

NIPOMO COMMUNITY SERVICES DISTRICT

AGENDA

November 7, 2001

REGULAR MEETING 9:30 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

*John
Douglas*

84
1680
150
1830

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) WATER SUPPLIES AND TRANSFERS - DICK MOSS

Mr. Moss review of California water supplies and transfers

D-2) HAZARDOUS WASTE COLLECTION - INTEGRATED WASTE MANAGEMENT AUTHORITY

Review proposed location of hazardous waste collection site and agreement approval

D-3) REVIEW SERVICES AND THE PROJECT DESCRIPTION FOR PROPOSED ANNEX. No. 20 TRACT 1808 CONDITIONS -MARIA VISTA

Review the number of lots to be served in Tract 1808 and approve the project description

D-4) ENVIRONMENTAL REVIEW OF INFRASTRUCTURE TO TRACT 1802, 1808 & 1856, MARIA VISTA
Set Public Hearing - 12/12/01 to review draft Initial Study/Mitigated prop Anx. No. 20- Maria Vista Dev

D-5) ANNEXATION NO. 21 - TRACT 2325 - KNOLLWOOD

Waiver of protest proceeding for annexation No. 21

E. OTHER BUSINESS

E-1) SURPLUS EQUIPMENT

Authorize the disposal of obsolete District equipment and items

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 October 17, 2001 Regular Board meeting

F-3) FIRST QUARTER FINANCIAL REPORT (JULY-SEPT, 01)

F-4) PROPERTY TAX EXCHANGE FOR ANNEXATION NO. 20 - MARIA VISTA

Approve property tax exchange with SLO County on proposed Annexation No. 20

F-5) PROPERTY TAX EXCHANGE FOR ANNEXATION NO. 21 - KNOLLWOOD

Approve property tax exchange with SLO County on proposed Annexation No. 21

F-6) ACCEPTANCE OF IMPROVEMENTS - CO 99-0115 (SAV ON DRUG)

Accepting water and sewer improvements for a commercial dev. on Tefft Street

G. MANAGER'S REPORT

1. CSDA LEGISLATIVE UPDATE

2. GENERAL PLAN AMENDMENT - BRAND (Notice of Preparation of Draft EIR)

H. DIRECTORS COMMENTS

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC\$54956.9

a. SMVWCD vs NCSA Santa Clara County Case No. CV 770214 and all consolidated cases.

b. NCSA vs State Dept of Health Services CV 990716

c. Holliday/Hill vs NCSA CV 010563

ADJOURN

A Special Board meeting will be held on November 9, 2001. Study Session on supplemental water.

The regularly scheduled Board meeting for November 21, 2001 has been canceled.

The next regular Board Meeting will be held on November 28, 2001.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: NOVEMBER 7, 2001

AGENDA ITEM
NOV 07 2001



WATER SUPPLIES AND TRANSFERS
DICK MOSS

ITEM

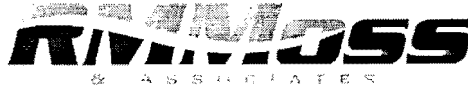
Mr. Dick Moss to review California water supplies and transfers

BACKGROUND

Director Trotter is a friend of Dick Moss and has contacted him to present some information to the Board of possible water supplies and transfers in California.

Attached for the Board's review is Mr. Moss' resume.

Board 2001\Water supplies.DOC



Richard M. Moss

169 East Pine Street,
Exeter, California 93221
Phone: (559) 592-2860, Fax: (559) 592-2780
Cell: (559) 280-7410, E-mail: RMoss@RMMoss.com

SUMMARY: Over twenty-five years of experience in agricultural engineering, civil engineering, water resources planning and policy development, major conveyance facility operation and maintenance, government relations, contract/agreement development, organizational management and agricultural water conservation. Excellent communicator, both oral and written. Excellent facilitator, working well with large groups of diverse interests.

EDUCATION: **California State Polytechnic University**, San Luis Obispo, California
B.S., Agricultural Engineering

University of California, Davis, California
Coursework completed toward a masters of engineering, Civil Engineering

California Agricultural Leadership Program, Templeton California
Graduate, Class XX, Agricultural Education Foundation

EXPERIENCE:

September 2001 to Present **Principal Engineer/Owner, RMMoss and Associates**, Exeter California. Assisting local and regional water agencies and others in the development of water management plans, programs, and funding to meet current and future water needs.

1986 to September 2001 **General Manager, Friant Water Users Authority**, Lindsay California. Responsible to a 25-member board of directors of member agencies providing water to one million acres of farmland within the Friant and Cross Valley divisions of the Central Valley Project. Supervising a staff of 62 full-time employees. Developed the organization, including hiring of all employees, establishment of policies, procedures and contracts necessary for the assumption of operation and maintenance responsibilities for the Friant-Kern Canal, a 152 mile long major water conveyance facility in the San Joaquin Valley of California, from the U.S. Bureau of Reclamation. Focus of communication and implementation of Board policy on

water right and water policy issues to state and federal agencies, legislators and the public. Provided technical and policy input into the negotiation and renegotiation of water service contracts for member agencies with the U.S. Bureau of Reclamation. Negotiated the San Joaquin River Agreement (VAMP) on behalf of member agencies settling the obligation to provide water flow to meet the requirements of the 1995 Bay/Delta Water Quality Control Plan for the San Joaquin River. Negotiated the interim settlement of litigation regarding the restoration of the San Joaquin River below Friant Dam including the development, implementation and funding of a work plan for a restoration study, water supply study and pilot projects. Worked closely with federal agencies and stakeholders in the implementation of numerous aspects of the Central Valley Project Improvement Act. Provided input into numerous aspects of the CalFed Program including participation in various Ag/Urban forums. Developed a principles agreement and work plan for the study of water quality exchanges between member agencies and Metropolitan Water District of Southern California. Testified on numerous occasions before state and federal legislative and regulatory bodies and provided expert testimony in litigation regarding water use within the Friant Division of the Central Valley Project.

1982 to 1986

Engineer-Manager, Orange Cove Irrigation District, Orange Cove, California. Responsible to a 5-member board of directors providing water to 26,000 acres of high-value farmland. Oversaw the operation and maintenance of a fully pipelined irrigation district, including initiating a program of system upgrade and replacement. Provided contract negotiation and engineering input into the construction of hydroelectric facilities on Friant Dam and the Friant-Kern Canal. Provided agreement development and technical input into the creation of the Friant Water Users Authority.

1979 to 1982

Staff Engineer, Lower Tule River Irrigation District, Woodville, California. Responsible to the Engineer-Manager of a district providing water to 200,000 acres of primarily row crop farmland. Provided management and engineering services, including overseeing the implementation and installation of data processing equipment, design of water control and conveyance structures and the operation and maintenance of an open channel water delivery system. Oversaw the creation of an improvement district for financing the construction of new facilities. Served as district assessor and collector.

Richard M. Moss

Page -3-

1975 to 1979

Water Management Specialist, Staff Engineer, U.S. Department of Agriculture, Soil Conservation Service, Davis, Bakersfield and Fresno, California. Held various engineering and water management/conservation related positions providing engineering design, and technical water management/conservation assistance. Designed water conveyance, water storage, irrigation systems, water measurement systems and water conservation programs for agricultural water users. Developed concepts for mobile lab water conservation program. Worked closely with growers and directors within various resource conservation districts. Provided engineering design and construction management services for natural channel restoration and re-vegetation under emergency repair programs following the devastating floods of 1978 in Kern County.

1974 and 1975

Engineering Intern, Kern County Water Agency, Bakersfield California. Provided flood control analysis of minor stream groups within Kern County including a report on potential alternatives for flood damage relief of the Southern Stream Group. Provided analysis of flood hazard potential for new development proposals.

