

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

September 19, 2001

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

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
RICHARD MOBRAATEN, VICE PRESIDENT
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, 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

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) PUBLIC HEARING - ASHLAND SEWER REIMBURSEMENT (NEWDOLL)

Review cost spread for developer-installed sewer line in Ashland Lane

D-2) REQUEST FOR ANNEXATION - TRACT 2336 (CRAIG)

Consideration to annex a 41-lot dev. on approx. 40 ac. on Division St. across from Galaxy Park

D-3) REQUEST FOR SERVICE - 427 Amado St. (NUNEZ)

Request for water & sewer service to one residence outside of the District boundary

D-4) REQUEST FOR SERVICE - CO 01-0351 (CORELLA)

Request for an Intent-to-Serve letter for a 3 lot development between Tefft & Hill St.

E. OTHER BUSINESS

E-1) VIDEO PROPOSAL TO TELEVISION BOARD MEETING

Review AGP video proposal to televise Board meeting

E-2) REQUEST FOR LANDSCAPING SERVICE (EDWARDS)

Request NCSD to perform landscaping service within streets rights-of-way

E-3) NIPOMO AREA ACTIVITIES

Review District participation in the following:

- CREEK DAY (OCTOBER 6)
- MESA CLEAN UP (OCTOBER 20)

E-4) WATER RESOURCES vs. GROWTH (Telegram Tribune article)

Review and comments on newspaper article

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 September 5, 2001 Regular Board meeting

F-3) ACCEPTANCE OF IMPROVEMENTS-CO 97-0231 (BONITA HOMES) [RECOMMEND APPROVAL]

Accepting water and sewer improvements for a 4-lot development on Melanie Lane

F-4) ACCEPTANCE OF IMPROVEMENTS-TRACT 2278 (BONITA HOMES) [RECOMMEND APPROVAL]

Accepting water and sewer improvements for a 6-lot development on Melanie Lane

G. MANAGER'S REPORT

G-1) Request review of billing procedures - bill owner or tenant

H. DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC54956.9

- SMVWCD vs NCSD Santa Clara County Case No. CV 770214 and all consolidated cases.
- NCSD vs State Dept of Health Services CV 990716
- Istar Holliday, Jesse Hill vs. NCSD CV 010563
- Liability claim, Hubler vs. NCSD

ADJOURN

The next regular Board meeting will be held on October 3, 2001.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: SEPTEMBER 19, 2001

AGENDA ITEM

SEP 19 2001



PUBLIC HEARING
ASHLAND SEWER REIMBURSEMENT
NEWDOLL

ITEM

Public Hearing to review the cost spread of developer-installed sewer lines in Ashland Lane and approving the reimbursement costs for this project.

BACKGROUND

Mr. Robert Newdollar, developer, has installed sewer lines in Ashland Lane and has requested reimbursement for the improvements which benefit others.

At the regular meeting held on August 15, 2001, your Honorable Board set September 19, 2001 for a Public Hearing to review the cost spread of installation of off-site improvements in Ashland Lane. Notices have been sent to each of the property owners informing them of their reimbursement costs if they wish to connect to the installed sewer line. To date, no protests have been received by the District.

The developer has presented the District with invoices for the cost of construction of the sewer line in Ashland Lane. The costs have been spread to lots which benefit from the improvements (shown on Exhibit A- Sewer Reimbursement Diagram.) The pro rata share for each lot is \$8,081.60.

Now is the time to hold a Public Hearing to receive any comments on the sewer reimbursement. After the comment period, the Board may consider approving the pro rata share cost per lot.

RECOMMENDATION

Staff recommends that your Honorable Board, after the Public Hearing, adopt the attached resolution approving the reimbursement amount for the Ashland Lane sewer line improvements.

RESOLUTION NO. 2001-Reimb

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

WHEREAS, Mr. Robert Newdoll, developer of the Ashland Lane Development, have requested a reimbursement agreement for the sewer line improvements installed in Ashland Lane; and

WHEREAS, the District has established the overall costs of the Ashland Lane improvements at \$80,816.00; and

WHEREAS, the Board of Directors held a Public Hearing on September 19, 2001 to review the reimbursement agreement and the spread of cost.

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

1. The Board has accepted the sewer line improvements in Ashland Lane.
2. The costs for sewer line improvements in Ashland Lane were spread equally to each lot that may receive service.
3. The reimbursement is spread as shown on the attached Exhibit A.
4. The President of the Board is authorized to sign the Reimbursement Agreement.

PASSED AND ADOPTED by the Board of Directors of the Nipomo Community Services District this 19th day of September, 2001, on the following roll call vote:

AYES: Directors

NOES: None

ABSENT: None

ABSTAIN: None

Robert L. Blair, President
Nipomo Community Services District

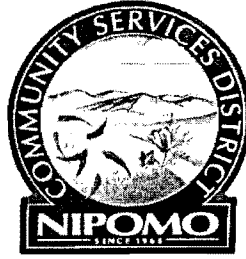
ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
District Legal Counsel

NIPOMO COMMUNITY



SERVICES DISTRICT

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, DIRECTOR
CLIFFORD TROTTER, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
JON SEITZ, GENERAL COUNSEL
LEE DOUGLAS, MAINTENANCE SUPERVISOR

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Email address - NCSD@ix.netcom.com

NOTICE OF PUBLIC HEARING ASHLAND LANE SEWER LINE IMPROVEMENTS

APN «APN»
«OWNER»
«Address1»
«CityStatePostalCode»

August 15, 2001

Dear Property Owner:

R. H. Newdoll Construction Co. (developer) has installed a sewer line in Ashland Lane and has requested reimbursement for some of the costs. The District accepted the Offer of Dedication and the sewer improvements on July 18, 2001

Pursuant to District Code Section 5.01.010, any lot or property, which in the future may be served by this sewer line, will be required to reimburse the Developers a pro-rated share of the cost of constructing the sewer line. The District has determined that your property is to be included in the developer-installed sewer reimbursement area. Attached is a copy of the reimbursement boundary area and sewer reimbursement spread. The cost is spread equally among all the lots. This spread is made per buildable size lot regardless of the number of lots owned.

The Board of Directors set a Public Hearing on the proposed reimbursement allocations for Wednesday, September 19, 2001 at 10:30 a.m. in the District Board Room at 148 South Wilson Street, Nipomo, California. The Board will take public testimony before making their final determination on the proposed reimbursement allocation.

If you wish to protest your pro-rated share, the reason for your protest must be in writing and received at the District office no later than 14 calendar days from the date of this notice. A protest will be considered only with the division or spread of the actual construction costs between or among the properties to be included in the area subject to the pro-ration procedure. A protest shall not be concerned with the actual construction costs unless the protester can demonstrate fraud or willful concealment of the actual cost information as presented by the applicant or his agent to the District's engineer. The reimbursement period expires ten years after the District's acceptance of the improvements.

If you connect to the sewer line, the District will require you to pay the Ashland Lane and Southland Street sewer reimbursement fee, as well as the District's standard Sewer Capacity Fee per lot. The Sewer Capacity Fee is currently \$2,500 per single family unit.


APN	«APN»	<u>DRUMM LANE SEWER REIMBURSEMENT COSTS</u>	
Reimbursement No.	«Reimb_No»	Engineering	\$ 2,062.00
Pro-rated Share	\$ 8,081.60 per	Construction Costs	78,754.00
	Reimbursement No.	Other Costs (Fee)	<u>0</u>
		Total	\$80,816.00
		Shared by 10 lots	\$ 8,081.60 per developable lot

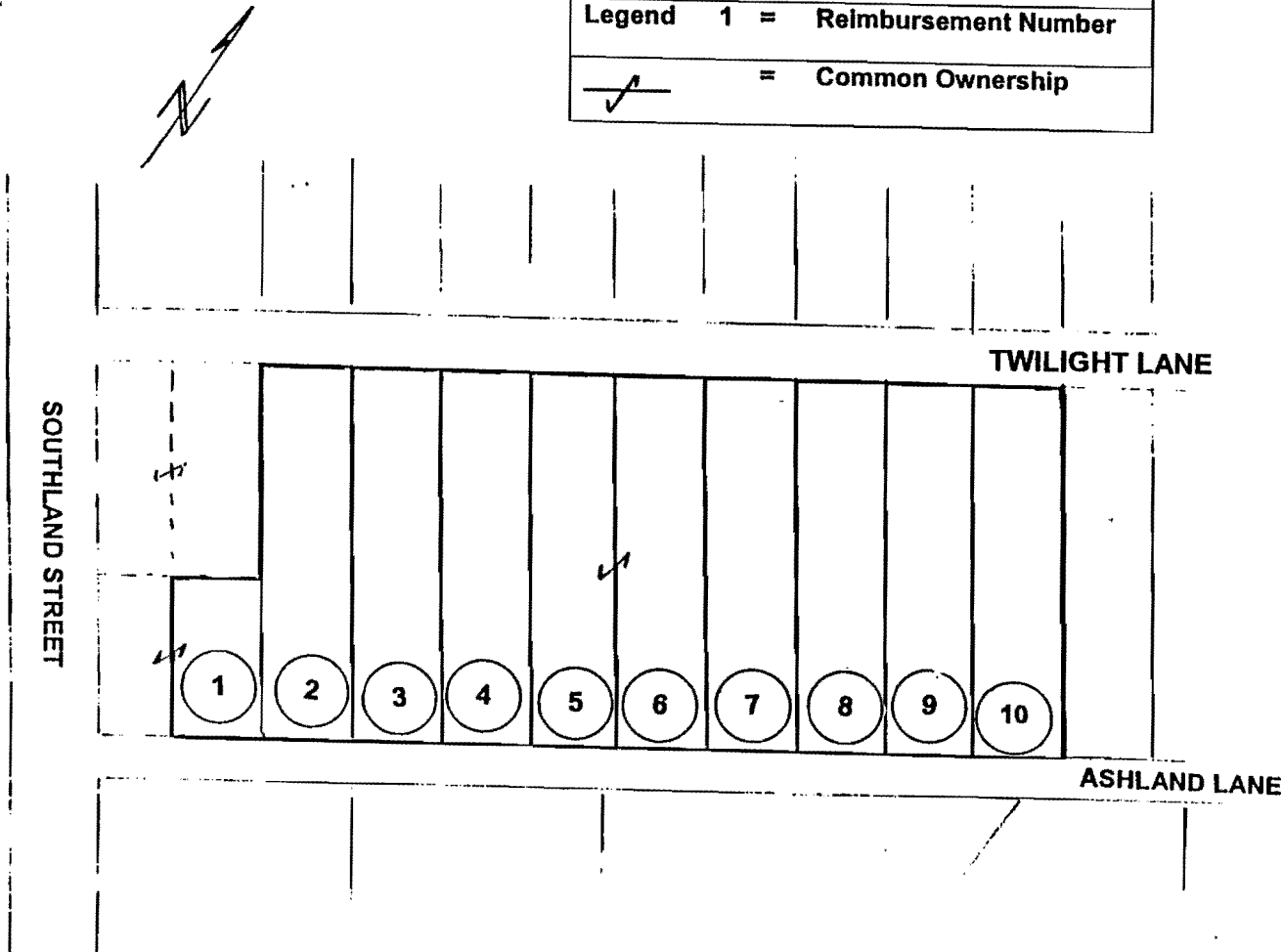
PUBLIC HEARING DATE: **September 19, 2001 10:30 a.m.**

If you have any question, please feel free to contact our office at (805) 929-1133.

