

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING MAY 3, 1995 7:00 P.M.
BOARD ROOM 261 W. DANA STREET, SUITE 100 929-1133 NIPOMO, CA

BOARD MEMBERS

STEVEN SMALL, PRESIDENT
KATHLEEN FAIRBANKS, VICE PRESIDENT
ALEX MENDOZA, DIRECTOR
AL SIMON, DIRECTOR
ROBERT BLAIR, DIRECTOR

STAFF

DOUGLAS JONES, General Manager
DONNA JOHNSON, Secretary to the Board
JON SEITZ, General Counsel

CALL TO ORDER AND FLAG SALUTE

Director Small called the May 3, 1995 meeting to order and led the flag salute at 7:03 p.m.

ROLL CALL

At roll call, all directors were present.

APPROVAL OF MINUTES

1. REGULAR MEETING OF APRIL 5, 1995
Director Simon requested that the minutes of the April 5, 1995 reflect that his absence was planned. Upon motion of Director Mendoza and seconded by Director Blair, the Board approved the minutes of the April 5, 1995 meeting with corrections as above.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS
Public comments on unscheduled items. Presentations limited to three (3) minutes. No comments were presented.

BOARD ADMINISTRATION

3. MONTECITO VERDE I SUBDIVISION SEWER SYSTEM FEES
Review ways the District sewer system fees may be paid by the 49 property owners. Legal counsel, Jon Seitz reviewed a suggested schedule to collect the sewer system fees on properties at Montecito Verde I. Information needs to be sent to the County Assessor by Aug. 10. Howard Ketchum of 540 Montecito Verde spoke from the audience.
Upon motion of Director Fairbanks and seconded by Director Blair, the Board unanimously approved to direct staff to prepare a report regarding options for payment of sewer fees by property owners.
4. BLACK LAKE TRACT 1912 - WILL-SERVE LETTER
Review District requirements for issuing a will-serve letter for water and sewer services. Mr. Jones reviewed developments in the discussions for Tract 1912.
Jack Stoddard of 1465 Golf Course Lane, President of the Black Lake Management Assoc. spoke from the audience. Brad Brechwald of John Wallace & Assoc. and Jeff Latimer, President of Imperial Management representing Imperial Bank (developers of the Black Lake Subdivision) also spoke from the audience.

Upon motion of Director Simon and seconded by Director Mendoza, the Board unanimously approved to issue a Will-Serve letter with conditions and with intention to honor the original, conceptual agreement with LAFCO for Tract 1912.

5. WASTEWATER TREATMENT PLANT EXPANSION
Review consulting engineering proposals to design the plant expansion. Mr. Jones reviewed the 3 proposals received. Christine Ferrara spoke in favor of Boyle Eng. Jim Garing spoke in favor of Garing, Taylor & Assoc. and having John Jenks of Kennedy/Jenks working with him. Upon motion of Director Blair and seconded by Director Fairbanks, the Board unanimously approved to accept the proposal from Garing, Taylor & Assoc. to perform engineering of the Wastewater Treatment Plant Expansion.
6. FORMING A GROUNDWATER MANAGEMENT AGENCY FOR THE NIPOMO MESA UNDER AB 3030
Status report.
Mr. Jones suggested having Carl Hauge of the California State Department of Water Resources speak at a future Board meeting to explain AB 3030. John Wallace spoke from the audience suggesting to keep the option of supplemental water open.
Upon motion of Director Simon and seconded by Director Fairbanks, the Board, in a 4-1 vote, approved to direct staff to contact Mr. Hauge to set up meeting. Director Blair was the dissenting vote.
7. REIMBURSEMENT FOR DISTRICT INSTALLED FACILITIES
Introduction of an Ord. establishing a front footage fee for District installed water lines. Mr. Jones explained the ordinance proposed. Director Fairbanks moved to have Ordinance 95-80 read in title only. Director Simon seconded. Motion passed unanimously. Counsel Seitz read title.
Upon motion of Director Mendoza and seconded by Director Fairbanks, the Board unanimously accepted the introduction of Ordinance 95-80 and established May 17, 1995 for the second reading.