PROFESSIONAL

REGISTRATION: Registered Profession Civil Engineer, California

APPOINTMENTS:

- Central Valley Project Water Association, member, Board of Directors;
- Central Valley Project Water Association, chairman, Operations Committee and member Financial Affairs Committee;
- San Joaquin River Group Water Authority, member, Management Committee;
- Association of California Water Agencies, chairman, Federal Projects Sub-Committee and member, Federal affairs Committee;
- Association of California Water Agencies, member, Legislative Committee;
- Family Farm Alliance, chairman, Advisory Committee;
- Central Valley Project Authority, chairman, Operations Review Committee;
- Friant Power Authority, member, Technical Advisory Committee;
- Upper San Joaquin River Water and Power Authority, member, Technical Advisory Committee

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: NOVEMBER 7, 2001

AGENDA ITEM
NOV 07 2001



INTEGRATED WASTE MANAGEMENT AUTHORITY (IWMA)
HAZARDOUS WASTE COLLECTION SITE AND AGREEMENT

ITEM

Review the proposed hazardous waste collection site to be established by the Integrated Waste Management Authority (IWMA) and approve an agreement.

BACKGROUND

The IWMA is in the process of establishing a hazardous waste collection site in the Nipomo area. The proposed collection site would be at the entrance to the NCSD field yard on Southland Street. Attached for the Board's review is the proposal and agreement from IWMA. The proposal consists of pouring a concrete slab near the entrance of the shop area, establishing modular container facilities to collect and store the waste, and periodically dispose of the waste off-site. IWMA will contract with ECO-SLO Systems to operate the facility which will be open Saturdays from 11:00 a.m. to 3:00 p.m.

RECOMMENDATION

Staff recommends that your Honorable Board approve the proposed site and the attached agreement which allows IWMA to proceed with establishing a hazardous waste collection facility in Nipomo.

RESOLUTION 2001-Haz Waste

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING HAZARDOUS WASTE COLLECTION AGREEMENT WITH
INTEGRATED WASTE MANAGEMENT AUTHORITY**

WHEREAS, the District recognizes the need to have a hazardous waste collection site in the Nipomo area, and

WHEREAS, the Integrated Waste Management Authority (IWMA) has made a proposal to establish a site next to the District yard, and

WHEREAS, staff and the Board of Directors have reviewed the proposal and agreement from IWMA to provide this service

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

1. That the agreement with Integrated Waste Management Authority (IWMA) to establish a hazardous waste collection site in Nipomo is approved.
2. That the President of the Board is instructed to execute the agreement on behalf of the District.

Upon 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 7th day of November, 2001.

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

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: NOVEMBER 7, 2001

AGENDA ITEM
NOV 07 2001



REVIEW SERVICES FOR TRACT 1808 AND PROJECT DESCRIPTION
MARIA VISTA

ITEM

Review the Board's previous condition of providing service to a limited number of lots.

BACKGROUND

At the regular Board meeting held on October 3, 2001, your Honorable Board considered the annexation of the Maria Vista development, Tract 1802, 1808 and 1856, previously known as The Bluffs. During that meeting, the Board approved an amendment to the annexation agreement to include Tract 1808, conditioned upon 21 lots and selection of a consultant to do the environmental review. Since NCSD does not have land use powers, it has been suggested that the County should be the agency establishing the numbers of lots in a subdivision. It is possible, during their planning review of Tract 1808, the County may approve a number of lots greater or less than 21 lots the Board has indicated for service.

The project description was presented to your Honorable Board at the Board meeting of October 3, 2001. The Board may have conceptually approved the project description as presented by EDA on October 3rd but formal approval is requested as indicated in the District's annexation policy and agreement.

RECOMMENDATION

Your Honorable Board may wish to reconsider the District's position of providing service to a certain number of lots in Tract 1808.

Staff recommends that your Honorable Board approve the project description for Tracts 1802, 1808 & 1856 of the proposed Annexation No. 20 including the two map exhibits.

MINUTES -- OCTOBER 3, 2001
Page 2 of 3

- D-3) PROPOSED ANNEXATION NO. 19 - LMUSD HIGH SCHOOL AREA
To annex approx. 77 ac. off N. Thompson Rd. - Request by Lucia Mar Unified School District

The Board reviewed the proposed Annexation #19, a 77-acre site for the Nipomo High School
The following members of the public spoke:

Jesse Hill, 1910 Grant Ave, Arroyo Grande - Stated that the newspaper reported a 177-acre site. Mr. Jones said it was a typo.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved Resolution 2001-789 conditionally approving annexation of 77 acres for LMUSD. Vote 5-0.

**RESOLUTION NO. 2001 - 789
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
CONDITIONALLY APPROVING THE LUCIA MAR SCHOOL DISTRICT'S REQUEST
TO ANNEX APPROXIMATELY 77 ACRES**

- D-4) PROPOSED ANNEXATION NO. 20 - MARIA VISTA - TRACTS 1802, 1808 & 1856 - (BENHAM)

To annex approx. 124 acre dev. near the Santa Maria Speedway (formerly The Bluffs)

Amending the existing District annexation agreement to include Tract 1808

Acquiring consultant service to perform initial environmental review

The Board reviewed a progress report on the proposed Annexation No., 20.

The following members of the public spoke:

Jesse Hill, 1910 Grant Ave, Arroyo Grande - Asked about a CEQA review

Herb Kandel, 776 Inga Rd, Nipomo - Would like to insure the community that this project would not be growth inducing. Would like to see more study go into the development.

Vince McCarthy, 194 E. Dana, Nipomo - against project

The Board discussed the project. Director Wirsing made a motion to deny the annexation project. Motion failed for lack of second.

Eric Benham, developer of Maria Vista Development, answered questions from the Board.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved the amended Annexation Agreement to include Tract 1808 conditioned upon 21 lots.

Vote 4-1 with Director Wirsing voting no.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved Resolution No. 2001-790 for Douglas Wood to prepare an environmental review (CEQA) for the Maria Vista Dev. Vote 4-1 with Director Wirsing voting no.

**RESOLUTION 2001-790
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING DOUGLAS WOOD & ASSOC. TO PREPARE
AN INITIAL ENVIRONMENTAL REVIEW FOR THE MARIA VISTA DEVELOPMENT**

- D-5) PROPOSED ANNEXATION NO. 21 - KNOLLWOOD - TRACT 2325 - (MARTIN)
To annex approx. 160 acres, 55 lot development on Willow Rd. across from Black Lake Golf Course

Jon Martin, developer of Tract 2325, 330 E. Canon Perdido St. Santa Barbara - addressed the Board and answered questions.

The following members of the public spoke:

John Snyder, 662 Eucalyptus Rd., Nipomo - Suggested using sewer at Black Lake

Herb Kandel, 776 Inga Rd., Nipomo - Supports this annexation

Upon motion of Director Winn and seconded by Director Mobraaten, the Board approved the annexation agreement with Jon Martin, Martin-Farrell Homes, Inc. for Tract 2325. Vote 5-0.



ENGINEERING
DEVELOPMENT
ASSOCIATES

PROJECT DISCIPTION
For
TRACTS 1802, 1808 & 1856 ANNEXATION

Tracts 1802, 1808 and 1856 are residential developments with 52, 38, and 25 lots respectively. They are located at the south end of Nipomo, west of the Santa Maria Speedway. Access to the sites is from Moss Lane, from Hutton Road, and Santa Maria Vista Road from the west.

At this time, tract 1808 is being reconsidered by the County Planning Department for a reduced density of 21 lots. The reason for this review is due to bluff top erosion last winter at the west end of tract 1808. However, for purposes of water calculations, the approved density of 38 lots is being used until the County Board of Supervisors acts of this matter.

The water network includes 8" mains with water services to each lot. Fire hydrants have been located at the direction of the California Department of Forestry. All construction for water improvements will adhere to NCSD standard details and specifications.

The water source will be delivered by NCSD via a water main extension from Southland Street, along Orchard Ave. to Joshua and then Santa Maria Vista. Two wells, identified as the Dana Wells and located off Camino Caballo, will be completed, i.e. pumps, power, etc. and contributed to the NCSD system to offset water use from the three tracts.

The total water consumption calculated for the three tracts is based on data from the 1995 Water-Sewer Master Plan, prepared by Boyle Engineering. The report provides a daily demand of 540 gal/lot-day, and when multiplied by 115 lots for the three tracts equals 62,100 gal/day, or 69.5 acre-feet/year.

Sewage is conveyed through a pipe network predominately following the road system, and includes manholes, cleanouts and 4" laterals to each home. All construction will adhere to NCSD standard details and specifications.

The sewer main terminates at a deep manhole in Moss Lane near the existing six homes. Sewage is lifted via a pump into a battery of septic tanks and dosing tanks, and gravity feeds to leach fields.

