

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

JUNE 27, 2001

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

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, DIRECTOR
OPEN SEAT

STAFF

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

27
30
31

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 BIDS - PAINTING WATER TANKS

Request bids to paint the exterior of Town & Black Lake water storage tanks

D-2) REQUEST FOR SERVICE - TRACT 2266 (NEWDOLL)

Request to renew a request for service for a 16-lot development on Mesa Road

D-3) SOLID WASTE DISPOSAL AGREEMENT

Review final franchise agreement for providing solid waste service

E. OTHER BUSINESS

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]

Minutes of June 6, 2001 Regular Board meeting

F-3) ACCEPTANCE OF IMPROVEMENTS - PROJECT CO 97-090 (NEWDOLL)

Accepting water and sewer improvements for a 4-lot development on Martha Way

G. MANAGER'S REPORT

G-1) LAFCO BUDGET ALLOCATIONS

G-2) DEPARTMENT OF TOXIC SUBSTANCES CONTROL PUBLIC MEETING (JUNE 28, 2001)

H. DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

- a. Litigation CPUC Appl. No. A 00-03-029 (Gov. Code §54956.9)
- b. SMVWCD vs NCSA Santa Clara County Case No. CV 770214 and all consolidated cases.
- c. NCSA vs State Dept of Health Services CV 990716, GC §54956.9]

ADJOURN

The next regular Board meeting will be held on July 18, 2001.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: JUNE 27, 2001

AGENDA ITEM
JUN 27 2001



REQUEST FOR BIDS
PAINTING WATER TANKS

ITEM

Request bids to paint the exterior of the Town & Black Lake water storage tanks

BACKGROUND

For the general maintenance of the District's water facilities, the exterior of the water storage facilities require repainting. The District has budgeted to paint the exterior of the Twin Tanks at Tefft St. and Dana-Foothill Road and the water storage tank and hydromatic facilities at the Black Lake water production area.

Garing, Taylor and Associates have prepared the specifications to request bids for the painting of these facilities.

RECOMMENDATION

Staff recommends that your Honorable Board authorize staff to request bids to paint the District water storage facilities. The District has budgeted \$26,000 in the 2001-2002 Fiscal Year Budget to have this work performed.

Board 2001\Paint tanks.DOC

Nipomo Community Services District
County of San Luis Obispo
State of California

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**NOTICE TO CONTRACTORS
SPECIAL PROVISIONS
PROPOSAL AND
CONTRACT**

for

**CONSTRUCTION
OF
RECOAT OF DANA FOOTHILL
AND BLACKLAKE RESERVOIRS,
BLACKLAKE PUMP STATION**

Bids Open: July 17, 2001 @ 2:00 p.m.

DRAFT

Approved:

R. James Garing, P.E.
District Engineer - RCE 26993

Date

ND01-057

GARING, TAYLOR & ASSOCIATES, Inc.
141 South Elm Street ♦ Arroyo Grande, CA 93420 ♦ TELE (805) 489-1321 ♦ FAX (805) 489-6723

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JUNE 27, 2001

AGENDA ITEM
JUN 27 2001



REQUEST FOR SERVICE
TRACT 2266
NEWDOLL

ITEM

Request to renew a request for water and sewer service for a 16-lot development on Mesa Road.

BACKGROUND

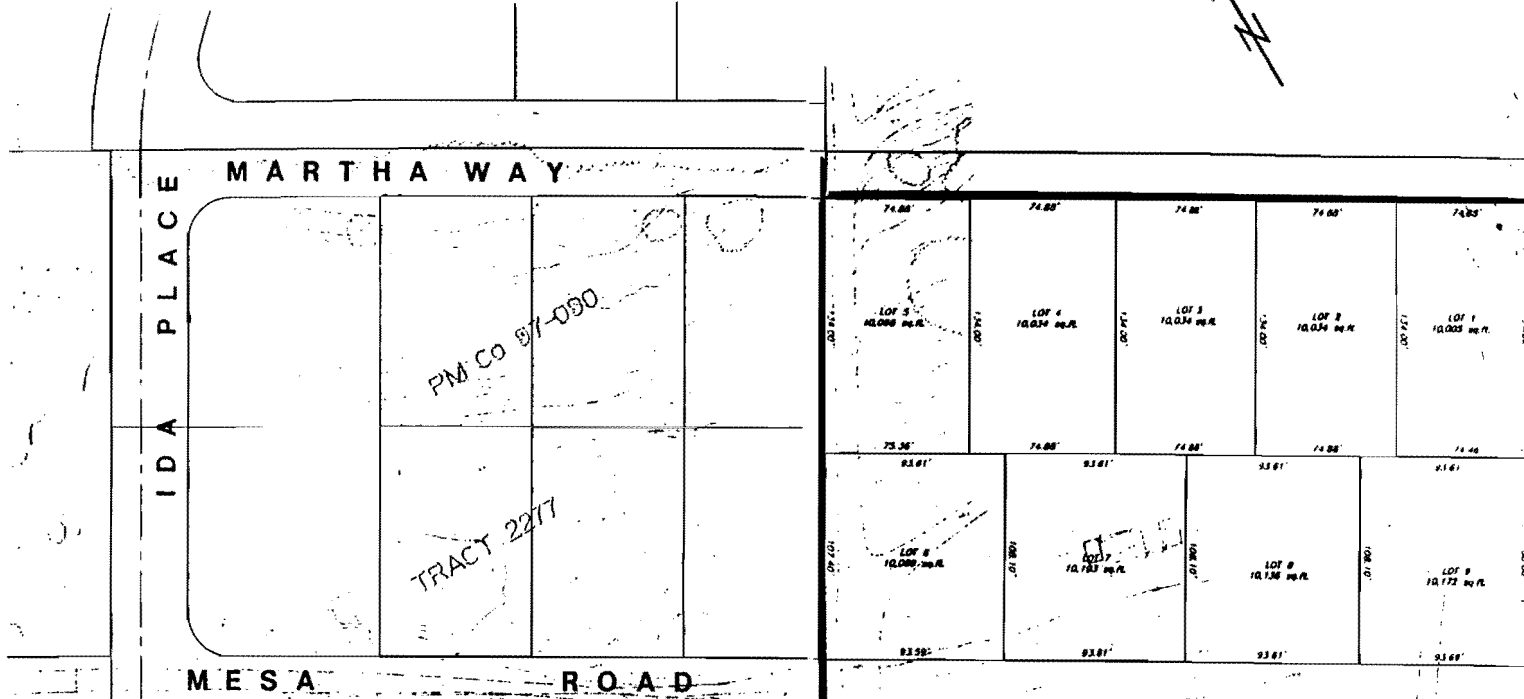
In October of 1998, the District issued an Intent-to-Serve letter for Tract 2266, an 18-lot development with 16 buildable lots and two lots to be used for a drainage basin. District Intent-to-Serve letters expire after two years. A request to renew the Intent-to-Serve letter was received from the developer (RH Newdoll). The Board may proceed to issue a renewed Intent-to-Serve letter for Tract 2266 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. Complete retrofits for 128 homes which is part of the annexation agreement to create a sufficient water supply for this tract.
4. Pay all appropriate District water, sewer and other fees associated with this development.
5. 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
6. This Intent-to-Serve Letter will expire two years from date of issuance.

