

Wed
Aug 16th
7:00 AM
Lecture H.S.

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

July 19, 2000

John D. Jones

REGULAR SESSION 10:30 A.M.
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
AL SIMON, VICE PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
ALEX MENDOZA, DIRECTOR
MICHAEL WINN, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SECRETARY TO THE BOARD
JON SEITZ, GENERAL COUNSEL

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

A. CALL TO ORDER AND FLAG SALUTE

B. ROLL CALL

C. PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

D. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)

- D-1) HIGH SCHOOL WATER EVALUATION (RECOMMEND APPROVAL)
District's water system evaluation for the new high school - Boyle Engineer
- D-2) THE WOODLAND'S PROJECT
Review District's position on the proposed Woodland project
- D-3) CYPRESS RIDGE DEVELOPMENT
Review PUC intervene procedures/So. Cal. Application for the Cypress Ridge water system
- D-4) REQUEST FOR WATER SERVICE (MONEY)
Request for water service to 1108 Pomeroy Rd. - one 8½ acre parcel

E. OTHER BUSINESS

- E-1) DISTRICT BOARD ROOM USE
Review District policy of use of the Board room
- E-2) SOUTH COUNTY AREA PLAN PROPOSED AMENDMENTS
Review three proposed projects outside but adjacent to NCSD boundaries
 - Nipomo Oaks Partnership industrial park development
 - Commercial and residential development adjacent to Southland St.
 - 40-lot development next to Black Lake Golf Course

F. CONSENT AGENDA The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.

- F-1) WARRANTS (RECOMMEND APPROVAL)
- F-2) BOARD MEETING MINUTES (RECOMMEND APPROVAL)
Approval of Minutes of June 21, 2000 Regular Board meeting
Approval of Minutes of July 5, 2000 Regular Board meeting

G) MANAGER'S REPORT

- G-1) CSDA LEGISLATIVE UPDATE
- G-2) Templeton CSD correspondence on CSDA Board seat

H. DIRECTORS COMMENTS

CLOSED SESSION

- CONFERENCE WITH LEGAL COUNSEL GC§54956.9
 - a. SMVWCD vs NCSD Santa Clara County Case No. CV 770214 and all consolidated cases.
 - b. NCSD vs. State Dept of Health Services CV 990706, GC§54956.9

ADJOURN

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: JULY 19, 2000

AGENDA ITEM
JUL 19 2000



HIGH SCHOOL WATER EVALUATION

ITEM

Review Boyle Engineering's evaluation of the water distribution system with respect to providing service to the new high school.

BACKGROUND

On August 10, 1999, NCSD and Lucia Mar Unified School District entered into an Agreement for Extraterritorial Water and Sewer Service for the proposed high school which is presently outside the District boundary. The school has agreed to pay for an evaluation of the District's distribution system prepared by Boyle Engineering to review the capabilities of the system providing service to the new high school. Attached is the draft report from Boyle Engineering of the water system evaluation.

Board 2000\highschool evaluation

BOYLE

5851 Thille Street, Suite 201
Ventura, CA 93003
TEL: (805)644-9704
FAX: (805)642-8277
www.boyleengineering.com

Mr. Doug Jones, General Manager
NIPOMO COMMUNITY SERVICES DISTRICT
148 South Wilson Street
P. O. Box 326
Nipomo, CA 93444-0326

July 7, 2000

**Nipomo Community Services District
Revised Proposal to Evaluate Nipomo High School Water Supply and
Demand Request - Contract Amendment No. 2**

Dear Mr. Jones:

Boyle Engineering is pleased to provide this proposal for engineering services to evaluate the L.M.U.S.D. High School Water Supply and Demand Request.

Background

The L.M.U.S.D is currently planning and designing a new Nipomo High School to be built at a site on Thompson Road. The School District would like to provide water to NCSD from the School District's existing Dana Elementary School well in Nipomo in exchange for connecting the new Nipomo High School to the Nipomo CSD. In order to respond to the L.M.U.S.D. request, Nipomo CSD has asked Boyle Engineering to evaluate two issues:

1. Conduct an engineering analysis to see whether or not the Nipomo CSD has sufficient existing capacity to:
 - To take approximately 80 AF/year of water from Dana Elementary School well as a new NCSD water source and deliver Nipomo Community Services District water system water to the new Nipomo High School site near the intersection of Eve and Mallagh Streets.
 - Provide the required fire flow to the proposed L.M.U.S.D High School site.
2. Develop a proposed water service charge based on the High School's service requirements, a credit for the Dana Elementary well water, and Nipomo's CSD's cost to provide service. The charge would consist of a charge per HCF plus a possible initial capital cost.

Mr. Doug Jones
Page 2

July 7, 2000

Scope of Work

Our proposed scope of work is as follows:

Task 100 Identify Water Service Requirements

- 101 Discuss High School water service requirements with NCSD staff. Assume that the proposed replacement Dana Elementary School well will provide a maximum of 100 gpm using a pump curve similar to the nearby Church well, and that the Nipomo High School demand will be 80 AF/yr.
- 102 Discuss fire flow requirements with Nipomo CSD staff based on their discussions with California Department of Forestry. Assume that the buildings will have fire sprinklers and that the fire flow requirement will be 1500 gpm.

Task 200 Evaluate High School Impact on Existing and "Buildout" Water System

- 201 Modify the existing NCSD water system computer model Boyle developed under Contract Amendment No. 1 (minimum pressures of 50 psi on an average day and 40 psi during peak hour demand and 30 psi for MDD plus fire flow) to add the Dana Elementary School well as a water source.
- 202 Using the modified existing NCSD water system model, simulate the anticipated maximum day demand (MDD) plus fire flow as well as the peak hour demand (PHD) water demand. Evaluate and model what upgrades will be required to provide storage and pipeline capacity to provide water at a rate meeting the high school's anticipated water demand.

Task 300 Develop Water Service Charge

- 301 Render an engineer's opinion of probable costs for the school's share of required system upgrades.
- 302 Develop a proposed water service unit charge that covers incremental operating fees for water system operations and maintenance and facility replacement costs with a credit for the Dana Elementary School well water.

Task 400 Draft Letter Report

- 401 Prepare a draft letter report (one copy) documenting the results of this evaluation.
- 402 Meet with NCSD staff to discuss our findings.

Task 500 Final Report

Incorporate NCSD comments and submit one copy of the final letter report.

Mr. Doug Jones
Page 3

July 7, 2000

Services to be Provided by Nipomo CSD

1. Evaluate the potential water quality and reliability available from the Dana Elementary School well and its compatibility with the existing Nipomo CSD water system. Obtain certifications from L.M.U.S.D. on the water quantity available from the Dana Elementary well in terms of flow rates and water rights.
2. Obtain projected water demand for proposed Nipomo High School from the L.M.U.S.D., project EIR and/or other sources.
3. Contact the California Department of Forestry regarding the fire flow requirements for the proposed Nipomo High School.
4. Prepare the permit applications and obtain permit approval from the Dept. of Health Services and the County Health Department for the new Dana Elementary well connection.
5. Provide financial information on Nipomo CSD water rate structure that identifies separately charges for:
 - Water system operations and maintenance.
 - Water system capital costs for existing debt coverage, facility replacement and planned upgrades to serve existing and future water customers.

Proposed Schedule and Fee

Compensation shall be on a time and materials basis in accordance with the attached Fee Schedule and Project Budget.

We will submit the draft letter report within 10 days of receiving the notice to proceed (in time for the July 19th Board meeting.) We will provide the final report within one week after we receive the District's comments on the draft report.

Boyle Engineering will provide these services as Amendment No. 2 to our existing Engineering Services Agreement dated November 17, 1999. If you find this contract amendment to be in order, please sign all three copies and return two copies to us as notice to proceed.

Sincerely,

Boyle Engineering Corporation


 Pam Cosby, PE, AICP
 Project Manager


 Glen Hille, PE
 Managing Engineer

Project Budget

Evaluate High School Water Supply/Demand Request

Niponto Community Services District

Task Description	Personnel Hours							Budget		
	Principal Engineer	Senior Engineer II	Assoc Engineer	Assist Engineer II	Designer/CADD Oper	Clerical	Total Hours	Labor	Non-Labor	Total
Task Group 1 Identify Water Service Requirements										
101 L.M.U.S.D. Well and Service Restrictions		2					2	\$ 244	\$ 20	\$ 264
102 Fire Flow Requirements		1					1	\$ 122	\$ 10	\$ 132
							-	\$ -	\$ -	\$ -
							-	\$ -	\$ -	\$ -
Subtotal		3					3	\$ 366	\$ 29	\$ 395
Task Group 2 Evaluate High School Impact										
201 Modify Water System Model		1		1			2	\$ 199	\$ 16	\$ 215
202 Evaluate Water System Upgrades Required	1	2		8			11	\$ 1,002	\$ 80	\$ 1,082
							-	\$ -	\$ -	\$ -
							-	\$ -	\$ -	\$ -
Subtotal	1	3		9			13	\$ 1,201	\$ 96	\$ 1,297
Task Group 3 Develop Water Service Charge										
301 Opinion of Probable Costs	1	1		4			6	\$ 572	\$ 46	\$ 618
302 Water Charges	1	3		2			6	\$ 662	\$ 53	\$ 715
							-	\$ -	\$ -	\$ -
							-	\$ -	\$ -	\$ -
Subtotal	2	4		6			12	\$ 1,234	\$ 99	\$ 1,333
Task Group 4 Draft Letter Report										
401 Draft Letter Report	1	5		4	3	5	18	\$ 1,510	\$ 121	\$ 1,631
402 Meet with NCSD Staff		3					3	\$ 366	\$ 29	\$ 395
							-	\$ -	\$ -	\$ -
							-	\$ -	\$ -	\$ -
Subtotal	1	8		4	3	5	21	\$ 1,876	\$ 150	\$ 2,026
Task Group 5 Final Letter Report										
Final Letter Report	1	2		4	1	2	10	\$ 860	\$ 69	\$ 929
							-	\$ -	\$ -	\$ -
							-	\$ -	\$ -	\$ -
Subtotal	1	2		4	1	2	10	\$ 860	\$ 69	\$ 929
Total	5	20		23	4	7	59	\$ 5,537	\$ 443	\$ 5,980

Amounts shown are fee.