The leach fields are comprised of standard trenches, three feet wide x five feet deep. Two hundred percent (200%) will be constructed with an additional 100% area set aside for expansion. Total sewage flow to the leach fields equals approximately 60% of the water consumption. Therefore, sewage flow to the leach fields is 37,000 gal/day.

The storm water system consists of drop inlets and pipes delivering runoff to on-site retention basins. The volume of storage has been designed to meet the County Engineering requirements for containing a 50-year event for 10 hours.

The three tracts also include a park site, open space and lighting. All of these improvements and amenities, i.e. sewer, water, storm water storage, open space, park site, and lighting, will be under the jurisdiction and maintained by NCSD.

PLANNING ▪ CIVIL ENGINEERING ▪ LAND SURVEYING

1320 NIPOMO ST. ▪ SAN LUIS OBISPO, CA 93401 ▪ 805-549-8658 ▪ FAX 805-549-8704
744 OAK ST. ▪ PASO ROBLES, CA 93446 ▪ 805-237-1033 ▪ FAX 805-237-3797

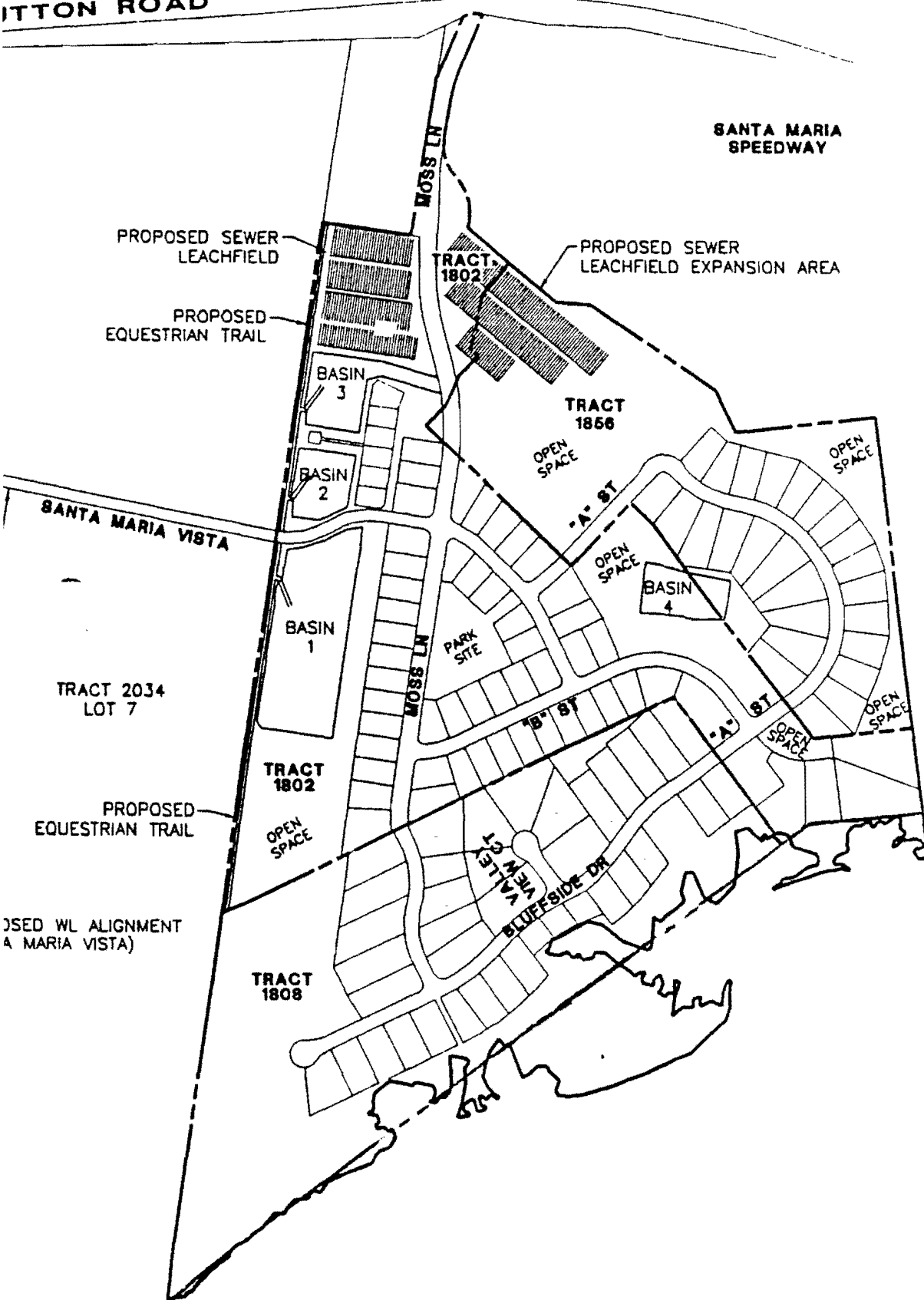
Copy of document found at www.NoNewWipTax.com

U.S. HIGHWAY 101

ITTON ROAD

SANTA MARIA SPEEDWAY

ANNEXATION EXHIBIT
TRACTS 1802, 1802, & 1856
NIPOMO, CALIFORNIA



SCALE: 1"=500'

REVISIONS		
DATE	DESCRIPTION	APPROVED
08.22.01	EXHIBIT CREATED	
09.27.01	ADDED TRACT 1808	

PREPARED BY:

EDA
ENGINEERING
DEVELOPMENT
ASSOCIATES

1200 NIPOMO STREET SAN LUIS OBISPO, CA 94901 805/940-0066
744-B GALE STREET PASO ROBLES, CA 92366 805/757-3033

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

AGENDA ITEM (D 4)
OCT 03 2001

PROPOSED ANNEXATION NO. 20 - MARIA VISTA
TRACTS 1802, 1808 & 1856 - (BENHAM)

ITEM

Progress report on Annex. No. 20 - Maria Vista (formerly The Bluffs) approx. 124 acres near the Santa Maria Speedway and acquiring consultant services for the environmental review.

BACKGROUND

The developer, Mr. Eric Benham, has requested annexation of Tracts 1802 and 1856 to provide water, sewer, drainage, lighting and possibly park service to his development. Attached is the project description and maps showing the location of the project. The developer has proposed to complete the two Dana Wells on Camino Caballo at his cost, which would supply sufficient water for his proposed development. The District's engineer, Jim Garing, will evaluate the District's infrastructure for these wells to deliver water to the project. The District has requested a proposal from Douglas Wood and Associates to do the CEQA review of this project. The wastewater will have a standard sewer collector system going to an on-site disposal system consisting of adequate capacity disposal field for this project. Lighting, drainage and possibly park service could be funded through a benefit district created for this project. For park service, the District will need to ask LAFCO for the inherent power to proceed in this manner.

The LAFCO application includes Tract 1808 which has been added to this annexation request. The Board may approve, deny or condition the addition of Tract 1808.

For the Board's information, the developer may receive services from the following:

- Nipomo Community Services District for all services
- Homeowner's Association
- California Cities Water for water & Homeowner's Association for sewer and others

Once the CEQA and engineering reports are completed a public hearing will be scheduled to review this development and proposed annexation.

RECOMMENDATION

Staff recommends that the attached Res. No. 2001-Wood be approved to acquire the services of Douglas Wood & Assoc. to perform the CEQA review of this project.

The existing annexation agreement would have to be amended if Tract 1808 is added.

Michael Winn, 05:00 AM 10/19/01, 7 NOV 01 Agenda


Date: Fri, 19 Oct 2001 05:00:16 -0700
From: Michael Winn <mwinn@onemain.com>
X-Mailer: Mozilla 4.5 (Macintosh; I; PPC)
X-Accept-Language: en, pdf
To: "Jones, Doug" <gm@NipomoCSD.com>
Subject: 7 NOV 01 Agenda


Doug,

Please add a brief item on our agenda for 7 November, to modify our approval of the "Bluffs" annexation application, amending our restriction of 20 lots on Parcel 1808 to read that we approve whatever number County staff finds appropriate.

Thanks.

