

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING DECEMBER 4, 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 Steven Small called the Regular meeting of December 4, 1996 to order and led the flag salute.

ROLL CALL

At Roll Call, the following directors were present:
Directors Blair, Simon, Mendoza, Fairbanks and Small.

APPROVAL OF MINUTES

1. REGULAR MEETING OF NOVEMBER 20, 1996

Upon motion of Director Mendoza and seconded by Director Simon, the Minutes of the November 20, 1996 were unanimously approved.

PUBLIC COMMENTS PERIOD

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

President Small asked if there were any Public Comments. There were none.

BOARD ADMINISTRATION (The following may be discussed and acted on by the Board.)

3. ANNEXATION OF DISTRICT OWNED LANDS
Annex the district wastewater facility and maintenance shop area into the District.

Mr. Jones explained the reasons to annex the property that is owned by the District but not inside the District boundaries. The property is now the maintenance shop and the Southland Wastewater Treatment Facility. The SLO County sent retroactive tax bills for the years 1992 through 1996 and current tax bills for tax year 96/97. California State Law allows counties to assess property taxes on public entities properties which are not within their jurisdictional boundaries. If the area is annexed into the District, it would not be taxed. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved Resolution 96-603, to begin the procedure to annex the referenced property.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 96-603**

**A RESOLUTION OF APPLICATION BY THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO TAKE
PROCEEDINGS FOR THE ANNEXATION OF THE SOUTHLAND SEWER
TREATMENT PLANT FACILITY**

4. DEVELOP DISTRICT STANDARDS
Develop standards, drawings and specifications for the District

Mr. Jones explained that the District is in need of a set of Construction Standards in order to eliminated construction problems in the field. A proposal was received from Garing, Taylor and Associates. The Board discussed the costs associated with developing the standards. This item was tabled until further information is available.

- 5 CONSIDERATION TO CANCEL DEC. 18, 1996 BOARD MEETING

The Board considered canceling the December 18, 1996 meeting. Upon motion of Director Blair and seconded by Director Simon, the Board unanimously decided to have a Special meeting December 11, 1996.

FINANCIAL REPORT

6. APPROVAL OF WARRANTS

Upon motion of Director Blair, seconded by Director Mendoza, the Board unanimously approved the Warrants presented at the December 4, 1996 meeting.

OTHER BUSINESS

7. MANAGER'S REPORT
Mr. Jones provided information on the following:

1. ASCE PROJECT AWARDS - STANDPIPE
2. COUNTY CLERK CERTIFICATION OF THE NOV. 5, 1996 ELECTION RESULTS

8. DIRECTORS COMMENTS

Steve thanked everyone for allowing him to serve on the Board for the past almost 10 years.. It has been a real pleasure and a learning experience. He intends to spend more time with his kids and studying for the job.

Director Mendoza asked about the tree trunk at the old office building site. He suggested getting a professional tree trimmer for the remaining trees on the lot.

9. PUBLIC COMMENTS

There were no public comments.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Mr. Seitz explained that there was no need for a Closed Session. He gave this report.

1. Existing litigation GC§ 54956.9
NCSD vs. Shell Oil, et. al. Case No. CV 077387
No need for a Closed Session.

2. Existing Litigation, Pratt vs. NCSD Case No. CV 79715 GC§54956
We had an ex-party hearing . Mr. Pratt filed an amended petition for a Writ of Mandate. The first hearing on that is set for December 17, 1996. The District is preparing its response. The developer will be picking up most of the expense.

ADJOURN

President Small adjourned the meeting at 7:50 p.m.