

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING SEPTEMBER 6, 1995 7:00 P.M.
BOARD ROOM 261 W. DANA STREET, SUITE 100 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

President Small called the September 6, 1995 to order at 7:05 p.m. and led the flag salute.

ROLL CALL

At Roll Call Director Blair was absent as planned and Director Fairbanks was absent but she arrived a little later.

APPROVAL OF MINUTES

1. REGULAR MEETING OF AUGUST 16, 1995
There was a question about Item 3. Director Small asked for clarification of motion. The Board directed the secretary to review the tape. Upon motion of Director Simon and seconded by Director Fairbanks, the Board approved the Minutes of the August 16, 1995 meeting with the exception of Item 3. It will be brought up at the next meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS
Public comments on matters other than scheduled items.
Presentations limited to three (3) minutes.

There were no Public Comments at this time.

BOARD ADMINISTRATION

3. PUBLIC FINANCING
Mr. David Fitzgerald, presentation to the Board on lease back financing of public projects. Mr. David Fitzgerald, of Pacific Genesis Corporation, explained public financing to the Board. The Board thanked Mr. Fitzgerald for his presentation. No action was taken.

4. SCADA PROJECT

Determination if Fluid Control System is in default of their SCADA Contract Proposal. Mr. Jones reviewed the SCADA system project. He informed the Board that he had given Mr. Seifert until the end of August to complete the project or Fluid Controls, Inc. would be declared in default of the contract. Larry Seifert explained that the system was closer to working. He would like the Board's indulgence for another two weeks. Upon motion of Director Simon and seconded by Director Fairbanks, the Board agreed to continue this item until the next meeting to allow 2 more weeks.

5. PURCHASE OF A PICK-UP TRUCK

- a. Review bids and award contract for the purchase of a new pick-up truck.
- b. Declaration of old truck to be surplus.

Mr. Jones reviewed the bids from 4 agencies. Upon motion of Director Mendoza and seconded by Director Simon, the Board unanimously approved Resolution 95-559 with Director Blair absent.

RESOLUTION NO. 95-559

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE PURCHASE OF A VEHICLE AND DECLARING A
CERTAIN DISTRICT VEHICLE TO BE SURPLUS AND AUTHORIZING ITS DISPOSAL

6. REVIEW OF SYSTEM FEE NOMENCLATURE

Introduction of ord. modifying District Code, defining System Fee as a Capacity Charge. Mr. Jon Seitz, District counsel, explained the reasons for modifying the name System Fee to Capacity Charge. Upon motion of Director Fairbanks and seconded by Director Simon, the Board approved that Mr. Seitz read the ordinance in title only. Then Mr. Seitz read Ordinance 95-82 in title only. Upon motion of Director Simon and seconded by Director Fairbanks, the Board unanimously approved the motion to introduce Ordinance 95-82 and to set a public hearing for September 20, 1995 at 7:00 p.m. for the adoption of the ordinance.

Ordinance 95-82

An ordinance of the Board of Directors of the Nipomo Community Services District amending Title 1, Title 3 and Title 4 of the Nipomo Community Services District's Code.

7. DISTRICT INSURANCE

Review District liability Insurance coverage.

Staff reviewed the present insurance and explained to the Board about the additional coverage being offered to the District. Upon motion of Director Fairbanks and seconded by Director Simon, the Board approved increasing the present insurance to an additional \$3 million for an additional cost of \$892.50.

8. FINANCIAL COMMITTEE REPORT

Report from Financial Committee on publishing budget. Directors Fairbanks and Simon gave a report on the Financial Committee concerning the proposed publishing of the budget. Upon motion of Director Fairbanks and seconded by Director Simon, the Board agreed to put the budget report into a newsletter after the Board had received the report from the auditor.

LAND DEVELOPMENT

9. TRACT 2210 (PRINCESS EQUITIES - NEWDOLL)

Request for Intent-to-Serve for a 15 lot subdivision at Southland & Frontage Rds. Mr. Bob Newdollar of Princess Equities requested to modify the existing Intent-to-Serve letter (approved August 16, 1995) for Tract 2210 from 10 residential lots to 15 lots, 5 of which would be commercial. Upon motion of Director Simon and seconded by Director Fairbanks, the Board approved the Intent-to-Serve for 15 lots for Tract 2210.

FINANCIAL REPORT

10. APPROVAL OF WARRANTS

Upon motion of Director Fairbanks, seconded by Director Mendoza, the Board unanimously approved the warrants presented at the September 6, 1995 meeting. Mr. Tony Ferrari asked about the PGE bill.

OTHER BUSINESS

11. MANAGER'S REPORT

Mr. Jones presented information to the Board about the following items.

1. Nipomo Library Ground Breaking Ceremony
9/15/95, 2:00 p.m.
2. CA-NV AWWA Fall Conference
3. RWQCB correspondence on secondary units.

12. DIRECTORS COMMENTS

Director Small said he and Mr. Jones had attended the Nipomo Network meeting. Mr. Small was the speaker. Director Fairbanks asked about the plans for the new office building.

13. PUBLIC COMMENTS

Mr. Tony Ferrari from the audience asked how the District set the criteria to replace equipment.

Director Small adjourned to a closed session at 8:40 p.m.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

1. Conference with Legal Counsel, Existing litigation GC 54956.9 Cecil vs. NCSD, Crandall Construction, GT&A. Case No. SC85775

The Board came back to open session and unanimously approved to defend the Cecil law suit against the District.

ADJOURN

President Small adjourned the meeting.