

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES

REGULAR BOARD MEETING MAY 15, 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 and Vice President Fairbanks were absent. Director Mendoza called the May 15, 1996 meeting to order at 7:20 p.m. and led the flag salute. With both the President and Vice President absent, a chair person was chosen. Upon motion of Director Blair and seconded by Director Simon, the Board chose Director Mendoza as the Acting Chairman for this meeting.

ROLL CALL

At Roll Call the following Board members were present:

Directors Mendoza, Blair and Simon. Directors Fairbanks and Small had previously planned their absence at this meeting.

APPROVAL OF MINUTES

1. REGULAR MEETING OF MAY 1, 1996
ADJOURNED MEETING OF MAY 6, 1996

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved the Minutes of the May 1 and May 6, 1996 meetings after J. Frederick asked that the subject matter of the Public Comments be included in the Minutes.

PUBLIC COMMENTS PERIOD

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

Chairman Mendoza opened up the meeting to Public Comments.

No one from the audience responded.

BOARD ADMINISTRATION

3. REQUEST FOR WAIVER FROM CONNECTING TO SEWER SYSTEM

Request for waiver of new nonresidential uses to connect to sewer system
at 323 A West Tefft Street-Proposed Old Town Nursery (Discussion/Action)

Mr. Jones explained the request from Mr. & Mrs. Van Der Stad. The request is for a temporary exemption from connecting to the sewer system until April '97 for a proposed nursery at 323A W. Tefft St. One structure on the property has a failing septic system, while the other structure (for the proposed nursery) has a properly functioning system. Mr. Seitz explained the proposed resolution. Lisa Van Der Stad explained her position and questioned the resolution. Barbara Papageorge, owner of the subject property since 1990, made comments concerning fees in the proposed resolution. J. Frederick (650 Clamshell Mtn. Way) spoke concerning the possibility of treating the two structures as if separate issues. Mrs. Van Der Stad spoke again asking that the Board accept the County premise that the large house be vacated until the connection was made. J. Frederick gave her opinion on the subject.

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously adopted Resolution 96-578 allowing the nursery to continue using its existing septic tank until April 1, 1997.

**RESOLUTION NO. 96-578
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
EXEMPTING NIPOMO OLD TOWN NURSERY
FROM CONNECTING TO THE SEWER SYSTEM**

4. ARMTROUT QUIT CLAIM DEEDS

Approval of Quit Claim Deeds pursuant to a reversionary clause (Discussion/Action)

Mr. Jones explained the situation with the property at Lema Drive and Juniper Street. The property has now been split into three parcels. The District will retain one parcel for its lift station and return the other two parcels to Mr. Armtrout, pursuant to a reversionary clause in the original contract. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously adopted Resolution No. 96-579 approving the property reversion.

**RESOLUTION NO. 96-579
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING THE GENERAL MANAGER TO EXECUTE
QUIT CLAIM DEED TO CALVIN H. ARMTROUT**

5. ACCEPTANCE OF EASEMENTS

Accept offers of utility easements for Tracts 1981 and 2212 (Discussion/Action)

Mr. Jones explained that Tract 1981 and 2212 are constructing a sewer line from their tract to Tefft St. where it travels through private property. The owners have offered easements through their property for the construction of the sewer line. Upon motion of Director Simon and seconded by Director Blair the Board unanimously approved Resolution No. 96-580 after it heard the comments from Frank Hirsch in the audience.

**RESOLUTION NO. 96-580
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING UTILITY EASEMENTS FOR TRACTS 1981 AND 2212**

6. WATER AND SEWER RATE STUDY

Review the proposed water and sewer rate increased based on financial consultant's recommendations (Discussion/Information)

Mr. Jones presented a revised rate schedule sent by Mr. Perry Louck, the financial consultant hired by the District to perform a water and sewer rate study and develop a comprehensive financial plan. Board members asked questions about rate adjustments and capacity fee changes. Mr. Hirsch asked who Mr. Louck is and what is his specialty. Mr. Snyder, felt like the rate study, based on the Boyle Report, was a double shell game. J. Frederick asked if the Board had evaluated the Boyle Report. Ms. Frederick asked if the agenda was published in the newspaper. Mr. Louck will be at the May 29, 1996 meeting to discuss the report. No action was taken. This item for information only.

FINANCIAL REPORT

7. APPROVAL OF WARRANTS

Upon motion of Director Blair and seconded by Director Simon, the Board unanimously approved the Warrants presented at the May 15, 1996 meeting. Mr. Snyder asked if there were any Hatch and Parent bills. No.

OTHER BUSINESS

8. MANAGER'S REPORT

Manager Doug Jones presented information on the following items:

1. New Office Building Proposed Layout

J. Frederick asked that the design concept for the new NCSD building conform to the concept that the downtown Nipomo group has in the planning stage.

2. CSDA Update by District Legal Counsel

Mr. Seitz gave an update including election of officers, allowing general managers and elected officials to sit on the board, a newsletter being developed. CSDA members will be invited to yearly SLOCOG meeting.

3. Letter from Burt Fugate supporting Emergency Turn Out

9. DIRECTORS COMMENTS

Director Blair wished to commend Director Simon for his letter to Supervisor Blakely.

10. PUBLIC COMMENTS

Frank Hirsch commented about a possible emergency turnout and possibility of obtaining water from the Twitchell Dam.

11. ADJOURN

Chairman Mendoza adjourned the meeting at 9:20 p.m. until May 29, 1996 at 7:00 p.m. for an adjourned meeting.

THE JUNE 5, 1996 BOARD MEETING IS CANCELED