

NIPOMO COMMUNITY SERVICES DISTRICT AGENDA

OCTOBER 18, 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

John Snyder
58
20
11600
1500
13.10

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) REQUEST FOR WATER SERVICE (ORTIZ)
Request for water service due to hardship outside District boundary at 660 Cherokee Place
- D-2) WATER AND SEWER SYSTEM MASTER PLAN
Review proposal from Boyle Engineering to update District's 1995 Water and Sewer Master Plan
- D-3) DISTRICT INSTALLED WATER LINES REIMBURSEMENT
Review connection fee to District installed water lines
- D-4) REQUEST FOR WATER AND SEWER SERVICE - TRACT 2381 (CRAIG)
Request for water and sewer service for a 20-lot development at Pomeroy & Willow Rds.
- D-5) REQUEST FOR WATER AND SEWER SERVICE - TRACT 2399 (KING VENTURES)
Request for water and sewer service for a 59-lot development at S. Frontage & Division.

E. OTHER BUSINESS

- E-1) ANNUAL AUDIT SERVICES
District audit proposal services for FY 01-03
- E-2) APPOINTMENT TO COUNTY WATER RESOURCES ADVISORY COMMITTEE
Present members from the District are Doug Jones (member) and Bob Blair (alternate member)

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 October 18, 2000 Regular Board meeting
- F-3) ACCEPTANCE OF TRACT 2304 IMPROVEMENTS (WITTSTROM) [RECOMMEND APPROVAL]
- F-4) ACCEPTANCE OF TRACT 1854 IMPROVEMENTS (GREENWALD) [RECOMMEND APPROVAL]
- F-5) ACCEPTANCE OF TRACT 2264 IMPROVEMENTS (BLACK LAKE ESTATES PARTNERS) [REC APPROVAL]

G. MANAGER'S REPORT

- G-1) U S WATER NEWS ARTICLE ON EAST COAST DE-SAL PLANT
- G-2) GOVERNING - LAND USE ARTICLE

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
- c. Litigation CPUC Appl. No. A 00-03-029 (Gov. Code §54956.9)

ADJOURN

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 18, 2000

AGENDA ITEM
OCT 18 2000



REQUEST FOR SERVICE
OUTSIDE DISTRICT
ORTIZ

ITEM

Request for water service from Salvador and Helen Ortiz, Jr. at 660 Cherokee Place outside the District boundary in Nipomo.

BACKGROUND

The Ortiz' are requesting water service outside the District boundary as a hardship case, pursuant to District Code §3.16.010. At the regular Board meeting on August 16, and again on September 6, 2000, the Board reviewed this item and requested additional information from the property owner's prior to taking action on this matter.

The District may consider water service outside its boundary pursuant to District Code §3.16.010. The Section states the following:

3.16.010

It is the general policy of the district that district water service is limited to parcels within the district boundaries. The district board of directors may authorize water service to parcels outside the district boundaries upon a finding that:

- A. There exists an extreme hardship and there is excess capacity within the district system to serve such parcel; or
- B. There is a benefit to the district or community, such as the applicant providing the district with a water resource.

Evaluation of extreme hardship

A. Evaluation of existing well production

Correspondence was received from Mello & Sons Pump and Motor indicating their analysis of the Ortiz' well production was approx. 1200 gallons per day. (See attached correspondence dated 9-15-00).

B. Land Use

The County was contacted to determine land use in this area. The land use is rural residential which allows 5-20 acre parcels. One house per parcel plus a secondary unit is allowed. The zoning is for light agricultural, which means crop production plus grazing.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 18, 2000

AGENDA ITEM
OCT 18 2000



Presently there are two homes on the approx. 25 acre parcel. Based on the Assessor's Parcel Map, there exists three separate lots within the 25-acre parcel. Theoretically, a single resident plus a secondary resident could be built on each of the three parcels.

C. Estimated Water Use

The water usage for the average, normal, single-family residence in the District is approx. one-half acre foot per year. This is equivalent to approx. 460 gallons per day. Assuming an extreme hardship case, the District would provide water sufficient for an average residential unit within the District boundary. Therefore, 460 gallons per day would be allocated per residence. The Ortiz' have two residences on the property, therefore, the District could allocate 920 gallons per day in an extreme hardship case. Based on the report from Mello & Sons Pump and Motor, the wells on the property presently produce over 1200 gallons per day, therefore this is more than what the District would apply with respect to extreme hardship cases. If the land use is used for crop production and grazing, which has a higher water demand, then the Board would have to make a determination that this land use would be included in the extreme hardship case.

FINDINGS TO BE MADE

If your honorable Board finds that the Ortiz' can comply with the District Code Section 3.16.010, then compliance of the following would be needed before service is provided:

- Enter into an Outside User Agreement
- Obtain approval of the Outside User Agreement from LAFCO
- Applicant to pay LAFCO process fees and District administrative fees
- Retrofit units to create sufficient water supply for the proposed use
- Pay the appropriate District Water Capacity Fees, connection fee, meter fee and account fee

RECOMMENDATION

Staff believes that crop production and grazing does not qualify for an extreme hardship case. Based on the District residential average water use of 460 gallons per day, the four wells on the Ortiz property would produce adequate water supply the two existing residents for normal household use. Therefore, unless additional evidence is presented, staff does not believe that this request meets District Code Section 3.16.010 (A).

C:\W:\Board 2000\Ortiz request-10.DOC

Sal Ortiz
P.O. Box 670
Santa Maria, Ca. 93456

9/15/00

Re: Well Tests At 660 Cherokee Rd. Nipomo Ca.

Conducted well tests on 4 wells. 1 Well was sanded up and not usable. All three of the other wells were very low producers. They would pump for 6 minutes then run out of water, and take 20 minutes to recover and start. All the wells are set up with PUMPTEC's and TIME CLOCKS to start and stop the wells when they run dry. The three wells that produce, total 2.9 gallons per 6 minute then off for 20 minutes, that makes a total of 52 gallon per Hour. That's less than 1 gallon per minute for all three wells or 1248 Gallons in 24 Hours. It looks to have 2 residents homes on property and approx. 18 - 20 acers. That makes it hard to live in this area, and very hard water management to assure water in the homes and no landscaping. As you can see this is a low producing area for all the wells on property.

Well # 1 6" PVC Casing 16.20 Gallons Per HOUR

Well # 2 6" Steel Casing Sanded Up not usable

Well # 3 6" Steel Casing 10.80 Gallons Per HOUR

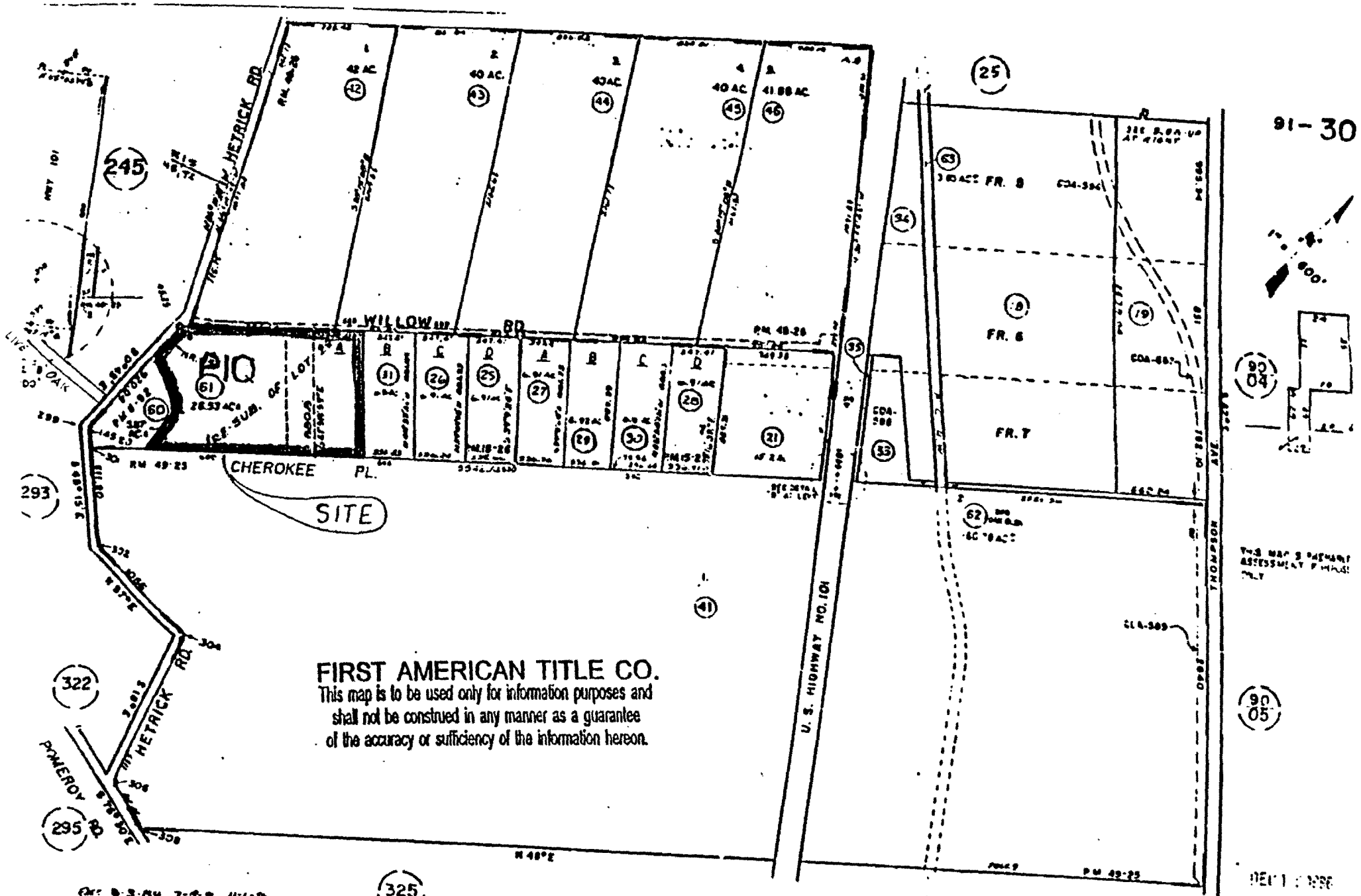
Well # 4 8" Steel Casing 25.20 Gallons Per HOUR

Thank You For Allowing Me To Be Of Assistance In Your Water Needs

Wes Mello / Owner

Mello & Son's Pumps & Motors

481-1286



91-30

FIRST AMERICAN TITLE CO.
 This map is to be used only for information purposes and shall not be construed in any manner as a guarantee of the accuracy or sufficiency of the information hereon.

THIS MAP'S PAYMENT ASSESSMENT PENDING

DATE: 8-3-2004 7-4-04 11-1-04
 12-28-08 3-7-12

325

90
15

RANCHO NIPOMO
SAN LUIS OBISPO COUNTY

HEIRICK RD

POWER OF GOD TRAINING CENTER
660 CHEROKEE PL
NIPOMO, CA 93444
805-929-3633

The following are the total amount of fixtures on the property.

The property has two dwellings.

The main house has four toilets and three showers

The second house has two toilets and two showers

There are two laundry rooms total

There are six sinks in the main house

Five in the second house

July 9, 2000

NCSD BOARD OF DIRECTORS
DOUGLAS JONES/GEN. MGR.
PO BOX 326
NIPOMO, CA 93444

Dear Board Members:

This letter is addressing the NCSD Board Of Directors for a request of NCSD services based on a hardship status. Specifically our wells have gone dry and have forced us to truck water onto our residence, which has become an added financial hardship.

We would appreciate any assistance you may be able to offer us with our water situation. Thank you for your consideration and time to review our request, as we will patiently wait for your response. Please call at your convenience if you have any further questions.

Residential Information:

Salvador Ortiz Jr. Phone # 929-3633
Helen S. Ortiz
Parcel # CO-73-436
660 Cherokee Place
Nipomo, CA 93444

Sincerely,

SALVADOR ORTIZ JR.

HELEN S. ORTIZ

JUL 10 2000

NIPOMO
SERVICES

POWER OF GOD

TRAINING CENTERS

Reaching Out To Hurting People • A Place that cares about your life!

Helping men, women, youth and parents fight the war on drugs, alcohol and other mood altering chemicals in our inner cities.

Founders / Pastors Sal & Helen Ortiz

July 26, 2000

**To: Douglas Jones, General Manager
Nipomo Community Services District
148 S. Wilson St.
Nipomo, CA 93444**

**From: Power of God Christian Center
DBA/Paradise Oaks Garden
P.O. Box 670
Santa Maria, CA 93454**

Dear Sir,

Per my recent conversation with a member of your staff, I am submitting this letter to inform you of the services our organization is now providing in the local community of Nipomo.

Approximately 13 years ago, in March of 1987, our organization began operating a live-in life-skills program in the city of Santa Maria. Our program is designed to assist individuals in developing essential life skills as well as valuable work ethics. We have experienced much success in both men and women and enabling them to re-enter the work force and become productive members of society.

An essential element of our Vision has always been to purchase a "Ranch" where we might further develop and structure our program. We have recently seen this come to pass in the acquisition of our property located at 660 Cherokee, in the city of Nipomo. It is with great pleasure that we have relocated our facility and broadened the area of our services to the San Luis Obispo County.

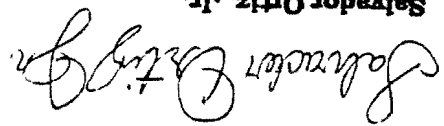
However, we have recently encountered a major set back. It seems that after only a few months, the Well on our property has ceased to provide our facility with the necessary water to operate. We have invested several thousand dollars in seeking a remedy and attempting to fix the problem. It is at the recommendation of various professionals who have attempted to service our Well that we are now coming to you for assistance. We are asking that you consider allowing us to connect to the county water supply and purchase our water from such. We are also requesting that you allow us to do this on a Hardship basis. Our facility currently serves approximately twelve adults and their children. It is vital to the continuance of our program that you grant our request.

HELPING MAKE A DIFFERENCE

1309 Via Del Carmel, Santa Maria, CA 93455 • (805) 934-9223

I would like to express my appreciation for your time and consideration in this matter. If you have any questions, please feel free to contact me at (805) 934-0572. Once again, thank you for your time.

Sincerely,



Salvador Ortiz, Jr.
Founder And President

Chapter 3.16**WATER SERVICE OUTSIDE
DISTRICT****Sections:**

- 3.16.010** **When allowed.**
3.16.020 **Rates/Conditions.**

3.16.010 **When allowed.**

It is the general policy of the district that district water service is limited to parcels within the district boundaries. The district board of directors may authorize water service to parcels outside the district boundaries upon a finding that:

A. There exists an extreme hardship and there is excess capacity within the district system to serve such parcel; or

B. There is a benefit to the district or the community, such as the applicant providing the district with a water resource. (Ord. 98-87 § 22 (part), 1998: Ord. 16 § 2, 1973)

3.16.020 **Rates/Conditions.**

The water usage rates and conditions for district water services outside the district boundaries shall be determined by resolution of the board of directors. (Ord. 98-87 § 22 (part), 1998: Res. 163, 1980)

Water delays 'Power of God'

A project faces public criticism and possible legal action after water request to district

Celeste Wheeler

P u b l i c i z e r



Adobe/Celeste Wheeler

WATER WOES — After a Santa Maria pastor requested water for 26 acres located at 660 Cherokee Place in Nipomo, controversy erupted over water rights and annexation.

er, water, everywhere, but apparently not at 660 Cherokee Place in Nipomo where a Santa Maria pastor and his wife purchased 26 acres in February to expand their church's live-in life-skills program for adults.

The reality that the four wells on his property are not producing enough water has been discouraging for Pastor Salvador Ortiz Jr. who recently requested water service from the Nipomo Community Services District.

The possibility that the NCSO board might approve Ortiz's request, however, is not sitting well with some Nipomo residents whose past requests for water service to their out-of-district properties were denied.

□ □ □

Ortiz and his wife, Helen, are the founders and pastors of the Power of God Training Centers in Santa Maria which, according to their letterhead, "helps men, women, youth, and parents fight the war on drugs, alcohol, and mood-altering chemicals in our inner cities."

