

Resolutions 1999

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AVILA BEACH COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 99-1

**RESOLUTION COMMENDING
MARVIN DEE
FOR SERVICE TO THE AVILA BEACH COMMUNITY SERVICES DISTRICT**

WHEREAS, MARVIN DEE has served the Avila Beach Water District and Avila Beach Community Services District since 1994 as a Director of the Board; and

WHEREAS, MARVIN DEE was instrumental in guiding the District through a period of transition in the formation of the Avila Beach Community Services District, merging the County Street Lighting District with the Water District to provide more efficient services to the Community; and

WHEREAS, MARVIN DEE participated in the formation of the Avila Beach Community Foundation to create a unique vehicle for the receipt and administration of funds for the benefit of the entire Community of Avila Beach; and

WHEREAS, MARVIN DEE has also provided leadership to the District in administering over \$1.3 million of grant funding to complete the construction of a major expansion of the District's Wastewater Treatment Plant; and

WHEREAS, MARVIN DEE has served on the District's Personnel and Finance Committees and been highly effective in providing consistent vision, structure, and public accountability to the District, in his role as a Director of the Board of Directors, and;

WHEREAS, MARVIN DEE has earned the respect and admiration of his colleagues and the community for his continuing dedication and service to the community of Avila Beach;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Avila Beach Community Services District, San Luis Obispo County, California, as follows:

That the Avila Beach Community Services District does hereby recognize and commend MARVIN DEE for his five years of dedication, leadership and extraordinary commitment as a Director for the Avila Beach Community Services District, and adopts this Resolution as a public statement of their recognition.

UPON MOTION of Director Guernsey, seconded by Director Leonard, and on the following roll call vote to wit:

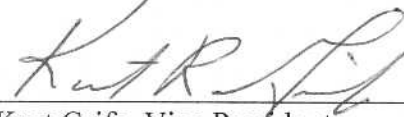
AYES: Guernsey, Leonard, Alcon, Grife, West

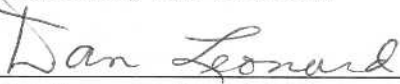
NOES: none

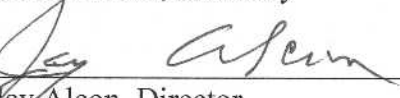
ABSENT: none

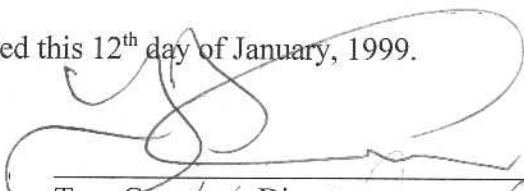
ABSTAINING: none

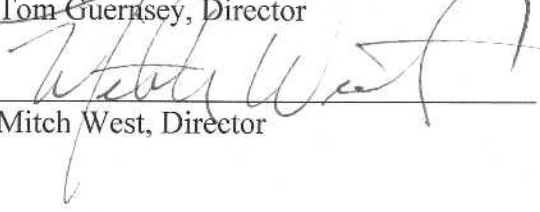
the foregoing Resolution is hereby adopted this 12th day of January, 1999.


Kurt Grife, Vice President


Dan Leonard, Secretary


Jay Alcon, Director


Tom Guernsey, Director


Mitch West, Director

ATTEST:


Secretary to the Board of Directors

RESOLUTION NO. 99-2

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA BEACH
COMMUNITY SERVICES DISTRICT AUTHORIZING THE SUBMITTAL OF A
PRE-APPLICATION GRANT APPLICATION TO THE COUNTY OF SAN LUIS OBISPO
FOR A COASTAL RESOURCES GRANT**

WHEREAS, the Avila Beach Community Services District has considered the information regarding the submittal of a pre-application package to the County of San Luis Obispo for a potential project within the community of Avila Beach; and

WHEREAS, the Board has considered the information pertaining to improvements in the community of Avila Beach; and

WHEREAS, the District has considered other improvements that are necessary for the improvement of the quality of life in the community of Avila Beach due to the impacts of the development of off-shore oil; and

WHEREAS, the Board has authorized staff to submit a pre-application for the attached requests concerning these projects.

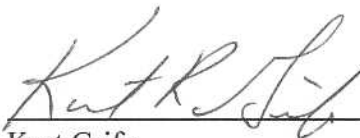
NOW THEREFORE, BE IT RESOLVED that the Board of Directors of the Avila Beach Community Services District does hereby authorize the submittal of a pre-application for grant project(s) for the Coastal Resources Grant Program.