Personnel Category	\$/HR
Principal Engineer	\$142.00
Senior Engineer II	\$122.00
Assoc Engineer	\$93.00
Assist Engineer II	\$77.00
Designer/CADD Oper	\$70.00
Clerical	\$48.00

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 19, 2000

AGENDA ITEM **D2**
JUL 19 2000

THE WOODLANDS PROJECT

ITEM

Review the District's position on the proposed Woodland Project

BACKGROUND

Director Blair requested that the Board review its position on the proposed Woodland Project, approx. a 900 acre development near Highway 1 on the Nipomo Mesa. Attached is the past correspondence with respect to the Board's position on the Woodlands Project.

RECOMMENDATION

The Board may give staff direction how to proceed in this matter.

Board 2000\Woodlands

NIPOMO COMMUNITY SERVICES DISTRICT

**148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444-0326
(805) 929-1133 FAX (805) 929-1932**

August 6, 1998

Planning Commission Secretary
San Luis Obispo County
Planning Department
County Government Center
San Luis Obispo, CA 93408

SUBJECT: DRAFT WOODLAND'S SPECIFIC PLAN

The Board of Directors of the Nipomo Community Services District reviewed the draft Woodland's Specific Plan at their regular meeting held on August 5, 1998. The Board unanimously supports the project but has concerns about the water resources for the development. The District, after reviewing a number of published groundwater studies, has declared that the Nipomo Mesa Sub-Unit of the Santa Maria Ground Water Basin to be in a state of overdraft. The recent DWR draft report on the "Water Resources of the Arroyo Grande-Nipomo Mesa Area" dated May 1998 indicates a declining trend in ground water levels on the Mesa which is consistent with the District's position.

The Specific Plan indicates that the Woodland Project would use approx. 1600 acre feet per year when developed. The District supports the mitigation measures of retrofitting and water conservation aspects but feels they are insufficient to adequately offset the water supply for this project. The mitigation measures often are not enforced satisfactorily to make a difference in water conservation. This project over time will diminish the water supply for all existing water users on the Mesa, i.e. homeowners, agriculture, greenhouses, and other water purveyors, including the District water supply.

August 6, 1998

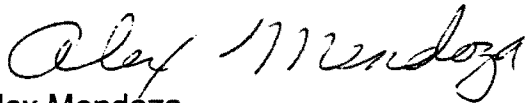
Planning Commission Secretary
San Luis Obispo County
Planning Department
Page Two

The District would like to re-emphasize that it supports the project but feels that a supplemental water supply is needed for its water resources.

If you have any questions, please call.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT



Alex Mendoza
President of the Board

cc: Jay Johnson, Associate Planner
SLO County Board of Supervisors
SLO County Engineer
WRAC
Farm Bureau
Times Press Recorder
Santa Maria Times
Telegram Tribune

C:\W\woodland-draft

NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 326 NIPOMO, CA 93444-0326
(805) 929-1133 FAX (805) 929-1932

April 24, 1998

John McKenzie
Environmental Division
County Planning and Building
County Government Center Room 310
San Luis Obispo, CA 93408-2040

SUBJECT: WOODLANDS SPECIFIC PLAN - DRAFT EIR

The Nipomo Community Services District has reviewed the Water Resource/Wastewater Section of the Woodland Project EIR and have the following comments:

- The District's Board of Directors is in support of the Woodland Project 021 and believes that it would be an asset to the Nipomo area.
- The District believes that a large project such as this may have a potential effect on the groundwater basin.
- In 1989 the District Board of Directors reviewed a number of groundwater studies and declared that the Nipomo Basin was in overdraft condition. The definitions of overdraft and safe yield in the Woodland Draft EIR may differ from the State Department of Water Resources (Bulletin No. 118) and established by the courts.

Overdraft - 'The condition of a groundwater basin where the amount of water withdrawn by pumping exceeds the amount of water replenishing the basin over a period of time'. Los Angeles vs. San Fernando defines overdraft as a point at which "extractions from the basin exceeds its safety yield plus any ... temporary surplus." Temporary surplus is the amount of water that can be pumped from a basin to provide storage space for surface water that would be wasted during wet years if it could not be stored in the basin.

Safe yield: - 'The maximum quantity of water which can be withdrawn annually from a groundwater supply under a given set of conditions without causing an undesirable result.' The phrase "undesirable result" is understood to refer to the gradual lowering of the groundwater levels resulting eventually in the depletion of the supply. It is recommended that these definitions be included in the Woodland EIR.

The State Department of Water Resources has presented a draft report of the Arroyo Grande/Nipomo Mesa Groundwater Study to the County Flood Control District. This report may assist in evaluating the groundwater resources on the Nipomo Mesa.

April 24, 1998
John McKenzie
Woodland Project EIR
Page Two

- On page 82 paragraph 4.1.1.2.5 "Water Rights", the paragraph indicates that the Santa Maria groundwater basin has not been adjudicated. On July 14, 1997, the Santa Maria Valley Water Conservation District filed a complaint against the City of Santa Maria, Southern California Water Company and the City of Guadalupe to adjudicate Santa Maria area groundwater basin. A portion of the Woodland Project may fall in the indicated adjudication boundary and may be affected by such future actions of the court.
- The EIR should address self-generating versus exchange unit type water softeners within this development so that salt build-ups in the groundwater basin are minimized.
- What controls are to be enforced to assure that the reclaimed water, fertilizers and pesticides are properly selected, handled, stored and applied as not to degrade the groundwater quality? Without controls and enforcement, there will be a significant impact on quality.
- Page 116 "Mitigation Measure" ¶4.1-6A indicates that a retrofit program replacing toilet fixtures at a rate of 1:1 should be incorporated into the development. The District supports this concept to mitigate water use. It is felt that the ratio of 1:1 should be defined. It normally takes four (4) retrofits to accumulate sufficient water savings for one new resident. The one to one basis should be clarified indicating whether its one toilet per one house or 4 units per one house. An inventory of available retrofits on the Mesa should be review to see if there are sufficient retrofits available for the proposed project.

Again the District is in support of this project and feels it would be of benefit to the Nipomo area. The Board feels that the above items should be reviewed prior to the final EIR being completed.

If you have any questions, please contact the District office at 929-1133.

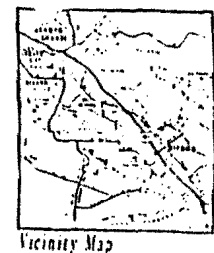
Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT



Alex Mendoza
President of the Board

C:\W\projects\woodlandmckenzie



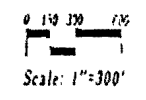
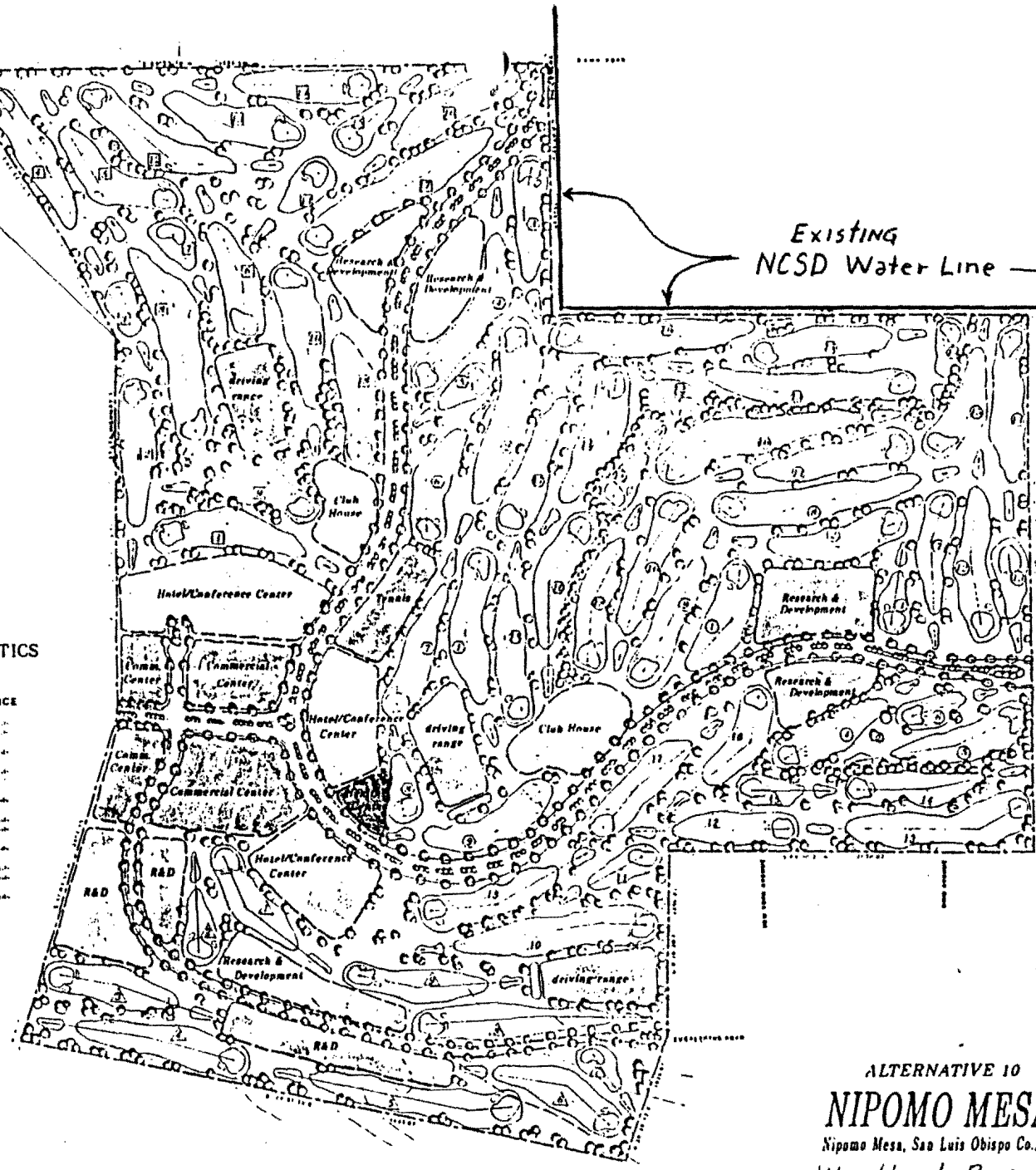
Existing
NCS D Water Line

LAND USE STATISTICS


LAND USE	ACRES
Residential	116
Commercial	1
Industrial	1
Public	1
Open Space	1
Water	1
Other	1
TOTAL	122

GOLF COURSE STATISTICS

COURSE	PAR	DISTANCE
18 HOLE	72	6,300 yds
9 HOLE	36	3,150 yds
18 HOLE	72	6,300 yds
9 HOLE	36	3,150 yds
18 HOLE	72	6,300 yds
9 HOLE	36	3,150 yds
18 HOLE	72	6,300 yds
9 HOLE	36	3,150 yds
18 HOLE	72	6,300 yds
9 HOLE	36	3,150 yds
18 HOLE	72	6,300 yds
9 HOLE	36	3,150 yds



ALTERNATIVE 10
NIPOMO MESA
Nipomo Mesa, San Luis Obispo Co., Ca.
Woodland Project

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: JULY 19, 2000

AGENDA ITEM 
JUL 19 2000

CYPRESS RIDGE DEVELOPMENT
PUC HEARING

ITEM

Southern California Water Company's (So Cal) Public Utility Commission (PUC) application to provide service to the Cypress Ridge Golf Course development.