In a memorandum to NCSO board members following Ortiz's request, General Manager Doug Jones said water service could easily be installed because the district has a water line in Hetrick Road which fronts a

portion of the property. The rub is that Ortiz's property in the Summit Station area of Nipomo is outside the local water district.

According to Jones, it is the general policy of the district that district water is limited to parcels within NCSO boundaries. However, the NCSO board may authorize water service to parcels outside the district boundaries if:

- 1) there is extreme hardship and the district has the excess capacity to serve the parcel and,
- 2) there is a benefit to the district (community) if, for example, the applicant can provide the district with a water resource.

In his letter, Jones advised the NCSO board that if they chose to provide water service to the Ortiz property, they should consider annexation to the NCSO or have an Outside User Agreement, have the applicant

pay processing fees and water fees associated with the size of the meter, and request allocation of all water rights to the district.

□ □ □

"I don't have a problem with the program Ortiz is proposing, but I don't agree with serving or annexing his property because it sets a precedent," said Jim Dunbar, a neighbor and member of the audience at a recent NCSO meeting where Ortiz presented his request. Donna Mehlschau is another resident who spoke at the meeting against annexation or water service to Ortiz's property.

Dunbar said he also finds it hard to believe that Ortiz didn't know how much water his wells were producing before he agreed to buy

Okee: Controversy erupts over Power of God water request

OKEE, FROM PAGE 1
property.
"If he didn't, he certainly wasn't exercising due diligence in investigating water availability before he purchased the property because it's generally known that water is scarce in the Summit Station area," he noted.

Ortiz, who lives in Santa Maria, insists that he was not aware that certain areas of Nipomo had water problems when he was negotiating to buy property.

"No one told me anything about water problems in Nipomo — not the seller or their agents," he emphasized.

"If I was buying undeveloped land, I would know I had to drill a well to find out how much water it could produce, but the property I purchased was already developed. It didn't occur to me the land might have water prob-

lems," he added.

During the escrow process, Ortiz said it was disclosed that water was being pumped at 1.75 gallons per minute. He said the disclosure never mentioned there were four wells on the property.

Supervising County Planner Kami Griffin said the building ordinance sets the minimum at five-gallons-per-minute for domestic use for a single-family dwelling on rural residential property.

Mike Byrd, co-owner of Sunset Properties GMAC in Grover Beach, said buyers from urban areas "who have no idea where water comes from" are not an unusual phenomenon in his business.

"That's why I make a special effort to help buyers from urban areas understand what it means to buy property with wells and septic systems because there's always a learning curve in an alien environment," he continued.

Dunbar is also concerned that the Power of God Training Center would be living beyond its resources on the property and said he isn't willing to subsidize the group with "water welfare." It also concerns Dunbar that Ortiz failed to notify neighbors he was moving his program to Nipomo.

□ □ □

Ortiz's property, which is zoned rural residential, has a 3,100-square-foot main house and a 1,600-square-foot guest house each of which can accommodate approximately six people. He said residents

will be trainees in the Power of God program.

Ortiz said he has no plans to build on the property except possibly a home for himself in the future with county approval. He also talked about constructing a tennis court, volleyball court, and swimming pool on the property, however, he noted that at this point, the prognosis for installing a swimming pool seems pretty bleak.

At the NCS D meeting on Sept. 6, Ortiz said formal application has been made to the county requesting expansion, but according to Principal Planner Warren Hoag, the county's permit tracking system shows the last permit applied for at 660 Cherokee Place was made in 1997 for a well and barns.

"However, that doesn't mean the new owner's application isn't being processed now," he explained.

Before the NCS D board will consider water service for Ortiz's property, it has requested more information about the status of his well water supply and land use. Then, abiding by the provisions of the district code, it would need to make a finding of hardship, excess capacity, and a benefit to the district.

In his memorandum to the NCS D board, Jones said "a single service, depending on its size, would have a minor impact on capacity and the district may receive a benefit by having the property owner allocate their water rights to the district."

"The hardship would have to be determined," he added.

Then, even if the NCS D board votes to provide water service, either by an Outside User Agreement or annexation, the final decision will be made by the county's Local Agency Formation Commission, or LAFCO, Jones explained.

Recently, in response to a request from the NCS D for more information about his wells, Ortiz received certification from Mello and Sons Pumps and Motors in Arroyo Grande that his four wells are producing 54 gallons of water per hour.

□ □ □

If the NCS D board, or ultimately LAFCO, denies his request for water, Ortiz said he will be forced to take legal action against the seller.

Ortiz, who began operating his Power of God Christian Training Centers in Santa Maria in 1987, said the program "is designed to assist individuals in developing essential life skills as well as valuable work ethics."

He and his wife believe they were led by God to this life's work after their experiences with their oldest son — who was once involved with gangs and drugs — in the San Gabriel Valley where the couple raised their six children.


"We have been successful in helping both men and women re-enter the work force and become productive members of society," he continued.

Ortiz said an essential element of his church's "vision" has been to purchase a ranch where "we might further develop and structure our program."

That vision was realized with the acquisition of the property on Cherokee Place, but was quickly blurred when Ortiz became aware that the lack of water his wells were producing would present an obstacle to fulfilling that vision.

Ortiz said he is financing the Nipomo land purchase with money from the sale of other properties the church owns in Santa Maria, including his own home, donations from his congregation, and revenues from a car wash the church owns in Northern Santa Barbara County.

While the water issue is discouraging for Ortiz, he regards it as only a minor setback in his resolve to do what he considers is God's work.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: OCTOBER 18, 2000

AGENDA ITEM 
OCT 18 2000

WATER AND SEWER MASTER PLAN

ITEM

Acquiring consultant services to update the District's 1995 Water and Sewer System Master Plan.

BACKGROUND

This item was reviewed by your honorable Board at its regular meeting on October 4, 2000 and was tabled to have a representative from Boyle Engineering to discuss this matter with your honorable Board. Pam Cosby is scheduled to be the representative to attend the meeting to discuss this matter.

RECOMMENDATION

If your honorable Board wishes to proceed with the Water and Sewer Master Plan update, you may authorize the President of the Board to execute an agreement with Boyle Engineering to provide the service and appropriate funds from reserves to pay for the study.

Board 2000\Master Plan update.DOC

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 4, 2000

AGENDA ITEM **12**
OCT 4 2000

WATER AND SEWER
MASTER PLAN

ITEM

Acquiring consultant services to update the District's 1995 Water and Sewer System Master Plan.

BACKGROUND

The purpose of a Water and Sewer Master Plan is:

1. To identify improvements to the water distribution and sewer collector system required to meet existing and projected demands, and
2. To develop water and sewer facilities improvement program to aid the District in conducting long-term planning.

In 1995, the District acquired the services of Boyle engineering to do the first Water and Sewer Master Plan for the District. This Master Plan involved the following:

- Collect and review water and sewer data
- Develop design parameters for the District
- Estimate the demands based on SLO County's Land Use information
- Develop a computer model to simulate the District's water and sewer performance
- Identification of existing deficiencies and future needs
- Prioritization and cost estimates for recommended improvements

Depending on an agency's activities, a Water and Sewer Master Plan is normally evaluated about every fifth year. In the last five years, NCSD has had a fair amount of activity and with the prospect of the State Health Department revising Title 22 requirements, it is recommended that the Board consider updating the District's 1995 Water and Sewer Master Plan.

The District has received the enclosed proposal from Boyle Engineering to update their Water and Sewer Master Plan for the District. Since Boyle did the first Water and Sewer Master Plan and has all the data in their archives, it may be prudent to allow Boyle to update the Water and Sewer Master Plan.

This item was not budgeted in the 2000-2001 fiscal Year Budget, therefore, appropriations from reserves will be needed to pay for this updated Water and Sewer Master Plan report.

RECOMMENDATION

Enclosed for your Honorable Board's consideration is the Boyle Engineering update for the District's Water and Sewer Master Plan. Appropriation of funds from reserves would be needed to pay for this study.

BOYLE

973 Higuera Street, Suite C
San Luis Obispo, CA 93401
TEL: (805)542-9840
FAX: (805)542-9990
www.boyleengineering.com

SEP 21 2000

NIPOMO COMMUNITY
SERVICES DISTRICT

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

September 20, 2000

Proposal for Nipomo Community Services District's Water and Sewer System Master Plan – 2000 Update

Dear Mr. Jones:

Boyle Engineering Corporation (Boyle) is pleased to provide this proposal to prepare the Nipomo Community Services District's **Water and Sewer System Master Plan – 2000 Update**. The 2000 Update will update the 1995 Master Plan to reflect new facilities and connections added since 1995 and the revised future Water District demand based on the 1997 South County Area Plan, adding the proposed Nipomo High School and several other potential District annexations.

The detailed Scope of Services and Project Schedule are attached as Exhibit A.

Compensation shall be on a time and materials basis in accordance with the attached Fee Schedule, Exhibit B, and the Proposed Project Budget, Exhibit C.

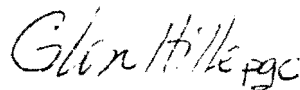
It is our understanding that these services will be performed under a new Engineering Services Agreement, which is forthcoming. We look forward to working with the District on this important project.

Sincerely,

Boyle Engineering Corporation



Pam Cosby, PE, AICP
Project Manager



Glen M. Hille, PE
Managing Engineer

Attachments: Exhibits A, B and C

Nipomo Community Services District Water and Sewer Master Plan - 2000 Update Scope of Work

Boyle will provide the following services during the course of the subject project:

Task 1 - Data Collection and Evaluation

Task 1.1 Kickoff Meeting/Data Collection

Boyle staff will attend a kickoff meeting to confirm our approach to the project and to receive and discuss the information to be provided by the District. An initial listing of the information needed for this project follows this scope of work.

Task 1.2 Data Evaluation

Boyle will review the data provided by the District and request additional data if appropriate. Boyle will be entitled to rely on the accuracy of information provided by the District and provided by others without independent verification, except as specifically outlined in this Scope of Work.

Task 1.3 Project Analysis Criteria

Boyle will review the analysis criteria developed for the 1995 Master Plan report. For the 2000 Master Plan update, Boyle will update the criteria based in part on current and draft future State Title 22 Waterworks Standards, District and County water and sewer system standards, the California Fire Code and local Fire Department standards. Water and sewer duty factors will be updated based on the last five years of available demand data. The updated analysis criteria will serve as the basis for the evaluations conducted for this project.

The criteria will be developed concurrently with the tasks that follow and may be refined as the project progresses due to model calibration, additional data review, District staff input, and preliminary conclusions reached. The following analysis criteria will be developed:

Water System

- Water duty factors for various land use categories
- Minimum/maximum system pressures
- Pipeline roughness coefficients
- Storage volume criteria
- Fire flow and duration requirements
- Supply source guidelines
- Peaking factors
- Operational criteria

Sewer System

- Sewer duty factors for various land use categories
- Minimum permissible gravity pipeline slopes/flow velocity
- Maximum collector/manhole depth
- Permissibility of siphons
- Pipeline roughness coefficients
- Lift station design criteria
- Maximum depths of flow

Task 2 - Land Use Review/Duty Factors

Task 2.1 Obtain and Review County Land Use Data and Aerial Photographs

The zoning authority for Nipomo is the County of San Luis Obispo. Contact the County Planning Department to obtain existing land use information throughout the District's service area. Obtain current population data from the County.

Obtain and review General Plan zoning for the future Nipomo Community Services District service area. Obtain a description of allowable land uses for each land use category.

Boyle will obtain from Air Photo USA year 2000 digital aerial photographic coverage for the existing Nipomo Community Services District service area, potential adjacent annexations and potential locations for a new reservoir and supplemental water connections (up to 15 square miles). Boyle will review the aerial photographs to confirm/estimate the location of existing homes and businesses. The digital

photographs will also serve as the base map for the future reservoir conceptual siting alternatives.

Tabulate the existing and General Plan acreages for various land uses within the service area.

Task 2.2 Update Base Map

Update service area base map used for the 1995 Master Plan based on information provided by the District on new facilities, new connections, and land development since 1994. This base map consists of approximate street right-of-way locations, major street names and lot lines. Existing water and sewer facilities will be shown on separate graphic "layers." It is further understood that the existing AutoCAD mapping is not current and does not show the location of all existing facilities.

Task 2.3 Establish Duty Factors

For the water system, compare the last five years of records of monthly metered well water production and water consumption by subarea, if available. Compare historic water consumption to the estimated service area population and to approximate number of homes. Review water consumption records for commercial areas. Work with the District to establish whether the 1995-2000 period is considered representative water consumption and adjust if necessary. Compare water consumption records to the land use data and establish water duty factors for major land use categories. Express water usage in terms of per capita consumption.

Obtain record information regarding peak monthly, maximum daily, and peak hourly water demands and develop peaking factors for analyzing the water system.

Evaluate whether or not a different peaking factor exists for the Summit Station area.

For the sewer system, confirm our understanding of areas served by each of the eleven existing lift stations. Compare the last five years of monthly lift station run-time records to estimates of pump capacities. Tabulate the estimated volumes of wastewater pumped from each subarea on a monthly basis. Examine available

PG&E pump efficiency tests, metering data, inflow and infiltration estimates, and other available wastewater quantity records. Compare wastewater flow data to land use data and established sewer duty factors. Cross-reference to water consumption information and adjust as needed.

Comment on estimated inflow and infiltration volume into the collection system and provide an opinion as to whether it is considered within "normal standards." Suggest whether a program to identify causes of inflow and infiltration should be undertaken by the District.

Also, obtain peak run-time records, available wastewater treatment plant flow metering data, and interview system operators to help approximate peak dry and peak wet weather flow conditions throughout the service area.

Task 2.4 Quantify Supplemental Water Requirement

Compare existing supply source capacities to projected water demands and quantify supplemental water needs.

Task 3 - Utility Systems Modeling

Task 3.1 Update Existing Facilities

Using the Boyle AutoCAD drawings of existing facilities prepared for the 1995 Study and the 1999 Water and Sewer Replacement Study as a starting point, review system maps and record drawings on file at the District offices to update the existing water and sewer facilities.

For the water system, examine records of existing pipeline diameter, material, and age throughout the service area. Note the location of in-line pressure regulators and other hydraulic controls. Obtain information on the existing wells including location, typical pumping water levels at various times of year, pump performance curves, PG&E efficiency tests, treatment/disinfection, and wellhead configuration. Discuss telemetry controls, particularly which wells are primary wells and which are back up. Confirm

information on the location, elevation, height, volume, and condition of the District's four existing storage tanks.

For the sewer system, examine records of existing collector diameter, material, age, slope, and manhole locations throughout the service area. Note the location of existing siphons, if applicable. Obtain information on the nine existing lift stations including wet well depth and volume, on-off level settings, number and type of pumps in place, pump performance curves, PG&E efficiency tests, force main diameter, age, material, and location.

Task 3.2 Prepare Input Files

Utilizing the existing facilities information described above, update water system input files consisting of:

- Pipe data - length, diameter, roughness coefficient, ending and beginning node numbers.
- Node data - elevation, approximate coordinates, and water demand.
- Hydraulic control data - well pump curves and production capacities.

Node elevation data will be approximated primarily from 1,000-foot scale USGS topographic maps. Pipeline roughness coefficients will be estimated based on the age, material, and reported condition of groups of pipes. Nodal demands will be based on the land use data and duty factors previously described.

Prepare sewer system input files consisting of:

- Pipe data - length, diameter, roughness coefficient, ending and beginning node numbers for gravity collectors and force mains.
- Node (manhole) data - elevation, approximate coordinates, and sewage loading.
- Hydraulic control data - lift station pump curves and wet well capacities.

Node elevation data will be approximated primarily from sewer system record drawings. Pipeline roughness

coefficients will be estimated based on the age, material, and reported condition of groups of pipes. Sewage loading per nodes will be based on the land use data and duty factors previously described.

