

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING OCTOBER 2, 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

Vice President Fairbanks called the Regular Meeting of October 2, 1996 to order at 7:08 p.m. and led the flag salute.

ROLL CALL

At Roll Call the following Board members were present:

Directors Simon, Blair and Fairbanks
Directors Small and Mendoza were absent.

APPROVAL OF MINUTES

1. REGULAR MEETING OF SEPTEMBER 18, 1996
Upon motion of Director Blair, seconded by Director Simon the Board unanimously approved the Minutes of the September 18, 1996 Regular Meeting.

PUBLIC COMMENTS PERIOD

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

Vice President Fairbanks opened the meeting to Public Comments.

No one from the audience commented

BOARD ADMINISTRATION

3. **ANNUAL AUDIT REPORT (Discussion/Action)**
Mr. Carlos Reynoso, CPA, will make his financial audit report to the Board.

Mr. Jones introduced Mr. Carlos Reynoso, CPA. Director Fairbanks turned the meeting over to Mr. Reynoso. He explained that the District is required to have an independent audit performed on its financial statements. Mr. Reynoso thoroughly explained his report to the Board. He said that the books were kept well. No adjustments needed to be made.

Director Fairbanks opened the meeting to public comment.

John Snyder asked about the depreciation schedule of the water tank.

Upon motion of Director Simon, seconded by Director Blair, the Board unanimously accepted the audit report for June 30, 1996.

4. OUTSIDE DISTRICT WATER SERVICE (R. JONES) (Discussion/Action)

Request for water service outside District based on hardship.

Manager Jones explained the request from Mr. Ralph Jones for water service to his residence located at the corner of Sundale Way and Willow Road (outside District boundaries). Mr. Ralph Jones explained that he had the pump motor for his well go out 5 times in 10 years. Mr. Seitz explained that LAFCO must approve service to parcels outside the District. Director Fairbanks asked for public comments. Mr. Gene Kaye wanted Mr. Jones to know that he would have to pay double the District rates. Mr. Jones was aware of that. Upon motion of Director Blair and seconded by Director, the Board unanimously approved the request for water service with the following conditions.

- a. Applicant process his request for service to LAFCO for approval. Applicant is to be responsible for all necessary LAFCO applications and payment of appropriate fees.
- b. Applicant is to comply with the District's retrofit program before receiving water services.
- c. The water rates outside the District boundary would be double the rates for similar service inside boundary.
- d. Pay all appropriate District fees.

5. TRACT NO. 2151 - WATER SERVICE LINES (Discussion/Action)
(continued from 9/18/96 meeting)

Review District requirements and Black Lake Adv. Committee recommendations.

Mr. Jones reviewed this item which was continued from the last meeting. Mr. Jack Stoddard explained the position of the developer, Charles Pratt. Mr. Seitz explained that Mr. Pratt has filed litigation against the District. Mr. Jones explained that the Schedule 40 fittings could be replaced with Schedule 80 fittings. Mr. Seitz explained that if the Board accepts the Black Lake Advisory Committee recommendation to allow Mr. Pratt to change only a portion of each service from Sch. 40 to Sch. 80, it DOES NOT mean the District has accepted anything else related to his tract. Director Fairbanks asked for public comment. There was none. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved to accept the recommendation of the Black Lake Advisory Committee to replace the a section of Schedule 40 pipe with Schedule 80 pipe to each lot as shown in the attached drawing.

6. TREATMENT PLANT EXPANSION AND FUNDING (Discussion/Action)

1) Continuance from Sept. 18 meeting. Environmental review of the negative declaration for the Southland Wastewater Treatment Plant expansion. (PUBLIC HEARING)

A Public Hearing was held on September 18, 1996 to discuss the environmental review of the Southland Wastewater Treatment Plant Expansion. The hearing was continued to this meeting to comply with the CAL-EPA comment expiration date of Sept. 27.

Vice President Fairbanks opened the meeting to a Public Hearing at 7: 56 p.m.. There were no public comments. The Public Hearing portion was closed.

2) Resolution requesting State Revolving Fund Loan was also reviewed.