BACKGROUND

At the Regular Board meeting of July 5, 2000, your Honorable Board reviewed the PUC hearing on the water supply for the Cypress Ridge Golf Course development to be serviced by Southern California Water Company. The Board directed staff to contact the PUC to gather additional information on this process. Staff contacted Administrative Law Judge McVicar and he referred to PUC rules 53 and 45(attached). If NCSD wishes to participate in this process, a motion of intervene would need to be filed. The motion would be sent to the Commission Process Office and would be served to all parties and their proceedings including the Administrative Law Judge McVicar. Legal counsel have into more detail about this process

RECOMMENDATION

The Board may direct staff on how they wish to proceed in this matter.

Board 2000\Cypress Ridge7-19.DOC

McVicar, James C., 04:15 PM 7/6/00 -, SoCalWater Cypress Ridge Appli

From: "McVicar, James C." <jcm@cpuc.ca.gov>
To: "'ncsd@ix.netcom.com'" <ncsd@ix.netcom.com>
Subject: SoCalWater Cypress Ridge Application to Serve
Date: Thu, 6 Jul 2000 16:15:11 -0700
X-Mailer: Internet Mail Service (5.5.2650.21)

Mr. Jones:

Per our telephone conversation, if the Nipomo CSD wishes to participate in this proceeding, it should file a Motion to Intervene.

Here is a link to the Rules of Practice and Procedure:

http://www.cpuc.ca.gov/rules/table_of_contents.htm

Please refer to Rule 53 (which refers to complaint cases, but is still pertinent in this context). Rule 45 discusses the requirements for filing a motion, including a Motion to Intervene. The Motion goes to the Commission's Process Office and should also be served on all parties to the proceeding, the Administrative Law Judge (me).

Here's a link to the list of parties in this proceeding (to whom you must serve copies of your motion):

http://www.cpuc.ca.gov/service_lists/A0003029_13608.htm

Administrative Law Judge McVicar

Rules of Practice and Procedure

Article 14. Hearings

52. (Rule 52) Notice.

(a) In complaint or investigation proceedings, the Commission shall give notice of hearing not less than ten days before the date of hearing, unless it be found that public necessity requires hearing at an earlier date. Comparable notice ordinarily will be given when hearings are held in application proceedings. (See P.U. Code Section 1704.)

(b) Whenever any electrical, gas, heat, telephone, water, or sewer system utility files an application to increase any rate, the utility shall give notice of hearing, not less than five nor more than 30 days before the date of hearing, to entities or persons who may be affected thereby, by posting notice in public places and by publishing notice in a newspaper or newspapers of general circulation in the area or areas concerned, of the time, date, and place of hearing. Proof of publication and sample copies of the notices shall be filed at or before the hearing.

(c) In addition to the notice required by this rule, parties shall provide such notice of hearing as the presiding officer may designate. Sample copies of the notices shall be filed at or before the hearing.

53. (Rule 53) Intervention.

In a complaint proceeding petitions to intervene and become a party thereto shall be in writing, shall set forth the grounds of the proposed intervention, the position and interest of the petitioner in the proceeding, and whether petitioner's position is in support of or opposition to the relief sought. Such a petition shall be served and filed by petitioner at least five days before the proceeding is called for hearing, except for good cause shown. If petitioner seeks a broadening of the issues and shows that they would not thereby be unduly broadened, the petition shall be served and filed by petitioner at least ten days, and the parties may serve and file replies at least five days, before the matter is called for hearing.

Leave will not be granted except on averments which are reasonably pertinent to the issues already presented, but do not unduly broaden them. If leave is granted, the petitioner thereby becomes an intervener and a party to the proceeding to the degree indicated by the order allowing intervention, or by the presiding officer at the hearing.

54. (Rule 54) Participation Without Intervention.

In an investigation or application proceeding, or in such a proceeding when heard on a consolidated record with a complaint proceeding, an appearance may be entered at the hearing without filing a pleading, if no affirmative relief is sought, if there is full disclosure of the persons or entities in whose behalf the appearance is to be entered, if the interest of such persons or entities in the proceeding and the position intended to be taken are stated fairly, and if the contentions will be reasonably pertinent to the issues already presented and any right to broaden them unduly is disclaimed.

A person or entity in whose behalf an appearance is entered in this manner becomes a party to and may participate in the proceeding to the degree indicated by the presiding officer.

55. (Rule 55) Consolidation.

Proceedings involving related questions of law or fact may be consolidated.

56. (Rule 56) Motion to Dismiss.

A motion to dismiss (other than a motion based upon a lack of jurisdiction) any proceeding before this Commission, which is based upon the pleadings or any matter occurring before the first day of hearing may only be made upon five days' written notice thereof duly filed and served upon all parties to the proceeding and all other parties upon whom service of copies of the pleadings are therein shown to have been made.

57. (Rule 57) Order of Procedure.

In hearings on complaints, applications and petitions, the complainant, applicant, or petitioner shall open and close. In hearings on investigation proceedings where filed rates or rules which do not result in an increase have been suspended, the respondent shall open and close. In other investigation proceedings, the Commission's staff shall open and close. Intervenors shall follow the parties in whose behalf the intervention is made. The presiding officer, where circumstances warrant, may vary the order of presentation.

58. (Rule 58) Limiting Number of Witnesses.

To avoid unnecessary cumulative evidence, the presiding officer may limit the number of witnesses or the time for testimony upon a particular issue.

Rules of Practice and Procedure

Article 12.5 Motions, Petitions, and Other Requests

45. (Rule 45) Motions.

- (a) This rule governs motion practice in Commission proceedings, except as otherwise provided in these rules or by statute, Commission order, decision or resolution.
- (b) A motion is a request for the Commission or the administrative law judge to take a specific action related to a proceeding before the Commission.
- (c) A motion may be made at any time during the pendency of a proceeding by any party to the proceeding. In appropriate circumstances, a motion may also be made by a person or entity who is not a party:
- (1) if the person or entity states an intent to become a party to the proceeding at the next opportunity;
 - (2) if the motion relates to a special appearance or limited participation in the proceeding, e.g., a motion to quash; or
 - (3) with the permission of the administrative law judge.
- (d) Written motions must be filed and served and must comply with Rules 2, 2.1, 2.2, 2.3, and 2.5. The administrative law judge may permit an oral motion to be made during a hearing or conference.
- (e) A motion must concisely state the facts and law supporting the motion and the specific relief or ruling requested.
- (f) Responses to written motions must be filed and served within 15 days of the date that the motion was served, unless the administrative law judge sets a different date. Written responses must comply with Rules 2, 2.1, 2.2, 2.3, and 2.5. Responses to oral motions may be made as permitted by the administrative law judge.
- (g) With the permission of the administrative law judge, the moving party may reply to responses to the motion. Written replies must be filed and served within 10 days of the last day for filing responses under Rule 45(f), unless the administrative law judge sets a different date. Written replies must comply with Rules 2, 2.1, 2.2, 2.3, and 2.5. A written reply must state in the opening paragraph that the administrative law judge has authorized its filing and must state the date and the manner in which the authorization was given (i.e., in writing, by telephone conversation, etc.).
- (h) Nothing in this rule prevents the Commission or the administrative law judge from ruling on a motion before responses or replies are filed.
- (i) In the interests of justice and efficiency, the Commission, the assigned Commissioner,

or the administrative law judge may authorize or direct deviations from the requirements of this rule.

Note: Authority cited: Section 1701, Public Utilities Code; and Section 2, Article XII, California Constitution.

46. (Rule 46) Petitions.

Petitions are functionally equivalent to written motions. The requirements of Rule 45 apply to petitions, except when these rules provide different or more specific requirements for certain types of petitions. (See Rule 47 on petitions for modification, Rule 53 on petitions to intervene, and Rule 84 on petitions to set aside submission.)

Note: Authority cited: Section 1701, Public Utilities Code; and Section 2, Article XII, California Constitution.

47. (Rule 47) Petitions for Modification.

(a) A petition for modification asks the Commission to make changes to the text of an issued decision. Filing a petition for modification does not stay the effectiveness of the decision or preserve the party's appellate rights; an application for rehearing (see Article 21) is the vehicle to request rehearing and preserve a party's appellate rights.

(b) A petition for modification must concisely state the justification for the requested relief and must propose specific wording to carry out all requested modifications to the decision. Any factual allegations must be supported with specific citations to the record in the proceeding or to matters that may be officially noticed (Rule 73). Allegations of new or changed facts must be supported by an appropriate declaration or affidavit.

(c) A petition for modification must be filed and served on all parties to the proceeding or proceedings in which the decision proposed to be modified was made. The petition must comply with Rules 2, 2.1, 2.2, 2.3, and 2.5. If more than one year has elapsed since the effective date of the decision (see subsection (d)), the administrative law judge may direct the petitioner to serve the petition on other or additional persons or entities.