Mike

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: NOVEMBER 7, 2001

AGENDA ITEM 
NOV 07 2001

ENVIRONMENTAL REVIEW OF THE INFRASTRUCTURE TO
TRACTS 1802, 1808 AND 1856
MARIA VISTA

ITEM

Set a Public Hearing for December 12, 2001 to review the Draft Environmental Report for the infrastructure to Tracts 1802, 1808 and 1856.

BACKGROUND

The developer of Tracts 1802, 1808 and 1856 has requested annexation to the Nipomo Community Services District to provide water, sewer and other services to his development. This annexation is being processed through LAFCO as Annexation No. 20. LAFCO is doing a separate environmental document with respect to annexing this area to the District which would include sphere of influence, etc. The District's environmental review is based on the infrastructure that is needed to provide service to these tracts.

Mr. Doug Wood of Douglas Wood & Associates has prepared a draft environmental review for the proposed service requirements for these tracts. Attached is the draft report entitled "Tracts 1802, 1808 and 1856, Annexation to the Nipomo Community Services District, Expanding Initial Study/Mitigated Declaration."

This matter is brought to your Honorable Board to set a Public Hearing to review the Initial Study/Mitigated Declaration Report prepared by Woods & Assoc.

RECOMMENDATION

Staff recommends that your Honorable Board set a Public Hearing for December 12, 2001 at 9:30 a.m. to review the infrastructure Initial Study/Mitigated Declaration for Tracts 1802, 1808 and 1856.

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Project Description: The project will include the construction of approximately 12,300 feet of 12-inch water line beginning at Southland Street southerly in Orchard, Joshua and Maria Vista Roads and the installation of pumps, equipment and connection facilities to complete two existing wells at the end of Cheyenne and Mande Courts, to serve Tracts 1802, 1808 and 1856 in Nipomo, San Luis Obispo County, California.


Project Location: At Orchard, Joshua and Maria Vista Roads and Cheyenne and Mande Courts, Nipomo, San Luis Obispo County, California.

Review Period Starting and Ending Dates During Which the Agency Will Receive Comment: 8:00 a.m., November 5, 2001 to 4:30 p.m. December 6, 2001.

Date of Agency Public Hearing for Project and Consideration of Mitigated Negative Declaration Adoption:


December 12, 2001, 9:30 a.m., NCSB Board Regular Meeting, NCSB Board Meeting Room, 148 South Wilson Street, Nipomo, CA. The public is invited to attend.


Address Where All Documents Pertinent to This Matter May Be Accessed: The proposed Mitigated Negative Declaration, Initial Study and Checklist with supporting documents are available for public review at the Nipomo Community Services District offices, 148 South Wilson Street, Nipomo, CA 93444 during regular office hours, Monday through Friday, 8:00 a.m. to 4:30 p.m.



Signature
Doug Jones, General Manager
Nipomo Community Services District

October 30, 2001

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: NOVEMBER 7, 2001

AGENDA ITEM
NOV 07 2001 

WAIVER OF PROTEST PROCEEDING
ANNEXATION NO. 21
TRACT 2325

ITEM

Waiver of protest proceedings for Annexation No. 21, Knollwood, a 160-acre, 55 lot- development across from Black Lake Golf Course development.

BACKGROUND

The developer of Tract 2325 has requested annexation to the Nipomo Community Services District and has processed the application through LAFCO. One of the final items in the annexation would be a protest hearing where the agency annexing the property would hold a public hearing to hear all land owners protests with respect to the proposed annexation. In Annexation No. 21, there is only one property owner therefore, there is 100% approval for this annexation. The District may waive the protest proceedings and allow LAFCO hold the protest proceeding.

The protest hearing is strictly for property owners and does not involve infrastructure, environmental review or other items associated with this development. If the Board wishes to hold a protest hearing, it would be a procedural matter. There would be zero protests and the annexation would go forward. Therefore, the local entity may waive the protest proceeding and allow LAFCO to be the hearing agency.

RECOMMENDATION

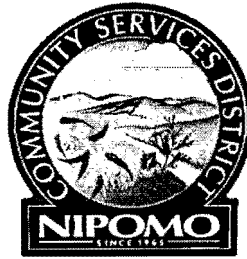
Staff recommends that your Honorable Board approve the waiver of protest proceedings, pursuant to Government Code §56663(c) and allow LAFCO to be the hearing agency.

Board 2001\Tr 2325 Waive protest.DOC

NIPOMO COMMUNITY

BOARD MEMBERS

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



SERVICES DISTRICT

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 gm@nipomocsd.com

November 7, 2001

Paul Hood, LAFCO Executive Officer
1042 Pacific Street, Suite A
San Luis Obispo, CA 93401

SUBJECT: WAIVER OF PROTEST PROCEEDINGS, ANNEXATION NO 21
KNOLLWOOD

Pursuant to Government Code Section 56663 (c), the Nipomo Community Services District agrees to waive protest proceedings for Annexation No. 21. This is because all of the land owners of the proposed annexation have consented to the annexation.

If you have any questions in this matter, please contact me.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT

Doug Jones
General Manager

TRACTS/2325/waive hearing

AGENDA ITEM
NOV 07 2001



TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: NOVEMBER 7, 2001

SURPLUS EQUIPMENT

ITEM

Authorization to dispose of obsolete District equipment and items

BACKGROUND

Government agencies that wish to dispose of obsolete equipment and other items need to declare that these items are surplus by the governing board prior to deposition of these items. The District has established the items below as equipment that is surplus which is to be disposed by sale or other means.

- Six (6) used surface aerators
- 25 used fire hydrants
- Two (2) used computer monitors and 2 used hard drives
- Used flag pole

RECOMMENDATION

It is recommended that your Honorable Board approve the equipment list as surplus and authorize staff to dispose of the items.

Board 2001\surplus.DOC

AGENDA ITEM

NOV 07 2001



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: NOVEMBER 7, 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]
Minutes of October 17, 2001 Regular Board meeting
- F-3) FIRST QUARTER FINANCIAL REPORT (JULY-SEPT, 01)
- F-4) PROPERTY TAX EXCHANGE FOR ANNEXATION NO. 20 - MARIA VISTA
Approve property tax exchange with SLO County on proposed Annexation No. 20
- F-5) PROPERTY TAX EXCHANGE FOR ANNEXATION NO. 21 - KNOLLWOOD
Approve property tax exchange with SLO County on proposed Annexation No. 21
- F-6) ACCEPTANCE OF IMPROVEMENTS - CO 99-0115 (SAV ON DRUG)
Accepting water and sewer improvements for a commercial dev. on Tefft Street

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

October 17, 2001

AGENDA ITEM

NOV 07 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

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.

The following members of the public spoke:

Bill Deneen, 1040 Cielo Lane, Nipomo – spoke about the dunk tank at the Octoberfest

Jesse Hill, 1910 Grant Ave, Arroyo Grande - stated dunk tank profit was \$220-proceeds go for sponsoring a field trip

Director Blair – stated he could not attend due to personal reasons but would be happy to make a donation to the field trip

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

D-1) PUBLIC HEARING - ENVIRONMENTAL NEGATIVE DECLARATION - Montecito Verde II Sewer Tie-in Environmental Review of Montecito Verde II sewer tie-in to District system

Sandy Harwood, Engineer from EDA, presented the Environmental Review for the Montecito Verde II sewer tie-in to the NCSO system and recommended a mitigated negative declaration. The Public Hearing was opened. There were no public comments.

Upon motion by Director Winn and seconded by Director Wirsing, the unanimously approved Resolution 2001-792 adopting a mitigated negative declaration. Vote 5-0.

RESOLUTION NO. 2001-792

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 MONTECITO VERDE II PROJECT

D-2) NIPOMO SHELL CAR WASH FEE

Review capacity fee for a commercial car wash development

Mr. Robert Gouin, owner of Nipomo Shell, presented his testimony stating that he had taken into consideration the water capacity fee when planning his project, however, he did not plan on the sewer capacity fee. Mr. Gouin stated his estimate of 40 cars per day was based on the volume at the similar car wash in AG and it is estimated that it will take 3 years before they have 100 cars per day. Mr. Gouin stated that a monitoring device is installed on-site. He asked that the Board consider the impact on the system since his car wash recycles water.