Doug Jones, General Manager

EXI IT A
SEWER REIMBURSEMENT SPREAD DIAGRAM
ASHLAND LANE AREA

REIMBURSEMENT FORMULA	
Cost spread equally to each lot	
Cost per lot =	\$ 8,081.60
Legend 1 =	Reimbursement Number
 =	Common Ownership



SEWER REIMBURSEMENT SPREAD ASHLAND LANE, NIPOMO, CA	
Reimbursement No.	Assessor's Parcel No.
1	092-361-016
2	092-361-020
3	092-361-019
4	092-361-002
5	092-361-033
6	092-361-033
7	092-361-034
8	092-361-032
9	092-361-029
10	092-361-028

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: SEPTEMBER 19, 2001

AGENDA ITEM

SEP 19 2001



REQUEST FOR ANNEXATION
TRACT 2336
(CRAIG)

ITEM

Review a request for a 41 lot development on approx. 40 acres on Division Street across from Galaxy Park.

BACKGROUND

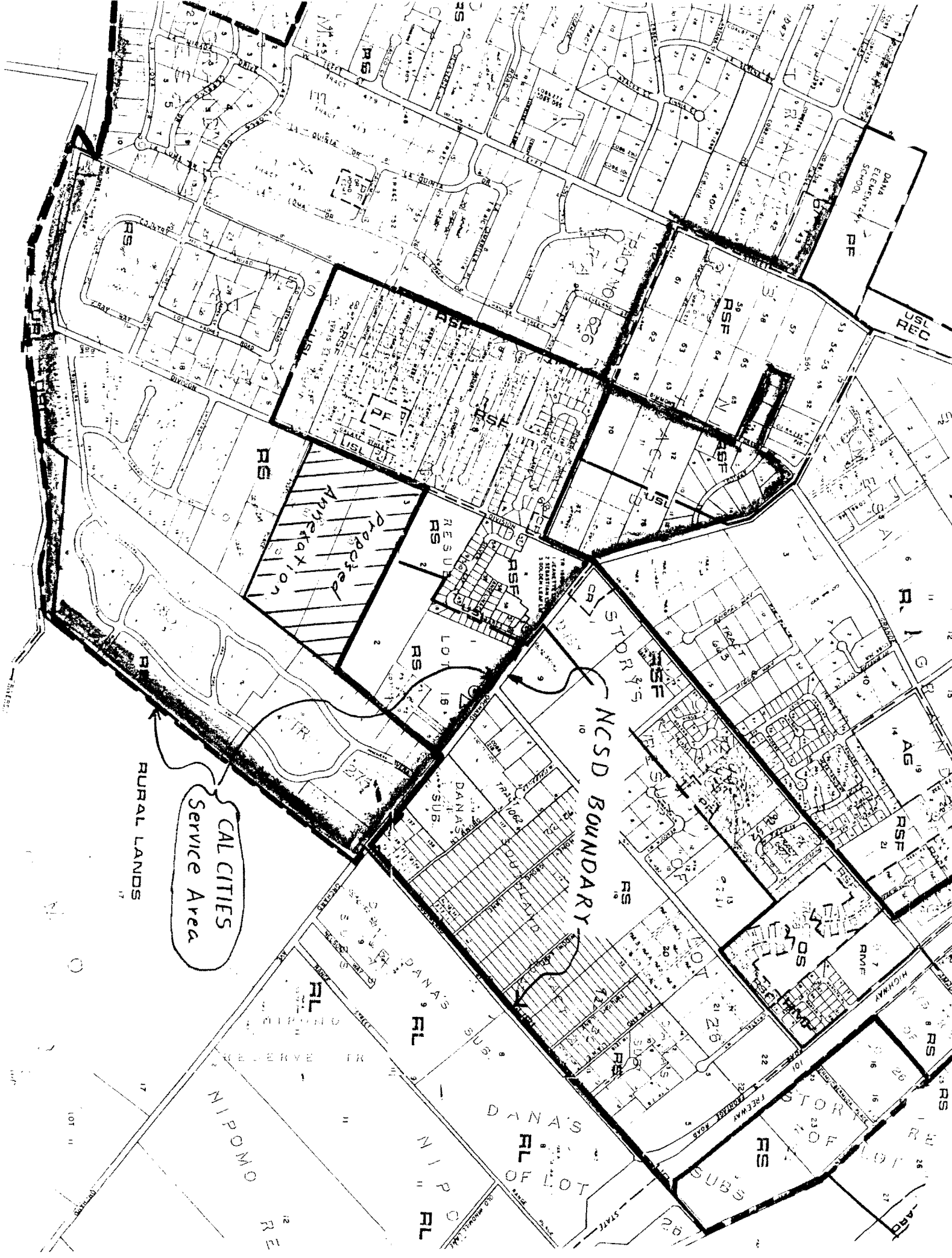
The District received a letter from J. M. McGillis, representing the developer of Tract 2336, requesting annexation to the District for water and sewer services. The proposed annexation, as shown on the attached map, lies within the California Cities water service area.

Since this tract is within the California Cities area, the applicant would need an agreement to detach this area from Cal Cities service area or some type of financial transaction may be required for this to be accomplished.

RECOMMENDATION

Staff recommends that the applicant resolve the matter of water service jurisdiction before the District proceeds with the annexation request.

Board 2001\Tract 2336.DOC .



CAL CITIES
Service Area

RURAL LANDS

Proposed
Amplexation

NCS D BOUNDARY

DANA'S
FL OF LOT

NIPOMO



**JAMES MICHAEL MCGILLIS
PROFESSIONAL LAND SURVEYOR**

PO BOX 1446 NIPOMO CA. 93444

231 HAZEL LANE NIPOMO CA. 93444

Phone (805) 929-2941 FAX (805) 929-2941

e-mail JAMES_MCGILLIS@yahoo.com

9 August 2001

NIPOMO COMMUNITY SERVICES DISTRICT

148 South Wilson Street P.O. BOX 326

NIPOMO, CA. 93444-0326

Honorable Board of Directors

I am writing this letter to ask your position on a possible annexation. I have enclosed a reduced copy of Tract 2336. We are very close to recording this map. It is served, for water, by Cal Cities. Although I think you would have to relax your annexation policies before we would be interested in applying for annexation, it would make a lot of practical sense to annex this tract. This is a 41 lot subdivision with Lots 1 and 41 having existing homes and water service from Cal Cities. The other 39 lots will be approximately 1/2 acres on septic. This project is across Division Street from the Galaxy Mobil Home Park, presently served by County Service Area 10, and I understand you will soon be annexing the Mobil Home Park.

The following is a list of reasons to annex Tract 2336:

- A. User fees. The future residents of Tract 2336 will pay approximately \$13,000.00 per year for water.
- B. Control of water. Tract 2336 will be using water from the Nipomo basin in any case. If you annex and control, future rationing and cost will be controlled by NCSD.
- C. It may be plausible to sewer Tract 2336, at least the 39 new lots, thereby generating even further revenue.

Reasons for the future residents of Tract 2336 to desire to be annexed:

- A. Future complaints can be lodged in Nipomo rather than Santa Maria or San Dimas.
- B. Cal Cities still uses ductile iron pipes for their distribution system. Ductile iron pipes are more likely to rupture during an earthquake, making them a less reliable source. They also have more problems with rust etc. making the quality less desirable.
- C. Local control is simply better, in any future decisions.

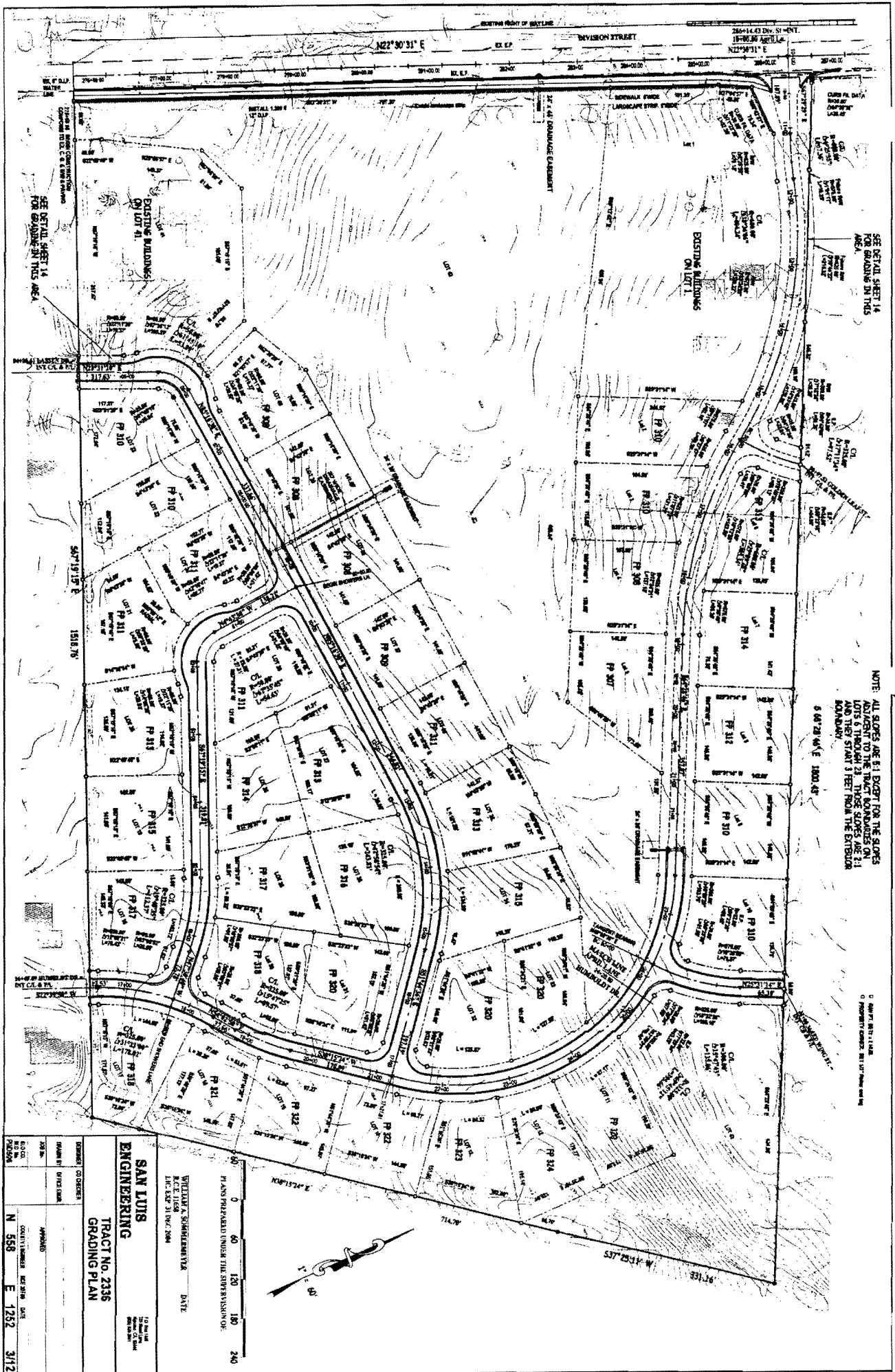
Please schedule this subject for a public hearing.