(d) Except as provided in this subsection, a petition for modification must be filed and served within one year of the effective date of the decision proposed to be modified. If more than one year has elapsed, the petition must also explain why the petition could not have been presented within one year of the effective date of the decision. If the Commission determines that the late submission has not been justified, it may on that ground issue a summary denial of the petition.

(e) If the petitioner is not a party to the proceeding in which the decision proposed to be modified was issued, the petition must state specifically how the petitioner is affected by the decision and why the petitioner did not participate in the proceeding earlier. A separate petition to intervene (see Article 14) is not required. The petitioner will become a party to the proceeding for the purpose of resolving the petition.

(f) Responses to petitions for modification must be filed and served within 30 days of the date that the petition was served, unless the administrative law judge sets a different date. Responses must be served on the petitioner and on all parties who were served with the petition and must comply with the requirements of Rules 2, 2.1, 2.2, 2.3, and 2.5.

(g) With the permission of the administrative law judge, the petitioner may reply to

responses to the petition. Replies must be filed and served within 10 days of the last day for filing responses under subsection (f), unless the administrative law judge sets a different date. Replies must comply with Rules 2, 2.1, 2.2, 2.3, and 2.5. A reply must state in the opening paragraph that the administrative law judge has authorized its filing and must state the date and the manner in which the authorization was given (i.e., in writing, by telephone conversation, etc.).

(h) In response to a petition for modification, the Commission may modify the decision as requested, modify the affected portion of the decision in some other way consistent with the requested modification, set the matter for further hearings or briefing, summarily deny the petition on the ground that the Commission is not persuaded to modify the decision, or take other appropriate action.

(i) Unless otherwise ordered by the Commission, the filing of a petition for modification does not stay or excuse compliance with the order of the decision proposed to be modified. The decision remains in effect until the effective date of any decision modifying the decision.

(j) Correction of obvious typographical errors or omissions in Commission decisions may be requested by letter to the Executive Director, with a copy sent at the same time to all parties to the proceeding.

Note: Authority cited: Section 1701, Public Utilities Code; and Section 2, Article XII, California Constitution.

48. (Rule 48) Extension of Time Limits.

(a) Requests for extension of time limits established in these rules or in a ruling of an administrative law judge or commissioner may be made orally or by letter to the administrative law judge. If other parties to the proceeding are affected by the extension, the party requesting the extension must first make a good-faith effort to ask such parties to agree to the extension. The party requesting the extension must report the results of this effort when it makes its request. If the extension is granted, the administrative law judge will require the party requesting the extension to notify all other parties to the proceeding of the extension, and the party must state in the opening paragraph of the document that the administrative law judge has authorized the extension. In the alternative, the administrative law judge may confirm the extension in a written ruling served on all parties or an oral ruling delivered on the record of the proceeding. No extensions will be granted of time requirements established by statute, unless the statute permits extension or waiver of the requirement.

(b) Requests for extension of time to comply with a Commission decision or order may be made by letter to the Executive Director, with a copy sent at the same time to all parties to the proceeding. The letter, or a facsimile of the letter, must be received by the Executive Director at least three business days before the existing date for compliance. If the extension is granted, the party requesting the extension must promptly inform all parties to the proceeding of the Executive Director's decision and must state in the opening paragraph of the document that the Executive Director has authorized the extension.

Note: Authority cited: Section 1701, Public Utilities Code; and Section 2, Article XII, California Constitution.

CALIFORNIA PUBLIC UTILITIES COMMISSION

Service Lists

Proceeding: A0003029 - SANTA MARIA/CYPRESS
Filer: SOUTHERN CALIFORNIA WATER COMPANY
List Name: LIST
Last changed: June 26, 2000

[Download the Comma-delimited File](#)
[About Comma-delimited Files](#)

[Back to Service Lists Index](#)

Appearance

SUSAN L. CONWAY
SOUTHERN CALIFORNIA WATER COMPANY
630 EAST FOOTHILL BLVD
SAN DIMAS, CA 91773-1212

ROLAND S. TANNER
SOUTHERN CALIFORNIA WATER COMPANY
630 EAST FOOTHILL BOULEVARD
SAN DIMAS, CA 91773-9016

ARVE R. SJOVOLD
SCENIC SHORELINE PRESERVATION
186 SIERA VISTA RD
SANTA BARBARA, CA 93108

DONALD R. WARD
ORCUTT AREA ADVISORY GROUP, INC.
4689 MARLENE DRIVE
ORCUTT, CA 93455

JAMES O. DALE
3696 DIXIE LEE
SANTA MARIA, CA 93455-2638

PETER G. FAIRCHILD
CALIF PUBLIC UTILITIES COMMISSION
ROOM 5038
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

PATRICIA A. SCHMIEGE
ATTORNEY AT LAW
O'MELVENY & MYERS, LLP
275 BATTERY STREET, 26TH FLOOR
SAN FRANCISCO, CA 94111-3305

Information Only

SUSAN L. CONWAY
VICE PRESIDENT, REGULATORY AFFAIRS

DENIS SULLIVAN
CYPRESS RIDGE LIMITED PARTNERSHIP

SOUTHERN CALIFORNIA WATER COMPANY
630 EAST FOOTHILL BOULEVARD
SAN DIMAS, CA 91773

PO BOX 179
ARROYO GRANDE, CA 93421

EDMOND M. HENNON
FOXENWOODS ESTATES HOMEOWNERS' ASSN
PO BOX 2712
SANTA MARIA, CA 93457

State Service

BARBARA ORTEGA
CALIF PUBLIC UTILITIES COMMISSION
EXECUTIVE DIVISION
320 WEST 4TH STREET SUITE 500
LOS ANGELES, CA 90013

FRED L. CURRY
CALIF PUBLIC UTILITIES COMMISSION
WATER ADVISORY BRANCH
ROOM 3106
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

JAMES C. MCVICAR
CALIF PUBLIC UTILITIES COMMISSION
DIVISION OF ADMINISTRATIVE LAW JUDGES
ROOM 5107
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

SAZEDUR RAHMAN
CALIF PUBLIC UTILITIES COMMISSION
RATEPAYER REPRESENTATION BRANCH
AREA 3-B
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3214

Top of Page
Back to INDEX OF SERVICE LISTS

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: JULY 19, 2000

AGENDA ITEM
JUL 19 2000



REQUEST FOR SERVICE (MONEY)
APN 091-240-024
1108 POMEROY RD.

ITEM

Request for water service for an 8½ acre parcel at 1108 Pomeroy Rd.

BACKGROUND

The District has received a request for water service for an 8½ acre parcel at 1108 Pomeroy Rd. known as APN 091-240-024. Mr. Money called the District office saying the wells on his property are starting to lose production, therefore, he is requesting water service to the property. Presently the District water lines end at the intersection of Willow Rd. and Pomeroy Rd. Therefore the applicant would have to extend the waterline northerly approx. 400 feet to the far end of his property to receive water service from the District. An Intent-to-Serve letter could be issued to the applicant with the following conditions prior to a final Will-Serve letter is issued.

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans, showing the water line extension, prepared in accordance with the District Standards and Specifications for review and approval.
3. Pay all appropriate District water, sewer and other fees associated with this development.
4. Construct the improvements required and submit the following:
 - a. Reproducible "As Builts" - A paper copy and digital format disk (Auto Cad) which includes engineer, developer, tract number and water and sewer improvements
 - b. Offer of Dedication
 - c. Engineer's Certification
 - d. A summary of all water and sewer improvement costs
5. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board approve the Intent-to Serve letter for the 8½-acre parcel with the above mentioned conditions.

Board 2000\Intent 091-240-024.DOC

**Joseph A Money
1112 Pomeroy Rd.
Nipomo, Ca 93444**

July 10, 2000

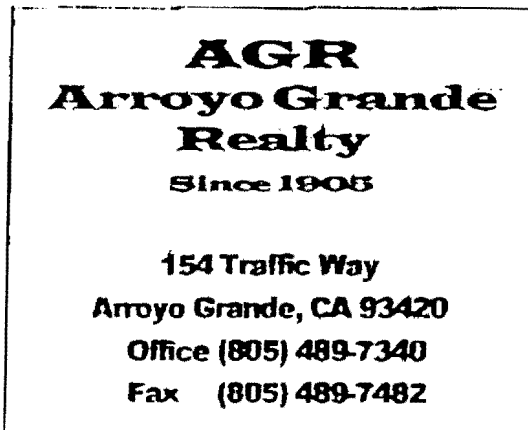
**TO: Douglas Jones
Nipomo Community Services District
148 S. Wilson St.
Nipomo, Ca 93444**