The following members of the public spoke:

Jesse Hill, 1910 Grant Ave, Arroyo Grande – NCAC was told that it will take approx. 2/3 acre feet of water to run the car wash

Herb Kandel, 776 Inga Rd, Nipomo – questioned how the monitoring of contaminants was done-on-site or at the sewer plant

MINUTES -- OCTOBER 17, 2001
Page 2 of 4

D-2) Continued

Director Winn suggested that a checklist be prepared to hand out to developers outlining all of the fees so that no fees are overlooked. Director Winn also stated that the sewer fees should be upheld, but the policy for car washes fees should be looked into for the future.

Upon motion of Director Winn and seconded by Director Wirsing, the Board directed staff to provide findings for alternative water policy fee structure to give some significant savings to people who set up car washes and provide savings for the aquifer. The vote was 3-2, with Director Trotter and Blair voting no.

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously voted to uphold the District fee schedule for sewer fees as adopted. Vote 5-0.

D-3) REIMBURSEMENT OF EXPENSES FOR EASEMENTS (TRACT 2219)
Consider Resolution authorizing reimbursement of expenses for easement.

Director Winn excused himself from the Board due to a conflict of interest.

Mr. Jones reviewed the reimbursement of expenses to acquire the two Dana Well easements. The property owner is in agreement.

The following members of the public spoke:

Jesse Hill, 1910 Grant Ave, Arroyo Grande – asked to see a map of the wells

Upon motion of Director Mobraaten and seconded by Director Trotter, the Board approved Resolution 2001-793 authorizing the reimbursement of expenses. Vote 3-1, with Director Wirsing voting no because the wells may be used for The Bluffs project.

RESOLUTION NO. 2001-793
A RESOLUTION OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AUTHORIZING REIMBURSEMENT OF EXPENSES FOR EASEMENT

Director Winn rejoined the Board of Directors.

D-4) DRAINAGE AND FLOOD PROTECTION AUTHORITY
Review District powers to provide drainage and flood control services

The Board reviewed the possibility of providing drainage and flood control services to the community. NCS D has drainage power but not flood control powers. A Joint Powers Agreement with the County may be possible.

The following members of the public spoke:

Herb Kandel, 776 Inga Rd, Nipomo – County is currently preparing a flood control study and supports the formation of a NCS D committee to look at this issue and possible funding for projects. Mr. Kandel handed out minutes from the Creek Committee meeting held 9/19/01. Eight major clogs in the creek have been identified in the old town.

Vince McCarthy, 194 E. Dana, Nipomo – stated the creek is a garbage dump.

President Blair appointed Director Winn and Director Trotter to the Flood Zone Committee and requested they meet and report back to the full board at some future date.

D-5) EVALUATION OF WATER SUPPLY ALTERNATIVES
Receive Final Report from Kennedy/Jenks Consultants on supplemental water

The final report from Kennedy/Jenks was presented to the Board of Directors. Staff requested that a Study Session be set up to review the report in detail.

The following members of the public spoke:

Jesse Hill, 1910 Grant Ave, Arroyo Grande – Asked if the report changed significantly from the draft. A copy is available for review in the office.

Upon motion of Director Mobraaten and seconded by Director Winn, the Board unanimously agreed to hold a Study Session on November 9, 2001 at 9:00 a.m. Vote 5-0.

MINUTES -- OCTOBER 17, 2001
Page 3 of 4

E. OTHER BUSINESS

- E-1) **CHANGE BOARD OF DIRECTORS BOARD MEETING TIME**
Consider changing Board meeting from 10:30 a.m. to 9:30 a.m.

There was no public comment. Upon motion of Director Trotter and seconded by Director Wirsing, the Board unanimously approved Resolution 2001-794 to change the Board Meeting time from 10:30 to 9:30 a.m. Vote 5-0

RESOLUTION NO. 2001-794

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ESTABLISHING THE TIME FOR HOLDING ITS REGULAR MEETINGS**

- E-2) **REQUEST LEGISLATION FOR STREET LANDSCAPING POWERS**
Initiate procedures for the District to acquire public street landscaping powers

Staff has made contact with Abel Maldonado's office regarding this request.

The following members of the public spoke:

Herb Kandel, 776 Inga Rd, Nipomo – This type of service is needed in the community. He asked if maintenance could be provided on a strip of land that has a part of the creek in it that has park like use.

Vince McCarthy, 194 E. Dana, Nipomo – Asked when the legislation would happen

Director Wirsing asked about how the assessment district boundaries would be set up and who would vote.

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved Resolution 2001-795 requesting additional powers from the legislature.
Vote 5-0.

RESOLUTION NO. 2001-795

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
TO REQUEST ADDITIONAL POWERS FROM THE LEGISLATURE RELATING TO LANDSCAPING
AND LIGHTING ACT OF 1972**

- E-3) **WATER & SEWER MASTER PLAN UPDATE - BOYLE ENGINEERING**
Approve a change order to complete the Water and Sewer Master Plan

Staff received a change order request from Boyle Engineering in the amount of \$5,865 due to changes that have occurred. Director Mobraaten asked if the Tosco letter was sent to Boyle Engineering.

There were no public comments.

Upon motion of Director Mobraaten and seconded by Director Trotter, the Board unanimously approved the change order in the amount of \$5,865.

Vote 5-0.

- E-4) **MONTECITO VERDE II SEWER PROJECT**
Approve a change order to design the on-site sewer collector system

The original contract with EDA was to provide options on the connection of Montecito Verde II to the NCSD system. The change order in the amount of \$3,500 is to design and provide construction drawings for the on-site connection.

There was no public comment.

Upon motion of Director Winn and seconded by Director Mobraaten, the Board unanimously approved the change order in the amount of \$3,500. Vote 5-0.

MINUTES -- OCTOBER 17, 2001

Page 4 of 4

- E-5) REQUEST FROM SOUTH COUNTY SANITARY SERVICE INC. TO PLACE A PAYMENT DROP
Request from Tom Martin, South County Sanitary Ser. to place payment drop box in NCSD lobby.

South County Sanitary Service would like to place a payment drop box at NCSD for their customers to pay their bills locally.

There was no public comment.

Upon motion of Director Mobraaten and seconded by Director Wirsing, the Board unanimously approved the request from South County Sanitary Service to allow a payment drop box at NCSD and have staff work out the details.

Vote 5-0.

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

F-1) WARRANTS [RECOMMEND APPROVAL]

F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]

Minutes of October 3, 2001 Regular Board meeting

F-3) INVESTMENT POLICY - QUARTERLY REPORT

There was no public comment.

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

G. **MANAGER'S REPORT**

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

G-1) CA/NV AWWA CONFERENCE – Report given by Mr. Jones and Director Blair

G-2) Board meeting schedule changes – The Board concurred with proposed schedule changes.

	MEETING DATE
Regular meeting	November 7, 2001
Change Nov. 21 (Thanksgiving Eve)	November 28, 2001
One meeting in Dec.	December 12, 2001
Change January 2, 2002	January 9, 2002
Change January 16, 2002	January 23, 2002
Back to regular schedule	First & third Wed. thereafter

There was no public comment.

H. **DIRECTORS COMMENTS**

H-1) American Groundwater Trust Conference - Director Trotter and Legal Counsel, Jon Seitz.

Director Trotter requested that Staff write a "strong" letter to the DWR and County urging them to complete the Groundwater Study. The Board directed Staff to write the letter.

Director Winn would like staff to look into the point system of issuing Will Serve Letters similar to Petaluma and would like Director Trotter to give us his summary of what "mining the basin" means.

Director Mobraaten would like to see the complaint log.

There was no need to go into closed session.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

- SMVWCD vs NCSD Santa Clara County Case No. CV 770214 and all consolidated cases.
- NCSD vs State Dept of Health Services CV 990716
- Property Negotiation - Barlogio/NCSD, Camino Caballo & Via Caballo, Terms & Conditions of purchase


ADJOURN

President Blair adjourned the meeting at 12:39 p.m.

The next regular Board meeting will be held on November 7, 2001.

There will be a Special Study Session November 9, 2001.

MEMORANDUM
NOV 07 2001

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: NOVEMBER 7, 2001

FIRST QUARTER FINANCIAL STATEMENTS

Attached is the Consolidated Balance Sheet as of September 30, 2001 (page 1) and the Consolidated Income Statement for the three months ended September 30, 2001 (page 2-3). Also, attached is the summary of revenue and expenses by fund for the three months ended September 30, 2001 (page 4).