Sincerely,

J. M. McGillis, PLS 4442

Lic. Exp. 30 Sep. 2001

YE OLDE TYME SURVEY SHOPPE



SAN LUIS ENGINEERING TRACT No. 2336 GRADING PLAN		WILLIAM A. SCHMIDTKE REGISTERED PROFESSIONAL ENGINEER DATE: _____
PREPARED BY: _____ CHECKED BY: _____ DATE: _____	APPROVED: _____ REGISTERED PROFESSIONAL ENGINEER DATE: _____	PLAN PREPARED UNDER THE SUPERVISION OF: _____ DATE: _____
SHEET NO. _____ OF _____ SHEETS	COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA	N 558 E 1252 3/12

SEE DETAIL SHEET 14 FOR BOUNDING IN THIS AREA.

NOTE: ALL SLOPES ARE 1:1 EXCEPT FOR THE SLOPES ADJACENT TO THE TRACT BOUNDARIES ON LOTS 200 THROUGH 212 WHERE SLOPES ARE 1:1 EXCEPT WHERE SHOWN OTHERWISE FROM THE EXTENSION.

5.6728' W 4.1' E 100.45'

BOARD OF DIRECTORS

FROM: DOUG JONES 

DATE: SEPTEMBER 19, 2001

AGENDA ITEM
SEP 19 2001



REQUEST FOR SERVICE
427 AMADO STREET (NUNEZ)

ITEM

Request for water and sewer service outside the District boundary at 427 Amado Street, Nipomo.

BACKGROUND

The District has received a letter from the Nunez family requesting water and sewer service to a parcel located at 427 Amado Street in Nipomo. This parcel is adjacent to but outside the District boundary, therefore, it would require LAFCO approval before providing service. At the regular meeting held on January 3, 2001, your Honorable Board approved sewer service to a neighboring property (447/449 Amado St., also outside the District boundary) which is presently receiving District water service, therefore, it did not require LAFCO consideration.

For the District to provide water and sewer service to this parcel, the following would be required:

- LAFCO approval for annexation or outside user agreement
- Approval by your Honorable Board to provide service to this property.
- Retrofitting eight (8) homes to create sufficient water supply for existing residents
- Pay all the appropriate water & sewer fees associated with the request

RECOMMENDATION

If your Honorable Board wishes to provide water and sewer services to 427 Amado Street in Nipomo, staff recommends directing staff to write a letter to applicant outlining procedure and associated costs to provide service to this parcel.

To Whom it may concern
From Maria H. Nunez
Subject Access to Water and Sewage

8-13-01

On behalf of my Mother Maria H. Nunez, I am requesting that she have access to the water and sewage utilities at 427 Amado St. Nipomo CA, 93444, Parcel # 092301009.

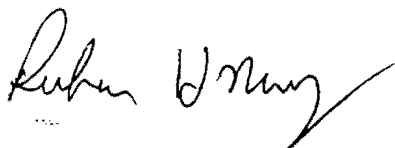
She is 82 years old and has lived at this location for more than 40 years. My Mother has been a widow for more than three years and is on a fixed income with Social Security. Being a widow and a Senior Citizen makes it hard for her to Maintain the simple necessities of water and sewage. My brother and I help out as much as possible. Having full time jobs makes it difficult to be there when emergencies arise.

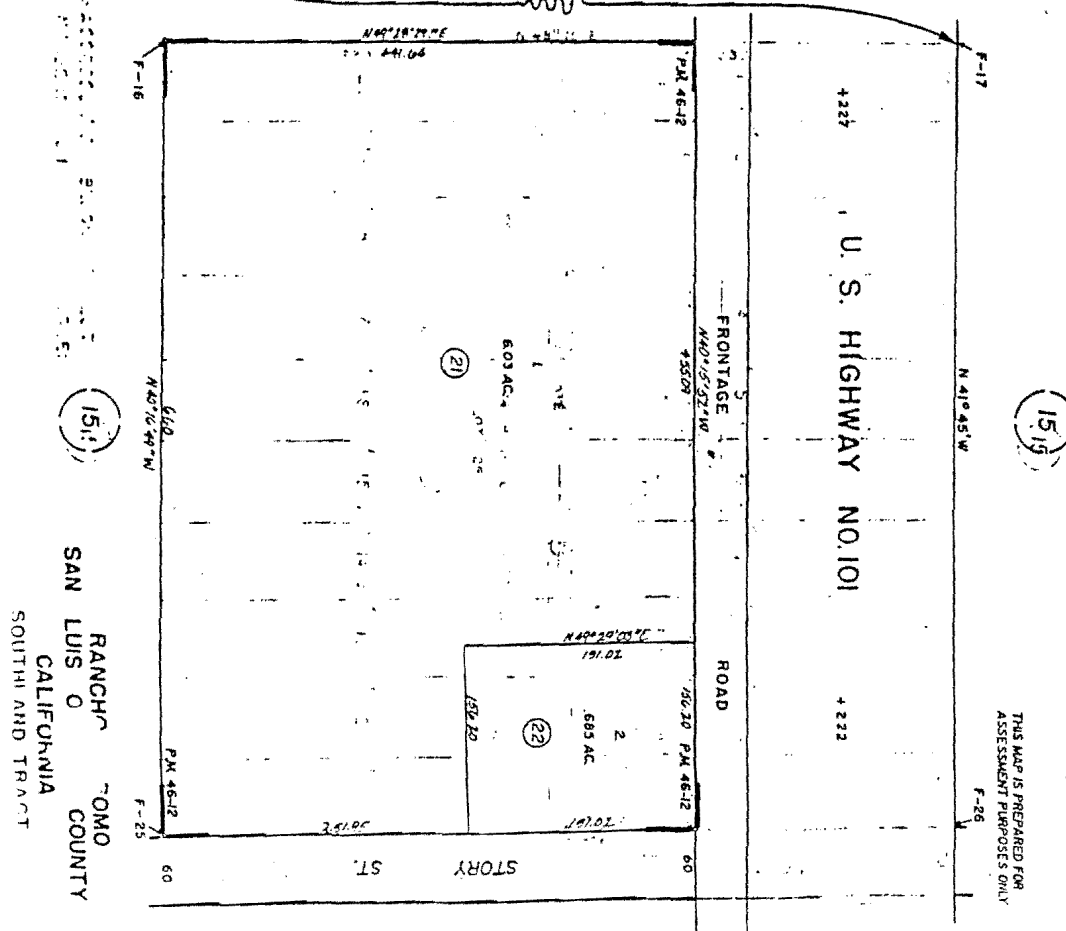
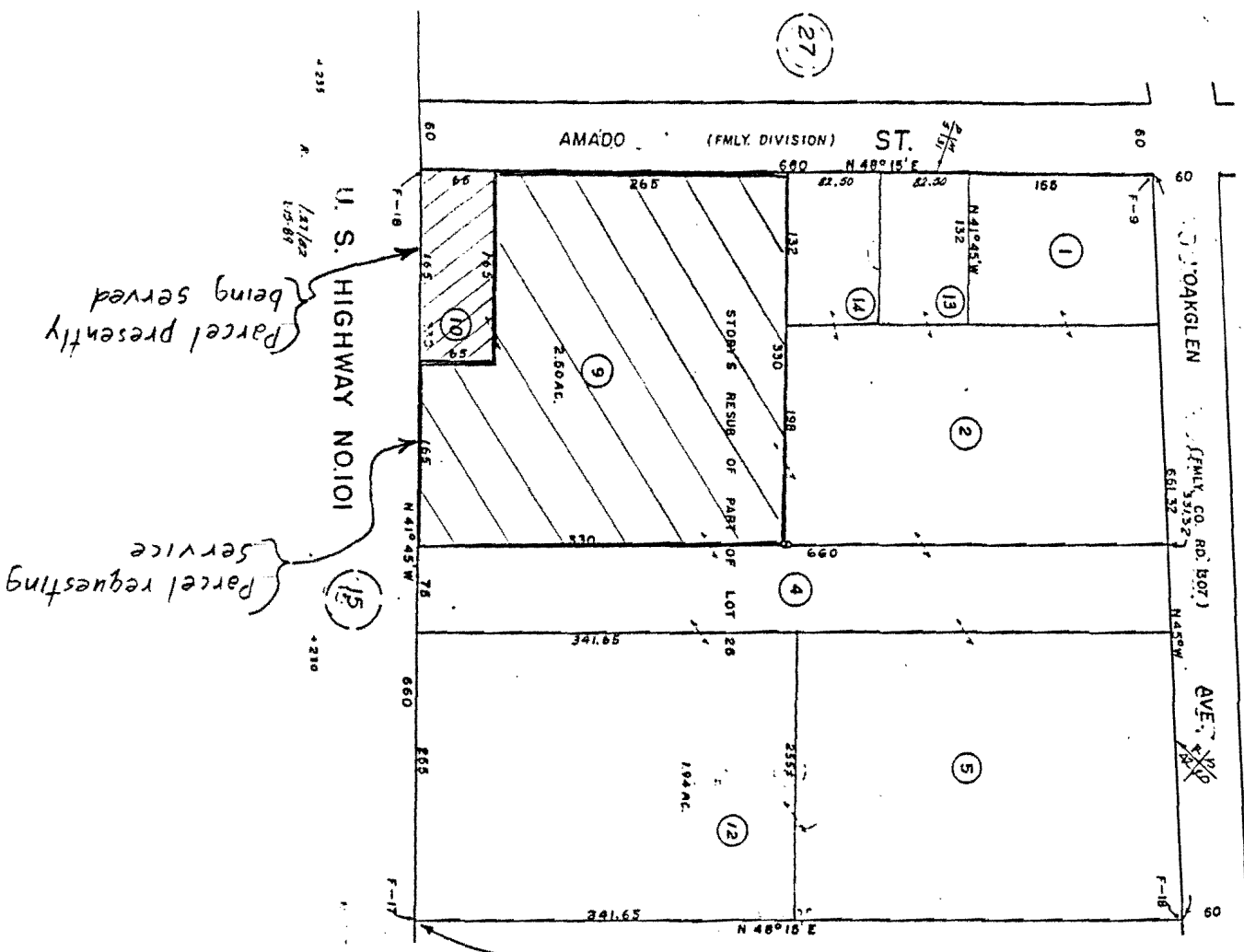
The money she would need to repair the water pump, septic, and lease line, would be better off spent on hooking up with the city. These utilities runs along her front yard and would be more sufficient and less headaches for a person of her age. We would appreciate an answer as soon as possible, before this becomes a bigger emergency, and possible health hazzard.