**Please consider this a request letter for water service at 1108 Pomeroy Rd., being
APN #091-240-024.**

Sincerely,

Joseph A Money

JAM:mfd



Fax

To: Douglas Jones From: Molly F Doyle for Joseph A Money

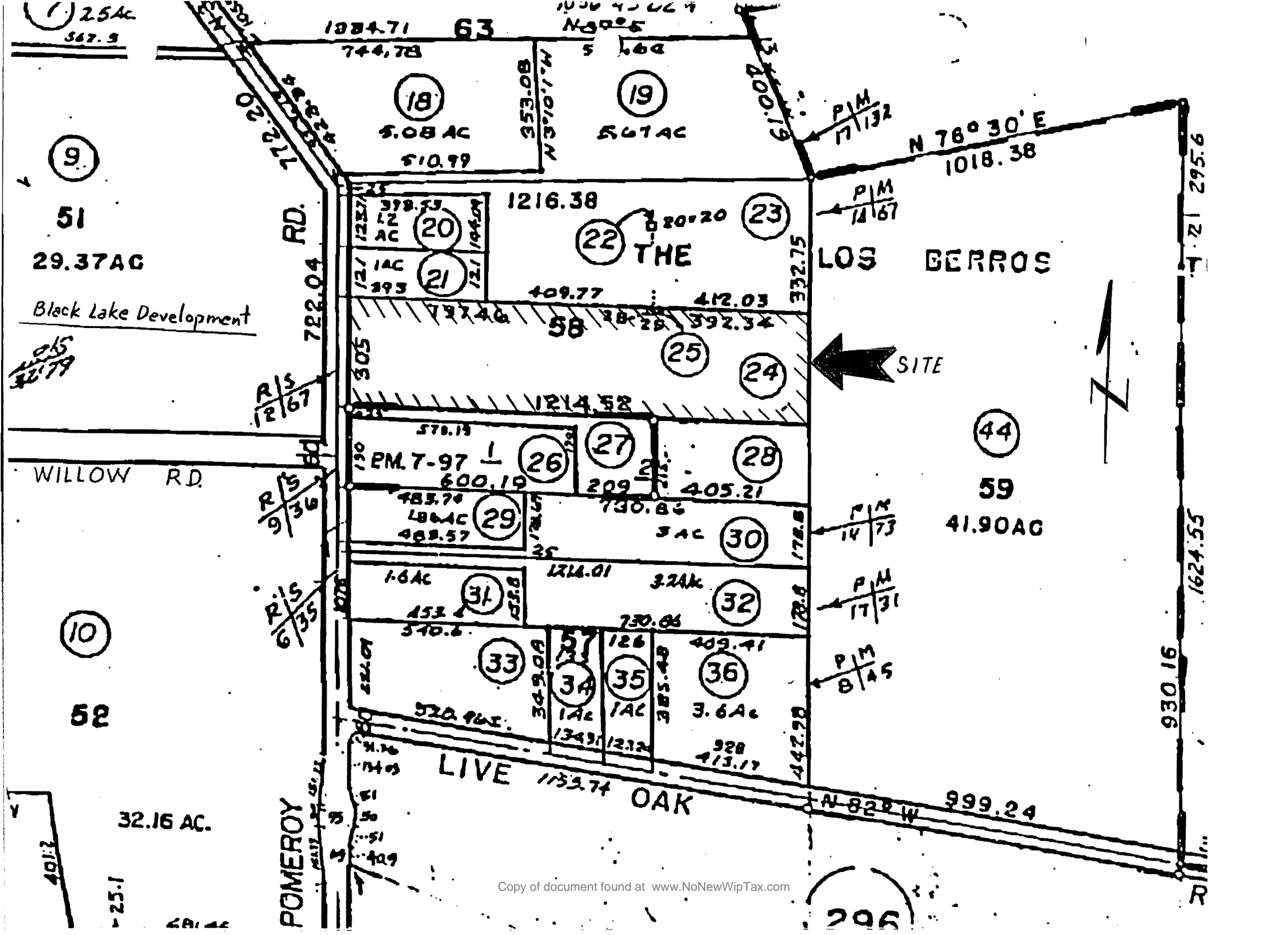
Fax: 929-1932 Pages: 2

Phone: _____ Date: 7-10-06

Re: _____ CC: _____

Urgent **For Review** **Please Comment** **Please Reply**

• **Comments:**



9
51
29.37 AC
Black Lake Development

WILLOW RD.

10
52

32.16 AC.

POMEROY RD.

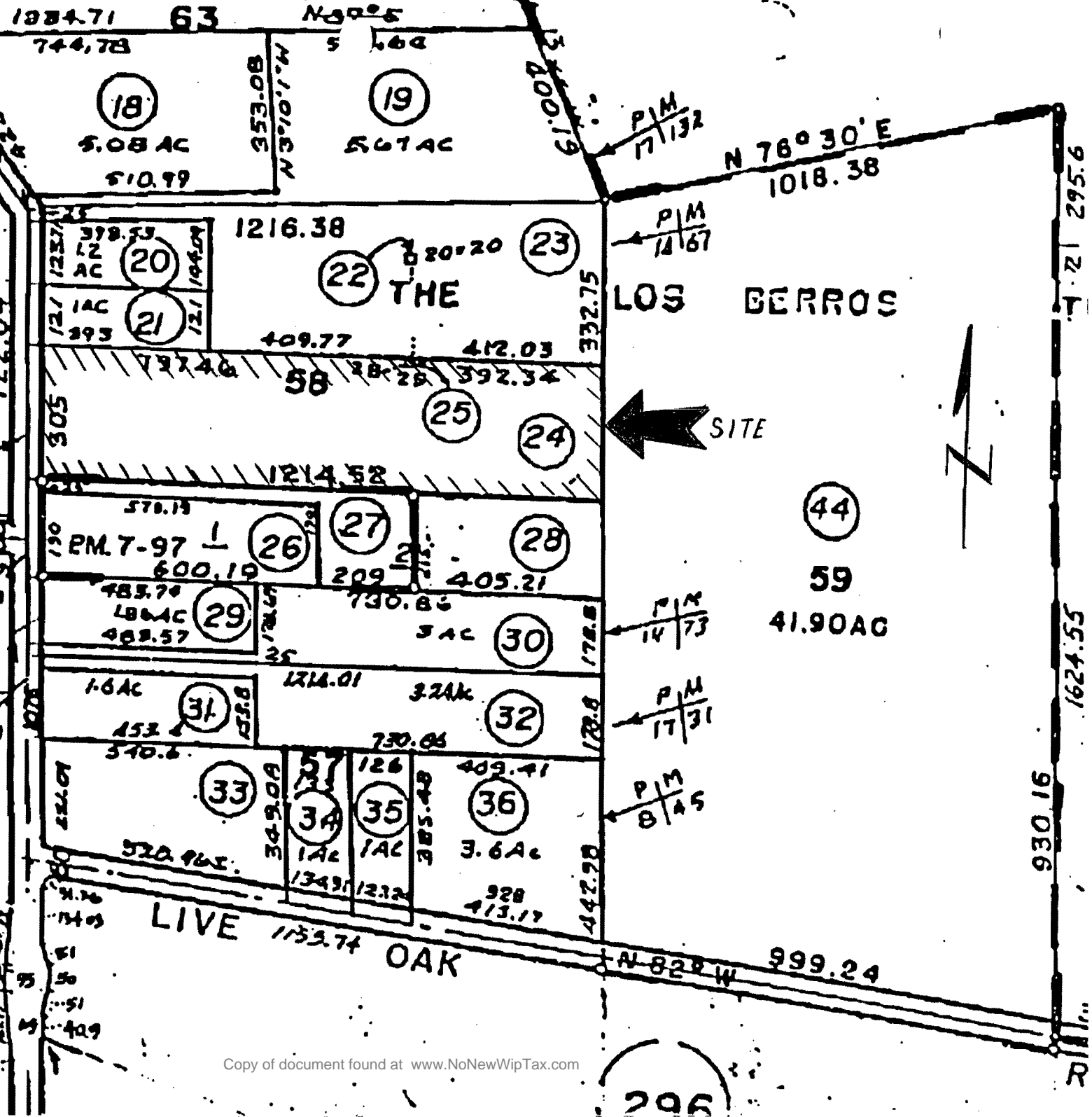
RD.
722.04

R/S
12/67

R/S
9/36

R/S
6/35

LOT 10
401.2
-25.1



TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: JULY 19, 2000

AGENDA ITEM **E 1**
JUL 19 2000

DISTRICT BOARD ROOM USE

ITEM

Review the District's position on using the Board room

BACKGROUND

Your Honorable Board established a policy of use of the District Board room after the new building was constructed in 1997. In Item 16 of the present policy, others are restricted from having food and drink in the Board room. Some groups using the Board room wish to bring in drinks, i.e. water, etc. Attached is the existing policy.

RECOMMENDATION

If the Board wishes to adjust the policy, they may so direct staff.

Board 2000\Board room adjust

GUIDELINES FOR USING
NIPOMO COMMUNITY SERVICES DISTRICT
MEETING ROOM

The District Meeting Room (sometimes referred to as the "facility") is available to the community in accordance with the following rules:

1. The District Meeting Room is available Monday through Saturday. The Meeting Room is not available on Sundays and District holidays.
2. The Meeting Room is available to non-profit groups on an equitable basis regardless of their belief or affiliations. Permission by the District for a group to use the room is not an endorsement by the District of the group's policies or beliefs. Seating Capacity 64.

Non-Profit Groups - Any organization that possesses tax exempt status from the Internal Revenue Service or whose primary purpose for existing is community oriented (e.g., adult service organizations and recreational clubs) and not for the purpose of generating profits for itself.

3. A refundable security/cleaning deposit of **\$ 50.00** is required for use of the facility. Deposits are refunded upon satisfactory acceptance of the facility's condition at the end of the event. Refunds are issued through the District approximately two weeks after the date of use.

A fee of **\$ 65.00** will be charged for use of the Meeting Room to cover the cost for District personnel to open and close the building. There will be no fee for use of the Meeting Room during District's normal business hours.

4. Promotion of an event using the name of "Nipomo Community Services District" as a sponsor may not be used without specific written permission from the District Board of Directors. Any promotion initiated by an applicant prior to receiving written permission for use may result in cancellation of the reservation.
5. The District's Meeting Room is not intended for long term use by one group. Request for use must be made a minimum of ten (10) days prior to use and not more than three months in advance to allow availability of the Room to all interested groups.
6. Reservations for use of the Meeting Room must be made by an adult (over 18 years old) on the District's standard reservation form that is available at the District's office located at 148 South Wilson, Nipomo. Reservations will not be confirmed until a deposit is paid.

GUIDELINES FOR USING
NIPOMO COMMUNITY SERVICES DISTRICT
MEETING ROOM

7. Any changes to confirm reservations must be made no later than ten (10) working days prior to the event, or they will not be honored. All changes must be made during regular business hours through the District at (805) 929-1133. Users should carefully plan their event dates, times, and setup to avoid changes to the original reservation.
8. If a need arises to cancel a reservation for the use of the District Meeting Room, the District will refund fees in full if we are given at least ten (10) working days in advance notice; otherwise the room fees will not be refunded.
9. The General Manager or his/her designee is responsible for approving requests for use and may, at his/her discretion, cancel meeting room privileges for failure to observe regulations or grant exceptions to the guidelines as deemed appropriate. A written warning may be issued to any group failing to observe these regulations during their event. Groups receiving more than one warning in a one-year period will not be permitted to use the rooms for six (6) months. The District reserves the right to cancel a group's reservation if use of the room is essential for official District business.
10. The District General Manager reserves the right to refuse use of the Meeting Room to any groups for previous misuse. All uses are subject to approval based upon availability, maintenance schedules, and nature of use.
11. Requests for fee waiver shall be made in writing to the District General Manager no later than thirty (30) working days prior to the scheduled event.
12. Users are encouraged to inspect the Meeting Room and restrooms upon arrival and note any problems at that time to a staff member on duty.
13. Groups shall not charge an admission fee or have merchandise sales.
14. Users are required to present evidence of suitable liability insurance in which the District is named primary additional insured. Special Events Insurance may be obtained through the District.
15. Smoking and alcoholic beverages are not allowed on the premises.
16. Food and drink are not permitted in the District Meeting Room, except Directors and staff during Board meetings. Kitchen facilities are not available.
17. Permission to use the room is not transferable to other groups. All reservations must be approved through the District.
18. Activities which will cause excessive wear and tear will not be allowed, such as handicrafts, activities involving pets, etc.

