

NIPOMO COMMUNITY SERVICES DISTRICT

REGULAR MEETING - JULY 15, 1992

BOARD PRESENT

David Manriquez
Steven Small
Alex Mendoza
Gordon Gracia

STAFF PRESENT

Art Shaw, General Counsel
Ryder Ray, General Manager

ABSENT

Kathleen Fairbanks

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 - JULY 1, 1992
Director Mendoza moved to approve the minutes.
Director Small seconded and unanimously approved.
2. STUDY SESSION - JULY 8, 1992
Director Mendoza moved to approve the minutes.
Seconded by Director Small and unanimously approved by the Board.

BOARD ADMINISTRATION

3. AN URGENCY ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING LIMITED WATER SERVICE OUTSIDE THE DISTRICT FOR THREE FIRE HYDRANTS ONLY FOR EMERGENCY FIRE PROTECTION USE FOR DANA ELEMENTARY SCHOOL SITE

Legal Counsel Shaw read the Ordinance and informed the Board Members that since it was an urgency ordinance it would take a 4/5's vote. Several changes were made in the ordinance.

Director Small moved, seconded by Director Gracia, and on the following roll call vote, to wit:

AYES: Directors Small, Gracia, Mendoza and Manriquez

NOES: None

ABSENT: Director Fairbanks

Ordinance No. 92-67 "AN URGENCY ORDINANCE OF THE NIPOMO COMMUNITY SERVICES DISTRICT AUTHORIZING LIMITED WATER SERVICE OUTSIDE THE DISTRICT FOR THREE FIRE HYDRANTS ONLY FOR EMERGENCY FIRE PROTECTION USE FOR DANA ELEMENTARY SCHOOL SITE", was adopted.

4. MANAGERS REPORT

Manager Ray reported to the Board that there is no talk taking place between the Governor and Willie Brown, and it looks like neither side wants to give in.

At the present time they appear to be hung up on the school budget. The current belief as noted in January is that the state is broke with no solution in site at this time.

Ryder told the Board that there were 12 bids for the construction of the 1.0 mg standpipe (reservoir) job.

At the present time Garing & Taylor are checking all of the bids in order to make certain that they conform to the actual bid requirements. The results will be available at the June 22, 1992 adjourned meeting.

Manager Ray also related to the Board that Scott Slater, Hatch and Parent, submitted an agreement for legal service to act as Special Water Counsel to the Nipomo Community Services District.

It was the consensus to bring this item back to the Board at the July 22, 1992 meeting.

At this time Mr. Shaw introduced Mr. Robert Bruce, Attorney, who is well versed in Annexation processes.

Mr. Booth spoke briefly to the Board and the audience.

FINANCIAL REPORT

5. STATUS OF LOCAL AGENCY INVESTMENT FUND ACCOUNT
No change.

6. CLAIMS
Director Small moved, seconded by Director Mendoza to approve the claims. Unanimously approved by the Board.

LAND DEVELOPMENT

7. PROJECT D910281D (AYYAR) PROPOSAL TO CONSTRUCT 8 DUPLEXES (16 UNITS) ON SOUTH OAK GLEN BETWEEN SOUZA AND GLORY STREET
Manager Ray will write a letter to the County on this project to make sure that it is the same plan as submitted.

OTHER BUSINESS

8. CONDENSER CPA FIRM TO PREPARE THE ANNUAL AUDIT AND FINANCIAL TRANSACTION STATEMENT FOR 1991-1992 FISCAL YEAR
Several proposals have been sent to the Board. It was the consensus to bring this item back to the July 22 meeting.
9. CONSIDER BID PROPOSALS OPENED JULY 14 FOR CONSTRUCTION OF THE 1.0 MG STANDPIPE (RESERVOIR)
Information only. Ryder said that he has Garing & Taylor checking all the proposals for accuracy, etc.
10. CONSIDER ADOPTION OF ANNEXATION LIST AS REVISED
Director Small moved, seconded by Director Gracia to adopt the 2 Annexation Lists in concept, with Ryder to make several changes. All in favor.
11. CONSIDER STUDY SESSION FOR THE 1992-93 BUDGET (JULY 22, 1992)
Information only.
12. CONSIDER COMMITTEE MEETING FOR THE WILLIAMS PROPERTY
Information only.
13. DIRECTORS COMMENTS

PUBLIC COMMENTS

In answer to a question asked of Mr. Booth, he informed the Directors that if there was vacant land in the District, not zoned yet, they could set forth an agreement (with property owners) of future land use for a reasonable amount of time. You could also have an annexation with certain conditions, as there is nothing in the law to prohibit restrictive or conditional uses, such as, a CC&R.

Mr. Booth stated that if you have a sharp property owner he may get just what he wants. You can't get anything from the county.

Gene Cay asked what other conditions would have to be present in order to change the Urban Reserve Line. Ryder stated that the URL is similar to the Sphere of Influence and it would be necessary to have it altered.

Director Small said that one of his main concerns is water, and we as a District, have no power over zoning.

Mr. Booth said that the build-out, or phase out would happen over a long period of time.

Director Manriquez stated that at the present time the applicants for annexation are asked if they have any supplemental water sources. Also, if we don't control our water - others will sell it.

Mr. Booth again mentioned CC&R's and stated that the courts have upheld them.

Jack Carson asked how the CC&R was filed.
Legal Counsel Shaw said it is with the original owner.

MEETING ADJOURNED TO JULY 22, 1992.