Task 3.3 Computer Model Development and Calibration

Once the input files for each of the models have been developed, Boyle will calibrate the models. For the water system, we anticipate relying on recent BoyleNet model updates and calibration based on fire hydrant flow tests conducted by Boyle and Nipomo CSD. Boyle recently simulated the field-measured pressures and flows in the computer model and adjusted as necessary to achieve reasonable agreement with field measurements.

In the case of the sewer system, calibration may be more difficult since the only flow metering information available is for the wastewater treatment plant. We may ask that the District have PG&E conduct pump efficiency tests at selected lift stations, or that sewage flow meters be placed throughout the system to gather flow data.

For both systems, we will discuss our modeling observations on such things as pressure deficiencies or surcharged gravity lines with District staff to see if they, too, have observed similar occurrences in the field.

Task 3.4 Existing System Analysis

For the water system, Boyle will evaluate the existing supply, storage and distribution system's ability to meet *present demand requirements* using the calibrated computer model. The existing system capacities relative to peak demands, fire flows, source redundancy, and reservoir storage will be evaluated. Make recommendations regarding distribution system capacity looping, particularly in Summit Station, the Mesa area, and across the creek and highway. Deficiencies will be identified and feasible improvements recommended.

Make recommendations on utilizing the existing water storage facilities more effectively to meet hydraulic requirements. Also, consider possible use of groundwater storage in lieu of or in addition to constructing additional above-grade storage facilities.

For the sewer system, Boyle will evaluate the existing collection and pumping system's ability to meet *present sewer loading requirements* using the calibrated computer model. The existing system capacities relative to peak dry and peak wet weather flow conditions will be evaluated. Deficiencies will be identified and feasible improvements recommended.

Task 3.5 Future System Analysis

For the water system, Boyle will evaluate the supply, storage and distribution system's ability to meet *future demand requirements* using the calibrated computer model. System capacities relative to peak demands, fire flows, source redundancy, and reservoir storage will be evaluated. Deficiencies will be identified and feasible improvements recommended.

For the sewer system, Boyle will evaluate the collection and pumping system's ability to meet *future sewer loading requirements* using the calibrated computer model. The system capacities relative to peak dry and peak wet weather flow conditions will be evaluated. Deficiencies will be identified and feasible improvements recommended.

Task 3.6 Opinion of Probable Costs

Boyle will prepare a planning level engineer's opinion of probable costs for the recommended water and sewer system improvements. These opinions of probable costs represent Boyle's judgment as a design professional and will be provided for the general guidance of the District. Project costs considered will include construction costs (materials and installation), design engineering, surveying, construction administration, and contingency.

Opinions of probable costs will be referenced to the appropriate Engineering News Record index.

Task 4 Findings and Report Preparation

Task 4.1 Summarize Recommendations

Boyle will summarize the conclusions reached and recommendations made for each of the individual tasks included in the Scope of Work. These will be evaluated conjunctively to develop recommendations that will cumulatively achieve the project objectives previously outlined. Recommended system improvements will then be prioritized based on the project analysis criteria established earlier in the project.

Task 4.2 Prioritize Improvements

Boyle will develop a phased capital improvement program incorporating the prioritized system improvements outlined in previous tasks. Meet with the District to review preliminary phasing recommendations prior to publishing the draft report. Improvements will be separated into facilities needed to serve existing customers and facilities to serve future development construction. These future development facilities could be entirely or partially funded by developers or by connection fees.

Task 4.3 Draft Report Preparation

Boyle will prepare a draft report which will consist of documentation of the tasks described above as well as figures illustrating the location and extent of recommended water and sewer system improvements. It is our intent to issue the utilities master plans as one single document.

Task 4.4 Final Report Preparation

After having received written review comments from the District on the draft project report, Boyle will prepare the final project report.

Task 4.5 Project Management / Project Meetings

This task covers the project manager's supervision and direction of all phases of the project including coordination with District staff, scheduling of project meetings, implementation of the work, and quality control reviews.

In addition to the kickoff meeting and the meeting to discuss improvement priorities, Boyle will meet with District staff up to two more times. We will also make one presentation to the District's Board of Directors.

Deliverables

Boyle Engineering Corporation will deliver the following items in the course of the Nipomo Community Services District Water and Sewer System Master Plan Update Preparation:

1. Written statement of initial facility evaluation criteria as described in Task 1.3 for District review.
2. Attendance at the meetings stated in the Scope of Work, including one presentation to the Board of Directors.
3. Estimates of costs for facilities recommended to meet existing and projected user needs.
4. Prioritization of recommended improvements.
5. Submittal of (8) copies of the draft Water and Sewer System Master Plan update report consisting of documentation of the tasks stated in the Scope of Work and figures illustrating the extent and location of recommended facility upgrades.
6. Submittal of (10) copies of the final Water and Sewer System Master Plan update.
7. Water computer model input files in BoyleNet for the existing system and for the proposed master-planned system.
8. Sewer computer model input files in *B-Swan* format for the existing and master-planned systems,

which could be converted to a publicly available software program such as HYDRA.

9. Two maps illustrating node and pipe numbering system: one for the water and one for the sewer system computer models.

The District has asked that we provide digital data (i.e. the computer model input files) at the completion of the master plan preparation. We do so with the understanding that Boyle shall not be liable for claims, liabilities or losses arising out of, or connected with (1) the modification or misuse by the District, or anyone authorized by the District, of such data; or (2) decline of accuracy or readability of data due to inappropriate storage conditions or duration.

Information and Services Required from the District

Our Scope of Work and professional fee stated herein is based on receipt of the information and services listed below at no cost to Boyle:

1. Written comments on the deliverables listed above and attendance at meetings referenced herein.
2. A map indicating the properties currently receiving water and sewer service from the District.
3. A map showing the future service area for both water and sewer service.
4. Monthly water production records for all sources from 1995 to present.
5. Monthly water consumption records from 1995 to present, by subarea, address, or land account type, if available.
6. Records of maximum daily and peak hourly water demands for the same period.
7. Lift station run-time records and any available sewage flow metering data (e.g. wastewater treatment plant) or inflow/infiltration information.

8. Pump performance data, pumping water level records, PG&E pump test results (where available), and other information for each well and lift station.
 9. Information on existing reservoirs and wet wells.
 10. Access to record drawings of water and sewer facilities from which the computer model input files may be prepared. We can either review record drawings in the District offices or obtain copies for review in our own office.
 11. Conduct and provide written additional results of fire hydrant flow tests (if required).
 12. Information relating to future supplemental water sources, particularly anticipated limitations on pressure, reliability, and peak flow rates.
 13. Copies of past water and sewer system reports and evaluations.
 14. Known operational deficiencies in the existing water and sewer systems, including areas of high maintenance, frequent repairs and customer complaints.
4. Flow monitoring to determine sewer duty factors not included.
 5. It is not our intent at this time to provide Boyle's water and sewer hydraulic modeling software to the District.

for total quantity and peak delivery requirements that the District should pursue.

4. Flow monitoring to determine sewer duty factors not included.

5. It is not our intent at this time to provide Boyle's water and sewer hydraulic modeling software to the District.

Schedule and Professional Fee

Boyle will deliver the draft Water and Sewer System Master Plan Update - 2000 within five (5) months of receipt of notice to proceed based on receipt of information and services from the District as indicated. Delays in receipt of information will delay submittal of the draft and final reports. We will submit the final report within two weeks of receipt of written comments on the draft report from the District.

With respect to professional fee, we will prepare the Water and Sewer System Master Plan – 2000 Update on a time and materials basis for the maximum fee of \$48,790, which shall not be exceeded without the prior written authorization of the District. The hourly rates and basis of billing for other direct charges upon which our time-an-material charges will be based be indicated in Exhibit "B", Fee Schedule for Professional Services.

Services Not Included in Scope of Work

1. This proposal does not include an assessment of water quality nor advice on blending. Boyle is experienced and capable of providing such advice but has not included such services in our base scope.
2. This proposal does not include an evaluation of the existing wastewater treatment and disposal facilities and is therefore not included in our base scope.
3. Regarding water supply, the water master plan is not intended to be a water supply planning document, except that it will quantify the amount of supplies that the District should have available to reliably meet user demands. For supplemental water supplies, we will recommend point(s) of connection to the existing system and state criteria

Boyle Engineering Corporation (VT/SLO)
FEE SCHEDULE FOR PROFESSIONAL SERVICES
Effective January 1, 2000

Engineers, Planners, Architects, Scientists:

Student Assistant	\$	56.00 per hour
Assistant I	\$	67.00 per hour
Assistant II	\$	77.00 per hour
Associate	\$	93.00 per hour
Senior I	\$	109.00 per hour
Senior II	\$	122.00 per hour
Principal	\$	142.00 per hour
Special Consultant	\$	110.00 per hour

Construction Administration Personnel:

Resident Project Representative	\$	75.00 per hour
Senior Resident Project Representative	\$	90.00 per hour
Resident Engineer	\$	102.00 per hour
Construction Services Manager	\$	130.00 per hour

Technical Support Staff:

Clerical/General Office	\$	48.00 per hour
Administrative Specialist	\$	57.00 per hour
Drafter	\$	50.00 per hour
Assistant CADD Operator	\$	60.00 per hour
Designer/CADD Operator	\$	70.00 per hour
Senior Designer/Design CADD Operator	\$	81.00 per hour
Design Supervisor	\$	90.00 per hour

General Project Expenses ^{1/} 8% of Labor

Direct Project Expenses

Other Reproduction (8 1/2 x11/11x17 Color)	\$1.15/1.50 per page
Plan Sheet Printing - In House Bond/Vellum/Mylar	\$3.00/4.00/7.00 per sheet
Subcontracted Services/Reproduction	Cost + 15%
Subcontracted or Subconsultant Services	Cost + 15%
Auto Mileage for Construction Phase Services	\$0.50 per mile
Travel & Subsistence (other than mileage)	Cost
Miscellaneous Materials	Cost + 15%

Computer Services and Computer Aided Design See Rate Schedule Page 2

If authorized by the Client, an overtime premium multiplier of 1.5 may be applied to the billing rate of hourly personnel who work overtime in order to meet a deadline which cannot be met during normal hours.

Applicable sale taxes, if any, will be added to these rates. Invoices will be rendered monthly. Payment is due upon presentation. A late payment finance charge of 1.5% per month (but not exceeding the maximum rate allowable by law) will be applied to any unpaid balance commencing 30 days after the date of the original invoice.

Fee schedule is subject to change.

^{1/} Includes mail, telephone, fax, office photo copies, personal computers, and mileage (except as listed below).

**STANDARD RATE SCHEDULE
COMPUTER SERVICES
Boyle Engineering Corporation
Effective May 29, 1999**

Resource Charges for Microcomputers

Resource charges are in addition to the above rates and cover the use of special purpose software and extra equipment such as pen plotters, high resolution monitors, and digitizers which are used with CADD software.

AutoCAD Computer Aided Design	\$ 8.20 per hour
MicroStation (Intergraph) CADD	\$ 8.20 per hour
SCADA - Structural Analysis	\$ 12.00 per hour
DAPPER - Electrical Design	\$ 75.00 per hour
CAPTOR - Overcurrent Analysis	\$ 54.00 per hour
SAP2000 - Structural Analysis	\$100.00 per hour
PRIMAVERA - Project Management	\$ 60.00 per hour
GWFM - Groundwater Modeling	\$ 15.00 per hour
STAAD III - Structural Design	\$ 10.50 per hour
AES HYDRO - Hydrologic Analysis	\$150.00 per hour
EXKYPIPE - Water Distrib Analysis	\$ 10.00 per hour
SWAN - Sanitary Sewer Analysis	\$ 10.00 per hour
LARSA - Structural Analysis	\$ 7.50 per hour
HASS - Sprinkler Analysis	\$150.00 per hour
ICPR - Drainage Design	\$ 60.00 per hour
TERRAMODEL - Highway Design	\$ 15.00 per hour
CYBERNET - Water Distrib. Analysis	\$ 8.25 per hour

Hewlett Packard HP 3000/928 Super Minicomputer System

Terminal or Printer	\$77.00 per hour
Computer Charge - SURGE - Hydraulic Transient Analysis	\$ 6.00 per min.

Other Notes

Charges for outside computer services will be billed at invoice cost plus twenty-five percent.

This rate schedule is subject to general revision annually. New equipment categories and resource charges may be added at any time.

Project Budget

Water and Sewer System Master Plan - 2000 Update

Nipomo Community Services District

Task Description	Personnel Hours					Total Hours	Budget		
	Principal Engineer	Senior Engineer II	Assistant Engineer	Designer/CADD Oper	Clerical		Labor	Non-Labor	Total
Task Group 1 - Data Collection and Evaluation									
1.1 Kickoff Meeting/Data Collection		8	8		2	18	\$ 1,608	\$ 129	\$ 1,737
1.2 Data Evaluation		6	12			18	\$ 1,536	\$ 123	\$ 1,659
1.3 Project Analysis Criteria		2	2			4	\$ 378	\$ 30	\$ 408
							\$ -		\$ -
Subtotal		16	22		2	40	\$ 3,522	\$ 282	\$ 3,804
Task Group 2 - Land Use Review/Duty Factors									
2.1 Obtain and Review County Land Use Data & Aerial Photos		8	10		2	20	\$ 1,742	\$ 887	\$ 2,629
2.2 Update Base Map		2	4	6		12	\$ 932	\$ 75	\$ 1,007
2.3 Establish Duty Factors		4	12			16	\$ 1,292	\$ 103	\$ 1,395
2.4 Quantify Supplemental Water Requirement		4	4			8	\$ 756	\$ 60	\$ 816
							\$ -		\$ -
Subtotal		18	30	6	2	56	\$ 4,722	\$ 1,125	\$ 5,847
Task Group 3 - Utility Systems Modeling									
3.1 Update Existing Facilities		6	16			22	\$ 1,804	\$ 144	\$ 1,948
3.2 Prepare Input Files		8	24			32	\$ 2,584	\$ 207	\$ 2,791
3.3 Computer Model Development and Calibration		10	20			30	\$ 2,560	\$ 205	\$ 2,765
3.4 Existing System Analysis		14	32			46	\$ 3,852	\$ 308	\$ 4,160
3.5 Future System Analysis		16	32			48	\$ 4,096	\$ 328	\$ 4,424
3.6 Cost Estimates		8	12			20	\$ 1,780	\$ 142	\$ 1,922
							\$ -		\$ -
Subtotal		62	136			198	\$ 16,676	\$ 1,334	\$ 18,010
Task Group 4 - Findings and Report Preparation									
4.1 Summarize Recommendations		12	8	8	6	34	\$ 2,848	\$ 228	\$ 3,076
4.2 Prioritize Improvements		8	8	6	4	26	\$ 2,124	\$ 170	\$ 2,294
4.3 Draft Report Preparation		20	12	8	12	52	\$ 4,380	\$ 350	\$ 4,730
4.4 Final Report Preparation		12	12	8	12	44	\$ 3,404	\$ 272	\$ 3,676
4.5 Project Management/Project Meetings	8	40			16	64	\$ 6,808	\$ 545	\$ 7,353
							\$ -		\$ -
Subtotal	8	92	40	30	50	220	\$ 19,564	\$ 1,565	\$ 21,129
Total	8	188	228	36	54	514	\$ 44,484	\$ 4,306	\$ 48,790

Amounts shown are fees.

Personnel Category	\$/HR
Principal Engineer	\$145.00
Senior Engineer II	\$122.00
Assistant Engineer	\$67.00
Designer/CADD Oper	\$70.00
Clerical	\$48.00

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: OCTOBER 18, 2000

AGENDA ITEM
OCT 18 2000



DISTRICT INSTALLED WATER LINE REIMBURSEMENTS

ITEM

Request form developer of Tract 2219 to reconsider the District installed water line reimbursement fees.

BACKGROUND

The District has installed a water line on Camino Caballo to transmit water production from its wells into the District's distribution system. In 1998, the District adopted a supplemental charge whereas, any new service connecting to a District-installed water line would be charged a front footage fee of \$21.00 per foot for each parcel fronting the improvements or one-half the amount when District service can be provided on both sides of the water line. Tract 2219 is within the District boundary, but the property on the other side of the water line is outside the District boundary. The front footage fee of \$21.00 per foot was assessed to this development because the other side is outside the District boundary. Your honorable Board may make a finding that the area outside the District boundary may be served (via annexation or outside user agreement), therefore, one-half of the amount would be charged to the applicant of Tract 2219.