GUIDELINES FOR USING
NIPOMO COMMUNITY SERVICES DISTRICT
MEETING ROOM

19. Provisions for adequate protection of exhibits are the responsibility of the sponsor. The District assumes no responsibility for exhibits or materials brought into the District Meeting Room and does not provide supervision, security or staffing for gatherings.
20. Noise and activity levels should be controlled by the sponsoring group so as not to interfere with the neighborhood or normal District operations.
21. Exhibits or decorating shall not be nailed, stapled, taped, or glued to the ceilings, soundproofing panels, painted surfaces or floors. The sponsor is responsible for all costs associated with any damages incurred during its usage, including District staff time needed to correct the situation. Charges will be deducted from the cleaning/security deposit and additional billing may be necessary.
22. Security of the group's personal property as well as the District's property from theft and vandalism is the sole responsibility of the group representative whose name appears on the reservation form or their delegate. Therefore, the room should not remain unattended due to breaks, intermissions, etc., during the reserved time. In the event that the group recesses during their reserved time slot, a responsible adult should remain on site.
23. Any group who does not have the reserved room completely vacated of all their attendees at the confirmed ending time of their room reservation, will be considered late. A written warning may be issued to the group and future use of the room may be jeopardized.
24. Groups using the room are responsible for setting up and putting away all furniture needed for their event (please make sure that reservation includes sufficient time to accomplish this). NCS D is not responsible for providing additional tables and chairs. When a group takes possession of the room, the furniture will be set up in a standard configuration. Any deviation from this standard configuration (e.g., more tables, fewer chair, changes to the layout of tables and chairs) will be the responsibility of the user group and requires staff approval to ensure that fire code regulations have been met. At the conclusion of the event, tables and chairs must be returned to standard configuration (a diagram is posted in the Meeting Room for reference). If the room is not returned to the proper setup, a written warning may be issued to the group and future use of the facilities may be jeopardized.
25. Users are expected to abide by all laws and ordinances set forth by all local, state and federal agencies. Users are also expected to comply with rules and regulations for facility use and obey all District staff members in attendance at facility. Non-compliance will result in cancellation of reservation and loss of fees paid.

GUIDELINES FOR USING
NIPOMO COMMUNITY SERVICES DISTRICT
MEETING ROOM

26. To assure the safety of the users, all occupancy requirements must be followed and fire exiting pathways must be kept clear for the duration of all reserved events.
27. Personal items may be used in the rooms only during the reserved time slot and may not be stored overnight. In addition, they may not create a potential hazard to others or to the room. Large items, such as full size pianos, must be professionally installed, and should be coordinated with District staff to ensure that there will not be any access or clearance problems.
28. All reservation concerns should be reported to the District Manager or his/her designee, during normal working hours.
29. The District may cancel or reschedule use of the District's Meeting Room for any reason deemed necessary. Users will be given as much notice as possible. All fees will be refunded within two weeks of notification.
30. The District is not responsible for accidents, injury or loss of individual property during the facility's use.

REGULAR BUSINESS (Monday - Friday, 8:00 am - 4:30 pm)
Nipomo Community Services District (805) 929-1133

Agreements/meetingrm except

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: JULY 19, 2000

AGENDA ITEM
JUL 19 2000



SOUTH COUNTY AREA PLAN PROPOSED AMENDMENTS

ITEM

Review three proposed amendments to the South County Area Plan, which may impact NCSD

BACKGROUND

On July 10, 2000, the District received a Corrected Notice from the County Planning Department to be held before the County Board of Supervisors on July 11th to review possible changes to the South County Area Plan. The proposed General Plan Amendments are as follows:

1. Modifications to allow the Patterson Academy, a private high school development on the south side of Thompson Road.
2. Nipomo Oaks Partnership industrial park development next to the District standpipe
3. Commercial residential development in the area adjacent to Southland St. south of the District boundary.
4. A 40-lot development next to Black Lake, including a proposed new school and a residential development

Items 2, 3 & 4 are within the service possibilities of the Nipomo Community Services District. The attached map shows the location No. 2, the Nipomo Oaks Partnership development, No. 3, the old chicken ranch development area, and No. 4, an area next to the Black Lake development, a residential development and school with the possibility of incorporation into the Black Lake Specific Plan.

The Board may wish to comment on each of the initial projects with the possibility of the District provide services.

RECOMMENDATION

Staff does not have a recommendation at this time, but feels that the District should stay current on these projects and have input into them if they develop.



DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA
DIRECTOR
BRYCE TINGLE
ASSISTANT DIRECTOR

RECEIVED

July 6, 2000

CORRECTED NOTICE

JUL 10 2000

TO: INTERESTED PARTIES

FROM: KAMI GRIFFIN, SENIOR PLANNER, LONG RANGE PLANNING NIPOMO COMMUNITY SERVICES DISTRICT

SUBJECT: *COURTESY NOTICE FOR:* G990020M - A request by the Patterson Academy; G990013M - A request by the Nipomo Oaks Partnership; G990025M - A request by Michael Brand; G990025M - A request by Ken Craig/Lucia Mar School District All applications propose to amend the South County Area Plan in the fourth supervisorial district

This is to notify you that the above referenced general plan amendments will be considered by the county Board of Supervisors on July 11, 2000 to determine whether to authorize the applications for processing. This meeting will be held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, California.

This is the first step in the processing of general plan amendments. The county's ordinance requires the Board to authorize the planning department to continue to process any proposed amendment. This courtesy notice is being provided to you for your information. The decision on whether to process a request for general plan amendment is not required to have a noticed public hearing, however at this meeting you may express your views for or against, or to change the proposal.

WHAT'S BEING PROPOSED:

1. G990020M - A request by the Patterson Academy to amend the general plan by amending the South County Area Plan by changing approximately 34.5 acres of a 100 acre site from Agriculture to Recreation, and changing the Agriculture and Open Space Element designation from Agriculture to Large Lot Rural. The site is located on the south side of Thompson Road, about three quarters of a mile south of Olde Towne Nipomo, directly east of the Dana Adobe, outside of the Nipomo Urban Reserve Line. The purpose of this request is to allow the applicant to construct a private High School. The remainder of the site will remain Agriculture and is proposed for intensification of agriculture uses in conjunction with the school.
2. G990013M - A request by the Nipomo Oaks Partnership to amend the general plan by amending the South County Area Plan by changing an approximate 202 acre site from Agriculture to: allow development of the property with Industrial Park(s), Visitor-Serving Commercial, Neighborhood Commercial, Commercial Service Park(s), and a mix of residential housing types; add the site to the Nipomo Urban Reserve Line; changing the Agriculture and Open Space Element designation from Agriculture to Urban Lands; and disestablishing the agricultural preserve on the site. The site is located on the east side Hetrick Road at the intersection of Highway 101 and the proposed Willow Road extension, outside of the Nipomo Urban Reserve Line.
3. G990025M - A request by Michael Brand to amend the general plan by amending the South County Area Plan by changing approximately 32 acres from Rural Lands to Residential Suburban and 40 acres from Rural Lands to Commercial Service, adding the site to the Nipomo Urban Reserve Line, and changing the Agriculture and Open Space Element designation from Large-Lot Rural to Urban Lands. The site is located on the south side of Southland Street, north of Orchard Avenue, west of Highway 101, just south of the Nipomo Urban Reserve Line. The purpose of this request is to allow subdivision of the property into 16 lots of approximately 2.5 acres each for commercial purposes and 32 lots of approximately one acre each for residential purposes.
4. G990025M - A request by Ken Craig/Lucia Mar School District to amend the general plan by amending the South County Area Plan by changing approximately 14.5 acres of a 40 acre site from Residential Rural to Recreation, adding the site to the Black Lake Village Reserve Line, modifying the Black Lake Specific Plan to include the site, and changing the Agriculture and Open Space Element designation from Small-Lot Rural to Urban Lands. The site is located at the northwest corner of Willow Road and Via Concha, directly west of and adjacent to the Black Lake Village Area. The purpose of this request is to allow subdivision of the property into 16 lots of approximately one-half acre each. The remainder of the property would be donated to the Lucia Mar School District for a future school site.



