

**NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES**

AGENDA ITEM
APR 6 1994
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ADJOURNED AND SPECIAL BOARD MEETING MARCH 30, 1994 7:30P.M.
BOARD ROOM 261 W. DANA STREET, SUITE 100 NIPOMO, CA

BOARD MEMBERS

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

MANAGER

DOUGLAS JONES
SECRETARY TO THE BOARD
DONNA JOHNSON
GENERAL COUNSEL
JON SEITZ

CALL TO ORDER AND FLAG SALUTE

President David Manriquez call the meeting to order at 7:35 p.m. and led the flag salute.

ROLL CALL

Board members present at roll call were Directors Manriquez, Small, Mendoza and Gracia. Absent Board member was Director Fairbanks.

BOARD ADMINISTRATION

1. (ADJOURNED MEETING ITEM) ADOPTING NEGATIVE DECLARAING FOR SUMMIT STATION IMPROVEMENTS
This item was continued from the March 16, 1994 meeting. The Negative Declaration was published twice in the Times Press Recorder and noticed the public hearing. Director Small stated that he would like verbage in the Resolution stating that a negative declaration was recommended by the County. Legal Counsel, Jon Seitz, also added to the Resolution that the public hearing was properly noticed. Public Hearing was held on significant impacts to the environment. No public comments were made. Director Fairbanks arrived at 7:40 p.m. On the motion of Director Small and seconded by Director Gracia, the Board unanimously approved Resolution 94-505.

RESOLUTION 94-505

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTING AN ENVIRONMENTAL NEGATIVE DECLARATION AND AUTHORIZING THE GENERAL MANAGER TO FILE A NOTICE OF DETERMINATION FOR THE SUMMIT STATION WATER PROJECT, ASSESSMENT DISTRICT NO. 93-1

2. ANNEXATION FEES FOR THE SUMMIT STATION AREA
Staff asked the Board for direction on whether or not to pursue options of reducing/modifying the annexation fee for the Summit Station Area. Doug Jones stated that the County land use restrictions on this area may be a basis for modifying the annexation fee. Director Small stated that the Resolution which initially established annexation fees was somewhat unclear. Susan Ostrov stated that in the long-term there are not enough

resources available to Summit Station Area to go below 5 acres, but she does believe the restrictions will be taken off this area. Director Small said we should consider the others that have paid annexation fees in the past and how this potential modification could affect them. Director Manriquez stated that we need to study this and justify our position and the last thing we want to do is step back to past history. Director Small stated that there might be redundancy in system fee and annexation fee. What do they cover? Director Fairbanks would like a list of past annexations and listing of Summit Station parcel sizes.

Mr. Tallman: Lowest is 5 acres at \$500, therefore maximum fee should be \$2500

Karen Carson: Annexation fee huge concern at February 16 information meeting

Mr. LaCoue: Annexation fee is huge concern

George Jeffers: What does annexation fee cover?

Jon Seitz said annexation fees is considered a fee to buy into the "total system of government".

It covers overhead, gives you right to vote and participate in decisions and gives you right to existing available services as well as future potential services. Annexation fees are statutorily authorized.

On motion of Director Fairbanks and seconded by Director Mendoza and unanimously approved, the Board directed staff to look into the annexation fee for Summit Station and report back with options.

3. MONTICETO VERDE SEWER CONNECTION FEE

Monticeto Verde was connected to our sewer system in an emergency situation. The County previously maintained the system. District held two public meetings around time of hookup notifying the residents that the \$3500 would have to be paid and payment arrangements would be made. To date the District had not pursued collection of these fees. Under Government Code 61621.2 these fees can be collected on the tax rolls since it is a service that has already been rendered as long as we hold the appropriate public hearings. We can collect on tax roll over a designated period of time or collect the cash up front. The Board directed staff to proceed on setting up public hearings and necessary documents for the collection of sewer hookup fees.

4. AB 1335 REVIEW, LAFCO REPRESENTATION

The Special Districts Association are in need of one more Resolution in order to petition LAFCO for two seats on the LAFCO Board. Jon Seitz said we are already empowered to perform the list of duties as stated in the County Board of Supervisors Resolution, but unless we budget these activities and actively pursue these powers, he believes these

powers would be declared latent powers. Jon Seitz said that latent powers are not defined in AB 1335 and that someone will have to provide the definitions. On the motion of Director Small and seconded by Director Mendoza, Resolution 94-506 passed on a 3-2 vote. Directors Mendoza, Small and Gracia voting yes and Directors Fairbanks and Manriquez voting no.

RESOLUTION 94-506

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT INITIATING PROCEEDINGS FOR REPRESENTATION OF INDEPENDENT SPECIAL DISTRICTS UPON THE LOCAL AGENCY FORMATION COMMISSION OF SAN LUIS OBISPO COUNTY AND FOR THE ADOPTION OF RULES AND REGULATIONS

5. STUDY SESSION-NEW OFFICE BUILDING

A Study Session will be held on Tuesday, April 19 at 7:30 p.m. at the Board Room to discuss ideas, location, and concepts for a new office building. This Study Session will be placed on the agenda for the next meeting and will adjourn the April 6 meeting to April 19.