RECOMMENDATION

Staff recommends that your Honorable Board approve the issuance of an Intent-to-Serve letter for Tract 2266 with the above conditions.

TEFFT ST.



VESTING TENTATIVE MAP FOR
TRACT NO. 2266

BEING A SUBDIVISION OF WEST 1/2 OF LOT 62, AND THE WEST 1/2 OF LOT 63 OF DIVISION B OF CALINEX PLANTATION COMPANY SUBDIVISION OF RANCHO NIPOMO IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED IN BOOK 1, PAGE 23 OF MAPS, RECORDS OF SAID COUNTY

APPLICANT

R. H. NEWDOLL CONSTRUCTION, INC.
 P. O. BOX 364
 GROVER BEACH, CA 93433
 805.489.4457

OWNER

R. H. NEWDOLL/GEORGE ALVERA
 P. O. BOX 364
 GROVER BEACH, CA 93433
 805.489.4457

PREPARED BY:

ENGINEERING DEVELOPMENT ASSOCIATES

1320 NIPOMO STREET, SAN LUIS OBISPO, CALIFORNIA 93101

TRACT 1712

PM CO 87-090

TRACT 2277

LOT 82

HAZEL LANE

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JUNE 27, 2001

AGENDA ITEM **D3**
JUN 27 2001

SOLID WASTE DISPOSAL AGREEMENT

ITEM

Review final franchise agreement for providing solid waste service

BACKGROUND

In January 2001, LAFCO approved latent powers of the District to provide solid waste services. On May 2, 2001, your Honorable Board adopted Ordinance 2001-90 adopting Solid Waste Rules, regulations, fees and charges.

At the June 6, 2001 Board meeting, the Board reviewed a draft Waste Disposal Agreement with the franchisee for providing the solid waste disposal services to the District. Your Honorable Board reviewed the agreement and made comments.

As of the date of preparing the agenda, District Legal Counsel had just met with South County Sanitation. The modification (not substantive) are being incorporated into the agreement. A red-lined version of the agreement will be delivered to the Board on Monday, June 25.

RECOMMENDATION

Staff recommends that your Honorable Board review the comments from South County Sanitation and approve the final franchise agreement.

Board 2001\solid waste disposal agreement final.DOC

AGENDA ITEM

F

JUN 27 2001

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JUNE 27, 2001

CONSENT AGENDA

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

- F-1) WARRANTS [RECOMMEND APPROVAL]
- F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Approval of Minutes of June 6, 2001 Regular Board meeting
- F-3) ACCEPTANCE OF IMPROVEMENTS PROJECT CO 97-090 [RECOMMEND APPROVAL]
Accepting water and sewer improvements for a 4-lot development on Martha Way

Bd2001\Consent-062701.DOC

WARRANTS JUNE 27, 2001

[F]