WARRANTS JULY 19, 2000

HAND WRITTEN CHECKS

COMPUTER GENERATED CHECKS

18321	07/05/00	SANSONE CO	42,465.31
18322	07/19/00	POSTMASTER	90.97
18323	07/19/00	POSTMASTER	600.00
18324	07/19/00	AWWA BOOKSTRE	113.00
18325	07/19/00	EASTER RENTS	51.48
18326	07/19/00	BCS	1,130.29
18327	07/19/00	CREEK ENVIRON	160.00
18328	07/19/00	BLUEPRINT EXP	4.50
18329	07/19/00	DWIGHT'S AUTO	90.00
18330	07/19/00	NIPOMO GARBAGE	54.75
18331	07/19/00	R BLAIR	100.00
18332	07/19/00	A MENDOZA	100.00
18333	07/19/00	A SIMON	100.00
18334	07/19/00	R MOBRAATEN	100.00
18335	07/19/00	M WINN	100.00
18336	07/19/00	FARM SUPPLY	255.25
18337	07/19/00	CREEK ENVIR	60.00
18338	07/19/00	FGL	1,571.20
18339	07/19/00	GARING, TAYLOR	5,966.76
18340	07/19/00	GTE	28.38
18341	07/19/00	MCI	45.11
18342	07/19/00	MISSION UNIFORM	196.50
18345	07/19/00	NIPOMO SHELL	724.51
18346	07/19/00	QUINN ENGINE	1,054.38
18347	07/19/00	GAS COMPANY	3,475.43
18348	07/19/00	SLO CNTY HEALTH	1,947.48
18349	07/19/00	SM TIRE	83.16
18350	07/19/00	US BANK	1,610.00
18351	07/19/00	FLOYD WELLS	12,835.50
18352	07/19/00	US POSTMASTER	549.20
18353	07/19/00	MONIGHETTI	24.68
18354	07/19/00	NIPOMO ACE	56.23

None

VOID 18344, 18343

NIPOMO COMMUNITY SERVICES DISTRICT MINUTES

F 2

June 21, 2000

REGULAR SESSION 10:30 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
AL SIMON, VICE PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
ALEX MENDOZA, DIRECTOR
MICHAEL WINN, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SECRETARY TO THE BOARD
JON SEITZ, GENERAL COUNSEL

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

A. CALL TO ORDER AND FLAG SALUTE

Vice President Simon called the meeting to order at 10:30 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, the following Board members were present:
Directors Winn, Mendoza, Mobraaten, Simon. President Blair was absent.

C. PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

Vice President Simon opened the meeting to Public Comments.

During this agenda item, the following member of the public spoke:

Bill Senna - Lucia Mar Unified School District - Thanked the NCSD staff for working with LMUSD staff toward resolving the high school agreement. Asked for a joint meeting of our two boards to resolve the outstanding issues between us concerning our new high school.

E-2) SOAR INITIATIVE (Save Open space & Agricultural Resources)

Review of the SOAR Measure

The Board moved this item to the beginning of the meeting, because members of the SOAR initiative were in the audience.

During this agenda item, the following members of the public spoke:

Tom Murray, Arroyo Grande - Spokesperson for SOAR- Stated that the text in the internet and the text sent to the County were accurate and the same.

Lowell Davis, Nipomo Mesa - States that Nipomo is a prime candidate for sprawl. Says SOAR would allow residents a voice and more time before the Board of Supervisors changed the Land Use Zoning in the General Plan.

Roger Borg, Chesapeake Place, Nipomo - Supports SOAR. States that SOAR supports the SLO County General Plan.

Director Mendoza made a motion to schedule a meeting with NCSD on the SOAR Initiative. Motion failed for a lack of a second.

Director Winn made a motion to encourage Nipomo Community Advisory Counsel to host an information meeting on the SOAR Initiative. Director Mendoza seconded. Motion passed. Vote 4-0.

D. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)

D-1) CEQA ENVIRONMENTAL DETERMINATION OF OSAGE/TEFFT WATERLINE (RECOMMEND APPROVAL)
Review of environmental negative declaration of Osage/Tefft water line project

Public Hearing continued from June 7, 2000 meeting.

Jim Garing, Garing, Taylor & Associates, Project Engineer for Osage/Tefft St. - stated there was no significant impact on the area to be affected for the Osage/Tefft water line project.

During this agenda item, the following member of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - Stated that he felt a full EIR should be done. Asked questions directed to Jim Garing concerning GTA's report.

Question #1 - Which, if any, of the following studies have you reviewed in addition to the two studies listed on your CEQA Initial Study Checklist (which were "Engineering Considerations of Groundwater Yields and Rights on the Nipomo Mesa Sub-Area, San Luis Obispo County, CA (October 1993)" and the South County Area Plan - Inland Portion (May 1991) and Attachment A (March 1994))?

Study A. "Draft Water Resources of the Arroyo Grande - Nipomo Mesa Area, DWR, (May 1993)"

Study B. "Final Draft Water Resources of the Arroyo Grande-Nipomo Mesa Area, DWR, (June 1999)"

Study C. "Revised Final Draft Water Resources of the Arroyo Grande-Nipomo Mesa Area, DWR, (June 2000)"

Question #2 - Do you know of any harm that the NCSD has done in the past to the groundwater resource under the Nipomo Mesa by pumping and distributing groundwater to its customers and if so what was the harm?

Question #3 - Based on your knowledge, is it your conclusion that this project will not harm or increase the harm NCSD is doing to the groundwater resource under the Nipomo Mesa by pumping and distributing groundwater to its customers?

He offered to pay for the transcription of the Minutes.

District Counsel, Jon Seitz asked if Mr. Snyder had any testimony showing the Negative Declaration to be incorrect.

Director Winn asked Mr. Snyder - Can you identify any section or sub-section that has been omitted from this report?

Mr. Snyder - No

Director Winn - "Do you have information to give us at this time that would cast doubt on any single item here and if so, would you identify the item on which you were testifying?"

Mr. Snyder - If the checkmarks were based on the study, I have no problem. On the other hand, if he just checked off these boxes without looking at the studies, I would be greatly concerned.

Director Winn stated that Mr. Snyder's answers to his questions were non-responsive.

Mr. Garing stated that he had read the studies and included them in the initial study because they were relevant to land use decisions made by the County. Mr. Garing further stated that in his opinion that the pipeline was related to transportation and not resource extraction.

Mr. Seitz reviewed the resolution to adopt the Environmental Negative Declaration. Mr. Seitz explained that the Minutes available were action minutes and the tapes would contain more detailed testimony regarding a part of an agenda item.

Upon motion of Director Mendoza and seconded by Director Mobraaten, the Board unanimously approved Resolution 00-738. Vote 4-0 with President Blair absent. There were no further public comments.

RESOLUTION NO. 00-738

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING AN ENVIRONMENTAL NEGATIVE DECLARATION AND
AUTHORIZING THE GENERAL MANAGER TO FILE A NOTICE OF DETERMINATION FOR THE
OSAGE/TEFFT STREET WATERLINE PROJECT**

D-2) REVIEW EXISTING RETROFIT ANNEXATION POLICY

Consideration to establish a retrofit in-lieu fee for recent and future annexations
The Board discussed consideration to establish a retrofit in-lieu fee on future annexations.
Sub-committee, Directors Winn and Mendoza met last week. The Board discussed options. Upon motion of Director Winn and seconded by Director Mendoza, the Board directed staff to pursue more information concerning the in-lieu fee. There were no public comments.

D-3) REFUSE COLLECTION

District consideration to activate latent power to provide refuse collection
Information was presented to the Board concerning the possibility of activating the District latent power of refuse collection. There was some Board discussion. There were no public comments. No action was taken.

D-4) NIPOMO LIGHTING

Discuss if the District should take over the County Nipomo Lighting District

Information was presented to the Board concerning the possibility of taking over the County Nipomo Lighting District. Upon motion of Director Mendoza and seconded by Director Winn, the Board directed staff to continue investigation of Nipomo lighting.

E. OTHER BUSINESS

E-1) CALIFORNIA SPECIAL DISTRICT ASSOCIATION

Nomination of Board members
Information was presented to the Board concerning nominations for the Board of Directors of the California Special District Association. If any NCSB Board member is interested, they should contact the office for forms.

E-2) SOAR INITIATIVE (Save Open space & Agricultural Resources)
Review of the SOAR Measure

Item moved to beginning of meeting before D-1.

F. **CONSENT AGENDA** *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*

F-1) WARRANTS (RECOMMEND APPROVAL)

F-2) BOARD MEETING MINUTES (RECOMMEND APPROVAL)

Approval of Minutes of June 7, 2000 Regular Board meeting
Approval of Minutes of June 9, 2000 Special Meeting
Upon motion of Director Mendoza and seconded by Director Mobraaten, the Board unanimously approved the Consent Agenda for June 21, 2000. Vote 4-0

G) MANAGER'S REPORT

General Manager, Doug Jones, presented information on the following items.

G-1) CSDA LEGISLATIVE UPDATE

G-2) WATER MERCHANT - Article from Governing Magazine

H. DIRECTORS COMMENTS

Director Mendoza asked about the generator at the Sewer Plant. Answer: It was purchased during the Phase II Expansion.

Director Winn reported that he attended the Growth Management Sub Committee of the NCAC. Roger Brett of Cal Cities was speaking

District Legal Counsel, Jon Seitz, announced the need to go into Closed Session concerning the matter below.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

a. NCSD vs. Dana Estates Case No. CV 990547

The Board came back into Open Session and reported that they gave instructions to the attorney regarding further litigation.

ADJOURN

Vice President Simon adjourned the meeting at 12:20 p.m.

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES

F 2

July 5, 2000

DRAFT

REGULAR SESSION 10:30 A.M.
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
AL SIMON, VICE PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
ALEX MENDOZA, DIRECTOR
MICHAEL WINN, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SECRETARY TO THE BOARD
JON SEITZ, GENERAL COUNSEL

JUL 19 2000

NOTE: All comments concerning any item on the agenda are to be directed to the Board Chairperson.

A. CALL TO ORDER AND FLAG SALUTE

President Blair called the meeting to order at 10:35 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call all Board members were present.

C PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board. Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

President Blair opened the meeting to Public Comments. There were none.

D. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)

D-1) REQUEST FOR SERVICE - TRACT 2398 (RECOMMEND APPROVAL)

Request for water & sewer service for an 8 lot development between Tejas Place and Martha Lane

Mr. Newdollar, developer of Tract 2398, has requested water and sewer service for his 8-lot development. There were no public comments. Upon motion of Director Simon and seconded by Director Winn, the Board approved an Intent-to-Serve letter with the conditions as outlined in the Board letter for the development between Tejas Place and Martha Lane, known as Tract 2398. Vote 5-0

D-2) REQUEST FOR SERVICE - PROJECT NO. 97-0315 (RECOMMEND APPROVAL)

Request for water & sewer service for 8 duplexes at 230 S. Oakglen Ave.

