

NIPOMO COMMUNITY SERVICES DISTRICT MINUTES

REGULAR BOARD MEETING NOVEMBER 3, 1993 7:30 P.M.
BOARD ROOM 261 W. DANA STREET, SUITE 100 NIPOMO, CA

BOARD MEMBERS PRESENT

DAVID MANRIQUEZ, PRESIDENT
STEVEN SMALL, VICE PRESIDENT
ALEX MENDOZA
GORDON GRACIA

BOARD MEMBERS ABSENT

KATHLEEN FAIRBANKS

MANAGER

DOUGLAS JONES

SECRETARY TO THE BOARD

DONNA JOHNSON

INTERIM ATTORNEY

JON SEITZ

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 OCTOBER 20, 1993
Upon the motion of Director Small and seconded by Director Mendoza, the minutes of the October 20, 1993 Regular Meeting were unanimously approved with Director Fairbanks absent.

BOARD ADMINISTRATION

2. BEVERLY CHAPMAN
Beverly Chapman requested a refund on her paid sewer and water system fees in the amount of \$13,110. She was involved in acquiring two lots of Parcel Map CO 88-185 (Mudge) which on Aug. 5, 1991 she paid the sewer, lift station and water system fees. On June 3, 1992, Res. 457 the Board accepted the water and sewer system improvements for the project. Ms. Chapman's purchase of Parcel 2 & 3 was not consummated with the seller therefore she wishes a refund. Mr. Seitz will review matter and come back to Nov. 17 meeting.
3. BARRY BRAND ANNEXATION
Mr. Jones explained that on June 30, 1993 the Board adopted Res. No. 93-483 approving Annexation No. 6, the Summit Station area. The resolution, legal description and the map which included Mr. Brand's property was sent to LAFCO. In approving this annexation, LAFCO used the District's legal description of the area but a map not showing Parcel No. 2, the Brand property. Mr. Jones reported that LAFCO has decided to modify the legal description to match their map thereby leaving the Brand property out of Annexation No. 6 (Summit Station). LAFCO has advised Mr. Brand to reapply for annexation to NCSD. Jack Hunter, engineer for Mr. Brand's project requested annexation and service from NCSD.

Mr. Jones suggested some of the benefits of having the Brand property annexed. Water use establishes water rights, the lines will be built by developer. Mr. Seitz gave a suggestion such as limiting use to residential only.

Mr. Brand noted that Mr. Ray contacted him about annexing to the District.

One of the directors was concerned that Mr. Brand's property was not openly discussed at the meetings concerning annexation of Summit Station. The Board decided to table the matter until annexation forms were submitted.

Gene Cay commented that Brand was not mentioned in the Summit Station proceedings. Ed Sauers suggested that the Board need not act now. Jack Carson said that it seems like a legal problem. Beverly Chapman suggested that if the legal description is the binding contract then that should be the one accepted.

Upon the motion of Director Small and seconded by Director Mendoza, the Board unanimously decided to continue the item until the next meeting, Nov. 17.

4. BONITA HOMES TRACT 1692

Mr. Jones explained that Tract 1692 is a 56 lot subdivision at Orchard and Grande Avenues which is presently under construction. Mr. James Reed requested that the Board allow Bonita Homes, Inc. to pay the water & sewer system fees for only 9 lots rather than the 14 lots which is made up of 25% of the total number of proposed lots. Mr. Jones reminded the Board that in April of this year Ord. 93-69 was adopted authorizing phased payments of 25% or more of the water & sewer system fees for residential subdivision projects. Upon motion of Director Small and seconded by Director Mendoza the Board directed staff to check with SLO County Building Dept about changing original will serves from 56 to 36 and to continue the item until the next meeting, Nov. 17.

5. HAZEL LANE ANNEXATION

Mr. Jones informed the Board that he contacted So. Calif. Water Co. to determine their position with respect to annexing part of their service area into NCSD to provide water and service. Roger Brett of So. Cal. Water Co. is agreeable to have the District provide sewer services but not water services unless some form of water service area trading is included.

Upon motion of Director Small, seconded by Director Gracia, the Board decide to have the proponents for annexation contact Cal Cities and come back to the Board with further information.

6. LEGAL COUNSEL FOR THE DISTRICT

Sub-committee of Directors Manriquez & Small recommended that the District accept the proposal from Mr. Jon Seitz to serve as District counsel. Upon the motion of Director Gracia, seconded by Director Mendoza the Board unanimously decided to accept the sub-committee's recommendation to hire Mr. Seitz as District legal counsel.

7. MANAGER'S REPORT

A letter was received from Ronald R. Blair of the State Water Resources control Board, stating that the District has complied with all issues contained in his June 8 letter except the required connections at the end of the 10 year operation period on April 1, 1997.

The Pacheco matter was resolved with NCSD prevailing.

The software for the SCADA is arriving and being installed. It should be up & running by the end of the month.

The maintenance building should be ready to be occupied in about 2 weeks.

Summit Station Right of Way - Garing & Taylor reported that about 20 letters went in the mail requesting rights-of-way.

On County Agenda for Nov. 9 to accept R-O-W's offered to County.

Appraisers will go out to get one we do not have. Based on Bond Counsel those who donate R-O-W's will get credit on their assessment, those who do not will have to pay for it.

Workshop for Brown Act at County Library Thurs. Nov 4 at 7:00 p.m.

Received notice from SLO County that Annexation #12 (lots back of Baptist Church) would be on the Nov. 9 agenda. No correspondence had been received concerning this matter before.

Upon motion of Director Small, seconded by Director Mendoza, Board directed Doug to attend Board of Supervisors LAFCO meeting and voice concern over inclusion of th 2 lots and the effect it would have on the Hazel Lane annexation.

November 11 is Veterans Day but the staff would prefer to have the office close Friday Nov. 12.

LAND DEVELOPMENT
8. NONE

FINANCIAL REPORT

9. APPROVAL OF WARRANTS

Upon motion of Director Mendoza, seconded by Director Small the Board unanimously approved the warrants as corrected by the reading of additional checks that did not print on the warrants list.

OTHER BUSINESS

10. DIRECTORS COMMENTS

Director Mendoza announced that he would be taking a trip to Hawaii to be married.

11. PUBLIC COMMENTS

None

The meeting was adjourned at approx. 9:30 p.m.

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