HAND WRITTEN CHECKS

18446	06/06/01	POSTMASTER	117.12
18447	06/11/01	POSTMASTER	440.96
18448	06/15/01	G & C MITCHELL	2,670.52
18449	06/15/01	L GENTRY	699.32
18450	06/21/01	POSTMASTER	857.11
18451	06/22/01	KINKO'S	947.61
5976	06/18/01	EMP01 EMPLOYMENT DEVELOP DEPT	354.26
5977	06/18/01	MID01 MID STATE BANK	1648.81 414.66
		Check Total.....:	2063.47
5978	06/18/01	MID02 MIDSTATE BANK - DIRECT DP	11957.64
5979	06/18/01	SIM01 DEBRA SIMMONS	150.00
5980	06/18/01	STA01 STATE STREET GLOBAL	935.00
5981	06/27/01	AMI00 AMICK CONSTRUCTION CO, INC	1649.85
5982	06/27/01	BCS01 BASIC CHEMICAL SOLUTIONS	952.79 362.82
		Check Total.....:	1315.61
5983	06/27/01	CHA02 CHARTER COMMUNICATIONS	46.35
5984	06/27/01	COM01 COMPUTER NETWORK SERVICES	70.00
5985	06/27/01	COR01 CORBIN WILLITS SYSTEMS	520.00
5986	06/27/01	CRE01 CREEK ENVIRONMENTAL LABS	30.00 30.00
		Check Total.....:	60.00
5987	06/27/01	FED01 FED EX	34.08
5988	06/27/01	FGL01 FGL ENVIRONMENTAL	44.80 44.80
		Check Total.....:	89.60
5989	06/27/01	GRO01 GROENIGER & CO	1899.32 525.41 113.77
		Check Total.....:	2538.50
5990	06/27/01	IKO01 IKON OFFICE SOLUTIONS	47.17
5991	06/27/01	KEN01 KENNEDY/JENKS CONSULTANTS	4709.38
5992	06/27/01	KIN01 KINKO'S	57.24
5993	06/27/01	LEE01 LEE WILSON ELECTRIC	202.32
5994	06/27/01	MOB01 RICHARD MOBRAATEN	100.00
5995	06/27/01	PAC01 PACIFIC BELL	33.85 67.95 49.18
		Check Total.....:	150.98
5996	06/27/01	PER01 PERS RETIREMENT	2023.78
5997	06/27/01	REL01 RELIABLE	54.46 89.27 221.08
		Check Total.....:	364.81
5998	06/27/01	SAN04 SANTA MARIA TIMES	75.00
5999	06/27/01	SJS01 SJS ENGINEERING	285.10
6000	06/27/01	STA02 STATE WORKERS' COMP FUND	2637.61
6001	06/27/01	STA03 STATEWIDE SAFETY & SIGNS	27.07 112.35
		Check Total.....:	139.42
6002	06/27/01	USA01 USA BLUEBOOK	145.62
6003	06/27/01	VER02 VERIZON WIRELESS	27.73
6004	06/27/01	WIN01 MICHAEL WINN	100.00
6005	06/27/01	WIR02 WIRSING, JUDY	100.00

COMPUTER GENERATED CHECKS

5944	06/15/01	ASM01 FRED ASMUSSEN	1000.00
5945	06/15/01	AWW01 AWWA BOOKSTORE	184.00
5946	06/15/01	AWW02 AMERICAN WATER WORKS ASSO	638.00
5947	06/15/01	CAL06 CALIFORNIA MUNICIPAL	400.00
5948	06/15/01	CRE01 CREEK ENVIRONMENTAL LABS	30.00 75.00 25.00 30.00 30.00 25.00 30.00
		Check Total.....:	245.00
5949	06/15/01	FAR01 FARM SUPPLY COMPANY	207.48
5950	06/15/01	FED01 FED EX	19.38
5951	06/15/01	FGL01 FGL ENVIRONMENTAL	44.80 44.80 44.80 44.80
		Check Total.....:	179.20
5952	06/15/01	GAR01 GARING TAYLOR & ASSOC	588.00 459.50 1707.78
		Check Total.....:	2755.28
5953	06/15/01	GIL01 GLM	217.00
5954	06/15/01	GRA02 GRANT THORNTON LLP	1500.00
5955	06/15/01	GRO01 GROENIGER & CO	343.42 43.43
		Check Total.....:	386.85
5956	06/15/01	HES00 HESSELL, ROBERT E	10000.00
5957	06/15/01	MCI01 MCI WORLD COM	10.54 16.89 12.53 3.65
		Check Total.....:	43.61
5958	06/15/01	MID05 MID STATE BANK PETTY CASH	50.53 5.20 22.49
		Check Total.....:	78.22
5959	06/15/01	MIS01 MISSION UNIFORM SERVICE	284.09
5960	06/15/01	MUN00 MUNISOFT	1750.00
5961	06/15/01	NIP01 NIPOMO ACE HARDWARE INC	102.47
5962	06/15/01	NIP02 NIPOMO GARBAGE	42.50 14.55
		Check Total.....:	57.05
5963	06/15/01	NIP03 NIPOMO SHELL	866.62
5964	06/15/01	NOB01 NOBEL SYSTEMS	14250.00
5965	06/15/01	PGE01 P G & E	27.09
5966	06/15/01	POS01 POSTMASTER	32.00
5967	06/15/01	QUI02 QUINN ENGINE SYSTEMS	641.92
5968	06/15/01	QUI03 QUINN RENTAL SERVICES	29.13
5969	06/15/01	SAI01 SAIC	7229.81
5970	06/15/01	SAN04 SANTA MARIA TIMES	84.99
5971	06/15/01	SLO03 SAN LUIS OBISPO RECORDER	186.00
5972	06/15/01	SPE02 SPECIAL DISTRICT FINANCI	2500.00
5973	06/15/01	THE01 THE GAS COMPANY	2625.80
5974	06/15/01	USB01 US BANK TRUST	1506.25
5975	06/15/01	VER01 VERIZON	28.38

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

JUNE 6, 2001

AGENDA ITEM

JUN 27 2001



REGULAR MEETING 10:30 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
OPEN SEAT
RICHARD MOBRAATEN, DIRECTOR
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
DONNA JOHNSON, SEC. 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 10:32 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call the following Board members were present.
Directors Wirsing, Winn, Mobraaten, and Blair.

