NIPOMO COMMUNITY SERVICES DISTRICT MINUTES

REGULAR BOARD MEETING MAY 21, 1997 7:00 P.M. BOARD ROOM 261 W. DANA STREET, SUITE 100 NIPOMO, CA

BOARD MEMBERS

KATHLEEN FAIRBANKS, PRESIDENT ALEX MENDOZA, VICE PRESIDENT AL SIMON, DIRECTOR ROBERT BLAIR, DIRECTOR GENE KAYE, DIRECTOR

STAFF

DOUGLAS JONES, General Manager DONNA JOHNSON, Secretary to the Board JON SEITZ, General Counsel

CALL TO ORDER AND FLAG SALUTE

Vice-President Mendoza called the May 21, 1997 Regular Meeting to order at 7:00 p.m. and led the flag salute.

ROLL CALL

At Roll Call, the following directors were present: Kaye, Blair, Simon & Mendoza President Fairbanks was absent.

APPROVAL OF MINUTES

REGULAR MEETING OF MAY 7, 1997
 Upon motion of Director Kaye and seconded by Director Simon the Board unanimously approved the Minutes of the May 7, 1997 Regular Meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS

Public comments on matters other than scheduled items. Presentations limited to three (3) minutes Director Mendoza opened the meeting to public comment. Ed Sauer of 363 Hazel Lane gave the Board some information.

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

3. PUBLIC HEARING -

ADJUSTMENT OF TOWN AND BLACK LAKE DIVISIONS MONTHLY SEWER USER FEES Second reading of an Ordinance increasing monthly sewer user fees \$2/mo. for the Town Division and \$4/mo. for the Black Lake Division.

Mr. Jones explained that the Board had the first reading of Ordinance No. 97-85 on May 7, 1997. This ordinance adjusts the monthly sewer user fees for the Town Division (\$16 to \$18/mo.) and Black Lake Division (\$16 to \$20/mo.)

Vice-President Mendoza opened the meeting to a Public Hearing.

There were no public comments.

Director Kaye moved to have Ord. 97-85 read in title only. Director Simon seconded. Motion carried. Vote was 3-1 with Director Blair voting No.

Motion carried. Vote was 3-1 with birector Blait voting No.

Director Simon moved to adopt Ord. 97-85. Director Kaye seconded.

Motion carried. Vote 3-1 with Director Blair voting No.

NIPOMO COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 97-85

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING TITLE 3 AND TITLE 4 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO ESTABLISH MONTHLY RATES FOR SEWER SERVICE

PROPOSED ADJUSTMENT OF DISTRICT CAPACITY CHARGES AND INSTALLATION FEES
Review District water and wastewater facility capacities.
Introduction of an ordinance modifying water capacity charges and connection fees.

Mr. Jones explained the need for more water and wastewater treatment facility capacity. Jim Garing, District Engineer, explained the seriousness of the water capacity situation. In the summer of 1996 production was 4.2 MGD with .2 MGD in reserve. The projected 1997 summer use leaves no reserves even with 6 wells pumping. There was much Board discussion. There were no public comments. Upon motion of Director Kaye and seconded by Director Mendoza, the Board approved introducing Ordinance 97-86 and setting the date of June 4, 1997 for a Public Hearing. Director Blair voted No.

NIPOWO COMMUNITY SERVICES DISTRIC

ORDINANCE NO. 97-86

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AMENDING TITLE 3 AND TITLE 4 OF THE NIPOMO COMMUNITY SERVICES DISTRICT CODE TO:

- 1. ESTABLISH CAPACITY CHARGES FOR WATER SERVICE;
- 2. AMEND ADMINISTRATIVE PROCEDURES
- LAFCO LETTER ON WATER SERVICE AREAS
 - 1. LAFCO requesting NCSD and Cal Cities work together on water service areas.

Mr. Jones explained that LAFCO was requesting that the District and California Cities Water company work together to solve service areas within the Sphere of Influence and the Urban Service Area of the District.

Mr. Seitz explained that LAFCO is offering arbitration for drawing boundaries between the District and Cal Cities. Ed Sauer commented on Mr. Seitz' comments. Upon motion of Director Blair and seconded by Director Kaye, the Board unanimously agreed to direct staff to meet with Cal Cities to discuss. There were no public comments on the motion.

- 2. Service outside District boundary (Moore Property). He reported that at the May 15, 1997 LAFCO meeting, the Moore property was discussed and it was decided to reaffirm the inventory of services outside the District boundary.
- TRACT 1813 (SKYLARK PARK)
 Accept water & sewer improvements constructed in Tract 1813 off the S. Frontage Rd.
 The developer for Tract 1813, a 26 lot development on S. Frontage has met all the requirements of the District. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved Resolution 97-612 for Tract 1813.

RESOLUTION NO. 97-612
RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ACCEPTING THE WATER AND SEWER IMPROVEMENTS FOR TRACT 1813

MINUTES OF SAFETY MEETING
 Accept and file Minutes of the May 8, 1997 Safety Meeting.
 Upon motion of Director Blair, seconded by Director Simon, the Board approved to accept and file the Minutes of the May 8, 1997 Safety Meeting.

FINANCIAL REPORT

APPROVAL OF WARRANTS
 Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved the Warrants presented at the May 21, 1997 meeting.

OTHER BUSINESS

MANAGER'S REPORT

Mr. Jones presented information on the following items:

- Pismo Beach letter on District Coastal Valve Letter from Mayor of Pismo Beach May 7, 1997.
- SLO CSDA meeting May 22, SLO Library Mr. Blair volunteered to attend the meeting.
- Budget study session
 Board set a Study Session for June 4, 1997 at 8:30 a.m.
- DIRECTORS COMMENTS

Director Blair commented on the Sacramento Special Affairs Day of the CSDA meeting. Would like letter in support of SB 712.

PUBLIC COMMENTS

There were no public comments.

Mr. Seitz explained the need to go into Closed Session.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

- 1. NCSD vs. Shell Oil, et. al. Case No. CV 077387
- 2. Brenizer vs NCSD, Case No. SC 90130

*GC§ refers to Government Code Sections

The Board returned from the Closed Session with no reportable action.

Vice-President Mendoza adjourned the meeting at 8:55 p.m.

ADJOURN