

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING FEBRUARY 21, 1996 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 meeting to order at 7:05 p.m. and led the flag salute.

ROLL CALL

Upon Roll Call all Board members were present except Director Simon who had a previous commitment.

APPROVAL OF MINUTES

1. REGULAR MEETING OF FEBRUARY, 7, 1996
Upon motion of Director Mendoza and seconded by Director Blair, the Board unanimously approved the Minutes of the February 7, 1996.

PUBLIC COMMENTS PERIOD

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

John Snyder of Koch California Ltd. asked questions concerning the draft ground water management plan. Counsel Jon Seitz cautioned that this was not a question and answer period.

BOARD ADMINISTRATION

3. TERMINATION OF WATER SERVICE
Terminate water services due to tampering and non-payment.

Mr. Jones explained that two customers had tampered with their meters. District Code states that the services could be terminated. Action on Account #7076 was postponed due to the number of tamperings. President Small asked if any representatives for either account was in the audience. There were none. Upon motion of Director Blair and seconded by Director Fairbanks, the Board unanimously approved Resolution 96-571, terminating service to Account #7032.

RESOLUTION NO. 96-571
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ORDERING PERMANENT DISCONNECTION
OF WATER SERVICE [NIPOMO COMMUNITY SERVICES DISTRICT CODE § 3.03.170(D)]

4. INTENT-TO-SERVE - TRACT 1736 - COLT LANE ESTATES
Review of road access in Tract 1736. Request for and Intent-to-Serve letter

Mr. Jones presented a request for service to Tract 1736. Mr. Jack Ghormley appeared at the meeting to answer questions the Board had concerning the tract in relation to the road access. Mr. Frank Hirsch asked questions. Upon motion of Director Fairbanks and seconded by Director Blair, the Board unanimously approved the issuance of an Intent-to-Serve letter with the conditions spelled out in the Board memo. Vote 4-0.

5. PROPOSED ANNEXATION NO. 15 - NEWDOLL
Review information on annexation of 10 acre parcel located at Tefft & Hazel

Mr. Jones presented a review of information concerning the possible annexation of a 10 acre parcel located at Tefft & Hazel. Mr. Bob Newdollar was in the audience to answer questions from the Board. Terry Payne of EDA, Byron Briley (Special Dist. representative) and Frank Hirsch commented. Staff was directed to put item on the agenda after additional information is received.

6. PROPERTY REVERSION - ARMTROUT
Accepting a deed from Armtrout so that a parcel map may be recorded, and property can be reverted to original developer.

Mr. Jones explained about the need to accept a deed from Mr. Armtrout in order to record a parcel map and then revert the property to the original developer. Upon motion of Director Fairbanks and seconded by Director Blair, the Board unanimously approved the acceptance of the Quitclaim deed from Mr. Armtrout and approved Resolution 96-570. Vote 4-0

RESOLUTION NO. 96-570
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE QUITCLAIM DEED FROM CALVIN H. ARMTROUT

7. DISTRICT INVESTMENT POLICY
Establishment of a formal investment policy for the District

Upon motion of Director Fairbanks and seconded by Director Blair, the Board unanimously approved Resolution 96-572 with the exception of 6A1.
Vote 4-0

RESOLUTION NO. 96-572
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING A DISTRICT INVESTMENT POLICY

Upon motion of Director Mendoza and seconded by Director Fairbanks, the Board unanimously approved Resolution 96-573 which repeals Resolution No. 7.
Vote 4-0

RESOLUTION NO. 96-573
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
DESIGNATING THE MID-STATE BANK AS THE DEPOSITARY FOR DISTRICT FUNDS

Charles Gulyash and Frank Hirsch commented from the audience.

8. EARTH DAY - APRIL 27, 1996
Nipomo Native Gardens sponsored EARTH DAY

Herb Kandell, Vice President of Nipomo Native Gardens requested that the Board take part in the 2nd annual Nipomo Earth Day on Saturday, April 27, 1996 from 10:00 a.m. to 4:00 p.m. The Board thanked him for his presentation.

FINANCIAL REPORT

9. APPROVAL OF WARRANTS
Upon motion of Director Blair and seconded by Director Fairbanks, the Board unanimously approved the Warrants presented at the February 21, 1996 meeting.

OTHER BUSINESS

10. MANAGER'S REPORT
Mr. Jones presented information on the following items.
1. SDRMA REFUND ON INSURANCE
2. GE CAPITAL CORP. FINANCIAL REVIEW - 1978 BONDS
3. PROPOSED INITIATIVE INFORMATION - RIGHT TO VOTE ON TAX ACT
4. OSHA complaint
11. DIRECTORS COMMENTS
12. PUBLIC COMMENTS
Public Comment was made by Frank Hirsch, Gene Kaye, and Byron Briley.

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President Small closed the meeting to the public for a Closed Session at 9:10 p.m.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

1. Existing litigation GC§ 54956.9
State of Calif. vs. NCSD Case No. CV 078345
2. Existing litigation GC§ 54956.9
NCSD vs. Shell Oil, et. al. Case No. CV 077387

*GC§ refers to Government Code Sections

The Board came back to open session and announced that they made an offer to the State to settle the State Water Line Right-of-Way easement across the District's wastewater facility.

ADJOURN

President Small adjourned the meeting at 9:45 p.m.

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