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 asked for Public Comments.
President Blair recognized that today is D-Day.

The following members of the public spoke:

L.J. Hansen, Outside District - asked the Board if we are in an overdraft or not?

Legal Counsel, Jon Seitz, reminded the Board that the District is in litigation concerning groundwater. He also stated that the District declared in 1987 that the Mesa is in an overdraft condition.

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

D-1) PUBLIC HEARING - DRUMM LANE SEWER REIMBURSEMENT (MITCHELL)

Review sewer line reimbursement cost spread for Drumm Lane

President Blair opened the meeting to a Public Hearing to review the sewer reimbursement spread for sewer line costs in Drumm Lane.

The following members of the public spoke:

Carol Mitchell, 760 Drumm Lane, Nipomo - informed the Board that one of the letters received was from Rhea Buss, a sister of the property manager for a property connected to the sewer line early this year. There were no other public comments.

Upon motion of Director Winn seconded by Director Wirsing, the Board unanimously adopted Resolution 2001-771 approving Drumm Lane reimbursement amounts. Vote 4-0.

RESOLUTION NO. 2001-771

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING THE REIMBURSEMENT AMOUNTS
FOR DRUMM LANE SEWER LINE IMPROVEMENTS (MITCHELL)

D-2) PUBLIC HEARING - ESTABLISHING BLACK LAKE STREET LIGHTING CHARGES
Set Black Lake Street Lighting charges for FY 2001-02

President Blair opened the meeting to a Public Hearing for the establishment of charges to maintain black Lake Street Lighting. There were no public comments.
Upon motion of Director Mobraaten, seconded by Director Wirsing, the Board unanimously approved Resolution 2001-772 providing for the collection of street light charges. Vote 4-0.

**RESOLUTION NO. 2001-772
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
PROVIDING FOR THE COLLECTION OF STREET LIGHT CHARGES ON
THE SAN LUIS OBISPO COUNTY TAX ROLLS FOR MAINTENANCE AND
OPERATION OF EXISTING PUBLIC STREET LIGHTS IN THE
BLACK LAKE DEVELOPMENT (GOLF COURSE AREA)**

D-3) DISTRICT ANNEXATION POLICY
Adoption of an ordinance repealing the 1983 annexation policy

The following members of the public spoke:

Estar Holliday, 577 Sheridan Road, Nipomo - Spoke against the proposed annexation policy.

Evan Evanoff, 490 Brytec, NCAC Water Quality Committee member - Spoke against the proposed annexation policy.

Jessie Hill, rural Arroyo Grande - Suggested that the ordinance change would be subject to CEQA.

Herb Kandel, 776 Inga Rd., Nipomo - Asked for a resource analysis

**ORDINANCE NO. 2001-91
AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
REPEALING SECTIONS 40 AND 41 OF ORDINANCE 98-87,
SECTION 14 OF ORDINANCE 79-35
AND SECTION 18 OF ORDINANCE 78-27**

Upon motion of Director Winn and seconded by Director Mobraaten, the Board adopted Ordinance No. 2001-91 repealing the existing annexation policy.
Vote 3-1 with Director Wirsing voting no.

D-4) REQUEST FOR ANNEXATION - TRACTS 1802 & 1856 (TRINCON)
Review annexation agreement to annex a 82 acre development near the Santa Maria Speedway

The Board reviewed an annexation agreement to annex Tract 1802 and Tract 1856.

The owner of the project Erik Benham answered a few questions from the Board.

The following members of the public spoke:

Estar Holliday, 577 Sheridan Road, Nipomo - Spoke against the annexation.

Bill Beneen, 1040 Cielo Lane, Nipomo - Spoke against the annexation.

Evan Evanoff, 490 Brytec, Nipomo - Spoke against the annexation.

Vince McCarthy, 194 E. Dana, Nipomo - Spoke against the annexation.

Jessie Hill, rural Arroyo Grande - Spoke against the annexation.

Herb Kandel, 776 Inga Rd., Nipomo - Would like to see what Nipomo has for a community vision. Understands the developers position but would like growth to be orderly planned.. Correspondence against annexing the project known as "The Bluffs" was received via E-Mail from the following:

Jackie & Al Allison, Dottie Compton, Michael Lenvve, Peggy Heathcote, Dan Woodson, Albert Locher, Barbara Schader, and Kathy Price.

The Board members discussed feelings and ideas about the proposed annexation.

Upon motion of Director Winn, seconded by Director Mobraaten, the Board approved the annexation agreement and directed staff to acquire the necessary services for CEQA, etc. to process the application. Vote 3-1 with Director Wirsing voting no.

- D-5) REQUEST FOR ANNEXATION - LUCIA MAR UNIFIED SCHOOL DISTRICT (LMUSD)
Request to annex Nipomo High School area to the District, approx. 77 acres

Applicant representative, Mike Sears from Lucia Mar Unified School District, spoke
There were no public comments.