Upon motion by Director Blair, seconded by Director Simon, the Board unanimously approved Resolution No. 96-596

**RESOLUTION NO. 96-596
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 SOUTHLAND WASTEWATER
TREATMENT PLANT EXPANSION PROJECT**

Upon motion by Director Blair, seconded by Director Simon, the Board unanimously approved Resolution 96-597

**RESOLUTION NO. 96-597
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING A STATE REVOLVING FUND LOAN**

7. REPLACEMENT OF STEEL WATER LINES (Discussion/Action)

Review bids received for replacement of water lines and award contract to low responsive bid.

Mr. Jones reviewed the bids for the replacement of the steel water lines in Price, Bennett, Dana, Burton and Mallagh Streets. Director Fairbanks asked for public comment. There was none. Upon motion of Director Simon, seconded by Director Blair, the Board unanimously approved Resolution No. 96-598

**RESOLUTION NO. 96-598
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AWARDING THE CONTRACT TO T.L.C. BACKHOE
FOR THE INSTALLATION OF WATER LINES**

8. NEW OFFICE BUILDING (Discussion/Action)

Board approval of plans & specifications and request bids to construct new office building

Mr. Jones explained the need to approve the plans and specifications and the need to advertise for bid to construct the new office building. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved the plans and specifications to construct the new office building at 148 S. Wilson St. and approved the Request for Bids to be published.

9. WELL PUMP HOUSES (Discussion/Action)

Filing Notice of Completion for construction of three pump houses.

J. Miller Construction Co. completed the construction of the pump houses for Eureka, Bevington and Via Concha Wells.

Upon motion by Director Blair, seconded by Director Simon, the Board unanimously approved to file the Notice of Completion for the three pump houses.

10. ANNEXATION NO. 15 - TAX EXCHANGE (Discussion/Action)

Approval of property tax exchange with SLO Co. for the LAFCO amended boundary for Annex No. 15.

The negotiated tax exchange agreed upon was 4.1858884 percent. Upon motion by Director Simon, seconded by Director Blair, the Board unanimously approved Resolution 96-599.

**RESOLUTION NO. 96-599
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING RENEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 15 (NEWDOLL/HASTINGS)**

FINANCIAL REPORT

11. APPROVAL OF WARRANTS

Public Comment

John Snyder asked if there were any Hatch and Parent bills on the warrant list.

No

Upon motion by Director Blair, seconded by Director Simon, the Board unanimously approved the Warrants presented at the October 2, 1996 meeting.

OTHER BUSINESS

12. MANAGER'S REPORT

Mr. Jones presented information on the following:

1. Prop 218, Right to Vote Tax Act

Mr. Kaye commented.

2. LAFCO Study Session on Outside User Agreements, Oct. 12, 1996

13. DIRECTORS COMMENTS

14. PUBLIC COMMENTS

John Snyder asked about the WRAC meeting.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

District Counsel, Jon Seitz, explained that a case (Pratt vs. NCSD) was presented to the District after the posting of the agenda and needed attention before the next regular meeting. The Board unanimously agreed to add this item to the Closed Session agenda.

1. Existing litigation GC§ 54956.9

NCSD vs. Shell Oil, et. al. Case No. CV 077387

2. Anticipated Litigation, One Case GC§54956.9 (c)

3. Charles Pratt vs. NCSD (added) CV 79715 GC§54956

The Board came back into open session. The Board of Directors directed legal counsel to defend the case with Pratt vs. NCSD Case No. CV 79715 GC§54956