There are currently houses on each side of her already hooked up to the city. She is requesting the same access to help alleviate this problem.

Thank you

~~Maria H. Nunez~~
~~Ruben H. Nunez~~
~~Victor H. Nunez~~





SAN LUIS O TOMO COUNTY CALIFORNIA SOUTH AND TRACT

THIS MAP IS PREPARED FOR ASSESSMENT PURPOSES ONLY

JMO COMMUNITY

SERVICES DISTRICT

BOARD MEMBERS

ROBERT BLAIR, PRESIDENT
AL SIMON, VICE PRESIDENT
RICHARD MOBRAATEN, DIRECTOR
MICHAEL WINN, DIRECTOR
JUDITH WIRSING, DIRECTOR

STAFF

DOUGLAS JONES, GENERAL MANAGER
JON SEITZ, GENERAL COUNSEL
LEE DOUGLAS, MAINTENANCE SUPERVISOR

148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Email address - NCSD@ix.netcom.com

February 21, 2001

Isabel Nunez
447 Amado St
Nipomo, CA 93444

SUBJECT: CONNECTION TO DISTRICT SEWER SYSTEM

The Board of Directors of the Nipomo Community Services District considered your request to connect two residences on your out-of-District property at 447 and 449 Amado Street to the District-wide sewer collector system. The Board approved the connection with the following conditions:

- The property owner must pay all the appropriate fees for connecting to the District's sewer system. The current Sewer Capacity Fee is \$2,370.00. July 1, 2001, the Fee will increase to \$2,500.00
- There will be an Outside District Sewer User Rate of 130% of the In-District Sewer User Rate.
- The In-District Sewer User Rate is \$18.00 per month. Your rate would be \$23.40 per month, billed bi-monthly as you are now on your water bill.

Since no one came to the meetings nor has anyone inquired lately, we are not sure if you are still interested in connecting to the sewer system. If you still wish to connect with the above conditions, you may contact the office between 8:00 a.m. and 4:30 p.m.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT

Doug Jones
General Manager

SEWER/NUNEZ

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: JANUARY 3, 2001

REQUEST FOR SEWER SERVICE
APN 092-301-010
447 & 449 AMADO STREET

ITEM

Request for sewer service outside District boundary.

BACKGROUND

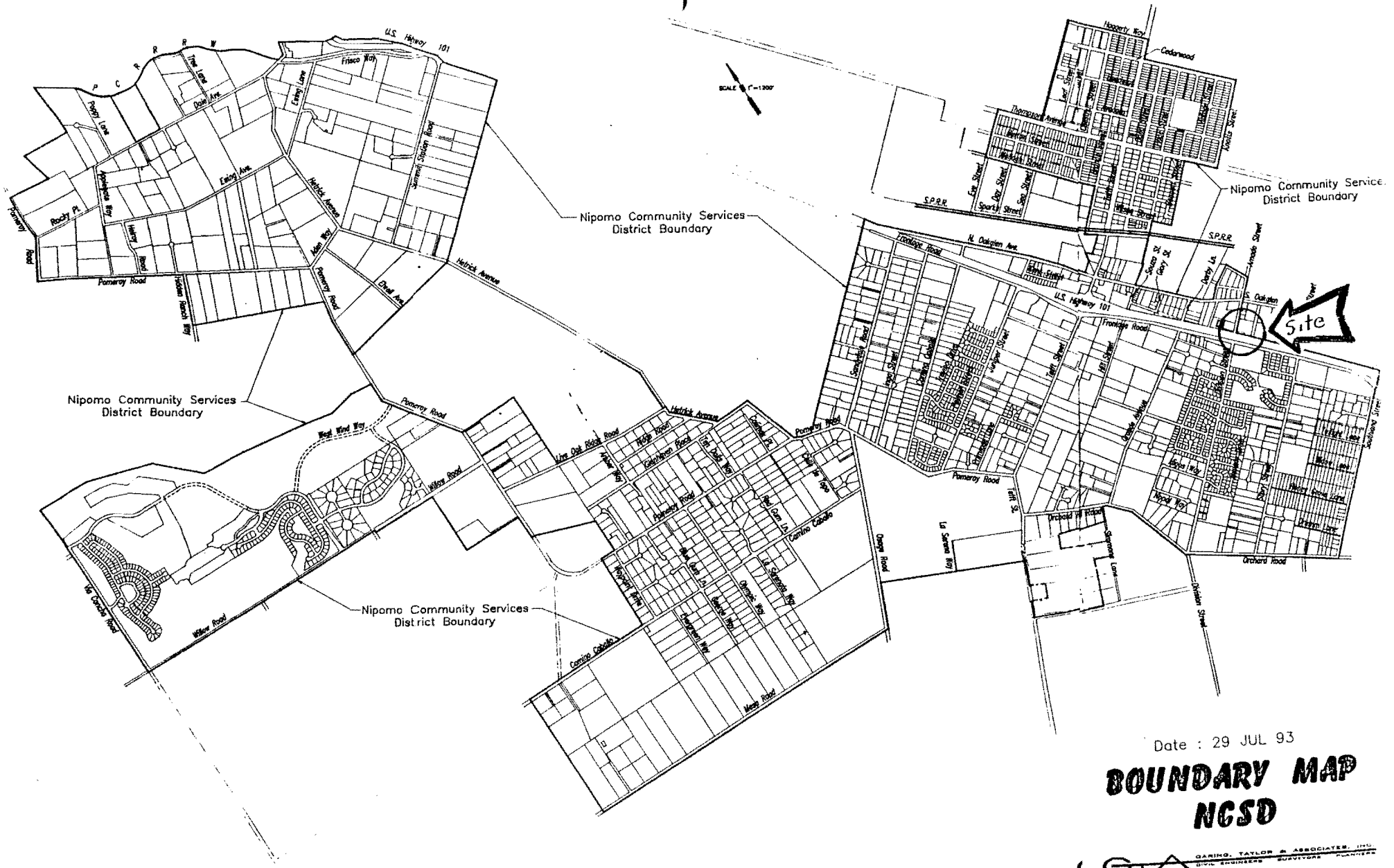
The District received a letter from Pedro Nunez requesting emergency hook-up to the District's sewer system due to failure of their on-site waste disposal system. The Nunez's are presently receiving water service from the District as an Outside District Boundary User. There presently exists a water and sewer line in front of their property to which a sewer lateral could be connected. When the District notified LAFCO of its latent powers, there were three properties outside the District boundary which were being served by the District. The Nunez property is one of the three properties. It is believed that since the District has notified LAFCO of the services that the District could proceed to provide sewer services to these same properties that are receiving water services.

Presently, the District does not have an Outside District Boundary Sewer User rate for individual service.

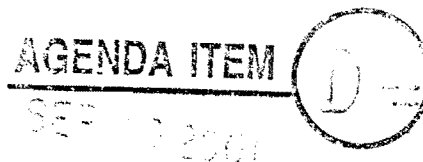
RECOMMENDATION

Staff recommends that your Honorable Board approve sewer service to the two residences on one parcel at 447 & 449 Amado Street, APN 092-231-010 and direct staff to establish an Outside District Sewer User Rate. The property owner must pay all the appropriate fees for connecting to the District sewer system.

Board 2001\sewer service.DOC



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 19, 2001



REQUEST FOR SERVICE
CO 01-0351
CORELLA

ITEM

Request for District services for a 3-lot development between Tefft Street and Hill Street crossing the intersection of Mary Street.

BACKGROUND

The District received a request from Lynnette Noyes, EDA, for an Intent-to-Serve letter for a vesting tentative parcel map CO 01-0351. The proposed 3-lot development fronts Tefft Street and Hill Street as shown on the attached map. The Board may issue an Intent-to-Serve letter 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 and other fees associated with this development.
4. Construct the improvements required and submit the following:
 - a. Reproducible "As Built" - A mylar 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 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 Parcel Map CO 01-0351 with the above mentioned conditions.

Board 2001\Intent CO 01-0351.DOC



ENGINEERING
DEVELOPMENT
ASSOCIATES

LETTER OF TRANSMITTAL

To: Doug Jones, NCSD

Date: September 6, 2001

Job No: 2-2638-000

RE: DeWalt Parcel Map

- WE ARE SENDING YOU: Attached Under separate cover via delivery the following items:
- Shop drawings Prints Plans Samples Specifications
- Copy of letter Change order

Copies	Date	No.	Descriptions
1			Tentative Parcel Map CO 01-0351

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
- For your use Approved as noted Submit _____ copies for distribution
- As requested Returned for corrections Return _____ corrected prints
- For your review & comment
- FOR BIDS DUE _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

Doug: We are submitting to you a blueline copy of a Vesting Tentative Map for Parcel Map CO 01-0351. We are in need of an INTENT TO SERVE letter from NCSD. Please advise us should you need anything further. Otherwise, I look forward to receiving your letter at your earliest convenience.


COPY TO: File

SIGNED: Lynette Moyes
Lynette Moyes
Project Coordinator

K:\22638000\correspond\NCSD\req for intent to serve.doc

If enclosures are not as noted, kindly notify us at once

PLANNING ■ CIVIL ENGINEERING ■ LAND SURVEYING
P.O. BOX 1829 ■ SAN LUIS OBISPO, CA 93406 ■ 805-549-8658 ■ FAX 805-549-8704
1320 NIPOMO STREET ■ SAN LUIS OBISPO, CA 93401 ■ eda@edainc.com

TO: BOARD OF DIRECTORS
 FROM: DOUG JONES 
 DATE: SEPTEMBER 19, 2001

AGENDA ITEM 
SEP 19 2001

TELEVISION BOARD MEETINGS

ITEM

Review proposal to televise District Board meetings.

BACKGROUND

The District has requested a proposal from AGP Video to televise regular District Board meetings of the Nipomo Community Services District. These productions would be shown on the Charter Cable Network on Channel 61. The proposal indicates that the cost per regular Board meeting would be \$400+. A special meeting would cost \$125 per hour with a two-hour minimum or \$250+.

Some of the pros and cons of televising Board meetings:

PROS	CONS
<ul style="list-style-type: none"> Better dissemination of the activities of the District Board administrative activities, Board actions. 	<ul style="list-style-type: none"> Cost of providing this service would be equivalent to approx. \$.50+ per water bill.
<ul style="list-style-type: none"> Better understanding of the activities of the District 	<ul style="list-style-type: none"> Not every household has access to cable television
<ul style="list-style-type: none"> A Board member may be discovered and become a famous movie star 	<ul style="list-style-type: none"> May reduce participation at the meetings due to people staying home watching TV
	<ul style="list-style-type: none"> The District does not receive franchise fees for cost of televising meetings.
	<ul style="list-style-type: none"> District activities are mainly related to providing water and sewer service. Land use powers are with the County, in which many people are interested.

Since the SLO County receives the franchise fees for cable television operations outside the incorporated area, it is suggested that the County should be contacted about funding Special District Board meetings.