Upon motion of Director Mobraaten, seconded by Director Wirsing, the Board directed staff to prepare an annexation agreement for Annexation #19 to annex the Lucia Mar Unified School District (new Nipomo High School) incorporating the existing Extraterritorial Agreement to be reviewed after July 1, 2001 considering the new guidelines from the State Office of Planning and Research (OPR) relating to new legislation for LAFCO. Vote 4-0.

E. OTHER BUSINESS

- E-1) DISTRICT BUDGET FOR FISCAL YEAR 2001-2002
Resolution adopting the District's FY 2001-02 budget

President Blair open the meeting to a Public Hearing concerning the 2001-2002 Fiscal Year Budget for the District.

The following members of the public spoke:

John Eppard, Black Lake Division, Nipomo - asked about Black Lake sewer rate increase.

Upon motion of Director Mobraaten, seconded by Director Wirsing, the Board unanimously approved the 2001-2002 Fiscal Year budget. Vote 4-0

**RESOLUTION 2001-773
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING THE 2001-02 FISCAL YEAR BUDGET**

Upon motion of Director Mobraaten, seconded by Director Wirsing, the Board unanimously approved the Appropriation Limitation for the 2001-2002 Fiscal Year budget. Vote 4-0

**RESOLUTION 2001-774
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
DETERMINING THE APPROPRIATION LIMITATION
FOR THE 2001-02 FISCAL YEAR**

- E-2) BOARD OF DIRECTORS - OPEN SEAT
Review procedure for replacing an open seat on the Board

The Board discussed having an election versus Board appointment to fill the open seat created by the passing of Director Al Simon.

The following members of the public spoke:

John Eppard, Black Lake Division, Nipomo - would like a resident of the Black Lake area to have a seat on the Board.

Larry Vierheilig, 950 Waypoin, Nipomo - spoke in favor of the application process and reserving the option of holding an election if a suitable replacement was not chosen.

Upon motion of Director Winn, seconded by Director Mobraaten., the Board agreed to take applications to appoint a Board member and hold the option of an election. Vote 4-0

- E-3) SOLID WASTE DISPOSAL AGREEMENT
Review draft franchise agreement for providing solid waste service

Legal Counsel, Jon Seitz, reviewed the draft franchise agreement for providing solid waste service. This item will be carried forward to another meeting with more information. There were no public comments.

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 May 16, 2001 Regular Board meeting
Approval of Minutes of May 23, 2001 Special Board meeting

There were no public comments.

Upon motion of Director Winn, seconded by Director Wirsing, the Board unanimously approved the items on the Consent Agenda. Vote 4-0

Legal Counsel, Jon Seitz, encouraged the Board to call Katcho with support of Special Districts concern with LAFCO as mentioned in E-mail and possibly attend the meeting.

G. MANAGER'S REPORT

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

- G-1) Information of redevelopment
- G-2) CSDA - Board of Directors nominations
- G-3) CSDA - Legislative Update
- G-4) Port San Luis Harbor District Notice of Master Plan Workshops

H. DIRECTORS COMMENTS

Director Winn commented about redevelopment letter and would like the subject addressed further.

President Blair mentioned that SLO COG is looking at widening the 101 freeway.

Legal Counsel, Jon Seitz, announced the need to go into Closed Session concerning the following.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

1. Anticipated litigation - one case
2. Performance Evaluation (General Counsel) GC§ 54957

The Board came back into Open Session and had no reportable action.

ADJOURN -- In memory of Director Al Simon

President Blair adjourned the meeting at 1:40 p.m.

The regular Board meeting of June 20 has been canceled.

The next regular Board meeting will be held on June 27, 2001.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JUNE 27, 2001

AGENDA ITEM
JUN 27 2001



ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS
PROJECT CO 97-090
NEWDOLL

ITEM

Acceptance of water and sewer improvements for a 4-lot development on Martha Way

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Newdollar) for CO 97-090, a 4-lot development near Tefft St. and Hazel Lane 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

RECOMMENDATION

Staff recommends that your Honorable Board approve the attached Resolution 2001-Newdollar, accepting the water and sewer improvements for CO 97-090.

Board 2001\Accept 97-30 Newdollar.DOC

RESOLUTION NO. 2001-NEWDOLL

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR PROJECT CO 97-090 (NEWDOLL)

WHEREAS, on September 3, 1997, the District issued a conditional Will-Serve Letter for water and sewer service for CO 97-090 on Martha Way in Nipomo; and

WHEREAS, the District approved and signed the construction plans on June 22, 2000 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 February 12, 2001, 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 CO 97-090.

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 CO 97-090 on Martha Way 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 27th day of June 2001.