RECOMMENDATION

If the Board finds that a property outside the District boundary can be provided water service with respect to District installed water lines then one-half of the front footage fee would be rendered to the development. In this case, it would be Tract 2219.

Oct. 4, 2000.

Doug Jones,
General manager,
Nipomo Community Services District,
148 South Wilson Street,
P.O. Box 326,
Nipomo, CA. 93444-0326

Subject: Tract 2219 Construction / NCS D Front Footage Fee

Dear Mr. Jones and NCS D Board Members,

This letter is in response to board meeting held on October 4, 2000 concerning District fees for tract 2219, with specific reference to NCS D front footage fees. On September 20, we received a letter from NCS D exhibiting all water fees due the district prior to a will serve letter being issued. The total fees were shocking to say the least \$54,600.00 for Eight five acre lots After reviewing the fees and asking a few questions it came to my attention that we were being asked to pay NCS D front footage fees for not only our property but for the neighbors property also a total of \$27,720.00 I can not believe that it was suggested that we pay for both sides of the front footage fee when in your own bylaws read at the October 4, meeting it clearly states we are only responsible for Fifty percent of the total fees. As a thirty year resident of Nipomo I am more than willing to pay my fare share, Therefore I propose we pay are due share of \$13,860.00 for our half of the front footage fees. I Know this board is open minded and can see the equity and value in the existing pipe line and with future development I'm sure you will be compensated for the other side of the road as well as down the road.

Sincerely,


John Barlogio and Brenda Dana



RECEIVED

OCT 05 2000

NIPOMO COMMUNITY
SERVICES DISTRICT

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: OCTOBER 18, 2000

AGENDA ITEM
OCT 18 2000



REQUEST FOR SERVICE
TRACT 2381
CRAIG

ITEM

Request for water and sewer service in the Black Lake Specific Plan, Tract 2381, located at Pomeroy and Willow Roads.

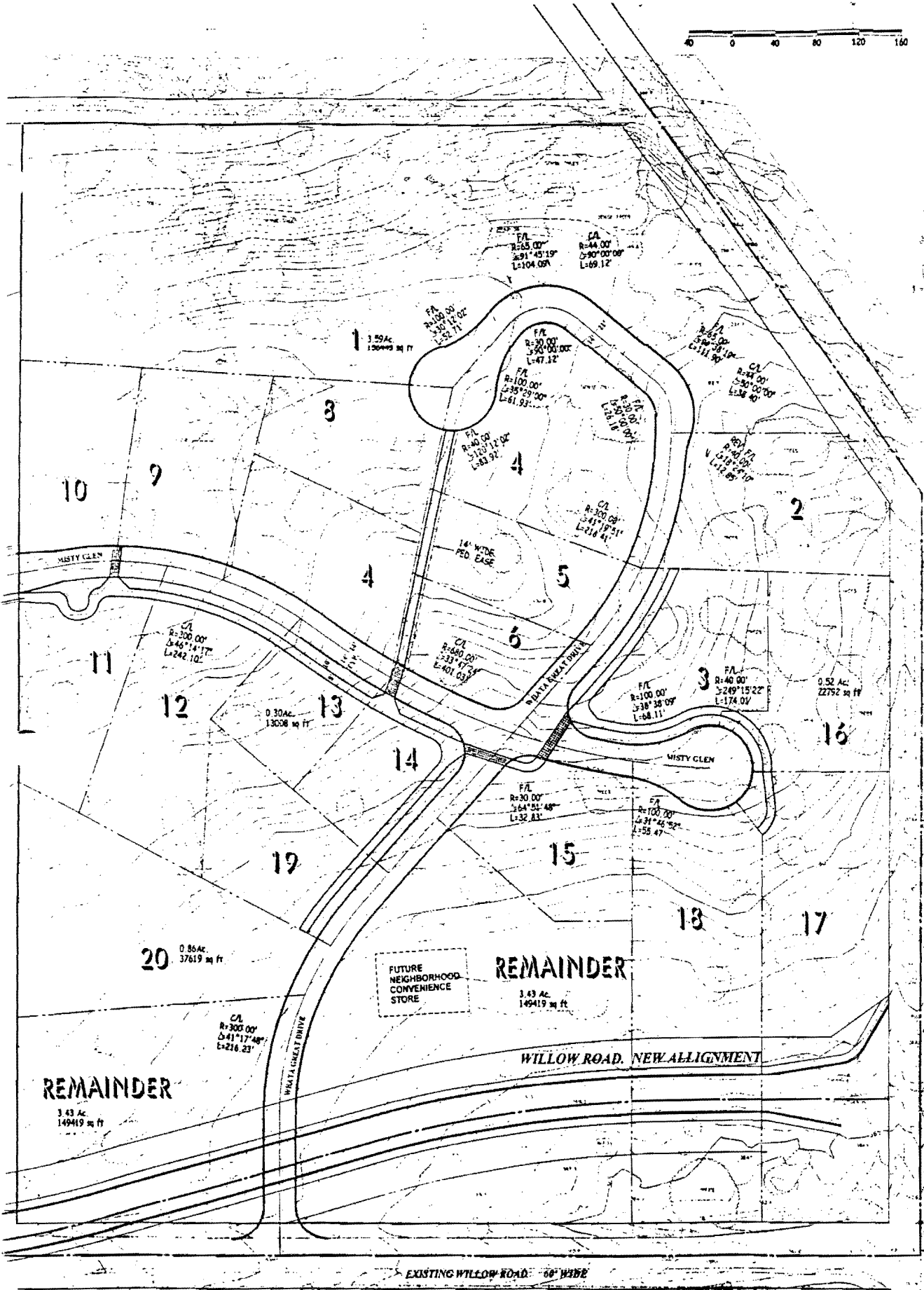
BACKGROUND

The District has received a request for an Intent-to-Serve letter from Jim McGillis for Tract 2381, a 20-lot residential development at the intersection of Willow Rd. and Pomeroy Rd. This development is in the Black Lake Specific Plan. The Intent-to-Serve letter may be issued with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans in accordance with the District Standards and Specifications for review and approval, including a water line extension fronting Willow Road.
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 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 for Tract 2381 with the above mentioned conditions.



REMAINDER
3.43 Ac
149419 sq ft

REMAINDER
3.43 Ac
149419 sq ft

OWNER: CRAIG FAMILY TRUST
P. O. Box 505
Oceans, Ca. 93445

SURVEYOR: Jim McEllis
c/o Son Lisa Eng.
P. O. Box 1127
Arroyo Grande, Ca. 93420

A.P.N. 91-240-09
A proposed division of a portion of Lot 51
per A.M.B. 109, recorded in the Office of the
County Recorder for San Luis Obispo County,
California, U.S.A.



JAMES MICHAEL McELIS
PROFESSIONAL LAND SURVEYOR
PO BOX 1127 ARROYO GRANDE CA 93420
178 FERNWOOD ROAD SUITE C GARDEN BEACH CA 93426
PHONE (805) 481-4183 FAX (805) 481-4127
EMAIL JAMES.MCELIS@PACIFICNET

VESTING TENTATIVE TRACT NO. 2381



JAMES MICHAEL MCGILLIS
PROFESSIONAL LAND SURVEYOR
PO BOX 1446 NIPOMO CA. 93444
231 HAZEL LANE NIPOMO CA. 93444
PHONE (805)489-4343 FAX (805)929-2941
EMAIL JAMES-MCGILLIS@yahoo. net

22 Sep 2000

NIPOMO COMMUNITY SERVICES DISTRICT
148 S. WILSON ST.
P.O. BOX 326
NIPOMO CA 93444-0326

ATTN: DOUG JONES, General Manager

Enclosed are two full size prints and one reduced print of Vesting Tentative Tract 2381. This tract is part of the Black Lake Specific Plan.


Please cause to be issued your standard "intent to serve" letter for the 20 residential units.

I have shown the ultimate location of Willow Rd. and the most probable location for the needed lift station would be in the remainder portion in the Southwest corner of the property. Some lots will be able to be served with the extension of the line in Misty Glen.

Sincerely,

J. M. McGillis, PLS 4442
Lic. Exp. 30 Sep. 2000

YE OLDE TYME SURVEY SHOPPE

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: OCTOBER 18, 2000

AGENDA ITEM

OCT 18 2000



REQUEST FOR SERVICE
TRACT 2399

ITEM

Request for water and sewer service for the re-subdivision of 1599, known now as Tract 2399, for 59-unit development located at S. Frontage Rd. and Division St.

BACKGROUND

In 1998, the District issued an Intent-to-Serve letter for Tract 1599, a 13-lot development on Frontage Rd. at Division St. The developer submitted the plans to the District and the plans were approved. All the fees were paid and a Will-Serve letter was issued for Tract 1599. There were originally 13 lots in this development. Each lot consisted of a single family house and a triplex built in the rear of the lot. The developer is now revising the plans where each previous lot will be developed into four separate parcels which may be sold separately. This creates a total number of 59 lots, including Lot # 5 which was previously a single lot. In the configuration, a single master meter would be set for each lot. Now that they have been converted to individual lots, the lot that previously would have had one lot, now will have four (4) meters (one for each of the parcels being created). With the new Tract 2399, an additional ten (10) Water and Sewer Capacity, Meter and Account Fees will be due. The Intent-to-Serve letter for Tract 2399 may be issued with the following conditions:

1. Enter into a Plan Check and Inspection Agreement and pay the appropriate fees.
2. Submit improvement plans 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 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 an Intent-to-Serve letter for Tract 2399 with the above mentioned conditions.

Board 2000\Intent Tr 2399.DOC

October 6, 2000



Mr. Doug Jones
District Manager
NIPOMO COMMUNITY SERVICES DISTRICT
Post Office Box 326
Nipomo, California 93444

**Re: Transmittal of Proposed Re-subdivision Tract 2399 -
Request For Updated "Can and Will-Serve" Confirmation Water/Sewer;
Formerly Tract 1599 - Division Street - Nipomo**

Dear Doug:

In follow-up to our recent telephone discussion regarding Tract 1599, we are pursuing a resubdivision of the Tract to permit Townhouse fee-ownership of the single family and apartment units (a total of 59 units). This proposed subdivision is Tentative Tract 2399, a copy on which is enclosed for your reference.

This project will include the identical land use plan as you have seen and processed last year; namely a single family residence in front, and a three-unit attached triplex in the rear of each lot. These units constitute a "Planned Unit Development" under County codes, and the lots would have the option to be owned or rented. The new addition to what you have seen previously is our plan for former Lot 5 of Tract 1599.

You will recall that when we recorded Tract 1599, we agreed to pay water and sewer fees for a single unit on Lot 5, anticipating a future application and project would reconcile what additional units would be added. The enclosed Tract contemplates eleven (11) lots within former Lot 5, effectively adding ten (10) additional units for which we must request a "can and will-serve" letter. Since we paid for 48 units last June, we expect a subsequent payment of fees for ten more units to record the new Tract 2399.

Please accept this letter and transmittal as our request for NCSD's "can and will-serve" letter. I would appreciate receiving this from you at your earliest convenience so that I may forward it to the County with our application. Thank you for your continuing assistance. Please call me at 544-4444 if you have any questions on this request.

Sincerely,

A handwritten signature in black ink, appearing to read "David Watson".

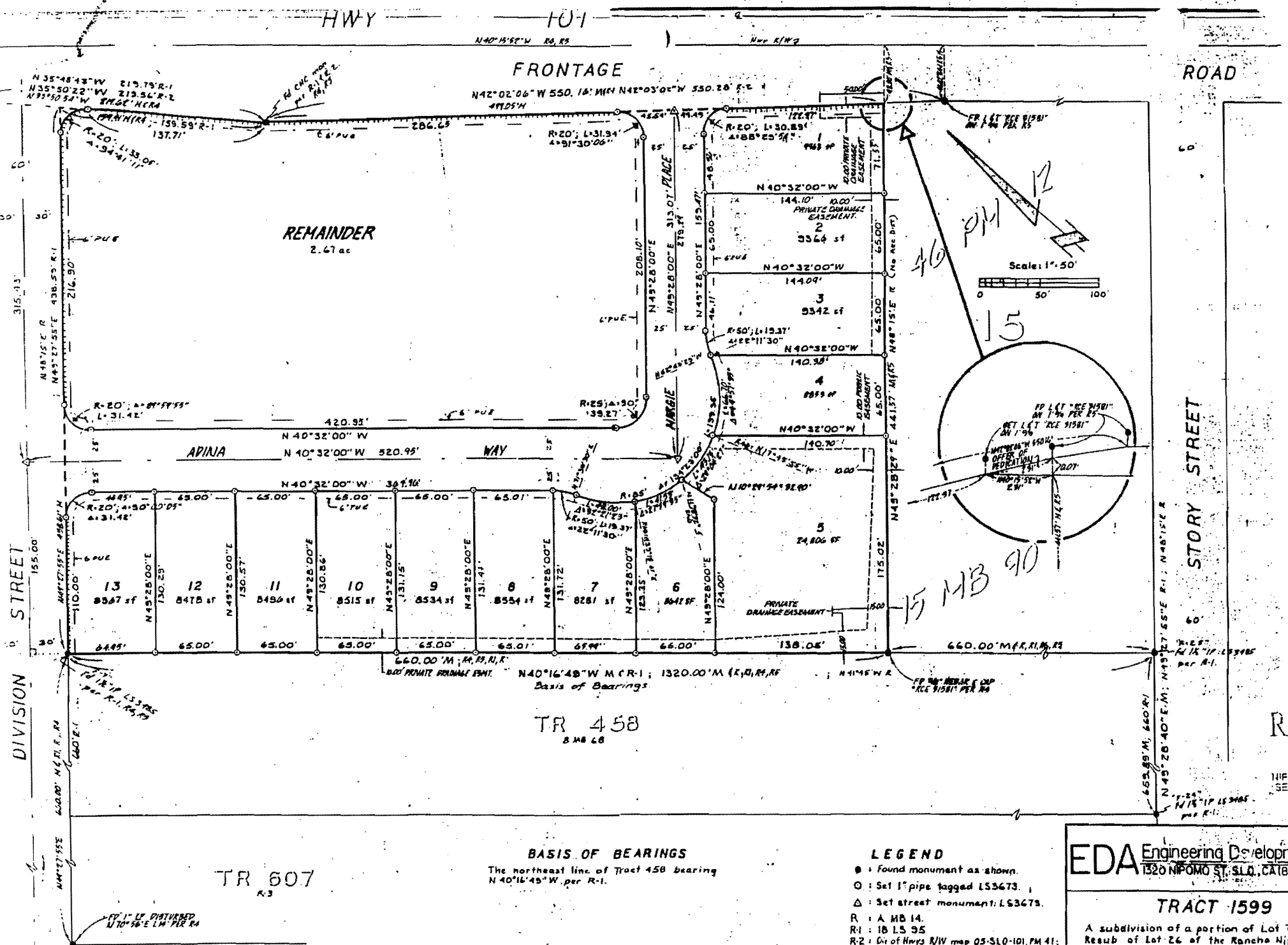
David Watson, AICP

NIPAPTncsd06.twp

RECEIVED

OCT 09 2000

NIPOMO COMMUNITY
SERVICES DISTRICT



101

FRONTAGE

REMAINDER
2.67 ac

APINA

WAY

ROAD

STORY STREET

DIVISION STREET

DIVISION STREET

TR 458
8 MB 68

TR 607
A.3

MEREDITH AVE

BASIS OF BEARINGS

The northeast line of Tract 458 bearing
N 40° 16' 45" W, per R-1.