RECOMMENDATION

Staff recommends that your Honorable Board direct staff to contact the County to see if they would be interested in supporting the costs associated with televising local non-incorporated Special District Board meetings.

AGP *Video* MEMO

voice: 772-2715 fax: 772-4950
slo-span.org agpvideo.com acelilbub@charter.net

DATE: August 20, 100
TO: Doug Jones, Nipomo Community Services District General Manger
FROM: Steve Mathieu and Nancy Castle
RE: Proposal for video production of the Nipomo Community Services District Board meetings

Enclosed is our proposal for Video Production and Tape Distribution Services for the NCS D Board meetings. We gather there is interest on the part of the Board to have its meetings taped for cablecast on the Charter Government Access and Issues Channel, Channel 61 as of this date, to be on Channel 21 beginning September 5, 2001.

As the first video production company in the county to specialize in taping and cablecasting government meetings, we have seen the benefit to both the governmental bodies and the community that televised access brings. The community rapidly becomes more informed, understanding the process of how decisions are made. Public comment on issues tends to become more substantial, and timely, as individuals are more thoroughly educated through television exposure. Many individuals have told us they would like to get to their local government meetings, but due to busy lives filled with work and family, they are unable to do so. However, they do watch the meetings on television in impressive numbers, and are very grateful to have that in opportunity in the jurisdictions we already serve.

Our proposal to the Nipomo Community Services District has two elements. In addition to our superior skills as video producers of government meetings, we are also the operations manager for the Charter Countywide Government and Issues Channel. Charter Communications has over 3,300 subscribers in Nipomo with a potential viewing population within the community of three to four times that amount. In our proposal, we discuss the minimum amount of times the NCS D Board meeting be cablecast. Given that the channel is programmed 24/7, the number of times an individual meeting will be cablecast is much higher. In addition, we provide the library with a copy of the tape, and would be willing to provide an additional copy or copies if demand warrants it.

Please take a look at the attached proposal. Our bid is based on our estimate of the average length of the NCS D meetings. We would be glad to meet with you to discuss our proposal or to negotiate on any particular points. You and the Board may wish to consider our contracting for our services for the first year in a "pilot project." This would allow the Nipomo Community Services District Board and staff time to assess the impact and value of continuing the video production and cable casting of the Board meetings.

Please give us a call at your convenience. We look forward to hearing from you.

AGP Video



1600 Preston Lane
Morro Bay, CA 93442
805/772-2715 fax 805/772-4950
acelilbub@charter.net

**PROPOSAL FOR VIDEO PRODUCTION AND TAPE
DISTRIBUTION SERVICES FOR THE NIPOMO
COMMUNITY SERVICES DISTRICT
BOARD MEETINGS**

August 20, 2001

AGP Video proposes to provide video production and tape distribution services for the Nipomo Community Services District Board meetings held regularly on the first and third Wednesday of the month, beginning at 10:30 am.

Recommended services include:

- Minimum two-camera, digital, live-edit production of meetings, gavel-to-gavel, and uncut.
- Distribution of tape master to Charter Channel 61, the countywide government access channel:
 - The taped meeting will cablecast a minimum of six times per week for two weeks (barring technical difficulties or excessively lengthy County or State meetings requiring schedule reorganization),
 - The taped meeting will be cablecast a minimum of 2 times during evening primetime, 2 times during the day, and once on the weekend;
- Provision of one tape copy to the Nipomo Community Services District office; and,
- Provision of one tape or two taped copies to the Nipomo Library (depending on demand).

Additional copies of videos may be purchased from AGP Video for \$20 per copy

PRODUCTION/DISTRIBUTION COST:

REGULAR MEETINGS:

\$400 PER MEETING based on an average 10:30 am – 12:30 pm meeting. Total production time for an average meeting is approximately three hours, including set-up and teardown of equipment. Overtime of \$120 per hour will be charged for any meeting that extends beyond 12:30 pm, charged in 15-minute increments, rounded-up.

SPECIAL MEETINGS:

\$125 PER HOUR/TWO HOUR MINIMUM, inclusive of set-up and teardown. After the two-hour minimum has been met, subsequent hours will be billed at in 15-minute increments, rounded up.

"BETTER GOVERNMENT THROUGH PUBLIC AWARENESS"

slo-span.org

agpvideo.com

INSURANCE

- \$2,000,000 general liability and vehicle liability policies,
- \$1,000,000 vehicle liability policy; and,
- AGP Video leases its handpicked employees through American Temps personnel agency, which carries \$1,000,000 workman's comp insurance.

AGP PRODUCTION CAPABILITIES/FACILITIES

- Four mobile production units, operable with two – four cameras
- Post-production facility, equipped with analog, digital and non-linear editing systems
- Duplication system capable of producing multiples of ten tapes at a time
- Supplemental or stand-alone audio systems for special meetings and events.

AGP VIDEO

The principles of AGP Video have over 18 years experience in video production. It is the County's premier government meeting video production company and the *only* production company specializing in government meeting production and tape distribution. AGP Video also designed and developed government meeting live cablecast capability in conjunction with Charter Communications. It facilitates the live cablecasts of all meetings held in two locations in Morro Bay as well as live cablecasts of the weekly Board of Supervisors meetings.

AGP Video provides channel operations management for Channel 61, Charter Communications first countywide government and issues channel. Channel 61 features the Board of Supervisors meetings, County Health Commission meetings, and Regional Water Quality Control Board meetings as well as other programming of interest to county residents. AGP Video also provides channel operations management services for Morro Bay's Channel 54 and Los Osos Channel 59.

AGP VIDEO PRINCIPLES

STEVE MATHIEU uses skills developed in the computer and aerospace industry and as an independent videographer to serve as the chief technical director and engineer of AGP Video. He is an on-the-job-trained technical professional, with a wide range of practical and theoretical skills in communications, mechanics and business practices.

Mathieu designed and built the company's trade-mark mobile production boxes, which serve as multiple-master recording systems and/or facilitating the transmission of a live signal to a variety of the AGP Video managed channels. Charter Communications engineers have adopted Mathieu's design for live transmission systems, and Mathieu has participated in wiring multiple locations in Morro Bay and San Luis Obispo for live capability. He is currently developing live and playback systems for the cities of Pismo Beach and Arroyo Grande as well as other locations throughout the county.

Mathieu is well rounded in all aspects of hands-on production, serving on location as engineer and technical director. He keeps up-to-date on the changing technology of the video, computer and internet industries, seeking to provide the company with the best equipment available at an affordable cost.

Mathieu's consulting, hands-on design, and building services in developing video-production studios include:

- Engineering and rebuilding of Charter Communications public access studio, which included procuring equipment, designing and building the multiple-use control room, enhancing flexibility and usability of the studio.

- Designing and building the live and playback systems for six Charter access channels, including Morro Bay's Channel 54, Countywide Government and Issues Channel 61
- Serving as a consultant and hands-on engineer for the studio rebuild at Cal Poly's Broadcast Journalism Department.

NANCY CASTLE is a native of Morro Bay who has participated throughout her life in a wide variety of community events, including founding Morro Bay's Chess Live. She attended local schools, receiving her B.S. summa cum laude in Psychology in 1995, and is working on her thesis to receive an M.A. in Education from Cal Poly. Vitrally concerned with access to information, she served as president as co-president of the San Luis Obispo Women's Resource Center and is the former editor-in-chief of the Women's Press.

Nancy serves as the company office manager, event production coordinator and participates in many of the company's production phases. She is skilled as a location technical director and camera operator. She facilitates the reproduction and distribution of tapes to cable outlets, libraries and clients. Nancy served as the channel manager for Channels 54, 59, and 61, which include:

- developing the daily program schedules
- updating the program guides and maintaining each channel's community calendar/program guide.
- updating AGP Video's web-site program guide, found at www.slo-span.org.

AGP VIDEO ASSOCIATES

AGP Video seeks interested individuals to become leased employees. Currently, ten people work with the company on a regular basis. Many of these individuals have been with the company for years, and are highly skilled in the needs of government video production. Others bring complementary skills with them, such as computer and audio engineering backgrounds.

AGP Video has signed an agreement with Cuesta College Student Development Department to be a participant in Cuesta's internship program. It also receives interns through the Cal Poly Broadcast Journalism Department.

CURRENT AGP VIDEO GOVERNMENT CONTRACTS

- City of Morro Bay Video production and tape distribution services to City offices and the Morro Bay City Library for 140 Brown Act and City involved public hearings and channel operations management for Morro Bay's Channel 54. AGP Video's contract with Morro Bay was recently extended for the fourth time for services through June, 2004.
- San Luis Coastal Unified School District Video production and tape distribution to district office, three channels and three libraries of bi-monthly District Board meetings
- County of San Luis Obispo Board of Supervisors Video production and tape distribution to Channel 61, the BOS Administration office and the SLO City County Library for the weekly Board of Supervisors meetings. AGP Video's contract with the County of San Luis Obispo was recently extended for the second time for services through June 2006.
- San Luis Obispo County Public Health Department Video production and tape distribution services to the Public Health Department, three channels and the SLO City/County Library.
- Los Osos Community Services District Video production and tape distribution services to CSD office, and the South Bay Library for the Los Osos Community Services District Board Meetings and channel operations for Los Osos channel 59.

OTHER AGP VIDEO GOVERNMENT PRODUCTIONS

- Campaign Forums
 - In 1996, Initiated video documentation of campaign forums in Morro Bay
 - For the primary and general elections in 1998 and the primary election of 2000, provided coverage of League of Women Voters campaign forums as well as independent forums, arranging and cablecasting of forums on the local cable systems. A live cablecast of League of Women Voters program from the County Supervisors Chambers was also produced.
 - For the general election of 2000, the channel operations management service for Charter Communications new Countywide Channel 61, programming began with the campaign forums 24 hours a day.
 - Produced the Capps/Bordonaro live simulcast in 1998.
- Coastal Commission
 - Provided technical direction during the live Coastal Commission cablecast held in SLO in 1998.
 - AGP Video captured the California Coastal Commission meeting held in Santa Barbara on June 9, 1999, creating an abridged version pertinent to SLO County residents that was cablecast on both Charter and Falcon Channel 6;
 - AGP Video initiated the live broadcast and tape capture of the four-day Coastal Commission meeting, held February 2001, in San Luis Obispo.
 - AGP Video initiated the video capture of the four Local Coastal Plan Update Workshops facilitated by the Coastal commission staff at the end of March, presenting the meetings in replay on Channel 61.
- "SLO Decision, 2001" Live Election Night Coverage

In collaboration with Charter Communications and Cal Poly's Broadcast Journalism Class, as well as many volunteers, AGP Video brought live election coverage countywide on Channel 61 from the Government Center.
- Regional Water Quality Control Board

AGP Video has captured the RWQCB meetings held in San Luis Obispo since June, 2000. A contract has been negotiated with the Board staff for a video-production, tape distribution contract for the Board meetings on an ongoing basis, at Board request.
- Shell/Equilon/Equiva Nuisance Abatement Hearings, Morro Bay 2000-2001

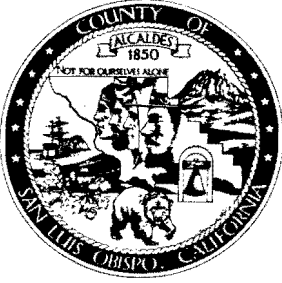
AGP Video provided multiple camera video production for the series of hearing held in Morro Bay, and worked with Morro Bay attorneys and consultants in the preparation of evidence tapes used within the hearing. The hearings were carried on Morro Bay's Channel 54, Los Osos Channel 599 and Countywide Channel 61.
- California Energy Commission Hearings and Workshops, Morro Bay 2001

AGP Video provides on-going video production and audio system services and coverage of the CEC public meetings held concerning the Duke Energy project in Morro Bay. These meetings are presented live on Channels 54 and 61 and in taped replay on those channels and on Channel 59.