PASSED, APPROVED, ADOPTED, by the Board of Directors of the Avila Beach Community Services District on the 20th day of April, 1999, by the following vote to wit:

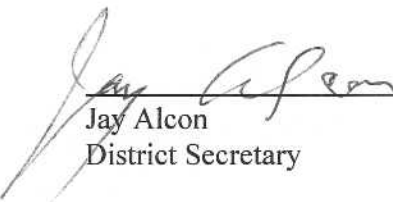
AYES: Alcon, Grife, Leonard, Guernsey, West

NOES: None

ABSENT: None



Kurt Grife
President
Board of Directors



Jay Alcon
District Secretary

aw:245res98-000

AVILA BEACH COMMUNITY SERVICES DISTRICT

Resolution No. 99-3

RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA BEACH COMMUNITY SERVICES DISTRICT DECLARING WEEDS, DRY GRASS, AND TRASH TO BE A NUISANCE AND THREAT TO PUBLIC SAFETY, AND PROVIDING FOR ABATEMENT

WHEREAS, there exists on certain lots and parcels of real property within the District, weeds, dry grass, brush, litter and other flammable material which endanger the public safety,

WHEREAS, The Board of Directors finds these conditions constitute a public nuisance and safety hazard and deem that these conditions should be abated,

WHEREAS, pursuant to law, notice shall be given to destroy, remove, and clear, dry weeds, grass, brush, litter, trash and other flammable materials on certain lots and parcels of land within the District, and a hearing where concerns about such matters will be heard is hereby set for the 8th day of June at 7:00 P.M. at the Avila Beach Community Services District meeting place at 191 San Miguel Street, Avila Beach Ca. 93424,

WHEREAS, the Fire Chief of the Avila Beach Fire Department is hereby designated as the person referred to in the Health and Safety code 14890, to abate these conditions.

NOW, THEREFORE, be it resolved that the Fire Chief is hereby directed to post notice and send written notice to property owners where the conditions described above exist.

ON MOTION of Director Guernsey, seconded by Director Leonard, and on the following roll call vote, to wit:

AYES: Guernsey, Leonard, Grife, Alcon, West

NOES: none

ABSENT: none

The foregoing resolution is hereby adopted this 11 day of May 1999.

Kurt Grife, President

ATTEST:

SECRETARY TO BOARD

AVILA BEACH COMMUNITY SERVICES DISTRICT

Resolution No. 99-4

RESOLUTION FINDING NO OBJECTIONS TO WEED AND RUBBISH ABATEMENT PROCEEDINGS AND ORDERING THE ABATEMENT OF THE NUISANCES.

WHEREAS, a time was set for the hearing before the Board of Directors of the Avila Beach Community Services District of objections from the public to the proposed removal of weeds from various lots and parcels within the District, as described in Resolution #99-3, previously adopted; and it appearing that notice of this hearing has been duly and regularly given as required by law, as evidenced by the Certificate of the Fire Chief filed with the District; and it appearing that no persons have come forward to object to the proposal, and that the President has declared the hearing closed;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS AS FOLLOWS:

1. That any objections to said proposal were heard and resolved;
2. That the District has jurisdiction to proceed to perform the work of removal;
3. That the Fire Department is ordered to abate the nuisance referred to in Resolution 99-3 on the lots and parcels described in Exhibit A, attached hereto;

4. That upon completion of said abatement, the Fire Chief shall submit to this Board, as provided in Health and Safety code 14905, an itemized written report showing the cost of abatement to each parcel abated where clearing was done by the Fire Department.
5. That said report shall be heard and considered by the Board on July 13, 199 at the regular meeting time, along with any objections from owners liable to be assessed. The Fire Chief shall cause a copy of said report to be posted at the Board meeting place at least 3 days prior to said meeting, as required by law, and file his Certificate of Posting.

ON MOTION of Director Guernsey, seconded by Director Leonard, and on the following roll call vote, to wit:

AYES: Guernsey, Leonard, Grife, Alcon, West
NOES: none

ABSENT: none

PASSED AND ADOPTED this 8th day of June.

President of the Board

ATTEST:

Secretary to the Board

**AVILA BEACH COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 99-5**

A RESOLUTION ADOPTING THE 1999-2000 FISCAL YEAR BUDGET

WHEREAS, The District is required, pursuant to state codes to designate a custodian for its monies; and

WHEREAS, such custodianship requires that proper methods be used for the acquisition and disbursement of District monies; and

WHEREAS, the District desires to make known its planned activities and associated costs for the 1999-2000 fiscal year.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of directors, Avila Beach Community Services District, San Luis Obispo County, California, as follows:

1. That the proposed budget entitled, "Avila Beach Community Services District 1999/00 Fiscal Year Budget," be adopted as amended.
2. That the budget be administered as established by past policies and practices.

ON MOTION of Director Leonard, seconded by Director Alcon, and on the following roll call vote to wit:

AYES: Leonard, Alcon, Grife, Guernsey, West

NOES: none

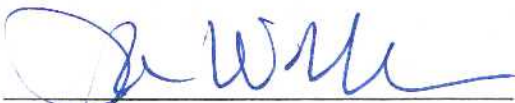
ABSENT: none

The foregoing resolution is hereby adopted this 13th day of July, 1999.



