

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

NOVEMBER 5, 1997 7:00 P.M.

BOARD ROOM 148 S. WILSON STREET 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 meeting the order at 7:01 p.m. and led the flag salute.

ROLL CALL

At Roll Call, all Board members were present.

APPROVAL OF MINUTES

1. REGULAR MEETING OF OCTOBER 15, 1997

Upon motion of Director Kaye and seconded by Director Mendoza the Board unanimously approved the minutes of the October 15, 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 Comment.

Jerry Fitzer, 588 Masters Circle, Nipomo, CA, tenant, friend and real estate agent for property. Mr. Fitzer is concerned about invoice for repair of sewer lateral on this property.

Jerry Die, 1254 Futura Lane, Nipomo, is concerned about the black particles in the water and low water pressure to his property. The pipes are rusting in the backflow device.

Mary Holder, 234 Summit Station Rd., Nipomo, spoke of the low pressure and water outages.

Norman Forcier, 231 Summit Station Rd., Nipomo also spoke of low pressure and black particles.

The Board would like to see the pressure monitored, the air vacs checked and the water tested.

BOARD ADMINISTRATION (The following may be discussed and action may be taken by the Board.)

3. RESOLUTION OF APPRECIATION OF FIELD SERVICE CREW

Consideration of adoption of a resolution commending the work of the District field service crew

Upon motion of Director Simon and seconded by Director Kaye, the Board unanimously approved Resolution 97-626.

**RESOLUTION 97-626
RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
IN APPRECIATION OF THE DISTRICT FIELD CREW**

4. APPROVAL OF APPRAISAL SERVICE

Review consulting appraisal services to appraise a water line and tank site easement
Mr. Jones explained the need for appraisal services to determine the fair market value for the two easements for the Oakglen-Mallagh waterline and the existing and future tank site. Proposals were received from Reeder, Gilman and Assoc. and Schenberger, Taylor, McCormick and Jecker. After Board discussion and some clarification from Mr. Seitz, the Board, upon motion of Director Kaye and seconded by Director Blair, unanimously agreed to hire Schenberger, Taylor, McCormick and Jecker to perform the appraisal work. There were no public comments on this item.

5. REQUEST FOR BIDS TO REPLACE PB WATER SERVICES

Board approval to request bids to replace PB pipe water services

Mr. Jones explained that due to a number of failures of PB, the District has an on-going replacement program utilizing the District crew and/or outside contractors. Upon motion of Director Blair and seconded by Director Simon, the Board authorized staff to go out to bid to repair approximately 175 water services north of Tefft St. and West of Pomeroy. There were no public comments on this item.

6. PROPERTY TAX EXCHANGE FOR ANNEXATION NO. 16 (SOUTHLAND TREATMENT FACILITY)

Consideration of adopting accepting the property tax exchange and annual tax increment

With annexation No. 16 (the sewer plant expansion property) a negotiation of property tax exchange, based on the California Revenue Taxation Code Section 99 is a procedural item. Even though the annual tax increment coming to the District will be 3.477071 percent of the property tax, no tax will actually be collected or imposed, because the property belongs to the District. Upon motion of Director Blair and seconded by Director Kaye, the Board unanimously approved Resolution 97-627.

RESOLUTION 97-627

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF
PROPERTY TAX REVENUES AND ANNUAL TAX INCREMENT
FOR ANNEXATION NO. 16 TO THE DISTRICT**

7. SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY (SDRMA)

Review proposed SDRMA proposed JPA amendment

The Special District Risk Management Authority (SDRMA) has a Joint Powers Agreement (JPA) with the California Special Districts Association (CSDA) for administering the insurance program. Upon motion of Director Simon and seconded by Director Blair, the Board unanimously approved the proposed amendment to the JPA between CSDA and SDRMA. There were no public comments.

8. PRIVATE FIRE SERVICE

Review inventory and audit of private fire services (bldg. sprinkler system) within the District

An inventory of all private fire services revealed 11 of 16 services that have not been billed. No Board action was required. This was to inform the Board that the customers will be billed the appropriate monthly charges at the next regular billing cycle.

9. ANNUAL AUDIT SERVICE

Review audit proposal from Mr. Carlos Reynoso, CPA for future year(s)

At the last meeting, the Board requested that Mr. Reynoso, if he should be awarded the job of audit next time, include a comparison of past years in next audit. Mr. Reynoso presented a proposal for a three year period. The Board decided to get proposals from other companies that perform audits to compare fees.

FINANCIAL REPORT

10. APPROVAL OF WARRANTS

Upon motion of Director Kaye and seconded by Director Mendoza, the Board unanimously approved the Warrants presented at the November 5, 1997 Regular Meeting.

11. FIRST QUARTER FINANCIAL STATEMENT

The first quarter financial statements of the Nipomo Community Services District were presented to the Board. The fiscal year is 25% complete with nine months remaining. This is an information item only and requires no Board action.

OTHER BUSINESS

12. MANAGER'S REPORT

Manager Doug Jones presented information on the following items:

1. Water Engineering article on water costs
2. State Water Contractors Adv Comm. Meeting, 11/20/97
Board directed staff to contact Ms. Litteral to move NCSD item to beginning of meeting rather than end.
3. Southland Facility Discharge Requirements
Regulations have changed.

13. DIRECTORS COMMENTS

President Fairbanks reported on the Special District Board Mgmt conference she attended in Palm Springs.
Director Blair commented on SLO County spending on seemingly unnecessary items.
Director Mendoza said he and Director Kaye visited the customers in Summit Station area who were complaining of the low pressure and dirty water and suggested that something be done to find the problem.
Director Kaye suggested that a committee be formed to meet with staff to resolve the problem and that a log be kept of complaints and commendations and be reported it during Manager's Report.

14. PUBLIC COMMENTS

There were no public comments.

Jon Seitz, District Legal Counsel, explained the need to go into Closed Session.
The Board adjourned to Closed Session at 9:05 p.m.

CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL

Existing litigation GC§ 54956.9

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

Anticipated litigation, GC§54956.9(b)

1. One case

*GC§ refers to Government Code Sections

The Board came back into Open Session.

The Board instructed staff to receive the full amount of the District's cost of the sewer lateral repair at 588 Masters Circle or take the appropriate legal action for recovery.

ADJOURN

Copy of document found at www.NoNewWipTax.com

President Fairbanks adjourned the meeting at 9:35 p.m.