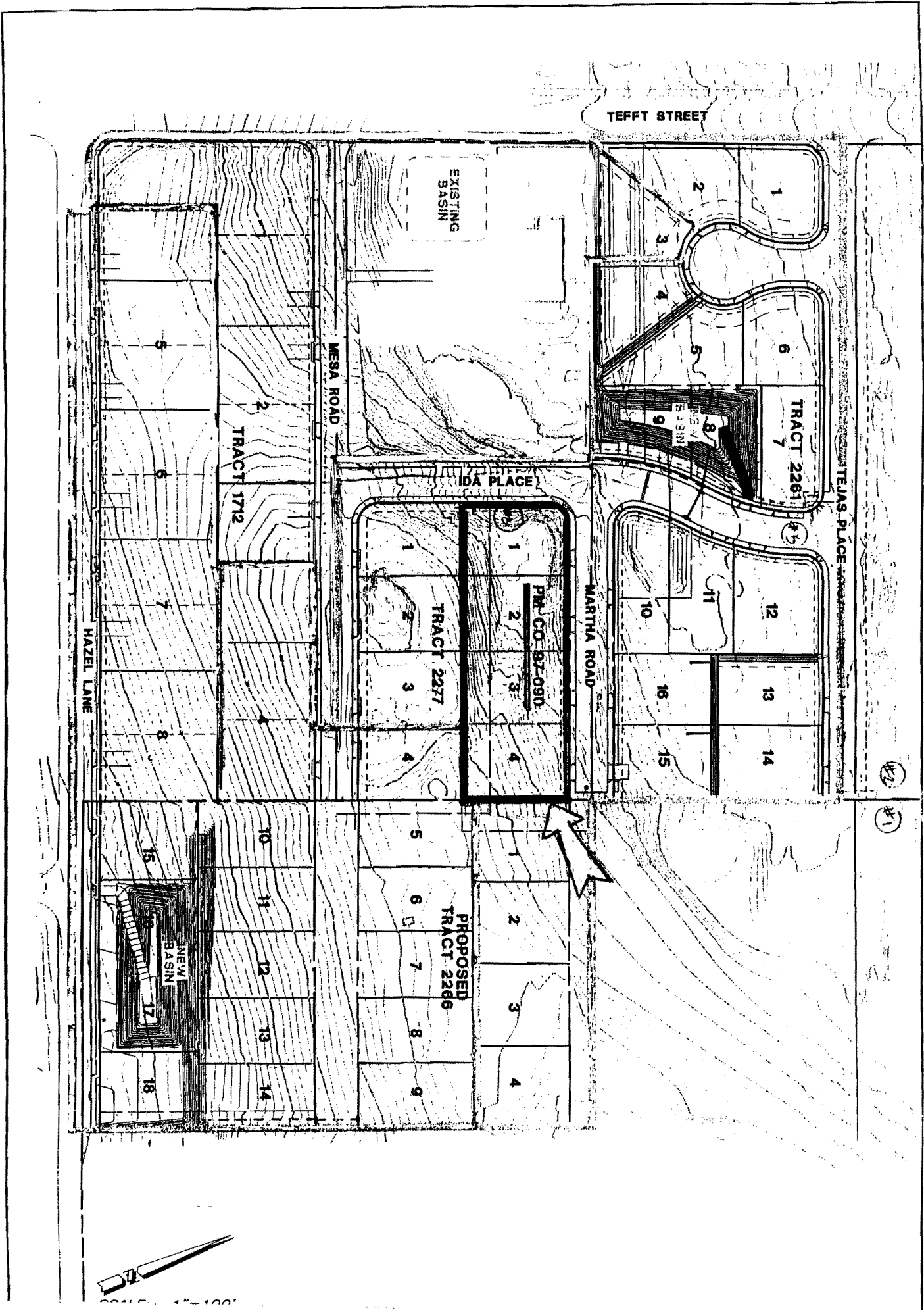
Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel



AGENDA ITEM
JUN 27 2001



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JUNE 27, 2001

MANAGER'S REPORT

G-1) LAFCO BUDGET ALLOCATIONS

Attached is a notice from SLO County approving an additional \$25,000 of LAFCO's budgeted costs for the special districts.

G-2) DEPARTMENT OF TOXIC SUBSTANCES CONTROL PUBLIC MEETING

A Public Meeting will be held June 28, 2001 at 7:00 p.m. in the NCSD Board room concerning the Nipomo Waste Oil Dump Site.

Board 2001\mgr060601.DOC

County of San Luis Obispo
Office of the Auditor-Controller
Room 300 County Government Center
San Luis Obispo, California 93408
(805) 781-5040 FAX (805) 781-1220



GERE W. SIBBACH, CPA
Auditor-Controller
BILL ESTRADA
Assistant

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TO: INDEPENDENT SPECIAL DISTRICTS
FROM: GERE SIBBACH, COUNTY AUDITOR-CONTROLLER
DATE: JUNE 18, 2001
SUBJECT: REVISED LAFCO BUDGET ALLOCATIONS

During County budget hearing last week, the Board of Supervisors approved paying an additional \$25,000 of LAFCO's budgeted costs for the special districts. This action reduced the total allocation to special districts from \$106,727 to \$81,727. In addition to this action, both Los Osos and San Miguel CSD's Governing Boards agreed to pay a share of the special districts LAFCO costs, and approved the inclusion of their revenues into the allocation formula. This also reduced the cost allocated to the other special districts. The resulting net costs after these actions are reflected in the revised attached schedule.

As noted before, the special districts share of the 2001-02 LAFCO Budget is apportioned in proportion to total revenues as reported in the 1997-98 Special District Annual Report published by the State Controller's Office. **The amount for your agency is due by July 1, 2001 and delinquent August 29, 2001.** Payment should be made to the County Auditor-Controller, Government Center, Room 300, San Luis Obispo, CA 93408. Please note "LAFCO" on the payment or stub.

If you have any questions or need additional information, please contact Bill Estrada, Assistant County Auditor, extension 781-5442.

