92 BUDGET

On the motion of Director Fairbanks, seconded by Director Mendoza the Board unanimously approved a study session ( Noticed Meeting) to be held at 5:30 P.M. Tuesday, June 11, 1991 in the Regular Board Room.

14. CONSIDER COMPUTER PROGRAMS FOR UTILITY BILLING, GENERAL LEDGER AND ACCOUNTS, PAYABLES AND PAYROLL, AND HAND HELD COMPUTER

Taabs has been selected.

15. DIRECTORS COMMENTS

16. PUBLIC COMMENTS

One of the persons in attendance at the meeting asked when the sewer plant would have to be up-graded. Ryder informed him at 80% capacity plans would be needed. We still have room for new projects.

ADJOURN