Mr. Hardee of Oakglen Duplex Limited Partnership, developer of Project 97-0315, has requested water and sewer service for his 8-duplex development. There were no public comments. Upon motion of Director Winn and seconded by Director Simon, the Board approved an Intent -to-Serve letter with the conditions as outlined in the Board letter for the project between Oakglen Avenue and Colt Lane north of Glory Street, known as Project 97-0315. Vote 5-0

D-3) REQUEST FOR Outside District SERVICE - TRACT 2393 (NEWDOLL)

Request for water & sewer service for an 8 lot development at Grande Ave. & Cyclone Street

Mr. Newdollar, developer of Tract 2393, an 8-lot development at Grande Ave. and Cyclone Street, known as Tract 2393, has requested water and sewer service to his development. Upon motion of Director Blair and seconded by Director Simon, the Board unanimously agreed to direct staff to recommend that Mr. Newdollar moves forward and a separate letter to Paul Hood suggesting that we would look favorably on annexing the other three parcels besides Mr. Newdollar's. Vote 5-0.

E. OTHER BUSINESS

E-1) CYPRESS RIDGE

PUC Hearing on Southern California Water servicing Cypress Ridge

The District received a copy of the PUC Notice of Public Participation Hearing concerning an application from the Southern California Water Company's to the Public Utilities Commission to provide service to the Cypress Ridge Golf Course Development. The hearing is scheduled for August 16, 2000 in Santa Maria.

During this agenda item, the following member of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - Whatever is decided, sets a precedent for Woodlands. Recommended to staff to look at operating a sewer plant and consider the rate application Cal Cites has applied for simultaneous to this to spread the cost from Ventura to this area. Also, NCSD has experience operating sewer plants whereas, Cal Cities does not.

Director Winn suggested that the Board support the Foxenwood protest to PUC. Legal Counsel, Jon Seitz, suggested that the Water Law Counsel should be contacted for a legal opinion.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board directed staff to send a letter to PUC, stating that subject to receipt of legal opinion on water issues, the Board would favorably consider annexing Cypress Ridge and operating their existing water and sewer facilities. Director Mendoza - No. Vote 4-1. Directed staff to put the Woodlands project on a future agenda for discussion.

E-2) ANNEXATION NO. 6 TO CSA #1

The Bluffs - a 123 unit development at Joshua & Hutton Rd.

The District received correspondence from LAFCO requesting comments concerning Annexation No. 6 (Tracts 1808/1802/1856) known as "The Bluffs", a 115-lot development at Joshua and Hutton Rd. to CSA 1 (Galaxy Park area).

During this agenda item, the following members of the public spoke:

Clay Bradfield, Project Engineer with Pacific Engineering, Santa Maria - Tracts zoned residential suburban. Process preferred is to annex to CSA 1 and then have CSA 1 annexed to NCSD. Each tract has its own on-site septic system to a common leach field.

Kent Stephens, The Bluffs Ltd, LLC, P O Box 1454 Santa Maria - Developer wishes to annex to CSA1 as in original plan to avoid having to go back through the County process.

Upon motion of Director Simon and seconded by Director Winn, the Board directed staff to write a letter to LAFCO that NCSD supports the annexation of the Board to CSA #1 subject to water and sewer improvements being constructed to NCSD standards. Vote 5-0.

F. CONSENT AGENDA *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*

F-1) WARRANTS (RECOMMEND APPROVAL)

F-2) BOARD MEETING MINUTES (RECOMMEND APPROVAL)

Approval of Minutes of June 21, 2000 Regular Board meeting

F-3) NOTICE OF COMPLETION - TLC BACKHOE (RECOMMEND APPROVAL)

Replacement of PB water services by the contractor has been completed

F-4) SAFETY MEETING MINUTES (RECOMMEND APPROVAL)

Approve and file Minutes of Safety Meeting of June 26, 2000

The Board pulled items F-2 and F-4 to address separately.

Upon motion of Director Simon and seconded by Director Winn, the Board unanimously approved F-1 and F-3 of the Consent Agenda. Vote 5-0

DRAFT

During this agenda item, the following member of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - asked that Mr. Garing's response to his questions about the CEQA Environmental Determination be included in the minutes.

Director Winn asked questions about the minutes of the Safety Meeting. He asked if awards and penalties were in place for safe or unsafe practices. Lisa clarified that safety awards were given each year. Penalties have not been necessary. Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved F-4 of the Consent Agenda. Vote 5-0

Director Mendoza made the motion to send the Minutes of June 21 meeting back to staff to clarify wording as requested by a member of the public. Motion seconded by Director Mobraaten. Vote 5-0.

G) MANAGER'S REPORT

General Manager, Doug Jones, presented information on the following items.

- G-1) LA TIMES ARTICLE ON WATER POLICIES
- G-2) APCD GREEN WASTE BURNING MEETING (JULY 11, 2000)
- G-3) CSDA LEGISLATIVE UPDATE (6-26-00)

H. DIRECTORS COMMENTS

Director Winn asked if Director Blair was interested in applying for the CSDA Board member position.

He also asked about a joint meeting between Lucia Mar and NCSD. Board agreed that a proposed agenda would be requested.

Director Mobraaten asked about the Boyle Report. Mr. Jones stated that a draft should be completed by the 19th of this month.

Director Blair asked that Woodlands be put on a future agenda. Ask Mr. Markman for a legal opinion on Woodlands as well as Cypress Ridge.

CLOSED SESSION

There was no need to go into Closed Session

ADJOURN

President Blair adjourned the meeting at 12:08 p.m.

AGENDA ITEM
JUL 19 2000



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JULY 19, 2000

MANAGER'S REPORT

1. CSDA LEGISLATIVE UPDATE

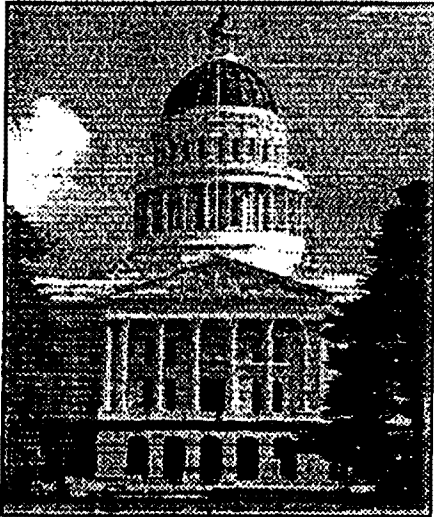
There is an initiative process trying to get signatures to return the local property tax to local government.

2. TEMPLETON CSD CORRESPONDENCE ON CSDA BOARD SEAT

Mr. Kit Carter, who presently holds the seat in Region 4, is not running for re-election, therefore, a seat is open. Mr. Beere of Templeton CSD will be running for the seat and is asking for support from Nipomo's Board of Directors.

Mgr 71900

CSDA LEGISLATIVE UPDATE Friday, June 30, 2000



Proposed Initiative Enters Circulation

The Secretary of State yesterday announced that proponents of a new initiative have received clearance to begin collecting petition signatures for their measure. The Attorney General's official title and summary for the initiative is as follows:

LOCAL PROPERTY TAX. REVENUE ALLOCATION. LOCAL GOVERNMENT CONTROL. INITIATIVE CONSTITUTIONAL AMENDMENT. Requires Legislature to return control of local property taxes to local government and revise tax allocation system within three years to meet this requirement. Established fixed apportionment of local property tax revenues: 50% to cities and counties for municipal services; 50% to finance county's public

schools. Permits cities and counties to allocate portions of their share to special districts. Prohibits further collection of property tax revenues for Educational Revenue Augmentation Funds. Legislature remains obligated to meet its school funding obligation, but not from local revenue sources.

The proponents have until Monday, November 27, 2000 to gather 670,816 signatures. CSDA is in the process of obtaining additional information on the proposed initiative and will keep members updated.

AB 1396 – Joint Conference Committee on Local Government Fiscal Reform

The Conference Committee met on Wednesday, June 28, 2000. Although there was some general discussion on various reform proposals and examples of other states reform efforts, no conclusions or final recommendations were set forth. Chair Dion Aroner informed attendees that she and co-chair Senator Steve Peace will identify five working group topics at next Wednesday's hearing (7/5/00) and request volunteers to work on these issues over the legislative break which begins on July 7, 2000.

Joint Legislative Audit Committee

The Committee met on Tuesday, June 27, 2000 with an agenda item entitled, "Operations and Oversight of Special Districts." A discussion was held with the State Auditor representatives regarding the appropriate scope of an audit of this type due to the number and diversity of independent special districts. The Committee requested that the State Auditor Office come back to their next meeting (August 2000) with a more well defined Scope and Objectives.

**California Special Districts Association
1215 K Street, Suite 930 * Sacramento, CA 95814
(916) 442-7887 * (916) 442-7889 fax**

www.csdanet.net

TEMPLETON COMMUNITY SERVICES DISTRICT

G2

BOARD OF DIRECTORS
Clifford S. Beere, President
John Gannon, Vice-President
Bill Engels, Director
Keith Vreeken, Director
Robert Bergman, Director



STAFF
William Van Orden, General Manager
Laurie Ion, Administrative &
Recreation Supervisor
Richard Dolling, Utilities Supervisor
Greg O'Sullivan, Fire Chief

P.O. Box 780 • 420 Crocker Street • Templeton, California 93465 • FAX (805) 434-4820 • (805) 434-4900

June 30, 2000

President and Board Members
Niipomo Community Services District
P.O. Box 326
Nipomo, CA 93444

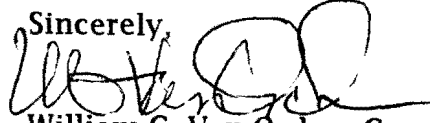
RE: CSDA Board of Directors Election, Region 4 - Seat A

Dear President and Board Members:

I am writing this letter on behalf of the Templeton Community Services District Board President, Clifford "Scotty" Beere. He has been nominated, and is seeking election, to the California Special Districts Association Board of Directors. Prior to August 8, 2000 you will receive an election ballot-listing nominees for the position of Region 4 - Seat A Director.

On behalf of the Board of Directors of the Templeton Community Services District I would urge you to vote for Clifford "Scotty" Beere for that position. Mr. Beere has an outstanding background in the field of Engineering and Administration. He has served on the Board of Directors of the Templeton CSD for the past 8½ years. The Board of Directors of the Templeton CSD feels confident that Mr. Beere will represent the interest of all San Luis Obispo County special districts located within Region Four, particularly, in dealing with legislative and related matters.

Your vote is greatly appreciated, and will make a difference.

Sincerely,

William G. Van Orden, General Manager

WGV:lai