- AGP Video initiated the government meeting tape lending system, first in Morro Bay, extending the program to the South Bay Library and the San Luis Obispo City/County Library. Tapes of all meetings and forms currently produced by AGP Video are available through the library system.

ADDITIONAL PROJECTS OF AGP VIDEO

- Arts Projects
 - Produced promotional videos for San Luis Obispo Arts Council Artist's Studio Tour in 1999 and 2000.
 - Produced Los Osos artist Betty Field Haley's project, *Van Gogh's Van Goghs*.
- Produced an edited videotape for the County's application to designate Highway 1 from the county line to the San Luis Obispo city limit as a California Scenic Highway.
- Worked with the inter-agency team that staged Morro Bay High School's *Every 15 Minutes* anti-drunk driving event, creating a short video used during the event and a two-tape documentation of the whole event.
- Produced fall 2000 "Workshop on Teen Drinking" for the County Drug and Alcohol Services and is currently negotiating a contract with the agency to produce and distribute a wide range of educational and informational tapes for that agency.
- AGP Video is providing video production services for a collaborative project sponsored by the Central Coast Maritime Museum Association. These videos capture the Central Coast maritime history for future use in education and display elements of the to-be-built Maritime Museum.
- AGP Video is developing a proposal to videotape "How Your City Departments Work", a series for Morro Bay. This project was funded as a line item in the City's 2001-2002 budget, with unanimous support by the City Council.



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: engr@co.sio.ca.us

September 6, 2001

Douglas Jones, General Manager
Nipomo Community Services District
PO Box 326
Nipomo CA 93444

Dear Mr. Jones:

San Luis Obispo County grants cable television franchises which govern the way cable television companies provide service to our County's residents who live in the unincorporated areas (The cities have their own agreements.). These franchises contain important community and educational benefits to be met by the cable companies. The nature of these public interest commitments depends upon the needs and interests of our communities.

On behalf of the Board of Supervisors I extend an invitation to your organization to play an important role in helping the County determine the needs and interests of the community by participating in a **PEG (Public, Educational, and Government) Access Planning Process and Community Needs Assessment**. This will help the County determine the types of PEG services that should be made available to our community such as broadband information systems, community media centers, and cable television channels.

As part of the Community Needs Assessment process, the County will conduct a series of **Focus Group Workshops**. Through these workshops input will be obtained from all segments of the community who have an interest in, or are users of the cable television communication system. Details of the Community Needs Assessment will be the subject of the Focus Group Workshops and your best opportunity for providing input on your organization's needs.

We need your help prior to the Focus Group Workshops. On October 1, 2001 from 2-4 p.m. in the Community Room of the City/County Library in San Luis Obispo we invite you to be part of this planning meeting. Community leaders are being invited to learn more about PEG and to help:

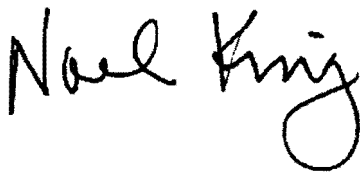
- Identify County stakeholders to participate in the focus groups;
- Advocate attendance at these focus group meetings through follow-up;
- Provide input on your organization's needs.

Please call Ellen Sturtz at the County Public Works Department, (805) 781-5239, or email esturtz@co.slo.ca.us to confirm your interest in participating in this focus group planning meeting.

Note: If you are driving, please leave ample time to park.

With your help, the County of San Luis Obispo, along with Charter Communications will bring state-of-the-art cable communications services to its residents and the community-based organizations, educational and governmental institutions of San Luis Obispo County.

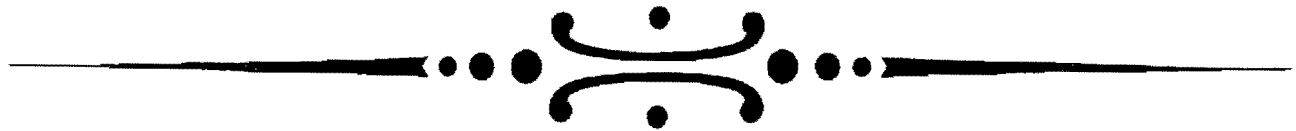
Sincerely,

A handwritten signature in black ink that reads "Noel King". The signature is written in a cursive style with a large, looping "K" at the end.

NOEL KING
Public Works Director

Enclosure

File: Community Access
L:\franchis\sep01\Invit2.doc.lnd.es



The San Luis Obispo County Department of Public Works

Is pleased to invite you to a
Public, Education and Government
Cable TV Access Meeting

Facilitated by
SUE BUSKE



October 1, 2001
2:00 p.m. to 4:00 p.m.

San Luis Obispo
City/County Library
Community Room

See Attached Invitation
(Over for more on Sue)

SUE BUSKE



President, The Buske Group, Sacramento, California (1987-Present)

The Buske Group is a highly experienced consulting firm offering a broad range of communication services to local government.

SIGNIFICANT PREVIOUS EMPLOYMENT:

Executive Director of the National Federation of Local Cable Programmers (now known as the Alliance for Community Media), a Washington, D.C. based national organization serving cities, schools, and nonprofit access corporations (1981-1987).

Executive Director, Miami Valley Cable Television Council. Responsible for all institutional and access programming. Cable regulatory officer for six-city council of government (1978-1980).

Program Director, Group W Channel 10 Dubuque, Iowa. Development of access and local origination programming (1972-1977).

PROFESSIONAL RESPONSIBILITIES:

Over 25 years of experience in the field of cable communications.

Conducted primary needs assessment process. Recent needs assessment clients include: San Jose, Ventura, Los Altos, Union City, and Contra Costa County, CA; Ann Arbor, MI; Montgomery County, MD; Tampa, FL.

Established or assisted in the establishment of numerous PEG access operations, including: Access Monterey Peninsula, CA; Santa Rosa Community Media Access Center, CA; Santa Cruz Community Access Television, CA; Grand Rapids Community Television, MI; Berkeley Community Media, CA; Multnomah Community Television, Gresham, OR; Montgomery Community Television, Rockville, MD; Access Sacramento, CA.

The Buske Group

3001 J Street, Suite 201, Sacramento, CA 95816-4400

Phone: (916) 441-6277



Low Power, Low Payoff

Every year, untold numbers of earnest conference session hours are devoted to around-the-table hand-wringing by state and local officials over the serious matter of how to bring government and citizens closer together. The goal of that increased familiarity, say the hand-wringers, is to create a more engaged and active citizenry, on the one hand; a citizenry that, not incidentally, might be more willing to support major bond issues for schools, roads and open space protection, on the other.

So along comes the federal government—that Great Satan of mandates and preemption—and hands state and local governments a gift, one that would give the complaining governments a cheap and effective vehicle for making the citizen-government connection. What happens? The states and localities never even bother to pull the wrapper off the package.

The gift in this case was the result of a hard-fought battle over low-power FM radio broadcasting, a fight that started in 1996 and dragged on until the spring of last year. Its origin was a proposal by William E. Kennard, then-chairman of the Federal Communications Commission, to grant new FCC licenses to FM radio stations broadcasting anemic signals aimed very locally, signals that could spread a message out to the community but wouldn't interfere with the noise being made by the FM big boys in the same market.

The proposal seems to have been initiated by equal parts guilt and pragmatism. On the guilt side, Kennard apparently felt some queasiness about the largely unfettered rights granted to politically high-powered FM stations under the 1996 Telecommunications Act, which blew the caps off the tight restriction on the number of stations one person or company could own in a given market. On the pragmatic side, low-power FM was already a growing phenomenon, fueled by dozens of "pirate" stations operating nationwide without FCC licenses, stations frequently devoted to down-home news, music and commentary aimed at very specific communities in a tightly defined geographical area.

Predictably, Kennard's proposal was met with a barrage of initial criticism from a mattress factory's worth of strange bedfellows. The spectacle of shock jocks, NPR and heavy metal piling under the sheets with Christian Right radio was a sight to behold.

Ultimately, though, a compromise was worked out, whereby low-power licenses would be granted to stations that were at least .4 on the FM dial away from all other conventional FM stations in a market (that is, a 90.3 could locate between an 88.9 and a 90.7).

While no detailed analysis has been done of the organizations and individuals that have applied for licenses, all it takes is a cursory buzz through the applicant lists on the FCC Web site to see who has and hasn't seized the opportunity to become more effective local communicators. And it's very obvious that state

and local governments are not even remotely prominent among those who've applied for licenses. For the most part it's been local colleges, universities and religious groups.

In an era when government officials are especially harsh in their criticism of the press for not covering government well, what better opportunity to get their word out than having a radio station devoted to the business of government? Yes, there are some state and local jurisdictions that already avail themselves of local-access cable channels. But what more natural fit for a city council or a state legislature than to broadcast over its own low-power FM station to every radio in town, turning over unused broadcast time to wider topics, such as announcements of hearings, voting and voter registration opportunities, information on pending bond issues, zoning debates and vaccination schedules.

Even in some large cities, it turns out some space remains for low-power FM: three frequencies ended up being available in Philadelphia. In Phoenix, a Spanish church has applied for the one available frequency, according to the *M Street Journal*, a bi-weekly that covers the radio world. Meanwhile, San Diego is witnessing a fierce fight for its single open frequency, and government is not among the combatants.

To date, in fact, it appears that the only governmental enti-



ties with the foresight to apply for licenses have been state transportation departments, including those in Georgia, New Mexico, New York and Vermont. They plan to use low-power FM to broadcast travel advisories.

It amounts to a sad commentary on the energy and imagination of state and local governments in telling their story, especially if state and local officials are sincere when they say they want to reconnect with the citizenry. And for a governmental interest group that in the mind of Washington is more often whining than working out its own problems, the message being broadcast here is loud and clear: The federal actions that states and localities care about are those that can be measured in money. What that attitude adds up to in this case is a significant Washington-sponsored opportunity gone with the wind.

—Jonathan Walters

CURIS PARKER

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: SEPTEMBER 19, 2001

AGENDA ITEM
SEP 19 2001
12

REQUEST FOR LANDSCAPING SERVICES

ITEM

The District has received a request from Mr. Ron Edwards to provide landscaping services for his development on Tefft Street across from the Dana Elementary School.