JUN 19 2001

WIP
SERVICES DISTRICT

AB2838 - LAFCO APPORTIONMENT COSTS TO SPECIAL DISTRICTS (REVISED)
FOR THE 2001-02 FISCAL YEAR

<u>SPECIAL DISTRICT</u>	<u>REVENUE TOTAL</u>	<u>ALLOCATION PERCENT</u>	<u>LAFCO COST \$81,727</u>
ARROYO GRANDE CEMETERY	398,127	1.32%	1,083
ATASCADERO CEMETERY	280,587	0.93%	763
AVILA BEACH CSD	532,140	1.77%	1,447
CALIFORNIA VALLEY CSD	303,591	1.01%	826
CAMBRIA CSD	6,036,769	20.09%	16,419
CAMBRIA CEMETERY	74,998	0.25%	204
CAYUCOS FIRE	163,904	0.55%	446
CAYUCOS-MORRO CEMETERY	313,353	1.04%	852
CAYUCOS SANITARY	1,308,248	4.35%	3,558
COASTAL SAN LUIS RCD	762,086	2.54%	2,073
GARDEN FARMS WATER	54,848	0.18%	149
HERITAGE RANCH CSD	1,016,503	3.38%	2,765
INDEPENDENCE RANCH RCD	50,086	0.17%	136
LINNE CSD	28,246	0.09%	77
LOS OSOS CSD *	2,072,905	6.90%	5,638
NIPOMO CSD	3,811,439	12.68%	10,367
OCEANO CSD	2,169,015	7.22%	5,899
PASO ROBLES CEMETERY	309,801	1.03%	843
PORT SAN LUIS HARBOR	2,669,477	8.88%	7,261
SAN MIGUEL CEMETERY	50,592	0.17%	138
SAN MIGUEL CSD *	371,210	1.24%	1,010
SANTA MARGARITA CEMETERY	17,739	0.06%	48
SANTA MARGARITA FIRE	46,410	0.15%	126
SAN SIMEON CSD	539,150	1.79%	1,466
SHANDON CEMETERY	8,623	0.03%	23
SO SLO COUNTY SANITATION	2,129,815	7.09%	5,793
SQUIRE CANYON CSD	17,024	0.06%	46
TEMPLETON CSD	3,800,545	12.65%	10,337
CAMBRIA HEALTHCARE DISTRICT	681,607	2.27%	1,854
UPPER SALINAS/LAS TABLAS RCD	29,578	0.10%	80
TOTAL	30,048,416	100.00%	81,727

TEMPLETON CEMETERY - NOT FILED

* INCLUDED PER APPROVAL OF GOVERNING BOARD

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**CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

**NIPOMO WASTE OIL DUMP SITE
NIPOMO, CALIFORNIA**

Fact Sheet

June 2001

Introduction

The Environmental Protection Agency, Department of Toxic Substances Control (DTSC) is requesting public comment on the Draft Removal Action Workplan (RAW) for the Nipomo Waste Oil Dump Site (Site). The Site is located between Monarch Lane, Peacock Way, and Pearlie Lane in Nipomo, San Luis Obispo County, California. DTSC is the lead agency overseeing the investigation and cleanup activities at the Site.

This fact sheet contains information concerning the Site background, Site investigation, the Draft RAW and the California Environmental Quality Act (CEQA) proposed Notice of Exemption (NOE), public comment period, public meeting and information repositories.

Site Background

The Site consists of seven residential properties on approximately five acres. The Site is bordered on the north by Monarch Lane, on the west by Pearlie Lane and on the south east by residential lots along Story Street. Land use immediately around the Site is now residential. The seven residential properties are believed to contain waste oil and another thirteen homes are located within 200 feet of the area of contamination. The Site is located on old stationary sand dune deposits with fine to course grained, clean quartz sand and a thin soil mantle. The area is gently sloped and lies in the bottom of a ten acre depression. This depression is approximately 30 feet lower than the surrounding Nipomo Mesa terrain. Vegetation is typical residential lawns, shrubs, and trees. The Site is located within nine miles of the Pacific Ocean.

Site History

In the 1940s and 1950s, the Site was used as an unlined surface impoundment or dump for petroleum waste. It is believed that local petroleum refineries were dumping the waste petroleum on property that they did not own. The nearby Santa Maria and Guadalupe Oil Fields which are immediately south

and west of the Site have been producing crude oil since the 1870s. Oil refineries have been producing petroleum products in the area almost as long. In the mid 1980s, the area was developed into a residential subdivision. Soon after the development, some residents observed oily waste material in their yards. During the warmer months (April to October) the oily waste seeps to the surface in a number of locations across at least five residential lots.

PUBLIC COMMENT PERIOD

DTSC requests public comment on the Draft RAW for the Nipomo Waste Oil Dump Site. **The public comment period begins on Friday, June 15, 2001 and ends on Saturday, July 14, 2001.** The proposed NOE is also available for public review. Copies of the Draft RAW and proposed NOE are available at the information repositories listed in this fact sheet.

Written comments must be postmarked by July 14, 2001, and sent to:

Mr. Timothy Patenaude, Project Manager
Department of Toxic Substances Control
8800 Cal Center Drive
Sacramento, California 95826-3200

PUBLIC MEETING

A public meeting will be held to discuss the Draft RAW, the proposed NOE, to answer questions and accept public comment. **The public meeting will be held on Thursday, June 28, 2001, beginning at 7:00 p.m.** The public meeting will be held at the Nipomo Service District located at 148 South Wilson Street, Nipomo, California.