ORDINANCE NO. 95-80
AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING §3.04.060 OF THE NIPOMO COMMUNITY SERVICES
DISTRICT CODE TO ESTABLISH REIMBURSEMENT
FOR DISTRICT INSTALLED WATER LINES
AS A COMPONENT OF DISTRICT WATER CONNECTION FEES

8. FIRE HYDRANT WATER USE

Second Reading and Public Hearing on revising procedures, fees and penalties of the District code on fire hydrant use.

President Small opened the meeting up to a Public Hearing to consider Ordinance 95-79 and asked for Public Comment. There were no comments.

Upon motion of Director Blair, seconded by Director Mendoza, the Board unanimously approved reading the title only.

Upon motion of Director Simon and seconded by Director Fairbanks, the Board unanimously approve the adoption of Ordinance 95-79.

ORDINANCE NO. 95-79

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT REPEALING SECTIONS 3.04.100 AND 3.04.140(A)(2) AND AMENDING SECTION 3.20.010 THROUGH 3.20.050 TO ESTABLISH DISTRICT POLICY REGARDING FIRE HYDRANTS AND TEMPORARY WATER SERVICE FOR CONSTRUCTION AND OTHER PURPOSES

Counsel Mike Seitz explained that only the hydrant in front of the District office is to be used to draw water for single loads.

Upon motion of Director Fairbanks, seconded by Director Mendoza, the Board unanimously approved Res. 95-550.

RESOLUTION NO. 95-550

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT SETTING WATER RATES FOR TEMPORARY WATER SERVICE RENTAL FEES FOR FIRE HYDRANT WATER METERS AND ADMINISTRATIVE CHARGES

LAND DEVELOPMENT

9. TRACT 2196-REQUEST UPDATE OF AN INTENT-TO-SERVE LETTER

An 11-lot subdivision in Galaxy Park requesting sewer service

Upon motion of Director Simon, seconded by Director Blair, the Board unanimously approved to direct staff to write letter to Westland Engineering affirming that the District is not against development of the 11 lots but that area is under the CSA-1 jurisdiction.

FINANCIAL REPORT

10. APPROVAL OF WARRANTS

Upon motion of Director Blair and seconded by Director Fairbanks, the Board unanimously approved the warrants presented at the May 3, 1995 meeting.

11. THIRD QTR FINANCIAL REPORT & DRAFT FY 1995-96 BUDGET

Upon motion of Director Fairbanks, seconded by Director Mendoza, the Board unanimously approved to set a Special Meeting for May 10, 1995 for a Study Session to review the proposed 95-96 budget.

OTHER BUSINESS

12. MANAGER'S REPORT

Mr. Jones reported on the following items:

1. Election information from County Clerk
2. LAFCO information on Annexation No. 12
3. County Public Hearing on Park Master Plan
4. LAFCO, Standard for evaluation proposals

Mr. Byron Briley, Special District Representative, spoke from the audience. He gave a summary of the standard for evaluation proposals to establish Sphere of Influences considered at the LAFCO meeting.

5. Tom Bordonaro, Jr. Letter
6. Camino Caballo construction status
7. RWQCB correspondence
8. Third Quarter Operation Report
9. Board Workshop

13. DIRECTORS COMMENTS

Director Blair would like to discuss annexation policies at a future meeting.

14. PUBLIC COMMENTS

There were no public comments.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

1. Conference with Legal Counsel, Initiation of litigation *GC§ 54956.9 (c) one case
Counsel Jon Seitz announced that the Board would be going to closed session. *GC refers to Government Code Sections

The Board came back to open session and announced that no reportable action was taken.

ADJOURN

President Small adjourned the meeting to a Board Workshop on May 6, 1995 at 8:00 a.m. in the Board Room at 261 W. Dana St., Suite 100, Nipomo, California. The Board of Directors discussed short-term and long-term goals of the District. No action was taken at the workshop.