Kurt Grife, President

ATTEST:



Secretary to the Board of Directors

**AVILA BEACH COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 99-6**

**A RESOLUTION FOR DETERMINATION OF
APPROPRIATION LIMITATION FOR THE
1999-2000 FISCAL YEAR
AND
REQUESTING DISTRIBUTION OF
SPECIAL DISTRICT AUGMENTATION FUNDS**

WHEREAS, Article XIII B of the California Constitution specifies that appropriations made by governmental entities may increase annually by the change in population and the change in either the California Per Capita Personal Income or the change in the local assessment roll due to local residential construction; and

WHEREAS, upon determination of an appropriation limitation for the 1999-2000 Fiscal year, the District should request the Auditor Controller of the County of San Luis Obispo to distribute the District's portion of Special District's Augmentation Funds, if any, when they are determined by the County Board of Supervisors; and

WHEREAS, it has been determined by the State Department of Finance that the percent change in the California Per Capita Personal Income (CPCPI) is 4.53% and the percent change in the population (POP) of the unincorporated areas of San Luis Obispo County is 1.66%; and,

WHEREAS, the appropriation, subject to limitation (estimated net tax proceeds excluding Augmentation Funds) has been determined to be \$177,323; and

WHEREAS, the appropriation limit exceeds the appropriation subject to limitation;
and,

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors, of the Avila Beach Community Services District, San Luis Obispo County, California, as follows:

1. That the ratio of change is determined as follows:

$$\begin{array}{rcccl} \frac{4.53 + 100}{100} \text{ (CPCPI)} & \times & \frac{2.28 + 100}{100} \text{ (POP)} & = & \text{RATIO} \\ 1.0453 & \times & 1.0228 & = & 1.0691 \end{array}$$

2. That the 1999-2000 appropriation limit is determined as follows:

1998-1999 Limitation		\$ 2,512,611
1999-2000 Ratio of Change	X	<u>1.0691</u>
1999-2000 Appropriation Limitation		<u>\$ 2,686,232</u>

3. That the Appropriation Limitation (\$2,686,232) exceeds the Appropriation subject to Limitation (\$177,323) by \$2,508,909.
4. No further adjustment to the 1999-2000 appropriation limitation has been made for mandated costs. However, any new mandated costs or increases in existing mandated costs would increase the limitation by the amount of "Proceeds from Taxes" used to finance mandates in fiscal year 1999-2000.
5. That the County of San Luis Obispo distribute to the District, the District's share of the Special District's Augmentation Funds, if any, as determined by the Board of Supervisors.

Upon motion of Director West, seconded by Director Leonard, and on the following roll call vote to wit:

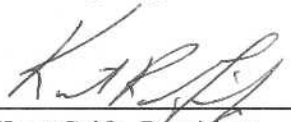
AYES: West, Leonard, Grife, Alcon, Guernsey

NOES: none

ABSENT: none

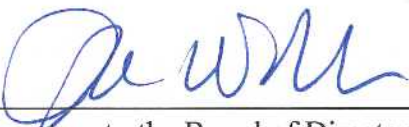
ABSTAINING: none

the foregoing Resolution is hereby adopted this 13th day of July, 1999.



Kurt Grife, President

ATTEST:



Secretary to the Board of Directors

RESOLUTION NO. 99-7

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE AVILA
BEACH COMMUNITY SERVICES DISTRICT AUTHORIZING THE
SUBMITTAL OF A GRANT APPLICATIONS FOR THE AVILA BEACH
REMEDATION FUNDS**

WHEREAS, the Avila Beach Community Services District desires to seek certain funds in the amount of \$426,000 which will be made available through Air Pollution Control, Fish and Game and Regional Water Quality Control Board through an agreement with Unocal; and,

WHEREAS, the Avila Beach Community Services District has considered the information regarding the submittal of grant applications for potential projects within the Avila area; and,

WHEREAS, all project requests should be approved by the governing board and submitted by December 15, 1999; and,

WHEREAS, the Avila Beach Community Services District is requesting that \$2,000 in Avila Beach Community Funds and \$25,000 in "in-kind services" be programmed for potential projects within the Avila area; and

WHEREAS, the Avila Beach Community Services District hereby establishes its commitment to budgeting of its funds as shown in the project applications ; and,

WHEREAS, the Avila Beach Community Services District hereby appoints the President as the official representative authorized to sign the funding applications.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Avila Beach Community Services District does hereby request that \$426,000 in Avila Beach Community Remediation Funds be programmed for potential projects with in the Avila area and authorizes the submittal of the grant applications.

ADOPTED, by the Board of Directors of the Avila Beach Community Services District on the 9th day of December, 1999, by the following vote to wit:

AYES: West, Leonard, Alcon, Grife
NOES: Guernsey
ABSENT: None

Kurt Grife, President
Board of Directors

John L. Wallace
Secretary to the Board