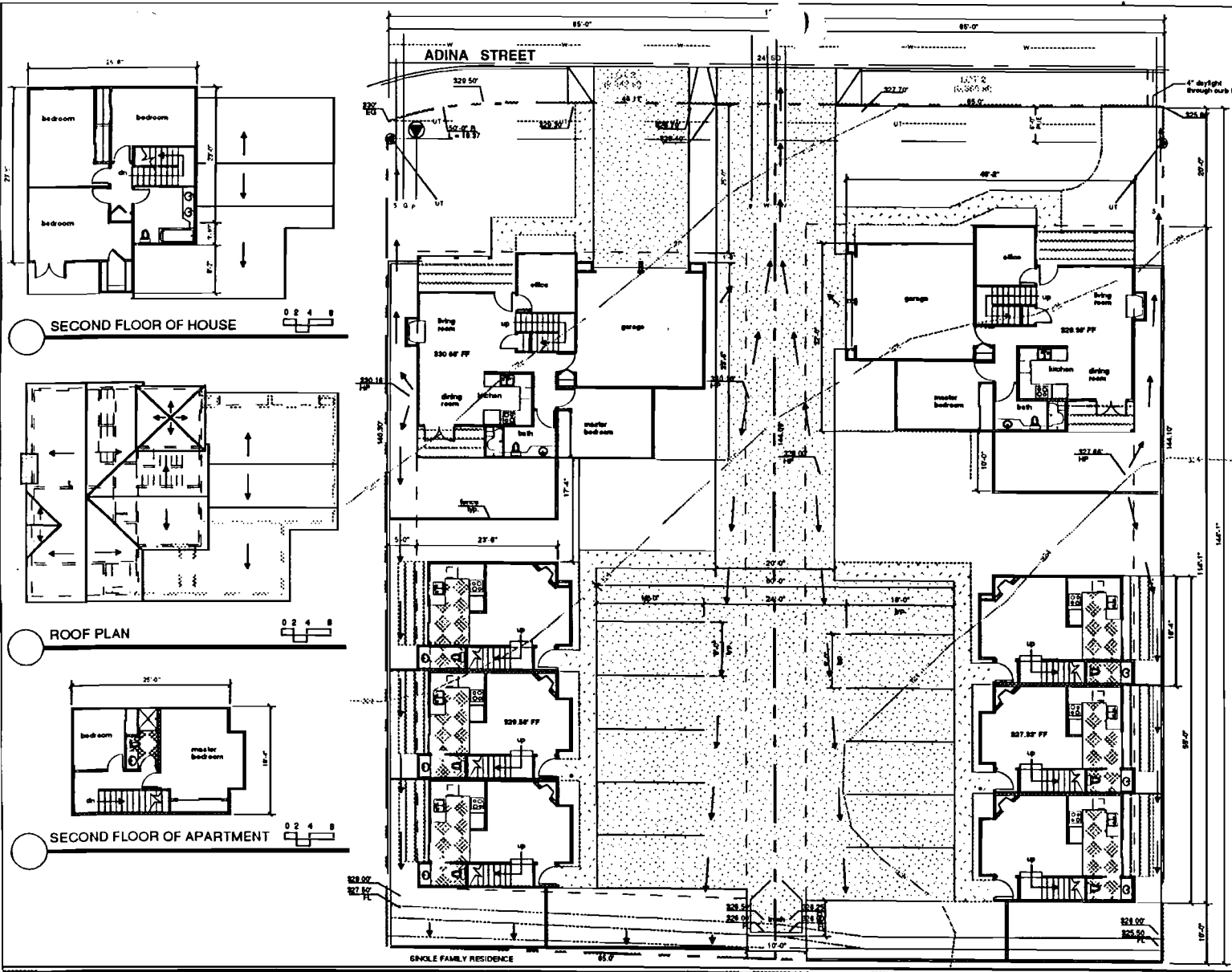
LEGEND

- : Found monument as shown.
- : Set 1" pipe tagged LS3673.
- △ : Set street monument: LS3673.
- R : A MB 14.
- R1 : 18 LS 95
- R2 : Div of Hwys R/W map 05-S10-101, PM 41;
Relinquishment Map
- R3 : 11 MB 16
- Access Denied
- CA 60 PM 12

EDA Engineering Developm
1320 NIPOMO ST. SLO, CALIF.

TRACT 1599

A subdivision of a portion of Lot 7
Resub of Lot 26 of the Rancho Nip
County of San Luis Obispo, Calif.



CONCEPTUAL FLOOR PLAN



schematic floor plan
 plot date: 21 Sept. 1999
 revision date:
 file number: lot 269 01

By the use of the licensed Dr. of architecture for
 structural and other purposes, the architect shall
 be responsible for the structural design of the building
 and shall be held liable for any errors or omissions
 in the structural design. The architect shall not be
 responsible for the design of the building or for any
 other matters which may be the subject of a separate
 contract with the client. The architect shall not be
 responsible for the design of the building or for any
 other matters which may be the subject of a separate
 contract with the client.

NIPOMO APARTMENTS

3 - 2 bedroom apartments 808 sq. ft. ea.
 1 - 2 story single family residence 2011 sq. ft.



project north
 scale: 1/16"=1'-0"

the
 robert
 richmond
 company
 architects
 805 So. 31st
 P.O. Box 508
 San Jose, CA 95128
 San Jose, CA 95128

01
 sheet no.

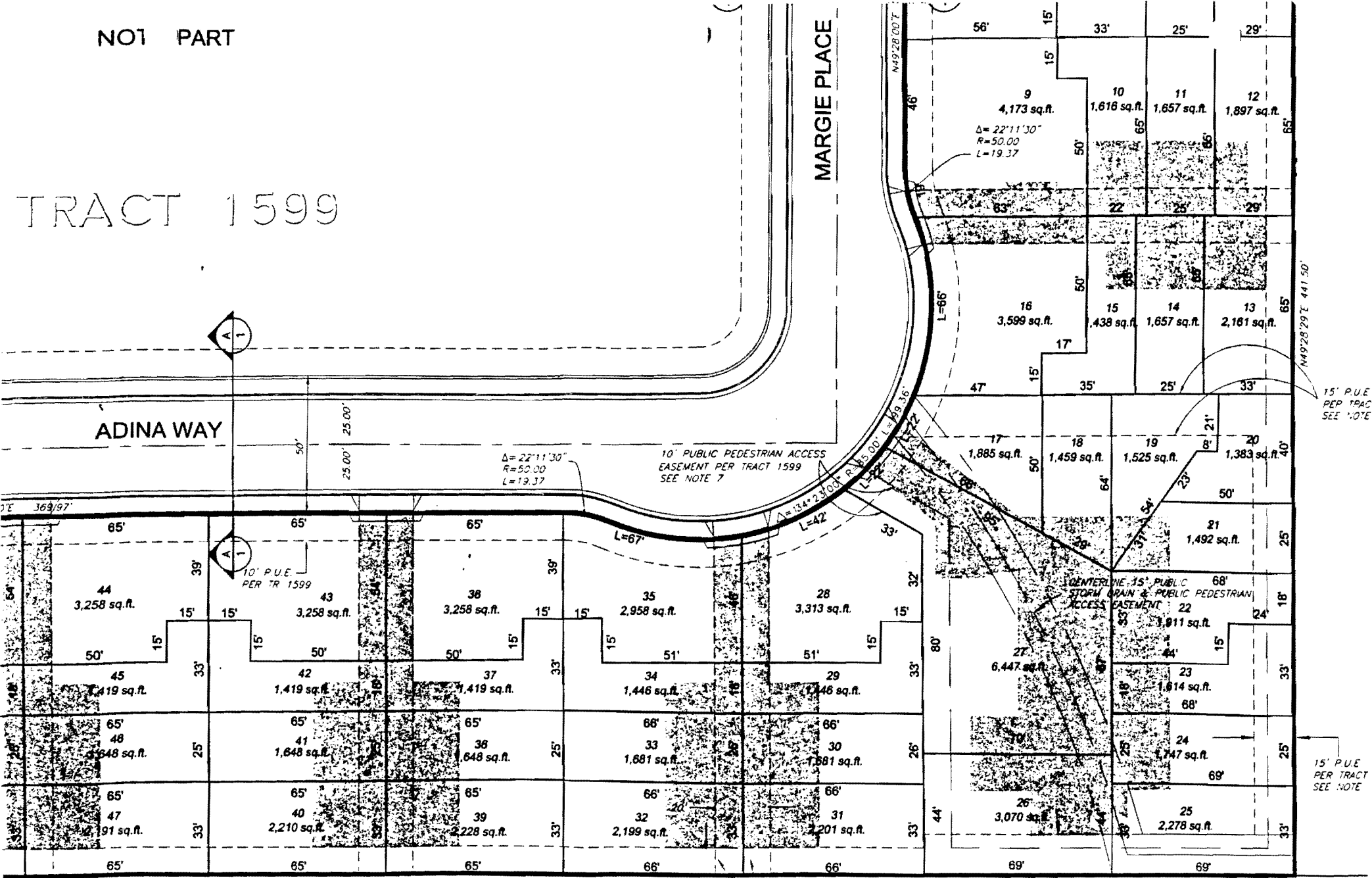
TRACT 1599

NO1 PART

TRACT 1599

MARGIE PLACE


ADINA WAY



TRACT 2399

AGENDA ITEM
OCT 18 2000



TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: OCTOBER 18, 2000

AUDIT PROPOSAL

BACKGROUND

The District is required by law to have an independent audit performed each fiscal year. The audit for the fiscal year ending June 30, 2000 was presented by Carlos J. Reynoso, CPA at the last Board Meeting. At the request of staff, Mr. Reynoso has submitted a proposal to perform the District's audit for the next three years. Staff has been very pleased with his work. Mr. Reynoso is very timely and works well with staff. His proposal is as follows (assuming no significant changes in District operations):

Fiscal year 6/30/01	\$3,375 + \$800 GASB 34 implementation =	\$4,175
Fiscal year 6/30/02		\$3,550
Fiscal year 6/30/03		\$3,750

In addition, telephone consultation during the year is at no charge.

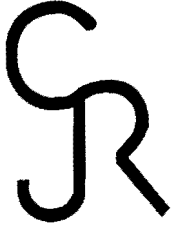
The fees for the June 30, 2000 audit were \$3,696.

Due to the conversion to the new billing system and fund accounting system this month, the auditor will have to audit the data utilizing the old system for three months and the new system for nine months. Since Mr. Reynoso is familiar with the old system, he would not have to familiarize himself with the old system's data before moving on to audit the new system's data.

RECOMMENDATION

It is staff's recommendation that Your Honorable Board approved the audit proposal for three years by Carlos Reynoso, CPA for the above stated amounts and authorize staff to execute the Audit Engagement Letter.

bc2000/audit proposal.doc



Carlos J. Reynoso
Certified Public Accountant

935 Riverside Ave., Suite 8 • P.O. Box 70
Paso Robles, California 93447-0070
(805) 238-9601 • Fax (805) 238-2406
E-mail: cjrcpa@fix.net

October 9, 2000

Lisa Bognuda, CPA
Assistant Administrator
Nipomo Community Services District
P.O. Box 326
Nipomo, California 93444

Dear Ms. Bognuda:

Thank you for your request for an audit proposal for the financial audit of Nipomo Community Services District for the years ended June 30, 2001, 2002, and 2003.

Services To Be Rendered

The audits shall be conducted in accordance with generally accepted auditing standards and Government Auditing Standards, issued by the Comptroller General of the United States and will include tests of the accounting records and other procedures I consider necessary to enable me to express an unqualified opinion that the financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles.

It is a practice as a regular part of an audit engagement, to submit specific recommendations designed to strengthen internal controls and to improve the efficiency of accounting procedures. Such recommendations are developed during the course of my audit from my study and evaluation of the existing system, as well as from my audit tests.

I will not make a detailed audit of all transactions, such as would be necessary to disclose any defalcations or irregularities that may have occurred. However, my engagement will include tests of the system of internal control to the extent I consider necessary to make an evaluation of the system as required by generally accepted auditing standards.

Ms. Lisa Bognuda
October 9, 2000
Page Two

Peer Review

I received an unqualified opinion on my most recent (FYE March 31, 1999) Peer Review. There was no letter of comments. See copy attached.

Prior Auditing Experience

Some of the special district audits I have performed since July 1, 1991, are as follows:

- Nipomo Community Services District
- San Simeon Community Services District
- Independence Ranch Community Services District
- Cambria Community Healthcare District
- San Miguel Sanitary District
- Paso Robles Cemetery District
- Arroyo Grande Cemetery District
- Cayucos-Morro Bay Cemetery District
- San Miguel Cemetery District

Fee and Staffing

My fees for these audits will be based on my regular hourly rates (current hourly rates are Principal \$100, Senior Accountants \$55, Juniors \$35-\$45 and Clerical \$25). It is estimated that specific fees will not exceed \$4,175 for the year ended June 30, 2001, which includes \$800 for implementing GASB No.34. The fees for subsequent years would be as follows: June 30 2002 \$3,550 and June 30, 2003 \$3,750 . I am assuming there will be no federal funds received, additional funds created or substantial increase in the revenues of the District. I would be directly in charge of the fieldwork during the three year engagement.

In arriving at this estimate, it is my understanding that:

Your staff will assist me to the extent practicable in the completion of my engagement. They will provide us with supporting schedules and account analysis, and assist in locating supporting documents as I deem necessary.

Your staff will assist me in implementing GASB No. 34.

Lisa Bognuda
October 9, 2000
Page Three

If the above condition is not satisfactorily met and additional time is necessary to complete my audits, this matter will be brought to your attention in advance of the performance of the work. Additional services required would be billed at my regular hourly rates.

In addition, I would be available for telephone consultation during the year at no charge.

I am pleased that you requested this renewed proposal, and I look forward to continue serving as auditor for Nipomo Community Services District.

If you have any questions regarding this proposal, please contact me. Thank you again for this opportunity to offer my services. If you agree with the terms of my engagement as described in the letter, please sign the enclosed copy and return it to me.

Sincerely,


Carlos J. Reynoso, C.P.A.

Board of Directors' Acceptance of Engagement

Signature and Title

Date

M c G O W A N G U N T E R M A N N
A P R O F E S S I O N A L C O R P O R A T I O N
C E R T I F I E D P U B L I C A C C O U N T A N T S

Kent L. Englert
David V. Larson
Scott E. Davis
Joseph M. Lanza
Shelby J. Hughes
Pauilette M. Liberatore
Karen T. Hartman
Chrisley N. Reed
Patricia K. Krout
Line Jette

Francis McGowan - 1909 - 1975
Anthony Guntermann - Retired

816 State Street, Ste 400
P. O. Box 1379
Santa Barbara, CA 93102 - 1379
(805) 962-9175 Fax: (805) 962-8925
www.mcgowan.com

Carlos J. Reynoso, CPA

We have reviewed the system of quality control for the accounting and auditing practice of Carlos J. Reynoso, CPA (the firm) in effect for the year ended March 31, 1999. A system of quality control encompasses the firm's organizational structure and the policies adopted and procedures established to provide it with reasonable assurance of complying with professional standards. The elements of quality control are described in the Statements on Quality Control Standards issued by the American Institute of Certified Public Accountants (AICPA). The design of the system and compliance with it are the responsibility of the firm. Our responsibility is to express an opinion on the design of the system, and the firm's compliance with the system based on our review.

Our review was conducted in accordance with standards established by the Peer Review Board of the AICPA. In performing our review, we obtained an understanding of the system of quality control for the firm's accounting and auditing practice. In addition, we tested compliance with the firm's quality control policies and procedures to the extent we considered appropriate. These tests covered the application of the firm's policies and procedures on selected engagements. Because our review was based on selective tests, it would not necessarily disclose all weaknesses in the system of quality control or all instances of lack of compliance with it.

Because there are inherent limitations in the effectiveness of any system of quality control, departures from the system may occur and not be detected. Also, projection of any evaluation of a system of quality control to future periods is subject to the risk that the system of quality control may become inadequate because of changes in conditions, or because the degree of compliance with the policies or procedures may deteriorate.

In our opinion, the system of quality control for the accounting and auditing practice of Carlos J. Reynoso, CPA in effect for the year ended March 31, 1999, has been designed to meet the requirements of quality control standards for an accounting and auditing practice established by the AICPA and was being complied with during the year then ended to provide the firm with reasonable assurance of complying with professional standards.