Investigations

- To date, DTSC conducted a Preliminary Endangerment Assessment (PEA) and a Remedial Investigation (RI) to determine the type and extent of the contamination at the Site. From soil sample analysis conducted as a part of the PEA, DTSC has determined that the contamination is total petroleum hydrocarbons (TPH) without significant concentrations of other hazardous substances. Soil sample analysis did not identify significant concentrations of volatile organic compounds, semi-volatile organic compounds, pesticides, metals, or dioxins. The contamination is comprised primarily of longer carbon chain TPH indicative of a weathered crude oil or a crude oil fraction from refinery or oil production.

From a review of historical records, aerial photographs and soil sampling conducted as part of the RI, DTSC has characterized the vertical and lateral extent of the contamination. Portions of seven residential properties are contaminated with waste oil. Five of the seven are located on top of a waste oil layer that is approximately one foot thick and one to four feet below the ground surface. This waste oil layer extends beneath the foundations of two of the homes. All seven properties have significant surface contamination from either surface seeping from the subsurface layer or from direct disposal of waste oil to the ground surface.

Draft RAW

The Draft RAW summarizes previous investigations and outlines alternatives for remediating the Site. Before a final decision is made to approve the Draft RAW, DTSC releases the document for a 30-day public and responsible agency review and comment period. During the 30-day public comment period, DTSC will accept written comments on the Draft RAW and the proposed NOE.

Potential remedial action alternatives are compared, in the Draft RAW, using the three criteria established by the United States Environmental Protection Agency (U.S. EPA): effectiveness, ability to implement, and cost. Three excavation alternatives and seven barrier wall alternatives were identified. Waste oil re-use options were also researched and evaluated along with options for waste oil disposal. Based on the evaluation, the chosen alternative includes excavation of the waste and soil with disposal to an off-site disposal facility. To address material left beneath and adjacent to the houses at 765 and 725 Monarch Lane, a sheet pile barrier wall has been selected to help prevent the lateral displacement of the oily waste, surface seepage, and foundation settlement.

The removal action consists of excavating approximately 12,500 cubic yards of soil and waste oil from five properties containing subsurface waste oil. Approximately 3,800 cubic yards of this waste and contaminated soil will be transported by a licensed hazardous waste hauler to a permitted off-site disposal facility. The remaining clean soil will be used as backfill along with clean backfilled soil purchased from local sources. On two other residential properties at the Site, waste oil will be scraped or manually removed from the surface and collected for off-site disposal.

The goal of the project is to remove as much waste oil as possible from each of the residential properties at the Site. As mentioned previously, there will be waste oil remaining on at least two properties. Once excavation has been completed, confirmation sampling and analysis will be conducted to determine the concentrations of waste oil remaining at each property. Each property will be restored, as close as possible, to the original condition (i.e. driveways, fences, landscaping, etc.). Future land use will be residential.

Work at the Site will be conducted in accordance with a health and safety plan. The plan will comply with both State and Federal regulations designed to protect the health and safety of on-site workers and the public during implementation. The contractor conducting field work will use dust control measures, such as wetting the soil, during excavation of the soil and waste. In addition, air monitoring will be performed to ensure that the dust control procedures are effective.

Future Activities

DTSC will work with their contractors to develop design specifications and an implementation schedule. Each property owner and resident will be contacted individually by DTSC for written approval and to schedule remediation of their effected properties. DTSC anticipates that removal actions will begin in mid-summer 2001.

California Environmental Quality Act

In accordance with CEQA, DTSC has evaluated the project to determine potential impacts of the removal action. DTSC has determined that the proposed removal action will not create a significant adverse impact to the environment. DTSC plans to file a Notice of Exemption in accordance with CEQA once the Draft RAW is approved.

Information Repositories

– The Draft RAW, NOE, and other related documents are available for review at:

Nipomo Public Library
Reference Desk
918 West Taft Street
Nipomo, California 93433
(805) 929-3994

DTSC, Sacramento Office
8800 Cal Center Drive
Sacramento, California 95826-3200
Monday - Friday 8:30 a.m. - 4:00 p.m.
Contact: Alberta McMurray (916) 255-3758

Information Contacts

If you have questions or wish additional information please contact the following DTSC staff:

Timothy Patenaude
Project Manager
8800 Cal Center Drive
Sacramento, California 95826-3200
Tpatenau@dtsc.ca.gov
(916) 255-3580

Randy Sturgeon
Public Participation Specialist
8800 Cal Center Drive
Sacramento, California 95826-3200
Rsturgeo@dtsc.ca.gov
(916) 255-3649

Lisa Kunz
Media Contact
P.O. Box 806
Sacramento, CA 95812-0806
(916) 327-6104

**NOTICE TO HEARING IMPAIRED
INDIVIDUALS**

TDD users can obtain additional information by using the California State Relay Service at 1-888-877-5378 to reach Randy Sturgeon at (916) 255-3649.

Mailing List Information

If you did not receive this fact sheet in the mail and are interested in receiving future notification from DTSC on this project, please complete the mailing list coupon below and return it to Randy Sturgeon, Public Participation Specialist, DTSC, 8800 Cal Center Drive, Sacramento, California 95826-3200.

DTSC mailing lists are solely for the purpose of keeping persons informed of DTSC activities. Mailing lists are not routinely released to outside parties. However, they are considered public records and, if requested, may be subject to release.

I WOULD LIKE TO BE INCLUDED ON THE NIPOMO WASTE OIL DUMP SITE MAILING LIST.

Name _____

Mailing Address _____

City _____ State _____ Zip _____