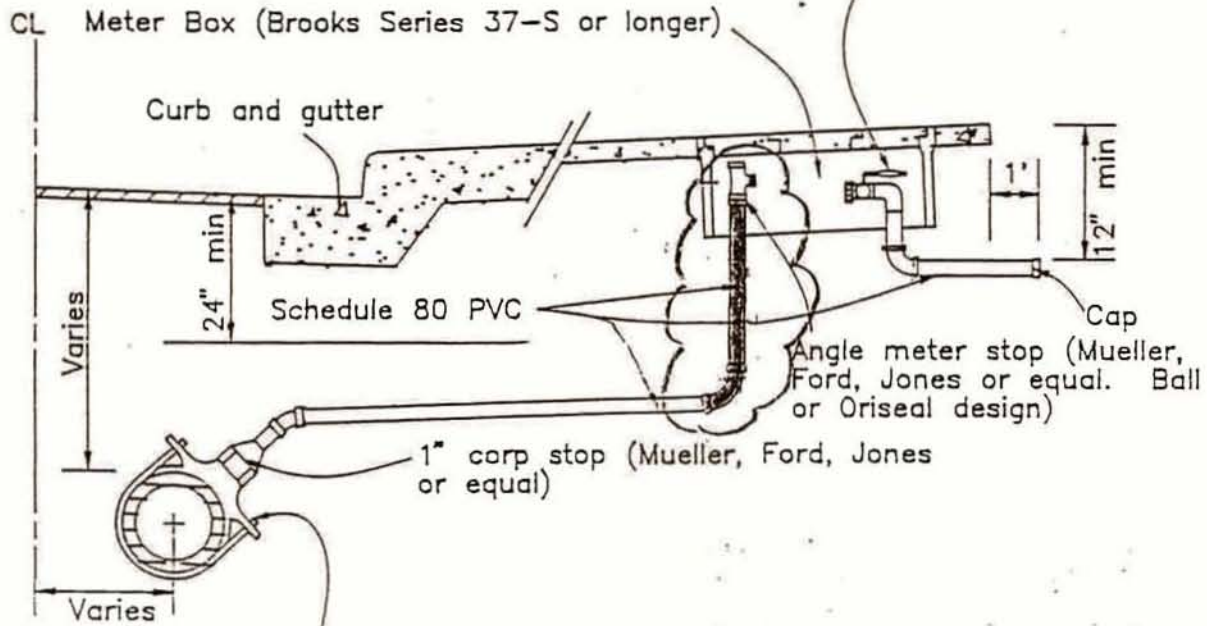
ADJOURN

*GC§ refers to Government Code Sections

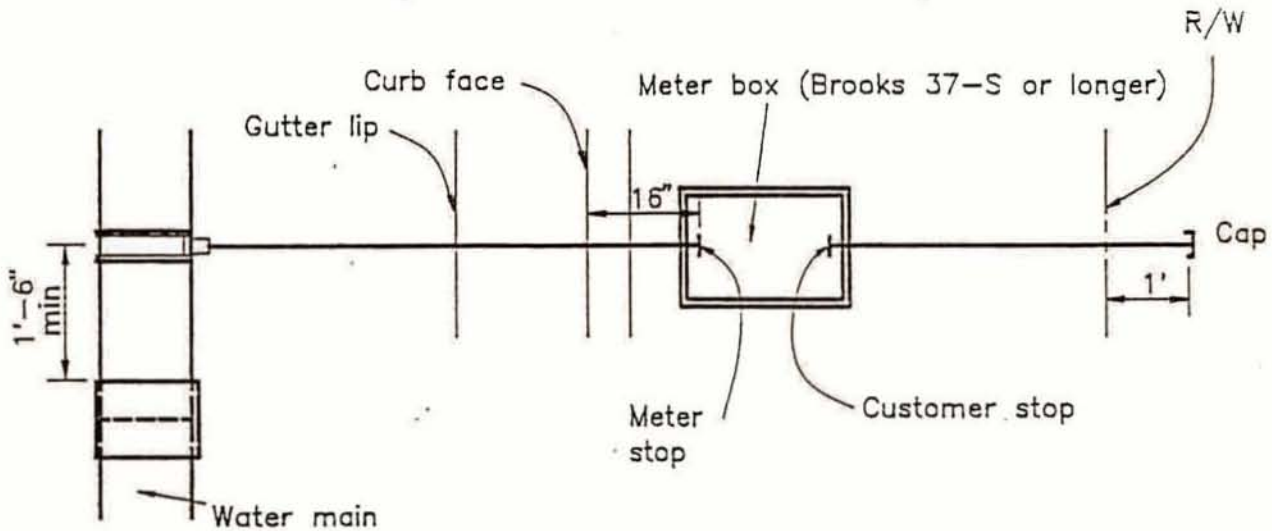
Note: Copper tubing may be used as an alternate for Schedule 80 PVC pipe.

Bronze corporation stop and angle meter stop shall be oriseal or ball design, iron pipe threaded

1" x 3/4" Angle stop Jones J1908 with lever handle or equal



Clamp (Jones J-969 or Mueller H161---



Water Service Connection Detail