McGowan Guntermann

June 22, 1999

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: OCTOBER 18, 2000

AGENDA ITEM
OCT 18 2000



APPOINTMENT TO COUNTY WATER ADVISORY COMMITTEE

ITEM

Appointment of representative to the San Luis Obispo County Flood Control Water Conservation District Water Resource Advisory Committee

BACKGROUND

San Luis Obispo County has established a Water Resources Advisory Committee (WRAC) where different entities members are appointed to review and advise the Board of Supervisors on County water resources. The County has revised the by-laws of the Water Resources Advisory Committee and is recommending application forms to be resubmitted for appointment to the Water Resources Advisory Committee.

[On a related item, the Board of Supervisors, via WRAC, have authorized area discussion groups to discuss water issues in different areas of the County. Supervisor Achadjian will be the facilitator of the South Co. (Nipomo Mesa) discussion group. The first meeting is scheduled for Monday, November 13, 2000, at 6:30 p.m. in the NCSD Board room.]

RECOMMENDATION

Staff recommends that your honorable Board authorizes staff to resubmit the existing names to be on the County Water Resources Advisory Committee.

SAN LUIS OBISPO COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
WATER RESOURCES ADVISORY COMMITTEE

RECEIVED
OCT 10 2000

NEEDHAM COUNTY
SERVICES DISTRICT

OCTOBER 4 MEETING IS CANCELED
PLEASE REMEMBER TO SHARE AGENDA SUGGESTIONS

MEMBERSHIP

In 1998 we revised the bylaws so that member terms do not automatically expire. Unfortunately, the Clerk informed me that people who were appointed prior to the bylaw revision were appointed to terms that still expire. To comply with Maddy Book requirements, we need to complete the full nomination procedure and appoint everyone to a non-expiring term. Please take the time you will save not attending a meeting this month and fill out the attached application form for reappointment to the Water Resources Advisory Committee. Send completed forms to: Susan Litteral, County Engineering Department, County of San Luis Obispo Rm. 207, San Luis Obispo CA 93408.

NOTIFICATION

Sorry this notification is so late. I was out most of last week dealing with the flu. I am considering converting the bulk of this WRAC mailing list to an e-mail notification. If you are interested in receiving electronic agenda mailings, please let me know your address when you return your application form. I type the minutes and agendas in Word Perfect and would prefer to just attach these documents to a mass mailing. If this will not be a viable method for you, let me know. (I can also attach it in Word if enough people ask)

NEWS AND UPDATES

Nacimientto Water Project No news is good news, the project is continuing on towards final project description.

State Water Project. Delivery requests for next year have been filed with DWR

Paso Robles Groundwater Basin Study Fugro began work on September 11. They are working on preliminary data compilation.

Basic Data Staff is inventorying the basic data that the Engineering Department has in their files. This is a preliminary step to accomplishing the WRAC goal of digital public access to the data. Fall well measuring has begun. Rainfall and stream gauges are receiving their annual "tune-ups" in anticipation of the winter rains.

Lopez Seismic Retrofit Construction bids were opened on September 28. Seven bids were received, ranging from a high \$19,500,000 to the apparent low bidder, Ford Construction Co. from Lodi, with \$15,994,100. They are still working on environmental permits, and the contracts for Construction Management and Project Management.

Water Conservation Efforts/Urban Water Management Plans The new CIMIS sites at Dairy Creek and Chalk Mountain Golf Courses should be installed this month. If they are operational in time for the next WRAC meeting and depending on other agenda items, we may take a field trip to Dairy Creek to see that station. The City of Paso Robles Draft Urban Water Management Plan is out for review.

Items for next agenda should be submitted to Susan Litteral by October 20, 2000.

v:\wrac\agnd&min\agnd10-4-00.wpd

Nothing makes a person more productive than the last minute

Unknown, but valid for me this month!

AGENDA ITEM 
OCT 18 2000

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 18, 2000

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 October 18, 2000 Regular Board meeting
- F-3) ACCEPTANCE OF TRACT 2304 IMPROVEMENTS (WITTSTROM) [RECOMMEND APPROVAL]
- F-4) ACCEPTANCE OF TRACT 1854 IMPROVEMENTS (GREENWALD) [RECOMMEND APPROVAL]
- F-5) ACCEPTANCE OF TRACT 2264 IMPROVEMENTS (BLACK LAKE ESTATE PTNRS) [REC APPROVAL]



WARRANTS OCTOBER 18, 2000

HAND WRITTEN CHECKS

18374	10-02-00	POSTMASTER	226.64
18375	10-10-00	POSTMASTER	404.43
18376	10-18-00	HCH CONT	354.95
18377	10-18-00	BASIC CHEMICAL	873.66

VOID None

5236	10/18/00	REY01	CARLOS J. REYNOSO, CPA	348.00
5237	10/18/00	SAN03	SANTA MARIA TOOL	61.59 103.27
			Check Total.....:	164.96
5238	10/18/00	SCH01	SCHENBERGER, TAYLOR,	500.00
5239	10/18/00	SHI01	SHIPSEY & SEITZ, INC	5271.50
5240	10/18/00	SIM02	ALBERT SIMON	100.00
5241	10/18/00	THE01	THE GAS COMPANY	7027.43
5242	10/18/00	TOA01	TOAL'S FENCING	520.00
5243	10/18/00	UNDO1	UNDERGROUND SERVICE ALERT	106.00
5244	10/18/00	UNI01	UNION ASPHALT, INC.	-6.50 133.20
			Check Total.....:	126.70
5245	10/18/00	USA01	USA BLUEBOOK	96.03
5246	10/18/00	VER01	VERIZON	28.45 28.93
			Check Total.....:	57.38
5247	10/18/00	WIN01	MICHAEL WINN	100.00
5248	10/18/00	XER01	XEROX CORPORATION	240.52

COMPUTER GENERATED CHECKS

5212	10/03/00	EMP01	EMPLOYMENT DEVELOP DEPT	388.68
5213	10/03/00	MID01	MID STATE BANK	1667.43 398.58
			Check Total.....:	2066.01
5214	10/03/00	MID02	MIDSTATE BANK - DIRECT DP	12005.96
5215	10/03/00	SIM01	DEBRA SIMMONS	150.00
5216	10/03/00	STA01	STATE STREET GLOBAL	825.00
5217	10/18/00	BAS01	BASIC CHEMICAL SOLUTIONS	553.83
5218	10/18/00	BLA01	ROBERT L BLAIR	382.42 100.00 50.00
			Check Total.....:	532.42
5219	10/18/00	COM01	COMPUTER NETWORK SERVICES	400.00
5220	10/18/00	CRE01	CREEK ENVIRONMENTAL LABS	30.00 30.00 30.00
			Check Total.....:	90.00
5221	10/18/00	DOU01	GERALD LEE DOUGLAS	1.00 282.42
			Check Total.....:	283.42
5222	10/18/00	EDA01	EDA	3488.87
5223	10/18/00	FGL01	FGL ENVIRONMENTAL	44.80 684.00 44.80 44.80
			Check Total.....:	863.20
5224	10/18/00	GIL01	GLM	217.00
5225	10/18/00	INL01	INLAND CONCRETE	6210.00
5226	10/18/00	JOH01	DONNA JOHNSON	194.65
5227	10/18/00	LOU01	PERRY LOUCK, CPA	2725.00
5228	10/18/00	MCK01	MCKESSON WATER PRODUCTS	16.00
5229	10/18/00	MEN01	ALEX MENDOZA	100.00
5230	10/18/00	MID03	MIDSTATE BANK MASTERCARD	19.95 321.72 399.19 1430.72
			Check Total.....:	2171.58
5231	10/18/00	MIS01	MISSION UNIFORM SERVICE	201.80
5232	10/18/00	MOB01	RICHARD MOBRAATEN	100.00
5233	10/18/00	NIP01	NIPOMO ACE HARDWARE INC	64.23
5234	10/18/00	NIP02	NIPOMO GARBAGE	42.50 16.85
			Check Total.....:	59.35
5235	10/18/00	NIP05	NIPOMO CHAMBER OF COMMERC	75.00

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

OCTOBER 4, 2000

AGENDA ITEM

OCT 18 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

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

B. ROLL CALL

At Roll Call, the 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.

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

Vince McCarthy, 194 E. Dana, Nipomo – Asked if Ortiz family reported information on their wells as requested by the District. Answer- Family did not supply complete information.

Evan Evanoff, 490 Brytec Ct., Nipomo - Reported on contaminated water in wells near Calendar & Hwy 1 near Mesa View Drive

John Snyder, 662 Eucalyptus, Nipomo - handed the Board copies of a request from SLO Engineering Department about placing a rain gauge on his property. He thought it would be appropriate for NCSO to place it on its property to keep records of rainfall in the area. Mr. Snyder was asked to have Susan Litteral contact the District.

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

- D-1) AUDIT REPORT FOR FISCAL YEAR 1999-2000
Auditor to review the FY 99-00 District Audit Report

Carlos Reynoso, CPA, presented his report to the Board. The Board asked several questions. Mr. Reynoso answered their questions. There were no public comments.

Upon motion of Director Simon and seconded by Director Mobraaten, the Board unanimously agreed to accept and file the Audit Report for FY 1999-2000.

- D-2) WATER AND SEWER SYSTEM MASTER PLAN
Review proposal from Boyle Engineering to update District's 1995 Water and Sewer Master Plan

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

Vince McCarthy, 194 E. Dana, Nipomo – Would like a copy of the 1995 report and asked the to Board to continue this item until Boyle could be here to answer questions.

John Snyder, 662 Eucalyptus, Nipomo – asked the District to consider all property to be annexed before deciding on improvements necessary for the District.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board agreed to continue this item until a representative from Boyle Engineering could be in attendance.

COMMUNITY SERVICES DISTRICT

SEPT
OBER 4, 2000
PAGE TWO

D-3) COMMUNICATION SITE LEASE & LICENSE AGREEMENT

Review agreement to use one of the District's storage tanks for wireless antenna site

Jon Seitz, District Legal Counsel, explained the negotiations between Sprint PCS, NCSD and Nipomo Oaks for an agreement to use the District's standpipe water storage facility for a wireless communication facility.

Donna Melschau, representative of the Nipomo Oaks Partnership, commented about the possibility to set the annual lease increase at a flat rate for administration ease rather than the CPI.

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

Vince McCarthy, 194 E. Dana, Nipomo – questioned the CPI. Mr. Seitz explained the CPI could be Los Angeles or San Francisco or a combination.

The Board asked questions and Mr. Seitz answered.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board directed staff to continue negotiations and bring back to a future meeting.

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 September 20, 2000 Regular Board meeting

F-3) ACCEPTANCE OF CO 97-0139 IMPROVEMENTS (VON'S) [RECOMMEND APPROVAL]

F-4) ACCEPTANCE OF TRACT 1854 IMPROVEMENTS (GREENWALD) [RECOMMEND APPROVAL]

President Blair noted that he abstained from voting on the Minutes of September 20, 2000 because he was absent from the meeting.

Item F-4 was removed from the agenda.

There were no public comments.

Upon motion of Director Mobraaten and seconded by Director Mendoza, the Board unanimously approved the Consent Agenda (Items F-1, 2, & 3) for October 4, 2000.

G. **MANAGER'S REPORT**

General Manager, Doug Jones, presented information on the following:

G-1) TANK INSPECTION REPORT

He provided general information about the AWWA Conference that he attended and the Ground Water Trust meeting that he and President Blair attended.

H. **DIRECTORS COMMENTS**

Director Winn brought up the matter of District installed water line reimbursements.

John Barlogio commented about the fees for his tract.

Director Mobraaten reported on the Chamber of Commerce meeting and the meeting at Port San Luis Harbor.

Director Blair commented on the Ground Water Trust and the sea of water from Tosco not for drinking use.

CLOSED SESSION

There was no need to go into Closed Session.

ADJOURN

President Blair adjourned the meeting 11:53 a.m.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 18, 2000

AGENDA ITEM
OCT 18 2000



ACCEPTING WATER IMPROVEMENTS FOR
TRACT 2304
WITTSTROM

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Wittstrom) for Tract 2304, a 46-lot development on Mesa and Osage has installed water improvements and has met the District's conditions:

- Installed the improvements
- Paid associated fees
- Provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification.

Staff recommends that your Honorable Board approve the attached Resolution 00-accept 2304, accepting the water improvements for Tract 2304.

Bd 2000\Accept Tr 2304.DOC

RESOLUTION NO. 00-ACCEPT 2304

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER IMPROVEMENTS
FOR TRACT 2304 (WITTSTROM)**

WHEREAS, on March 17, 1999, the District issued a conditional Will-Serve Letter for water service for Tract 2304 on Mesa and Osage in Nipomo; and

WHEREAS, the District approved and signed the construction plans on June 3, 1999 for the water improvements to be constructed; and

WHEREAS, the water improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, on May 17, 2000, the Owner offered the water improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law, and

WHEREAS, all water fees for service, required in conformance with District Ordinances, have been paid in full for Tract 2304.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

That the water improvements constructed to serve Tract 2304 on Mesa and Osage in Nipomo are accepted by this District.

On the motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors _____
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 18th day of October 2000.

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 18, 2000

AGENDA ITEM
OCT 18 2000



ACCEPTING WATER AND SEWER IMPROVEMENTS FOR
TRACT 1854
GREENWALD

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Greenwald) for Tract 1854, a 6-lot development on Juniper & Daffodil has installed water and sewer improvements and has met the District's conditions of installing the improvements, paid associated fees and provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification. Attached is a resolution accepting the water and sewer improvements for Tract 1854.

Staff recommends that your Honorable Board approve Resolution 00-accept 1854.

Bd 2000\Accept Tr 1854.DOC

RESOLUTION NO. 00-ACCEPT 1854

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR TRACT 1854

WHEREAS, on November 3, 1999, the District issued a conditional Will-Serve Letter for water and sewer service for Tract 1854 on Juniper and Daffodil in Nipomo; and

WHEREAS, the District approved and signed the construction plans on August 12, 1992 for the water and sewer improvements to be constructed; and

WHEREAS, the water and sewer improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, on September 19, 2000, the Owner offered the water and sewer improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law, and

WHEREAS, all water and sewer fees for service, required in conformance with District Ordinances, have been paid in full for Tract 1854.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

That the water and sewer improvements constructed to serve Tract 1854 on Juniper and Daffodil in Nipomo are accepted by this District.

On the motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors _____
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this _____ day of October 2000.

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 18, 2000

AGENDA ITEM
OCT 18 2000



ACCEPTING WATER IMPROVEMENTS FOR
TRACT 2264
BLACK LAKE ESTATES PARTNERS
THE LEGENDS

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Black Lake Estates Partners) for Tract 2264, a 57-lot development at Black Lake Estates has installed water and sewer improvements and has met the District's conditions:

- Installed the improvements
- Paid associated fees
- Provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification.

Staff recommends that your Honorable Board approve the attached Resolution 00-accept 2264, accepting the water improvements for Tract 2264.

Bd 2000\Accept Tr 2264.DOC

RESOLUTION NO. 00-ACCEPT 2264

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR TRACT 2264 (BLACK LAKE ESTATES PARTNERS)**

WHEREAS, on August 17, 1997, the District issued a conditional Will-Serve Letter for water and sewer service for Tract 2264 on Black Lake Estates in Nipomo; and

WHEREAS, the District approved and signed the construction plans on November 17, 1998, for the water and sewer improvements to be constructed; and

WHEREAS, the water and sewer improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, on October 10, 2000, the Owner offered the water and sewer improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law, and

WHEREAS, all water and sewer fees for service, required in conformance with District Ordinances, have been paid in full for Tract 2264.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

That the water improvements constructed to serve Tract 2264 at Black Lake Estates in Nipomo are accepted by this District.

On the motion of Director _____, seconded by Director _____ and on the following roll call vote, to wit:

AYES: Directors _____
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 18th day of October 2000.