Detailed information by Fund (balance sheet and income statement with budgeted amounts) is available in the office.

If you have any questions, please don't hesitate to ask.

RECOMMENDATION

It is staff's recommendation to accept and file the first quarter financial statements.

NIPOMO COMMUNITY SERVICES DISTRICT
BALANCE SHEET - CONSOLIDATED
AS OF SEPTEMBER 30, 2001

ASSETS	

Cash and Cash Equivalents	8,922,286.21
Accounts Receivable - Utility Billing	126,829.83
Unbilled Accounts Receivable	316,000.00
Property, Plant & Equipment	27,421,461.20
Accumulated Depreciation	(7,093,323.72)
Prepaid Insurance	10,386.67
Accrued Interest Receivable	99,221.76
Receivable - Other	720.00
Notes Receivable - MV I	52,097.40
Deposit - W/C Insurance	2,802.00
Loan Fees - SRF Loan	256,834.00
Accumulated Amortization - SRF Loan Fees	(33,389.14)

Total Assets	30,081,926.21
	=====
LIABILITIES	

Accounts Payable	96,359.00
Construction Meter Deposits	7,500.00
Compensated Absences Payable	45,478.00
Customer Deposit	10,100.00
Payroll Taxes Payable	2,060.16
Deposit - Maintenance Guarantee	11,400.00
Deposit - Pomeroy Rd Water Line	24,170.00
Deferred Revenue	6,300.00
Revenue Bonds - Current Portion	7,000.00
SRF Loan #110 - Current Portion	34,868.35
SRF Loan #120 - Current Portion	42,180.25
Revenue Bonds Payable - Long Term Portion	169,000.00
SRF Loan #110 Payable - Long Term Portion	592,761.95
SRF Loan #120 Payable - Long Term Portion	759,244.50

Total Liabilities	1,808,422.21

FUND EQUITY	

Contributed Capital - Assets	7,151,423.72
Contributed Capital - Capacity Fees (CY)	10,870.00
Contributed Capital - Capacity Fees (PY)	10,774,549.10
Contributed Capital - Right of Way	31,600.00
Contributed Capital - Assessment Districts	1,529,378.00
Contributed Capital - Grants	3,091,911.00
Retained Earnings-Reserved (Debt Service)	15,600.00
Retained Earnings-Reserved (Emergencies)	50,000.00
Retained Earnings-Reserved (Sewer Grant)	210,000.00
Retained Earnings-Reserved (Funded Replacement)	2,237,511.74
Retained Earnings - Unreserved	2,826,762.79
CURRENT EARNINGS	343,897.65

Total Fund Equity	28,273,504.00

Total Liabilities and Fund Equity	30,081,926.21
	=====

UNAUDITED

Copy of document found at www.NoNewWipTax.com

NIPOMO COMMUNITY SERVICES DISTRICT
 INCOME STATEMENT - CONSOLIDATED
 FOR THE PERIOD ENDING SEPTEMBER 30, 2001

	YTD ACTUAL -----	ANNUAL BUDGET -----	% OF BUDGET -----
REVENUES			

Water - Fixed Charge	92,849.93	348,660.00	26.63 %
Water - Usage	379,956.97	982,000.00	38.69 %
Construction Water	23,782.55	0	.00 %
Fire System Fee	747.00	0	.00 %
Sewer Charges	159,272.23	655,700.00	24.29 %
Fees and Penalties	8,512.07	24,700.00	34.46 %
Meters	481.60	63,250.00	.76 %
Plan Check & Inspection Fees	1,900.00	8,000.00	23.75 %
Sewer Lift Station Fees	0	5,000.00	.00 %
Miscellaneous Income	3,930.76	72,200.00	5.44 %
Street Lighting Charges	0	18,258.00	.00 %
Operating Transfers In - Funded Administration	33,217.19	130,420.00	25.47 %
Operating Transfers In - Funded Replacement	163,499.94	654,000.00	25.00 %
	-----	-----	-----
Total Revenues	868,150.24	2,962,188.00	29.31 %
	-----	-----	-----
OPERATIONS AND MAINTENANCE			

Wages and Benefits	50,116.26	265,900.00	18.85 %
Electricity	178,940.74	405,000.00	44.18 %
Natural Gas	1,803.11	65,000.00	2.77 %
Chemicals	4,459.19	16,200.00	27.53 %
Lab Tests	4,213.50	34,000.00	12.39 %
Operating Supplies	8,044.03	24,400.00	32.97 %
Outside Services	3,019.42	33,000.00	9.15 %
Permits and Operating Fees	0	9,800.00	.00 %
Repairs and Maintenance	11,771.10	98,500.00	11.95 %
Engineering	1,176.00	14,000.00	8.40 %
Fuel	1,999.88	10,400.00	19.23 %
Paging Service	338.86	1,600.00	21.18 %
Meters - New Installation	1,226.19	12,000.00	10.22 %
Automatic Meter Reading Devices - New Installation	0	23,000.00	.00 %
Meters - Replacement Program	0	14,000.00	.00 %
Uniforms	456.59	3,300.00	13.84 %
Contingency	0	2,000.00	.00 %
Operating Transfers Out - Funded Replacement	163,499.94	654,000.00	25.00 %
	-----	-----	-----
Subtotal - O & M	431,064.81	1,686,100.00	25.57 %
	-----	-----	-----
GENERAL AND ADMINISTRATIVE			

Wages and Benefits	53,128.30	249,750.00	21.27 %
Utilities	1,122.14	7,550.00	14.86 %
Audit	2,566.25	4,200.00	61.10 %
Bank Charges and Fees	87.30	660.00	13.23 %
Computer Expense	1,865.16	12,200.00	15.29 %
Consulting	9,034.27	8,000.00	112.93 %
Director Fees	3,000.00	17,000.00	17.65 %
Dues and Subscriptions	280.14	5,000.00	5.60 %

NIPOMO COMMUNITY SERVICES DISTRICT
INCOME STATEMENT - CONSOLIDATED
FOR THE PERIOD ENDING SEPTEMBER 30, 2001

	YTD ACTUAL	ANNUAL BUDGET	% OF BUDGET
Education and Training	280.00	6,500.00	4.31 %
Elections	0	10,000.00	.00 %
Insurance - Liability	3,070.15	16,000.00	19.19 %
LAFCO Funding	10,367.00	17,000.00	60.98 %
Landscape and Janitorial	1,317.00	6,500.00	20.26 %
Legal - General Counsel	10,824.50	52,000.00	20.82 %
Legal - Water Counsel	60,452.88	300,000.00	20.15 %
Miscellaneous	391.56	45,500.00	.86 %
Newsletters & Mailers	0	3,000.00	.00 %
Office Supplies	631.71	4,000.00	15.79 %
Operating Supplies	4,482.30	8,500.00	52.73 %
Outside Service	226.37	1,500.00	15.09 %
Postage	3,009.88	11,900.00	25.29 %
Public Notices	67.50	2,000.00	3.38 %
Repairs and Maintenance	440.12	4,500.00	9.78 %
Property Taxes	0	555.00	.00 %
Telephone	807.40	4,500.00	17.94 %
Travel and Mileage	1,688.64	9,000.00	18.76 %
Operating Transfer Out - Funded Administration	33,217.19	130,420.00	25.47 %
Subtotal - G & A	202,357.76	937,735.00	21.58 %
NON OPERATING INCOME			
Interest Income	99,258.17	416,111.00	23.85 %
Property Tax Revenues	9,911.81	215,000.00	4.61 %
Subtotal - Non Operating Income	109,169.98	631,111.00	17.30 %
NON OPERATING EXPENSES			
Interest Expense	0	9,150.00	.00 %
Other Expense	0	76,000.00	.00 %
Subtotal - Non Operating Expenses	0	85,150.00	.00 %
Net Surplus/(Deficit)	343,897.65	884,314.00	38.89 %

