

NIPOMO COMMUNITY SERVICES DISTRICT

REGULAR BOARD MEETING AUGUST 4, 1993 7:30 P.M.

BOARD ROOM 261 W. DANA STREET, SUITE 100 NIPOMO, CA

BOARD PRESENT

David Manriquez
Steve Small
Kathleen Fairbanks
Alex Mendoza
Gordon Gracia

STAFF PRESENT

Douglas Jones
Arthur J. Shaw, Attorney

MINUTES

CALL TO ORDER AND FLAG SALUTE

President David Manriquez called the meeting to order at 7:30 p.m. and led the flag salute.

APPROVAL OF MINUTES

1. REGULAR MEETING OF JULY 21, 1993
Upon the motion of Director Small and seconded by Director Mendoza, the minutes of July 21, 1993 Regular Meeting were unanimously approved.

BOARD ADMINISTRATION

2. MRS. NUNEZ - WATER USAGE
Mrs. Isabel Nunez of 447 Amado Street had a water leak on her side of the meter in February 1993. She was present at the meeting. The meter reads were completed on Thursday or Friday and Monday she was notified that she might have a leak. She said that the District did not notify her until she received her bill on March 9. She expressed her feeling that the District should have notified her of her leak long before she received her bill. She felt she should not have to pay for the water during the time of the meter read and the receipt of her bill.
Director Small moved to reduce the amount of bill to the average of the previous and subsequent months and a payment schedule could be allowed to pay the large balance. Motion was seconded by Director Fairbanks and all approved.
3. FINANCIAL CONSULTANT SUMMIT STATION ASSESSMENT DISTRICT
Mr. Jones reported that under the recommendation of Mr. Mack Brown, Assessment District Bond Counsel, Mr. Carl Kadie of Kadie-Jensen, Johnson and Bodnar, Municipal Financial Consultants, was contacted to provide the financing assistance for the proposed water system improvements for Assessment District No. 93-1, Summit Station. The financial consultant would prepare an economic feasibility report of the project, interview at

least three interested underwriters and recommend one to the Board, negotiated price and terms and make a recommendation to the Board for the sale of the bonds. Directors Small moved to approve the agreement. Director Gracia seconded. All approved.

4. ASSESSMENT DISTRICT NO. 93-1, SUMMIT STATION
Bond Counsel, Mr. Mack Brown, prepared three resolutions for the Board's review.

- (A) RESOLUTION ADOPTING MAP
Upon the motion of Director Fairbanks and seconded by Director Gracia, the Board approved Resolution No. 93-486 with Director Small voting against.

RESOLUTION NO. 93-486
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING A MAP SHOWING THE PROPOSED BOUNDARIES OF A SPECIAL ASSESSMENT DISTRICT

- (B) RESOLUTION APPROVING PROPOSED RESOLUTION OF INTENTION AND REQUESTING CONSENT
Upon the motion of Director Fairbanks and seconded by Director Gracia, the Board approved Resolution No. 93-487 with Director Small voting no.

RESOLUTION NO. 93-487
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT, APPROVING A PROPOSED RESOLUTION OF INTENTION AND REQUESTING CONSENT AND JURISDICTION

The proposed resolution reads as follows:

RESOLUTION NO. _____
RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT DECLARING INTENTION AND COVERING PRELIMINARY DETERMINATION TO ORDER THE INSTALLATION OF CERTAIN IMPROVEMENTS IN A PROPOSED ASSESSMENT DISTRICT: ORDERING THE PREPARATION OF A REPORT DESCRIBING THE DISTRICT TO BE ASSESSED TO PAY THE COSTS AND EXPENSES THEREOF: AND PROVIDING FOR THE ISSUANCE OF BONDS

5. REVISION SEWER ORDINANCE FEES
During the State's Revenue Program Review Audit of the District's sewer project the Auditor found

the District's Sewer Fee did not conform with the EPA regulations [40 CFR 35.929 - 1(a)]. This regulation requires that the users pay for all of the operation, maintenance and replacement expenses. The Auditor found that in 1991-92 O.M. & R. expenses were equivalent to a monthly fee \$21.28 based upon 1256 DUE and \$320,786 in expenditures. Presently there is approximately 1530 DUE and based upon the current sewer budget O.M. & R., (\$297,153) the monthly cost/DUE is \$16.18. The current monthly user fee, set by Ordinance No. 86-48, is \$11.26 for O.M. & R. and \$12.74 for debt service.

The State Auditor recommends that the O.M. & R. and the debt service fee be combined into a single O.M. & R. fee of \$24.00/mo. and that any debt service expenses, capital expenses or capital reserves could be funded either from connection fees or additional user fees. The District has been funding debt service and capital expenses from the sewer system fee and in the past some of the O.M. & R. expenses.

The Board set a public hearing date for August 18, 1993 to hear the matter of revising the Exhibit B, (B-1), of Section IV, Services Charges, of Ordinance No. 86-48 into a single monthly service charge for Operation, Maintenance & Replacement.

6. TRANSFER OF CSA 1C (MONTECITO VERDE SEWERS)
TO NIPOMO COMMUNITY SERVICES DISTRICT
In October of 1990 an agreement to transfer CSA 1C (Montecito Verde) to the Nipomo CSD was drafted and sent to the District. The agreement amends the original Service Agreement between the County and the District by adding Montecito Verde to the agreement when the District accepted Nipomo Palms and Black Lake Mobile Estates into the sewer system.
Upon the motion of Director Small and seconded by Director Fairbanks the Board unanimously approved and adopted Resolution No. 93-488
RESOLUTION NO 93-488
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING AMENDMENT NO. 3 TO THE AGREEMENT
WITH THE COUNTY OF SAN LUIS OBISPO FOR
OPERATION AND MAINTENANCE OF THE NIPOMO SEWERAGE PROJECT
TO PROVIDE DISTRICT CONTROL AND OPERATION OF THE
MONTECITO VERDE (CSA-1C) SEWERAGE SYSTEM

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7. BLACK LAKE MOBILE ESTATES - QUIT CLAIM DEED
The District received documents from the County of San Luis Obispo to Quit Claim the old septic tank - leach line area of Black Lake Mobile Estates and Montecito Verde Estates. The District had been planning to accept the Black Lake site and return the unused portion of the sewage pump station area to the original developer. The County probably thought the Montecito Verde site was similar to Black Lake in that it had a pump station and a back up overflow leach line in the storm retention pond area.
The Board tabled this matter until the County clears up the transfer of Black Lake property.
8. MANAGER'S REPORT
Coors Water informational meeting August 12, 1992
CSDA Conference to be held Sept. 22-24, 1993.
Law Brief newsletter presented.
Conflict of Interest forms must be turned in.
Informational letter was sent to Summit Station of the Assessment District.

LAND DEVELOPMENT

9. REQUEST FOR ANNEXATION
HAZEL LANE AREA
The District received a request to annex approximately 117 acres next to Orchard Road and bounded by Tefft St. on the west, Hazel Lane on the south and Division St. on the east.
No action taken at this time. The Board directed staff to set up meeting with Susan Ostrov for August 25, 1993 as a study session. Also open discussion meeting on annexation policy will be held same day.

FINANCIAL REPORT

10. APPROVAL OF WARRANTS
Upon motion of Director Small and seconded by Director Mendoza the Board unanimously approved the warrants presented at the August 4, 1993 meeting.

OTHER BUSINESS

11. DIRECTORS COMMENTS
12. PUBLIC COMMENTS

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