Robert L. Blair, President
Nipomo Community Services District

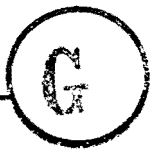
ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

AGENDA ITEM
OCT 18 2000



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: OCTOBER 20, 2000

MANAGER'S REPORT

G. MANAGER'S REPORT

- G-1) U S WATER NEWS ARTICLE ON EAST COAST DE-SAL PLANT
- G-2) GOVERNING - LAND USE ARTICLE

Mgr 101800

\$40 million, 10 mgd plant to use RO process

Private Mass. desalination plant would cross regional borders

By Kyra Epstein
U.S. Water News

AGENDA ITEM
OCT 18 2000



BRAINTREE, Mass. — If all goes well, thirsty communities in northeast Massachusetts will be drinking sea water by 2002. The first, privately owned, desalination plant in New England would bring a welcome end to water shortages that have plagued the area since the 1970s. By the time the plant is built and supplying water, Bluestone Energy Services, of Braintree, Mass., will have spent 10 years pushing the project through regulatory and inter-regional hoops.

In coastal areas, desalination sounds like an attractive option — taking an abundant resource, seawater, pumping it through a membrane to remove salt and impurities, and turning it into a scarce resource, drinking water.

Except for one thing: desalination plants are expensive. “If you don’t do it regionally, it becomes economically prohibitive for a single town to do this,” said Jeffrey Hanson, vice president and manager of the project for Bluestone. “Usually, nobody wants to work together on things like this; each township protects their own sources of water.”

Hanson said his firm and its partner, AquaSource Inc. **Please turn to Page 5**

Private Mass. desalination plant would cross regional borders...

Continued from Page 1
of Houston, have already spent eight years and \$2 million on the project doing just permitting and planning. Construction is estimated to cost \$40 million more. The Environmental Impact Statement process is coming to a close, but progress has been slowed by environmental groups concerned about taking water from the Taunton River near a sensitive estuary. And, Bluestone still doesn’t have a single contract to sell the proposed water — though their largest potential customer, the Town of Brockton, hopes to approve the contract in city council in September.

But Hanson has faith the plant will move forward and will usher in a new way of providing affordable water in more than just their coastal area.

“The project is high cost and high risk, but we were familiar enough with this problem that we realized this was the only solution,” he said.

Patrick Rogers, the Taunton River Watershed team leader in the state’s Executive Office of Environmental Affairs, said the project is one of the most exciting projects he’s seen. “This has never been done in New England for drinking water — and look at what would happen if the project goes forward: water shortages ended,” he said. “This would create a new surface water source here, which has not happened since 1986.”

Rogers has been working with Bluestone and local communities to help the permitting process go more smoothly. He said that the approval of the EIS is a milestone, but the company still has to negotiate 22 more state and local permits, including the critical interbasin permit.

The state’s Secretary of Environmental Affairs Robert Durand approved the Environmental Impact Statement in August, but set several conditions, which include directing Bluestone to divert its pipeline away

from a sensitive area, called Hobomock Swamp. And, Durand required Bluestone to work closely with other environmental agencies to document and monitor whether the facility’s intake and discharge pipes would entrap aquatic life.

In addition to all the external complexities, the plant itself will have to be built to function in a complex set of circumstances. Paul Parise, principal of Aquagenics, Inc. in Woburn, Mass., is designing the plant. He said the Taunton River is fresh water for part of the year and brackish the other, when seawater flows in. To accommodate the seawater, the plant will be designed to reduce total dissolved solids using reverse osmosis (RO).

“We’ll run RO all times of the year, since the membrane barrier also offers rejection of organisms in the water like Giardia,” he said. “It’s an added expense, but with higher-efficiency membranes it is nothing like it cost years ago.”

Hanson explained that he plans to use the river’s tidal fluctuations to the plant’s benefit. When the cycle is the least salty, Bluestone will take its allotted water out and store it on site in the facility’s planned 5 million gallons of storage space. Then, they’ll discharge their effluent when the river is the most salty. “We’ll take out our water when it is appropriate to minimize salt content, control the time and duration of the taking,” he said. “At that time, we take the brine, hold that in a tank, and then discharge it on a cycle to match the river’s content.”

The plant is designed to divert 10 million gallons per day from the river, and provide 5 million gallons per day of drinking water to customers in its first phase. Hanson said Bluestone has plans to expand the plant to 10 million gallons per day, if all goes well, within the next 10 years.

Not-So-Smart Growth



One way for communities to expand is to grab any piece of unattached territory nearby. But compulsive annexation carries a high price.

BY ROB GURWITT

Largo, Florida, is a suburb of 65,000 people, just north of St. Petersburg. It is a comfortable place, with one major regret in life: It isn't located on the water. It sits in the middle of a peninsula, halfway between the Gulf of Mexico and Tampa Bay.

But Largo has a strategy for breaking out of its landlocked position. Between it and the Bay there's a strip of unincorporated territory that uses the Largo sewer system. Not long ago, town officials began contacting residents of this strip and handing them an ultimatum: Become part of Largo, or we turn off the sewer service.

Those tactics provoked a suit from the neighboring town of Pinellas Park. Also landlocked, Pinellas Park has an official goal of adding 150 acres a year to its territory. The Largo ploy was a threat to its dreams of expansion.

Welcome to annexation politics, Florida-style. Communities play it for one reason: to win. "It's always competition and always entrepreneurship," says Jack Schluckebier, city manager of the town of Casselberry, just outside Orlando. "You're either in it with that perspective, or if you don't have that perspective, others will, and pretty soon you'll be a footnote."

Pinellas County, in which both Largo and Pinellas Park are located, has done its best to bring order to the chaos. Earlier this year, the Pinellas County Planning Council brokered a peace. Its director, Dave Healey, worked out a map to which each of the county's 24 cities agreed—some of them reluctantly—showing where their growth would occur, based on existing service capabilities and what made the most sense. "All of the cities were forced into this competition," explains Healey. "With predetermined, logical limits, they could plan better

for their future and avoid the race to see who could get there first." Next month, the new growth plan will be submitted to the county's voters as a charter amendment.

Florida's annexation wars may sound extreme, but they are not unusual. As jurisdictions all over the country come to terms with the torrid pace of development, they are discovering that annexation lies somewhere close to the heart of the matter.

California is currently trying to bring a measure of reason to the whole process by which communities and service districts draw and redraw their boundaries. A bill to strengthen the county-level agencies that oversee such activities has been working its way through the legislature. Meanwhile, Ohio lawmakers are working on a plan to shift the balance of annexation power away from cities, and to give more of a say to the jurisdictions—both townships and counties—that lose tax base when land is annexed.

When it is done intelligently, annexation can impose order on complicated planning problems. It can bring a city and its existing service infrastructure to newly developed land that badly needs it. But annexation is also a potential flash-point, for all sorts of reasons. To begin with, one community's tax-base gain is inevitably another jurisdiction's loss. Yet any effort to control who can claim a particular piece of land is sure to bump up against home-rule

BOB KUKOV

sensitivities: Cities don't like other governments telling them how they can grow. And just as ticklish, annexation puts a crimp in the ability of developers to choose the jurisdiction with the friendliest zoning or the most cost-effective services.

In other words, annexation politics is not just about what piece of land will wind up in which jurisdiction. It's about who controls what happens on the land, who reaps the fiscal benefits and who pays the cost of shifting that control, and whose governmental infrastructure can best handle the demands that development is bound to generate.

"Drawing boundaries is more than an

outskirts of Los Angeles or San Francisco might well question whether LAFCOs have served the latter purpose, but what is especially clear is that the law now needs some sort of update. This point was driven home in January by the report of the state's Commission on Local Governance for the 21st Century—appointed by former Republican Governor Pete Wilson and headed by the Republican mayor of San Diego, Susan Golding—which stated baldly that "there is no comprehensive strategy to determine how the burdens of growth will be shared, how resources benefiting more than one locality will be protected, and how necessary but locally

of California Cities' lobbyist on land use issues. The bill passed the Assembly in June and at the end of the summer was still in committee in the Senate.

In Ohio, the annexation debate seems to be bringing cities and developers together, although it is far from clear how much of an impact they will have on a measure now working its way through the legislature. The big beneficiaries of that bill are counties and townships: County boards would get more of a say in whether or not unincorporated land could be annexed, and municipalities would be required to share tax revenues from territory they annexed with the township it was annexed from.

Ohio's townships—land outside incorporated cities in Ohio is divided into townships, which have a few governmental powers but mostly rely on the counties for government—have actually been pushing such a move for the better part of a decade, and three years ago came quite close to getting what they wanted. A bill tilted in their favor was defeated by a single vote in the Senate Rules Committee after the governor at the time, former Cleveland mayor George Voinovich, threatened a veto.

These days, however, the politics of local government in Ohio are quite different. Township trustees are an increasingly influential bloc, both in the legislature and at the county level. They have induced the County Commissioners Association of Ohio to flip its position on township-backed annexation reform. The commissioners have dropped their opposition of previous years and come out in favor of the current measure.

Although Ohio's townships portray the annexation issue as a matter of controlling growth and promoting farmland preservation, at base it's a question of who gets to say where growth occurs and who reaps its benefits. The central dilemma, as Susan Cave of the Ohio Municipal League, says, is this: "Developers want to do business in locations that provide two things: the least expensive way of doing it; and a regulatory and service climate that allows them to do their development in the best way they can. Well, the least expensive way is generally out in the unincorporated areas: The land is less expensive, and there are no old industrial sites to clean up. On the other hand, they also want services, and in Ohio, cities are the traditional providers of water and sewer." Moreover, township zoning often requires scattered development without

Annexation is an arcane subject, but it is the newest front in the growth-control wars.

exercise in cartographic neatness," says Peter Detwiler, staff director for the California Senate Committee on Local Government. "The hand that controls boundaries also controls the location, timing and cost of the public facilities and services upon which private development depends." Small wonder that annexation law, arcane as it might seem, is fast becoming the newest front in the growth-control wars.

The most dramatic annexation flare-up in recent years occurred in Tennessee, where a law passed by the legislature in 1997 blocked virtually all cities in the state from annexing land, and encouraged even the tiniest subdivisions to incorporate. The law was eventually thrown out in court, but before the controversy died down, the state had enacted a sweeping new planning measure requiring cities and counties to get together and agree on cities' future growth boundaries.

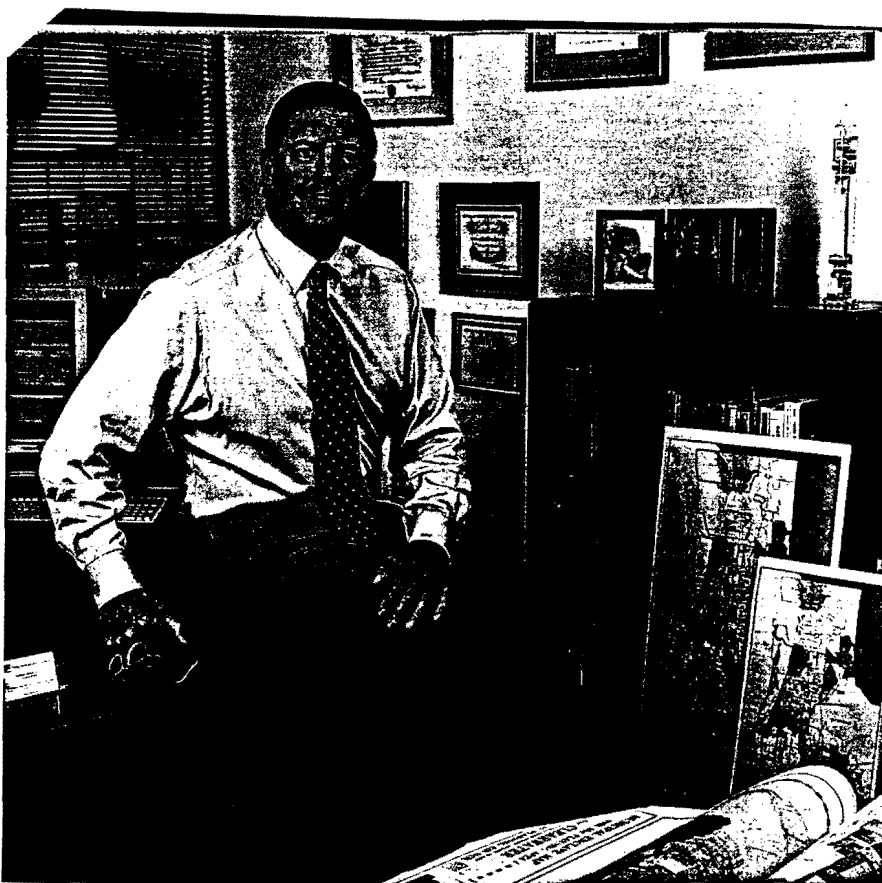
Actually, states have been seeking to temper the excesses of the annexation issue for a long time. As far back as 1963, the California legislature created a set of 58 boundary watchdogs, one for each county, known as Local Agency Formation Commissions, or LAFCOs. Under their enabling legislation, LAFCOs were asked to rule on boundary changes—incorporations, annexations and the creation and expansion of special-service districts—for two purposes: to promote the orderly formation or extension of local governments, and to discourage urban sprawl.

Anyone who's spent some time on the

undesirable facilities will be sited. As a result, farmland and open space continue to be swallowed up by sprawling suburban expansion." The report went on to suggest that the powers of LAFCOs to "prevent sprawl" be strengthened.

This is precisely what Robert Hertzberg, the speaker of the California Assembly, has set out to do. Hertzberg's interest was sparked by the San Fernando Valley's move to secede from Los Angeles and create a separate city, but the measure he ended up writing goes a good bit beyond that parochial dispute. In addition to making sure that LAFCOs become truly independent—they've usually been funded and staffed by the counties, even though cities and special districts are also represented on their boards—Hertzberg would empower LAFCOs to review each jurisdiction's so-called "sphere of influence"—its projection of future boundaries—every five years to ensure that they make sense.

Not surprisingly, the Hertzberg bill has aroused great antagonism among developers and municipalities. In particular, they objected to strong language in the original version promoting in-fill development and requiring LAFCOs to consider regional growth policies in making their decisions. The bill was rewritten to be neutral on in-fill development, and gives LAFCOs the option of considering regional policy, but does not require it. "Most of the provisions that we had the most concern with, in terms of a radical expansion of powers, have been modified to the point we can live with," says Dan Carrigg, the League



Pinellas County's Dave Healey says ad hoc annexation is growth in the worst way.

density, whereas cities allow much greater density; not surprisingly, then, developers prefer to buy up unincorporated land and then petition for annexation into a nearby city. Where landowners want the annexation to occur, for the most part it does.

The new measure, though, would allow county commissioners to consider the interests of property owners within a half-mile of the land proposed for annexation, which essentially hands the property owners a veto. "Let's say that 10 years ago I built an expensive house, and now the land next to me is annexed and I've suddenly got a shopping center with a parking lot 30 feet from my house. There's something not right about that in our members' minds," says Larry Long, director of the county commissioners' association. "Development interests feel that if a majority of the people want to be in a city, it ought to be automatic. Our people say, 'OK, as long as you're not really messing up your next-door neighbor or breaking the bank of that township government.'" Under Ohio law, the counties don't actually lose tax revenue when a piece of land is incorporated, which is why the issue has been of less vital import for them than for cities and townships.

As Tom Hart, of the Building Industry Association of Central Ohio, puts it, "The public policy question is a tough one: How

do you determine whose rights are greater, the right of the person to develop his or her land, or the person next to it who doesn't want to see it change?" Handing final say over annexations to neighbors affected by development or left behind by annexation may well put a crimp in development in Ohio, as Hart predicts. Or it may produce development that remains in townships, which will then have to acquire a service infrastructure that until now many have lacked.

It was precisely this sort of unplanned development that Dave Healey and the Pinellas County Planning Council in Florida wanted to end. Eager to capture land and new taxes, cities in Florida have bent over backwards to make themselves appealing to neighborhoods and developers. In the process, however, some cities have relaxed growth-management plans—easing up, for example, on rules governing how intensely a given parcel can be developed, or waiving impact fees—and making costly plans to extend infrastructure. "We've had situations where a piece of property was in one community's water, sewer and fire district," says Healey, "and the community across the street offered to jack and bore its sewer system under the street to extend it. By getting to that parcel, it provided a leg in the door to get to the next one, but it wasn't a sound financial decision."