BACKGROUND

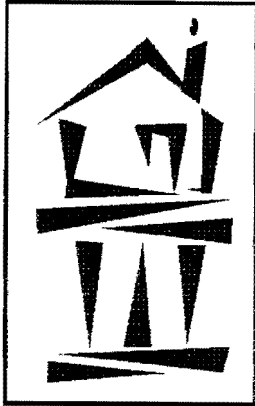
The County of San Luis Obispo is beginning to require developments to provide landscaping within the street right-of-way of developments within Nipomo. This landscaping can be maintained by 1) the County, 2) homeowner's association or 3) a local entity such as NCSD. Presently, it is believed that the latent powers that the District does not include maintenance of landscaping. Special legislation would be needed to acquire this authority. Under Section 61601.21 of the Government Code, the State Legislator has granted Jurupa Community Service District this additional purpose in their enabling power to provide such service. If the Board wishes to proceed in this matter, they may direct staff to prepare the necessary resolution and contact our State representative(s) to process legislation giving the NCSD the additional powers to provide landscaping services.

This may be appropriate for this District to look into this service due to the Olde Towne development may require landscaping and other future developments within the District and possible the center meridian of Tefft Street may require such services.

Landscaping service(s) could be funded through benefit zones.

RECOMMENDATION

If the Board wishes to proceed in this matter, they may direct staff to prepare the necessary resolution and contact our representative(s) to process legislation giving the NCSD the additional powers to provide landscaping services.



SCULPTURES

by EDWARDS

TEL. (805) 934-4163
FAX (805) 934-4863

AUGUST 15, 2001

Nipomo Community Services District
148 South Wilson Street
PO Box 326
Nipomo, CA 93444-0326
c/o Doug Jones, General Manager

Dear Doug;

I am writing to you in order that you can start the process which would allow NCS D to take on the responsibility of Landscaping with in the district. I understand that NCS D can presently only maintain water, sewer and street lighting.

Earlier this year I meet with the Nipomo Advisory Board and heard their concerns regarding the lack of or care of the landscaping along Teft Street. I agreed, at the Board's request, to go through the process of putting the landscaping responsibility with in the District. I understand that this will become an assessment on the parcels in my project, which will occur on each property owner's tax bill.

I have since found out that landscaping is not a responsibility that the District currently is allowed to do, and that you must apply to Sacramento prior to February in order that the District be given the power to take on this responsibility. I need to accomplish this if the wishes of the Advisory Board are to be meant. This is not a new concept to me since all my projects in Santa Maria are in Landscape Maintenance Districts. This is how the city of Santa Maria is able to keep it's main street's landscaping looking so nice.

I hope you can help me facilitate this as soon as possible. I need to disclose to my new homeowners what and how the landscaping will be maintain long Teft, the bike trail between lots four and five, the landscaping outside of the basin and the maintenance of the horse trail. This will be an assessment of approximately \$300 dollars a year on each property owner's tax bill.

Very truly yours,

Ron Edwards

Owner/Developer

RECEIVED

AUG 21 2001

§ 61601.21

COMMUNITY SERVICES DISTRICTS
Title 6

§ 61601.21. Adoption of additional purpose; installation or maintenance of landscaping

Notwithstanding Sections 61600 and 61601, whenever the Board of Directors of the Jurupa Community Services District determines, by resolution, that it is feasible, economically sound, and in the public interest for the district to exercise its powers for the purpose of installing or planting and maintaining landscaping within public street rights-of-way or easements within the district, the board may adopt that additional purpose by resolution, and thereafter the powers of the district may be exercised for that purpose. The district shall, for the purpose of installing or planting and maintaining landscaping, be authorized to provide for and accomplish that purpose through proceedings pursuant to the Landscaping and Lighting Act of 1972 (Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code).

(Added by Stats.1989, c. 104, § 3.)

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: SEPTEMBER 19, 2001



NIPOMO AREA ACTIVITIES

ITEM

Review local activities in the Nipomo area, such as Creek Day October 6th and Mesa Clean Up Day October 20th.

BACKGROUND

At the regular Board meeting held on September 5, 2001, the Board was interested in discussing the activities in the Nipomo area such as:

- Creek Day - October 6th
- Mesa Clean Up Day - October 20th.

The Board may consider some financial assistance for the Mesa Clean Up Day October 20th. Financial assistance may be funded from the District's Solid Waste Fund Account, if there is a benefit to the District residents.

RECOMMENDATION

Direct staff on how the Board may wish to proceed.

Board 2001\Activities.DOC

Nipomo Clean Up Phase II for portions of the west side of Nipomo will be held October 20 & 21. Volunteers are needed!! Tell us where the trash is. Phone Jim Kinninger at 929-4499 or email jimk@charter.net, or Marie Cowan, Code Enforcement Investigator, SLO Co. Planning at 781-5704 or email macowan@co.slo.ca.us.

2nd Annual

Nipomo Creek Celebration & Clean Up

Join Us! Learn about the Nipomo Creek Watershed and how it relates to you. Creek Day is a great opportunity to meet local creek experts and learn how we all benefit from clean water.

Take an active approach! Participate in a Creek Clean-up. Participants will go in groups throughout the creek to hunt for trash and prizes. Bring your gloves, sturdy shoes, water and the whole family. We can make a difference. FREE lunch for all volunteers!!

Nipomo Creek

South side of Teft St.-Next to Casa Grande Plaza (Proposed Jim Miller Park)

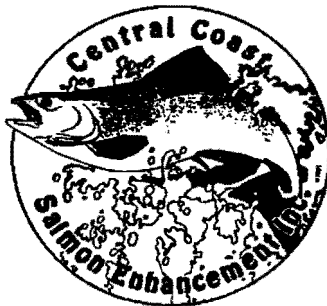
October 6th

Saturday

10:00 AM to 2:00 PM

For more information call 473-8221

Sponsored by:



Nipomo Community Clean Up

P.O. Box 433 Nipomo, CA 93444 ~ (805) 929-4499 ~ jimk@charter.net

Phase II Clean Up—West Side Nipomo

In cooperation with Olde Towne Nipomo Association

Saturday, October 20 & Sunday, October 21 from 8:30 AM to 3:30 PM

The Community Clean Up Day is an ideal opportunity to:

- Get rid of your unwanted junk, trash and old cars — Free!
- Help volunteers haul away junk from open space areas
- Improve property values through community pride

YES! YES!

Appliances, Furniture,
Junk, Trash, Tires and
Vehicles (see below)

No! Sorry...

Green Waste, Hazardous Waste (paint, pesticides, car batteries, motor oil, etc.)
These items can be disposed of at the landfill for a fee.

For more information, please contact Jim Kinninger (929-4499 or jimk@charter.net)

Want to get rid of an old vehicle and save \$89 or more?

You must call Marie Cowan (781-5704), SLO County Planning Department, to sign up by October 6. Have the pink slip, registration or VIN ready when you call. Towing may be available on a limited basis.

Enforcement: After Clean Up Day, the county will do enforcement of property that is not in compliance with the county Land Use Ordinance Title 22. *This could cost you money!*

Bring your stuff to these disposal sites:

- 1) Eucalyptus Road and Viva Way
- 2) Arriba Place and Highway 1
- 3) Via Concha and Willow Road *

* Vehicle, tire and metal disposal is at Via Concha and Willow Road Only!

All donations to the Nipomo Community Clean up Committee are tax deductible and greatly appreciated.



~ Corporate Sponsor ~

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: SEPTEMBER 19, 2001

AGENDA ITEM
SEP 19 2001



WATER RESOURCES vs. GROWTH

ITEM

Review an article in the local paper that the water will-serve authority controls growth with respect to water resources.

BACKGROUND

At the regular Board meeting held on September 5, 2001, the Board briefly discussed comments printed in the local paper from SLO Board Supervisor, Achadjian (Katcho). The comment was "Regardless of what the Board of Supervisors does, the Cambria Community Services District has control of the water will-serve authority which controls growth according to water resources." The NCSD Board felt that the land use powers are the prominent controlling growth mechanism and that the Board may wish to respond to the article in the Telegram-Tribune.

RECOMMENDATION

Staff is asking for direction in this matter.

Board 2001\Growth article.DOC

DEVELOPME

County Board of Supervisors

These are the responses by county supervisors to five questions posed by The Tribune concerning a review by the



Mike Ryan

state Coastal Commission of the county's coastal land-use policies. No responses were received from Supervisor Mike Ryan.

QUESTION 1 Do you agree with the Coastal Commission's recommendation to return the Hearst Ranch to agricultural zoning and limit development to San Simeon Acres and San Simeon Village? Please explain.

Katcho Achadjian:

I would like to see the Hearst Ranch retain its current zoning. It is important that the very small amount of prime agricultural lands located on the ranch remain in agricultural zoning but these prime agricultural areas are not slated for any development. I do not support development on San Simeon Point or in the pine forest, and in regards to development in San Simeon Acres and San Simeon village, I would like to keep the options open and see what plans are presented before making a decision.

Shirley Blanchi:

This is really three questions in one.

(a) A change of zoning is a quasi-judicial action on the part of either the Planning Commission or the Board of Supervisors. Because of that designation, for a member of the Commission or the Board to state publicly where one stands would give grounds to the applicant to require the member to step down on the basis that the applicant could not receive a fair and impartial hearing.

(b) Development adjacent to

San Simeon Acres has not received public review by the residents of San Simeon Acres. What do they want for their community?

(c) If San Simeon Village is old San Simeon, I would have to see what is being proposed. There has been no development plan application submitted to County Planning.

Harry Ovlitt:

Questions 1 and 2 ask that I take a position on issues before all of the relevant information has been presented. To do so would not only be foolish (i.e. make a decision based on my "feelings" rather than on the "facts"), but might also be used by my proponents/opponents to show prejudice in whatever decision is ultimately made.

Peg PInard:

It is important to know what are the valid underlying rights existing on the property. An agency, no matter how well intentioned, can't just take that away. Any changes need to be worked out with the property owner.

QUESTION 2 Do you agree with the Coastal Commission's recommendation to impose a development moratorium on Cambria after Jan. 1, 2002 unless a water management plan is implemented and other steps are taken? Please explain.

Katcho Achadjian:



Katcho Achadjian

I support keeping a 1 percent growth rate in Cambria in order to give those on the waiting list a slim hope that someday they might be able to build their

dream home. Regardless of what the Board of Supervisors

does, the Cambria Community Services District has control of the water will-serve authority which controls growth according to water resources.

Shirley Blanchi:

It is well known that Cambria has a major problem with water supply. The staffs of the Services District and County Planning are in the very beginning of information exchanges on this issue.



Shirley Blanchi

Harry Ovlitt:

2. Same as above.

Peg PInard:

Each community within our county has issues related to the management and use of their local resources. It is this county's responsibility to work with the local residents of each of these communities to define what is most feasible and responsible for their community. I have difficulty with any state agency "imposing" its will over a local community. What is most interesting about this question is that there is another agency, the State Housing and Community Development (HCD), which dictates that communities have to grow regardless of whether or not they have the resources. And, if they fail to do so HCD will impose fines on that community. Here we will probably have two state agencies giving conflicting "impositions"?