UNAUDITED

SUMMARY OF REVENUES AND EXPENSES BY FUND
THREE MONTHS ENDED SEPTEMBER 30, 2001


FUND	FUND #	YTD REVENUES	YTD EXPENSES	FUNDED REPLACEMENT	09/30/01 YTD SURPLUS/ (DEFICIT)
Administration	110	34,153	(34,153)	0	0
Town Water	120	470,224	(271,150)	(87,500)	111,574
Town Sewer	130	140,856	(72,421)	(62,500)	5,935
Blacklake Water (1)	140	43,953	(59,026)	(5,000)	(20,073)
Blacklake Sewer (1)	150	24,305	(26,610)	(8,500)	(10,805)
Montecito Verde II	160	2,258	(636)	0	1,622
Blacklake Streetlighting (2)	200	603	(5,685)	0	(5,082)
Solid Waste	300	0	(241)	0	(241)
Drainage Maintenance	400	485	(500)	0	(15)
Property Taxes	600	18,594	0	0	18,594
Town Water Capacity Fees	700	15,695	0	0	15,695
Town Sewer Capacity Fees	710	35,546	0	0	35,546
Funded Replacement-Town Water	800	8,013	0	87,500	95,513
Funded Replacement-Town Sewer	810	13,433	0	62,500	75,933
Funded Replacement-BL Water	820	5,624	0	5,000	10,624
Funded Replacement-BL Sewer	830	580	0	8,500	9,080
TOTAL		814,322	(470,422)	0	343,900

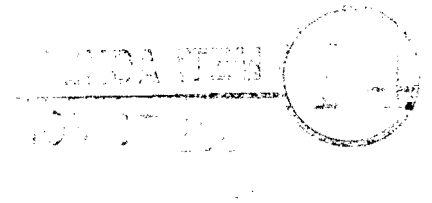
CASH BALANCE OF EACH FUND
AS OF SEPTEMBER 30, 2001

FUND	FUND #	CASH BALANCE 09/30/01
Administration	110	(29,726)
Town Water	120	62,582
Town Sewer	130	603,828
Blacklake Water	140	211,502
Blacklake Sewer	150	59,936
Montecito Verde II	160	44,329
Blacklake Streetlighting	200	51,095
Solid Waste	300	(4,251)
Drainage Maintenance	400	5,000
Property Tax	600	788,099
Town Water Capacity Fees	700	1,399,565
Town Sewer Capacity Fees	710	3,188,096
Funded Replacement-Town Water	800	743,655
Funded Replacement-Town Sewer	810	1,235,794
Funded Replacement-BL Water	820	506,578
Funded Replacement-BL Sewer	830	56,203
TOTAL		8,922,285

(1) Due to bi-monthly billing, revenues for Black Lake are for two months and expenses are for three months.

(2) Streetlighting charges are collected on the property tax bills.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: NOVEMBER 7, 2001



PROPERTY TAX EXCHANGE FOR PROPOSED ANNEX. NO. 20
APPROX. 124 ACRES - MARIA VISTA
(BENHAM)

ITEM

Approving property tax revenue exchange with SLO County for Annex. No. 20

BACKGROUND

The District has received a request to annex Tracts 1802, 1808, and 1856, approx. 124 acre development near the Santa Maria Speedway.

With any proposed annexation to the District, the State Revenue & Taxation Code Sec. 99 requires the District and the County to negotiate the property tax exchange for the property being annexed into the District. Different areas have a slightly different tax rate percentage with respect to taxation. Therefore, an average of the area around the proposed annexation was taken. The percent of property tax increment that would be transferred to the District for Annexation #20 would be 6.05086%.

The tax exchange needs to be completed prior to LAFCO's consideration of the annexation. If the proposed annexation does not proceed, the Resolution approving the property tax exchange becomes null and void.

The attached Resolution 2001-tax exchange is presented to your Honorable Board for consideration.

RECOMMENDATION

Staff recommends that your Honorable Board adopt Resolution 2001-tax exchange accepting the SLO County/NCSD exchange of property tax revenues and annual tax increments for Annexation #20 at 6.05086%.

RESOLUTION NO. 00-tax ex

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 20 (MARIA VISTA)**

WHEREAS, in the case of a jurisdictional change other than a city incorporation or district formation which will alter the service area or responsibility of a local agency, Revenue and Taxation Code Section 99(b) requires that the amount of property tax revenue to be exchanged, if any, and the amount of annual tax increment to be exchanged among the affected local agencies shall be determined by negotiation; and

WHEREAS, when an independent special district is involved, the negotiations are conducted by the Board of Supervisors of the County and the Board of Directors of the District pursuant to Revenue and Taxation Code Section 99.(b)(5); and

WHEREAS, Revenue and Taxation Code Section 99.(b)(6) requires that each local agency, upon completion of negotiations, adopt resolutions whereby said local agencies agree to accept the negotiated exchange of property tax revenues and annual tax increment and requires that each local agency transmit a copy of each such resolution to the Executive Officer of the Local Agency Formation Commission; and

WHEREAS, no later than the date on which the certificate of completion of the jurisdictional change is recorded with the County Recorder, the said Executive Officer shall notify the County Auditor of the exchange of property tax revenues by transmitting a copy of said resolutions to him and the County Auditor shall thereafter make the appropriated adjustments as required by law; and

WHEREAS, the negotiations have taken place concerning the transfer of property tax revenues and annual tax increment between the County of San Luis Obispo and the Nipomo Community Services District pursuant to Section 99(a)(1) for the jurisdictional change designated as LAFCo File 9-R-01: Annexation No. 20 (Maria Vista) to the Nipomo Community Services District; and

WHEREAS, the negotiating parties, to wit: Jim Grant, Assistant Administrative Officer, County of San Luis Obispo and Doug Jones, General Manager of the Nipomo Community Services District have negotiated the exchange of property tax revenue and annual tax increment between such entities as hereinafter set forth; and

WHEREAS, it is in the public interest that such negotiated exchange of property tax revenues and annual tax increment was consummated by the Board of Supervisors on October 23, 2001; and

WHEREAS, revenue and taxation code Section 99(b)(7) provides for a 15-day renegotiation period if a proposal is modified by LAFCO.

RESOLUTION 00-tax ex
PAGE TWO

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

1. That the recitals set forth above are true, correct and valid.
2. That the Nipomo Community Services District agrees to accept the following negotiated exchange of property tax revenues and annual tax .
 - a. No base property tax revenue shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District.
 - b. For Annexation No. 20, the annual tax increment in an amount to be determined by the County Auditor, based upon the following percentage agreed to by the negotiating parties, 6.05086 percent, before the ERAF calculations, shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District in the fiscal year 2002-2003 and each fiscal year thereafter.
3. Upon receipt of a certified copy of this resolution and a copy of the recorded certificate of completion, the County Auditor shall make the appropriate adjustments to property tax revenues and annual tax increment as set forth above.
4. That the Secretary to the Board of Directors is authorized and directed to transmit a certified copy of this resolution to the Executive Officer of the San Luis Obispo Local Agency Formation Commission, who shall then distribute copies thereof in the manner prescribed by law.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 7th day of November 2001.

Robert L. Blair, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

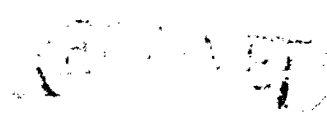
Jon S. Seitz
General Counsel

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

ACSD

(1) DEPARTMENT Administrative Office		(2) MEETING DATE October 23, 2001		(3) CONTACT/PHONE Jim Grant, Assistant Administrative Officer (805) 781-5011	
(4) SUBJECT Submittal of a notice to commence negotiations for the exchange of property tax revenue and annual tax increment and resolution accepting the exchange of property tax revenue and annual tax increment for Annexation No. 20 to the Nipomo Community Services District (Maria Vista)					
(5) SUMMARY OF REQUEST As a prerequisite to any jurisdictional change, Revenue and Taxation Code Section 99 requires affected jurisdictions to negotiate an exchange of property tax revenues. A 60-day negotiation period will commenced on October 23, 2001. The notice contains information concerning the amount of revenue generated in the annexation area. The County Administrative Office and the Nipomo Community Services District have negotiated on behalf of their respective agencies. A resolution agreeing to the negotiated exchange of property tax revenue is presented for your Board's approval. The resolution is for Annexation No. 20 to the Nipomo Community Services District (Maria Vista); LAFCO File No.: 9-R-01.					
(6) RECOMMENDED ACTION Commence negotiations for the exchange of property tax revenue and annual tax increment and approve the resolution accepting the exchange of property tax revenue and annual tax increment for Annexation No. 20 to the Nipomo Community Services District (Maria Vista). (Recommend Approval and Instruct Chairperson to Sign.)					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A <input type="checkbox"/> NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Nipomo Community Services District is the annexing agency.					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) 1st, 2nd, 3rd, 4th, 5th, All			(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(16) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(18) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

