

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

REGULAR BOARD MEETING JUNE 18, 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

President Fairbanks called the June 18, 1997 Regular Meeting to order at 7:08 p.m. and led the flag salute.

ROLL CALL

At Roll Call, all Board members were present.

APPROVAL OF MINUTES

1. REGULAR MEETING OF JUNE 4, 1997
Upon motion of Director Mendoza and seconded by Director Kaye, the Board unanimously approved the Minutes of the June 4, 1997 meeting.

PUBLIC COMMENTS PERIOD

2. PUBLIC COMMENTS
Public comments on matters other than scheduled items. Presentations limited to three (3) minutes
President Fairbanks opened the meeting to Public Comments. There were none.

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

3. VON'S COMMERCIAL CENTER - Request for Service
Von's Development front Tefft St. between Mary St. & Hwy 101 is requesting water and sewer service.
Mr. Jones explained the Von's Commercial Center project and the conditions of the Intent-to-Serve letter to be required. Terry Payne, with EDA, corrected that the portion of the plans called Pad B would be a convenience store rather than a drive through restaurant. Ms. Payne answered some questions from Beverly Chapman, Jim Miller and the Board. Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approve issuing an Intent-to-Serve letter with the District's standard wording and the conditions as outlined in the Board letter.
4. PUBLIC HEARING - BLACK LAKE STREET LIGHTING
Establish a \$34.00/yr./parcel assessment to operate and maintain the street lighting at the Black Lake Golf Course Development-The proposed assessment is the same as last year.
Mr. Jones explained that the street lighting at the Black Lake Golf Course development is operated and maintained by the District. The funding for this comes from an assessment on each parcel within the Black Lake community. The assessment for the 97-98 fiscal year is the same as last year and meets the requirements of Proposition 218. President Fairbanks opened the meeting to a Public Hearing. Jack Stoddard, President of the Black Lake Management Association, asked about a deficit. Mr. Jones explained that the interest revenue more than offsets the present small deficit. Mr. Stoddard also asked if the cost would be the same in future years. Mr. Jones explained that it is unknown at this time about the future costs. Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously approved Resolution 97-613.

RESOLUTION NO. 97- 613

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND
OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE
BLACK LAKE DEVELOPMENT (GOLF COURSE AREA)**

5. **PUBLIC HEARING**

DISTRICT 1997-98 FISCAL YEAR BUDGET AND APPROPRIATION LIMITATION

Proposed adoption of the District's 97-98 FY Budget and Appropriation Limitation

President Fairbanks opened up the meeting to a Public Hearing.

Jack Stoddard, BL Management Assoc., has called a meeting for Friday, June 20, 1997 to discuss the portion of the budget which affects the Black Lake Division.

Beverly Chapman, Nipomo Resource Center (277 W. Tefft St. Suite F-400), outside the District resident, would like a copy of the proposed budget and the existing budget for review by other groups. Director Blair commented that he would like to see that Nipomo not become the taxing arm for the County. June 4, 1997, a Study Session was held to discuss the proposed 97-98 budget. The Public Hearing was closed.

Upon motion of Director Blair and seconded by Director Kaye, the Board unanimously adopted Resolution 97-614 adopting the budget.

**RESOLUTION 97- 614
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE 1997-98 FISCAL YEAR BUDGET**

Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously approve Resolution 97-615 determining the appropriation limitation for the 1997-98 fiscal year.

**RESOLUTION NO. 97- 615
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DETERMINING THE APPROPRIATION LIMITATION
FOR THE 1997-1998 FISCAL YEAR**

6. **PROPOSITION 218 - COMPLIANCE**

District assessment, taxes and fees are in compliance with Prop. 218

Mr. Seitz pointed out pertinent facts in Prop. 218. Jack Stoddard asked about the assessed valuation. Lee Douglas asked about assessment of other areas that do not have street lighting. Upon motion of Director Kaye and seconded by Director Blair, the Board unanimously accepted into file the memorandum concerning Proposition 218.

7. SHORT TERM LOAN FROM TOWN DIVISION SEWER CAPACITY FUND TO DISTRICT'S PROPERTY TAX FUND

Consideration of Resolution approving a short-term loan from the Town Division Sewer Capacity Fee Fund to the Property Tax Fund for payment of construction costs

Mr. Jones explained that the progress payments for the new office building have been made from the District Property Tax Fund. Approx. \$120,000 is needed to pay the remainder due on the building. Staff recommends that a short term loan be made from the Town Division Sewer Capacity Fund. Jim Miller asked about the cost of the building being taken from tax money. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved Resolution 97-616, the loan as needed and to repay the Sewer Capacity Fund within twelve months at 6% interest.

RESOLUTION NO. 97- 616

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING A SHORT-TERM LOAN FROM THE TOWN DIVISION
SEWER CAPACITY FUND TO THE DISTRICT'S PROPERTY TAX FUND**

FINANCIAL REPORT

8. APPROVAL OF WARRANTS

Upon motion of Director Simon, seconded by Director Mendoza, the Board unanimously approved the Warrants presented at the June 18, 1997 Regular Meeting.

OTHER BUSINESS

9. MANAGER'S REPORT

Mr. Jones gave a report on the following:

1. Report on SLO CSDA Board Meeting

June 17, 1997, Director Blair and Mr. Jones attended the SLO CSDA Board meeting with Northern California Power Agency making a presentation. Jack Stoddard commented about Portland.

10. DIRECTORS COMMENTS

Director Blair commented about the Council of Governments meeting.

Beverly Chapman explained where some of the taxes went.

Director Simon commented about the gas tax - supposed to go to road, but it went directly to the general fund. Jack Stoddard says too many regulations.

11. PUBLIC COMMENTS

Beverly Chapman said NAAG is now called Nipomo Community Network.

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

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

1. NCSO vs. Shell Oil, et. al. Case No. CV 077387

*GC§ refers to Government Code Sections

The Board returned to open session with no reportable action taken.

ADJOURN

President Fairbanks adjourned the meeting at 9:05 p.m.