QUESTION 3 Do you think your board and the Coastal Commission will be able to reach agreement on updating the county's Local Coastal Plan?

AGENDA ITEM

SEP 19 2001



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 19, 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 September 5, 2001 Special Board meeting
- F-3) ACCEPTANCE OF IMPROVEMENTS
CO-97-0231 (Bonita Homes) [RECOMMEND APPROVAL]
- F-4) ACCEPTANCE OF IMPROVEMENTS
Tract 2278 (Bonita Homes) [RECOMMEND APPROVAL]



WARRANTS SEPTEMBER 19, 2001

SEP 19 2001

HAND WRITTEN CHECKS

18465	09/04/01	POSTMASTER	358.45
18466	09/04/01	POSTMASTER	31.83
18467	09/06/01	POSTMASTER	69.76
18468	09/12/01	POSTMASTER	755.34
18469	09/12/01	SLO RECORDER	25.00

VOID NONE

COMPUTER GENERATED CHECKS

6201	09/04/01	EMP01	EMPLOYMENT DEVELOP DEPT	434.93
6202	09/04/01	MID01	MID STATE BANK	1982.35 430.36
			Check Total.....:	2312.71
6203	09/04/01	MID02	MIDSTATE BANK - DIRECT DP	12744.07
6204	09/04/01	SIM01	DEBRA SIMMONS	150.00
6205	09/04/01	STA01	STATE STREET GLOBAL	935.00
6206	09/05/01	\G002	GREEK ORTHODOX CHURCH,	37.69
6207	09/05/01	\K001	KENGEL CONSTRUCITON,	459.76
6208	09/05/01	\K002	KING VENTURES,	444.87
6209	09/05/01	\R001	RICK'S TREE SERVICE,	462.60
6210	09/19/01	ALP01	ALPINE LINING LIMITED	2680.00
6211	09/19/01	BLA01	ROBERT L BLAIR	100.00
6212	09/19/01	BLU01	BLUEPRINT EXPRESS	33.11
6213	09/19/01	COR01	CORBIN WILLITS SYSTEMS	520.00
6214	09/19/01	COU01	COURIER SYSTEMS	100.00
6215	09/19/01	CRE01	CREEK ENVIRONMENTAL LABS	30.00 30.00 60.00
			Check Total.....:	120.00
6216	09/19/01	FGL01	FGL ENVIRONMENTAL	44.80 44.80 44.80 44.80
			Check Total.....:	179.20
6217	09/19/01	FIR01	FIRST AMERICAN REAL EST	101.07
6218	09/19/01	GAS01	GAS HEATING & COOLING INC	126.42
6219	09/19/01	GIL01	GLM	217.00
6220	09/19/01	GRO01	GROENIGER & CO	304.63 374.50 3575.41
			Check Total.....:	4254.54
6221	09/19/01	MCI01	MCI WORLD COM	31.38 2.61
			Check Total.....:	33.99
6222	09/19/01	MIS01	MISSION UNIFORM SERVICE	246.67
6223	09/19/01	MOB01	RICHARD MOBRAATEN	100.00
6224	09/19/01	NIP01	NIPOMO ACE HARDWARE INC	87.69
6225	09/19/01	NIP02	NIPOMO GARBAGE	14.55
6226	09/19/01	NIP03	NIPOMO SHELL	760.53
6227	09/19/01	PIO01	PIONEER EQUIPMENT CO	87.65
6228	09/19/01	REY01	CARLOS J. REYNOSO, CPA	1062.50
6229	09/19/01	SAI01	SAIC	16619.02

6230	09/19/01	SAN04	SANTA MARIA TIMES	36.00
6231	09/19/01	SHI01	SHIPSEY & SEITZ, INC	8112.00
6232	09/19/01	SPE02	SPECIAL DISTRICT FINANCI	1500.00
6233	09/19/01	THE01	THE GAS COMPANY	949.34
6234	09/19/01	TRO01	TROTTER, CLIFFORD	100.00
6235	09/19/01	USA01	USA BLUEBOOK	473.02
6236	09/19/01	VER02	VERIZON WIRELESS	29.98
6237	09/19/01	WIN01	MICHAEL WINN	100.00
6238	09/19/01	WIR02	WIRSING, JUDY	100.00

12

NIPOMO COMMUNITY SERVICES DISTRICT
MINUTES

September 5, 2001

DRAFT

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

SEP 19 2001

BOARD MEMBERS

ROBERT BLAIR, **PRESIDENT**
RICHARD MOBRAATEN, **VICE PRESIDENT**
MICHAEL WINN, **DIRECTOR**
JUDITH WIRSING, **DIRECTOR**
CLIFFORD TROTTER, **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, all Board members were present.

C. PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

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

President Blair opened the meeting to Public Comments.

There was no public comment.

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

D-1) KENNEDY/JENKS CONSULTANTS - DRAFT REPORT ON SUPPLEMENTAL WATER

Presentation by Lynn Takaichi of Kennedy/Jenks - Evaluation of Water Supply Alternatives for the Nipomo CSD

Lynn Takaichi of Kennedy/Jenks presented the draft report, "Evaluation of Water Supply Alternatives for the Nipomo CSD." It was suggested that several alternatives be integrated and priorities be set on each.

The following members of the public spoke in favor finding a sustainable water supply:

Bill Robertson, 292 Curtis Place, Arroyo Grande

George Layman, 2025 Halcyon Rural Arroyo Grande

Vince McCarthy, 194 E. Dana, Nipomo

Jessie Hill, 1910 Grant, Arroyo Grande

Evan Evanoff, 490 Brytec, NCAC Water Quality Committee member

John Wallace, John Wallace and Associates - has a report from the SLO South County Sanitation District he would share with the District.

Director Wirsing made a motion to direct the consultant to finalize the report and update it as necessary and once the report comes back, the Board will hold a study session to review the report and direct staff how they wish to proceed. Director Winn seconded the motion. Vote 5-0

D-2) MITIGATED ENVIRONMENTAL NEGATIVE DECLARATION - TEFFT ST WATER LINE PROJECT
Public Hearing - Consideration of a Mitigated Negative Declaration on construction project

District Engineer, Jim Garing of Garing, Taylor and Associates explained the CEQA Public Hearing and consideration of a Mitigated Negative Declaration for the Tefft Street water line project and the permitting requirements.

There was no public comment.

Upon motion of Director Winn and seconded by Director Trotter, the Board unanimously adopted Resolution No. 2001-785.

RESOLUTION NO. 2001-785

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

DRAFT

E. OTHER BUSINESS

- E-1) REVIEW DRAFT WOODLAND SPECIFIC PLAN SUPPLEMENTAL EIR REPORT
Review District's comments on the draft supplemental EIR report

The Board reviewed the draft Woodland Specific Plan Supplemental EIR Report.
The following members of the public spoke:

George Layman, 2025 Halcyon, Rural Arroyo Grande - Would like to send NCSD sewer water to Woodland Golf Course.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to send the comments included in the draft letter to John McKenzie, SLO County Planning and Building Department concerning the Woodland Specific Plan Supplemental EIR Report.

[Director Trotter requested that his comments be placed into the minutes. He commented that the report's definition of an overdraft is astounding. The text of this erroneous and inaccurate report could possibly be used for future developments and could compound this District's problems in the future. This report has far-reaching implications and it reflects the philosophy of the County. All government is predicated on growth and development and it is evident the County wants to continue with the overdraft as they have shown in the past.]

- E-2) CEQA REVIEW OF THE MONTECITO VERDE II SEWER TIE-IN PROJECT
Set a Public Hearing for October 17, 2001 to review a Negative Declaration for MVII Sewer Project

There were no public comments.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to set a Public Hearing for October 17, 2001 to review a Negative Declaration for Montecito Verde II Sewer Project.

Director Trotter left the 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]

Minutes of August 15, 2001 Special Board meeting

Minutes of August 15, 2001 Regular Board meeting

There was no public comment.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved the items on the Consent Agenda. Vote 4-0 with Director Trotter absent for the vote.

G. MANAGER'S REPORT

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

- G-1) The attached articles are for the Board's information

- Affordable Housing
- Septic Tanks Seepage
- Water Rates

- G-2) Semi-Annual CA-NV AWWA Conference

H. DIRECTORS COMMENTS

CLOSED SESSION

Legal Counsel, Jon Seitz announced there was no need to go into Closed Session.

ADJOURN

President Blair adjourned the meeting at 12:45 p.m.

The next regular Board meeting will be held on September 19, 2001.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: SEPTEMBER 19, 2001

AGENDA ITEM
SEP 19 2001



ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS
PARCEL MAP CO 97-0231
BONITA HOMES

ITEM

Acceptance of water and sewer improvements for a 4-lot development, known as Parcel Map CO 97-0231.

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Bonita Homes) for a 4-lot development, known as Parcel Map CO 97-0231 on Melanie 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-Melanie, accepting the water and sewer improvements for this project.

Board 2001\Accept Melanie.DOC

RESOLUTION NO. 2001-Melanie

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR PARCEL MAP CO 97-0231 (BONITA HOMES)**

WHEREAS, the District approved and signed the construction plans on April 19, 1999 for the water and sewer improvements to be constructed on Melanie Lane; and

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

WHEREAS, on May 11, 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 Parcel Map CO 97-0231 (Bonita Homes).

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 for Parcel Map CO 97-0231 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 19th day of September 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

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: SEPTEMBER 19, 2001

AGENDA ITEM
SEP 19 2001



ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS
TRACT 2278
BONITA HOMES

ITEM

Acceptance of water and sewer improvements for a 6-lot development, known as Tract 2278.

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Bonita Homes) for a 6-lot development, known as Tract 2278 on Melanie 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-Tr 2278, accepting the water and sewer improvements for this project.

Board 2001\Accept Tr 2278.DOC

RESOLUTION NO. 2001-Tr 2278

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR TRACT 2278 (BONITA HOMES)**

WHEREAS, the District approved and signed the construction plans on April 19, 1999 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 May 11, 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 Tract 2278 (Bonita Homes).

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 for Tract 2278 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 19th day of September 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

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 19, 2001

AGENDA ITEM
SEP 19 2001



MANAGERS REPORT

REVIEW ORDINANCE - BILLING PROCEDURE

ITEM

Review billing procedures - multi units with a single meter - account in tenant's vs. owner's name

BACKGROUND

At several locations in the District, there are cases where one meter serves two or more units. Problems arise when the landlord requires the account to be put in one tenant's name and the tenants are to share the bill. When one tenant is delinquent in paying the bill, both tenants are in jeopardy of having the water turned off and penalty charges added. To eliminate this problem, it is recommended that the account with this situation be kept in the owner's name or a separate meter set for each unit.

RECOMMENDATION

Staff recommends that the Water Committee meet and review the District's billing procedures.

Board 2001\Billing proc.DOC