The "leg in the door" to which Healey refers is a provision in Florida law that says that only territory "contiguous" to a municipality's borders can be annexed, which explains why cities have an incentive to amass as much territory as possible: The parcel they annex this year may not be terribly important, but the parcel next to it could bring in a wealth of taxes. The problem with this, of course, is that it makes land use planning futile. "When annexation happens, it is in a disparate, ad hoc manner," Healey says. "It's when a city can get there and if they can get contiguous, and isn't rational when you look at service areas."

All of this may make it sound as if Florida law makes it easy for cities to annex land. In fact, just the opposite is true, which is why cities anxious to keep up with growth take whatever land they can get. "When you compare Florida to any other growth state," says Jack Schluckebier, "we're way down the list in terms of growth of population compared to growth of boundaries of cities in terms of land mass. The problem is, cities often confront the same demands for services whether someone is formally in their city or not. You could say you're not going to let folks outside your city use your services, but that's pretty difficult with parks and police and emergency services. So you end up with the worst of two worlds, which is having to plan for infrastructure but not being able to support it with the right population. There's fewer people paying the full tab." This is why, Schluckebier says, "the state should get into the heart of this like nobody's business. Annexation should be one of the centerpieces of any serious growth-management reform."

As it happens, Florida Governor Jeb Bush has just created a new Growth Management Study Commission, and asked it to look at the panoply of development issues affecting his state. The commission has not decided whether it will take up annexation reform or not. Schluckebier isn't optimistic. "The basic rules we operate under for annexation purposes have been established for almost 30 years," he says. "In that time there have been two or three growth management commissions that have come and gone, and they've managed to steer their way clear of dealing with that treacherous 'A' word." But you can only do that for so long. As state and local governments around the country are discovering, development pressures ultimately guarantee painful conflict over who can claim their benefits. **G**

HERMANN/REUTERS

Parched in Nipomo: Religious program faces unexpected challenge

'Everything is beautiful. Everything is nice. But when we found out about the water, oh no.'

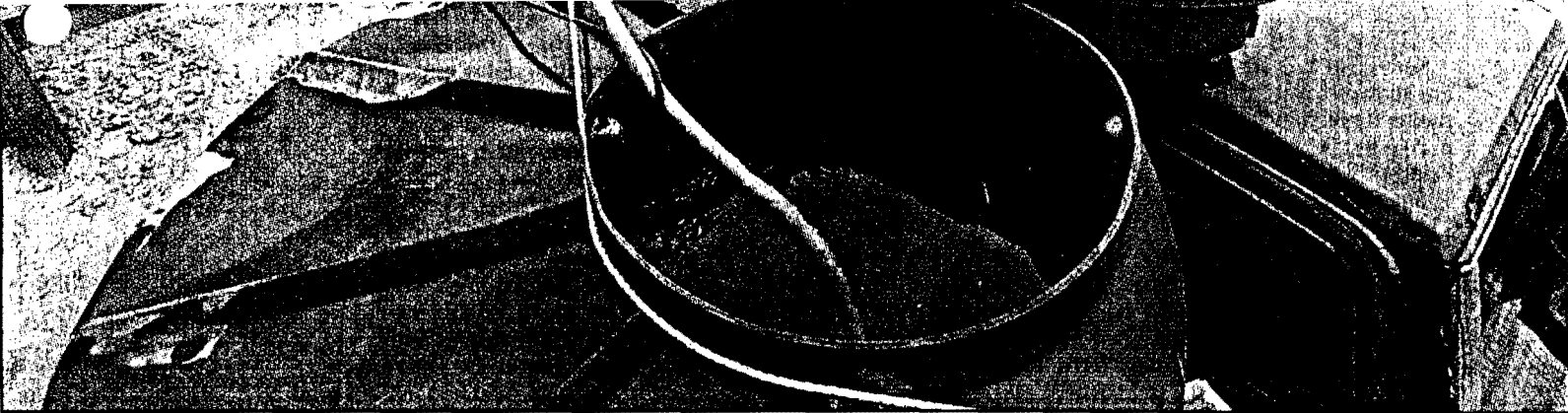
– Helen Garcia, Power of God Training Center's live-in supervisor



TRIBUNE PHOTO BY JAYSON MELLON

Sal Ortiz, left, and Edward Chapa wait while water is pumped from their truck into a storage tank. Since the property's wells went dry, the Power of God Training Center has been forced to haul in water.

ARTICLE CONTAINS A VIDEO



TRIBUNE PHOTO BY JAYSON MELLOM

Sal Ortiz, left, and Edward Chapa wait while water is pumped from their truck into a storage tank. Since the property's wells went dry, the Power of God Training Center has been forced to haul in water.

TEST OF FAITH

Residents of church-run ranch forced to tote in water to keep life flowing at group home

By STEPHANIE FINUCANE
THE TRIBUNE

Sal Ortiz was looking for more than peace and quiet when he discovered rural Nipomo.

He wanted a place free from urban temptations — drugs, alcohol, pornography and gangs — where he could minister to the “hurting and the lost.”

After years of searching, he bought a 26-acre ranch last February on Cherokee Place, complete with two houses, a barn, stables, fruit trees and enough space for a menagerie of farm animals.

Ortiz, the founder of an independent church called the Power of God Training Center, began offering a live-in program for rebellious teens, men and women fighting drug and alcohol addictions, pregnant girls and young, single mothers with nowhere to go. He started with about a dozen residents and planned eventually to welcome more.

But after just a month, the new occupants got an unwelcome surprise when the property's water wells ran dry.

“We turned on the faucet, and it started sputtering,” said Ortiz, who lives in Santa Maria but visits the Nipomo site regularly.

Since then, residents have been hauling in water five and six times a day, using everything from gallon jugs to a big black tank that fills the bed of a pickup truck.

Ortiz has asked leaders of the Nipomo Community Services District to supply water to the property for hardship reasons.

That request has touched off debate.

Some residents are asking whether it's fair to provide water service to one property, when others in the area have been denied the opportunity to hook up to the system.

Nipomo resident Jim Dunbar is among those who oppose extending service to the site.

Please see RANCH, A10

Copy of document found at www.NoNewWipTax.com



TRIBUNE PHOTO BY DAVID MIDDLECAMP

Noellé Flaker, 12, wipes the muzzle of her calf, Moo Moo, after a feeding. The calf is one of the many animals who share the space at the Power of God Training Center in Nipomo.

Ranch

From Page A1

"It sets a precedent," Dunbar said last month, when the request was first considered by the Community Services District board.

Dunbar said he supports the concept of group homes, but thinks Ortiz should have picked a different location.

"Everyone around here knows that's a poor water area," he said.

But Ortiz said he was told nothing about that when he bought the property and moved his residential program there from Santa Maria.

If the problem can't be resolved, he's not sure what will happen to the live-in program, which he'd eventually like to expand with a dormitory that would hold another 30 to 35 people.

"That's like a vision or a goal," said Ortiz, "but we might have to get rid of this property and get something else."

For now, the program's participants are getting by as best they can. The water they haul in is transferred to the property's big storage tank, to keep the faucets flowing as much as possible.

To conserve the scarce supply, showers are limited to three minutes, or are taken "military style," using gallon jugs to wet down, soap up and rinse.

Residents have taken the problem in stride, sometimes treating their situation like an extended camping trip, according to Helen Garcia, a live-in supervisor.

"Everything is beautiful. Everything is nice," she said. "But when we found out about the water, oh no."

Art Trinidad, the county's code enforcement supervisor, said a house that has no running water is considered substandard.

"Technically, it's not a house if it doesn't have water," he said.

In such situations, the county has authority to step in and order a landlord to resolve the problem or put tenants up in a hotel, he said.

But the county will work with property owners to find solutions, Trinidad said, and will consider such possibilities as the addition of more water storage tanks or the digging of new wells.

"The Planning Department is not in the business of throwing people out in the street," he said.

His department has not received any complaints or reports of water shortages at the Ortiz property, Trinidad added, and for that reason, has not taken any action there.

South County Supervisor Katcho Achadjian said he's offered his support to Ortiz, but stressed that the county has no power to resolve the water situation.

"This is out of my jurisdiction. It requires the NCSB blessing," said Achadjian.

This isn't the first time the Power of God ministry has faced challenges.

Several years ago, Ortiz's organization leased property off Highway 166 in Santa Barbara County



House supervisor Helen Garcia keeps jugs of emergency water on hand to use for cooking.

but was ordered to vacate after a fire marshal found that a garage had been converted into living quarters and did not meet fire code.

"The report was, we had them living in a wooden bunk house," said Ortiz, shaking his head. "It's OK for people to live under bridges, but not in a converted garage."

There are no makeshift living quarters on the Nipomo property.

The main residence is a custom home with built-in lofts in each of the four bedrooms, fireplaces, a formal dining room, two living rooms and a large outdoor deck. The home is so big that an entire wing isn't being used.

While the facility is open to people who've been out on the streets, Ortiz said it isn't a homeless shelter.

He describes it as a live-in training center where participants study the Bible, learn how to raise their kids in a structured environment and develop job skills.

"This is a place where we pray for them," he said. "We pray for them, and we supervise them."

Residents, who pay rent of \$400 per month for adults and \$50 for children, learn about the program by word-of-mouth. Some come from as far away as Los Angeles.

Some participants have jobs that provide income to pay for their costs. Others receive government assistance.

The Power of God church operates under religious nonprofit

tax status, but Ortiz has yet to file for a San Luis Obispo County property tax exemption available to church-based programs.

Nor has he applied for any group home license.

The program is considered a sober living facility. But because it doesn't provide treatment for ad-

When the program was in Santa Barbara County, Santa Maria judges and probation officials sometimes referred adult drug and alcohol offenders to the program.

In some cases, Ortiz said, parents made him the legal guardian of their out-of-control children and allowed him to take them in.

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Sometimes, the Lord feels there's a certain work that

needs to be done that isn't being done.'

- Sal Ortiz, founder of the Power of God Training Center

diction, the state's drug and alcohol agency doesn't require it to be licensed.

"Sober living centers, in all honesty, aren't accountable to anyone, either the county or the state," said Al Rodriguez, the manager of alcohol and drug programs in Santa Barbara County.

Rodriguez said he wasn't aware of the Power of God program when it was in his county.

But Santa Barbara County Supervisor Tom Urbanske, whose district includes the Santa Maria area where the ministry's rehabilitation program was based, was familiar with it and gave it a strong endorsement.

"They're terrific," said Urbanske. "They do a lot of stuff on a shoestring. They're not in the usual milieu of doing grants or a lot of rigmarole. They try to get people involved in the church. Their social work is terrific, as far as I know."

But the program isn't widely known in Nipomo, and neighboring residents want to learn more about it, including the number of people who will be there and the supervision that will be provided.

"Sal Ortiz is very articulate and very nice to speak to," said Susie Hermreck, who lives in the sparsely populated neighborhood accessed by narrow country roads. "But before something like that comes into the neighborhood, the neighbors need to know."

Ortiz said he's open to sharing information.

"I wouldn't mind if neighbors came by and talked to me and checked it out so they can find out what we're about."

What they're about, members say, is following the teachings of the Bible.

"We're born-again Christians. We're not a religion, but we're followers of Jesus Christ," said live-in supervisor Garcia. "Our ministry

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TRIBUNE PHOTO BY DAVID MIDDLECAMP

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When the program was in Santa Barbara County, Santa Maria judges and probation officials sometimes referred adult drug and alcohol offenders to the program.

In some cases, Ortiz said, parents made him the legal guardian of their out-of-control children and allowed him to take them in.

is to help the hurting and the lost, and this is what we've been doing for years. Thank God, we've been successful."

Gary Hanson, a retired Lutheran minister who writes a weekly religion column for the Santa Maria Times, believes Ortiz has an effective ministry.

"They're not in any way a part of any weird sect," he said. "If anything, Sal's objective is the rehabilitation and restoration of people to productive lives."

Ortiz was raised in the Roman Catholic faith, but by adulthood he had drifted away from the church. Then, at age 31, his life took a spiritual turn.

"I got saved," he said. "I accepted the Lord."

He and his wife, Helen, became heavily involved in the Assembly of God Church in Southern California, eventually helping Helen's son from a previous marriage to establish his own ministry.

That work led Ortiz and his wife to start their own church in Santa Maria.

"The Lord wanted us to start a ministry," said Ortiz. "Sometimes the Lord feels there's a certain work that needs to be done that isn't being done."

From the start a live-in rehabilitation program was a part of that ministry. Ortiz began in 1987, by renting a small apartment in Santa Maria. The church went on to purchase four houses in the Santa Maria-Orcutt area, which have since been sold or put on the mar-

ket, and a car wash, where residents of the rehabilitation center receive on-the-job training.

The training center is backed by proceeds from that car wash, as well as fund-raisers and donations.

Participants in the live-in program generally sign on for a year, but they can leave at any time, said Ortiz. If they are on court referral, however, they could go back into custody.

Residents must attend Bible study, morning prayer and twice-a-week church services held at a rented facility in Santa Maria.

Men live in one home and women in the other. Live-in supervisors are assigned to each. Ortiz hopes eventually to add housing for couples; no married couples are currently living there.

Drugs, alcohol and pornography are strictly forbidden, and according to one mom, youngsters don't even watch violent cartoons or "things with kissing." Instead, they watch videotapes with wholesome themes.

"We all live together as family," said Tracie Flaker, a young mother of three who moved up from Southern California.

She had been struggling to raise her children alone and needed a place to stay and some help establishing limits for her children. She found out about the Power of God program through a relative in Santa Maria.

"My kids get direction and rules," she said. "My kids are so happy. It's good for me to learn to become a mother who doesn't let her kids get away with anything."

Residents who can't afford to pay rent are given financial assistance, Ortiz said.

And all participants — adults and children — are required to help out, by feeding the animals, grocery shopping or keeping the grounds and homes in order.

In light of the water shortage that hasn't been an easy task.

Fruit trees, including newly planted avocados, are irrigated by hand.

Instead of using the washing machine, residents bundle up laundry and take it to a Laundromat or to the homes of Santa Maria church members, who number about 150.

Church members also have been helping with donations of water.

"Even people from Los Angeles are bringing water to us," said Garcia, who supervises the woman's home.

She expects that house — which now has some empty rooms — to be full by the holidays; she's already getting calls from people interested in coming for extended stays to visit relatives in the program.

"The holidays we get packed out, so we're going to pray we get the water situation taken care of," she said. "We've been praying about it for a long time."

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'The Lord wanted us to start a ministry. Sometimes, the Lord feels there's a certain work that needs to be done that isn't being done.'

— Sal Ortiz, founder of the Power of God Training Center

diction, the state's drug and alcohol agency doesn't require it to be licensed.

"Sober living centers, in all honesty, aren't accountable to anyone, either the county or the state," said Al Rodriguez, the manager of alcohol and drug programs in Santa Barbara County.

Rodriguez said he wasn't aware of the Power of God program when it was in his county.

But Santa Barbara County Supervisor Tom Urbanske, whose district includes the Santa Maria area where the ministry's rehabilitation program was based, was familiar with it and gave it a strong endorsement.

"They're terrific," said Urbanske. "They do a lot of stuff on a shoestring. They're not in the usual milieu of doing grants or a lot of rigmarole. They try to get people involved in the church. Their social work is terrific, as far as I know."

But the program isn't widely known in Nipomo, and neighboring residents want to learn more about it, including the number of people who will be there and the supervision that will be provided.

"Sal Ortiz is very articulate and very nice to speak to," said Susie Hermreck, who lives in the sparsely populated neighborhood accessed by narrow country roads. "But before something like that comes into the neighborhood, the neighbors need to know."

Ortiz said he's open to sharing information.

"I wouldn't mind if neighbors came by and talked to me and checked it out so they can find out what we're about."

What they're about, members say, is following the teachings of the Bible.

"We're born-again Christians. We're not a religion, but we're followers of Jesus Christ," said live-in supervisor Garcia. "Our ministry