OCT 23 2001

(19) ADMINISTRATIVE OFFICE REVIEW	 JIM GRANT COUNTY ADMINISTRATIVE OFFICE NIPOMO COMMUNITY SERVICES DISTRICT
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County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. 370 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



DAVID EDGE
COUNTY ADMINISTRATOR

TO: BOARD OF SUPERVISORS

FROM: JIM GRANT, ASSISTANT ADMINISTRATIVE OFFICER

DATE: OCTOBER 23, 2001

SUBJECT: SUBMITTAL OF A NOTICE TO COMMENCE NEGOTIATIONS FOR THE EXCHANGE OF PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT AND RESOLUTION ACCEPTING THE EXCHANGE OF PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT FOR ANNEXATION NO. 20 TO THE NIPOMO COMMUNITY SERVICES DISTRICT (MARIA VISTA)

Recommendation

Commence negotiations for the exchange of property tax revenue and annual tax increment and approve the resolution accepting the exchange of property tax revenue and annual tax increment for Annexation No. 20 to the Nipomo Community Services District (Maria Vista).

Discussion

As a prerequisite to any jurisdictional change, Revenue and Taxation Code Section 99 requires affected jurisdictions to negotiate an exchange of property tax revenues. A 60-day negotiation period will commence on October 23, 2001. The notice contains information concerning the amount of revenue generated in the annexation area. The County Administrative Office and the Nipomo Community Services District have negotiated on behalf of their respective agencies. A resolution agreeing to the negotiated exchange of property tax revenue is presented for your Board's approval.

The resolution is for Annexation No. 620 to the Nipomo Community Services District (Maria Vista); LAFCO File No.: 9-R-01.

Other Agency Involvement/Impact

Nipomo Community Services District is the annexing agency.

BOARD OF SUPERVISORS

October 23, 2001

Page 2

Financial Considerations

The County will transfer 6.05086 percent of property tax increment, before the Educational Revenue Augmentation Fund (ERAF) calculation. There will not be a transfer of base property taxes.

Results

To agree to a fair and equitable exchange of property tax revenue as a result of annexations of property.

- c - Doug Jones, General Manager, Nipomo Community Services District
Marsha Stillman, Auditor-Controller's Office
Paul Hood, LAFCO

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 2001

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION ACCEPTING NEGOTIATED EXCHANGE OF
PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT
BETWEEN THE COUNTY OF SAN LUIS OBISPO AND
THE NIPOMO COMMUNITY SERVICES DISTRICT**

The following resolution is hereby offered and read:

WHEREAS, in the case of a jurisdictional change other than a city incorporation or district formation which will alter the service area or responsibility of a local agency, Revenue and Taxation Code Section 99(a)(1) requires that the amount of property tax revenue to be exchanged, if any, and the amount of annual tax increment to be exchanged among the affected local agencies shall be determined by negotiation; and

WHEREAS, when a city is involved, the negotiations are conducted between the City Council and the Board of Supervisors of the County; and

WHEREAS, when a special district is involved, the negotiations are conducted by the Board of Supervisors of the County on behalf of the district or districts, unless otherwise requested by said district or districts pursuant to Revenue and Taxation Code Section 99(b)(5); and

WHEREAS, Revenue and Taxation Code Section 99(b)(6) requires that each local agency, upon completion of negotiations, adopt resolutions whereby said local agencies agree to accept the negotiated exchange of property tax revenues, if any, and annual tax increment and requires that each local agency transmit a copy of each such resolution to the Executive Officer of the Local Agency Formation Commission; and

WHEREAS, no later than the date on which the certificate of completion of the jurisdictional change is recorded with the County Recorder, the Executive Officer shall notify the County Auditor of the exchange of property tax revenues by transmitting a copy of said resolutions to him and the County Auditor shall thereafter make the appropriate adjustments as required by law; and

WHEREAS, the negotiations have taken place concerning the transfer of property tax revenues and annual tax increments between the County of San Luis Obispo and the Nipomo Community Services District pursuant to Section 99(a)(1) for the jurisdictional change designated as Annexation No. 20 to the Nipomo Community Services District (Maria Vista); and

WHEREAS, the negotiating party, to wit: Jim Grant, Assistant Administrative Officer, County of San Luis Obispo, on behalf of the County and Doug Jones, General Manager, on behalf of the Nipomo Community Services District have negotiated the exchange of property tax revenue and annual tax increments between such entities as hereinafter set forth; and

WHEREAS, it is in the public interest that such negotiated exchange of property tax revenues and annual tax increments be consummated.

NOW, THEREFORE BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth above are true, correct and valid.
2. That the County of San Luis Obispo agrees to accept the following negotiated exchange of base property tax revenues and annual tax increments.
 - (a) No base property tax revenue shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District.
 - (b) Annual tax increments shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District in the fiscal year 2002-2003 and each fiscal year thereafter in the amount of 6.05086 percent before ERAF.
 - (c) All annual tax increments for the County Road Fund shall be transferred to the County General Fund.
3. Upon receipt of a certified copy of this resolution and a copy of the recorded certificate of completion, the County Auditor shall make the appropriate adjustments to property tax revenues and annual tax increments as set forth above.
4. That the County Clerk is authorized and directed to transmit a certified copy of the resolution to the Executive Officer of the San Luis Obispo Local Agency Formation Commission, who shall then distribute copies in the manner prescribed by law.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairperson of the Board of Supervisors


ATTEST

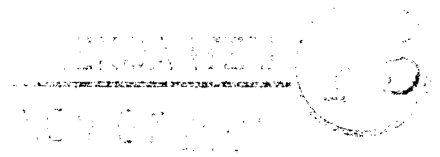
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT
JAMES B. LINDHOLM, JR.
County Counsel

By: 
Deputy County Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: NOVEMBER 7, 2001



PROPERTY TAX EXCHANGE FOR PROPOSED ANNEX. NO. 21
APPROX. 160 ACRES - KNOLLWOOD
(MARTIN)

ITEM

Approving property tax revenue exchange with SLO County for Annex. No. 21

BACKGROUND

The District has received a request to annex Tract 2325, approx. 160-acre development across from Black Lake Golf Course, known as Knollwood.

With any proposed annexation to the District, the State Revenue & Taxation Code Sec. 99 requires the District and the County to negotiate the property tax exchange for the property being annexed into the District. Different areas have a slightly different tax rate percentage with respect to taxation. Therefore, an average of the area around the proposed annexation was taken. The percent of property tax increment that would be transferred to the District for Annexation #21 would be 6.05086%.

The tax exchange needs to be completed prior to LAFCO's consideration of the annexation. If the proposed annexation does not proceed, the Resolution approving the property tax exchange becomes null and void.

The attached Resolution 2001-tax exchange-Knollwood is presented to your Honorable Board for consideration.

RECOMMENDATION

Staff recommends that your Honorable Board adopt Resolution 2001-tax exchange-Knollwood accepting the SLO County/NCSD exchange of property tax revenues and annual tax increments for Annexation #21 at 6.05086%.

RESOLUTION NO. 00-tax ex-Knollwood

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 21 (KNOLLWOOD)**

WHEREAS, in the case of a jurisdictional change other than a city incorporation or district formation which will alter the service area or responsibility of a local agency, Revenue and Taxation Code Section 99(b) requires that the amount of property tax revenue to be exchanged, if any, and the amount of annual tax increment to be exchanged among the affected local agencies shall be determined by negotiation; and

WHEREAS, when an independent special district is involved, the negotiations are conducted by the Board of Supervisors of the County and the Board of Directors of the District pursuant to Revenue and Taxation Code Section 99.(b)(5); and

WHEREAS, Revenue and Taxation Code Section 99.(b)(6) requires that each local agency, upon completion of negotiations, adopt resolutions whereby said local agencies agree to accept the negotiated exchange of property tax revenues and annual tax increment and requires that each local agency transmit a copy of each such resolution to the Executive Officer of the Local Agency Formation Commission; and

WHEREAS, no later than the date on which the certificate of completion of the jurisdictional change is recorded with the County Recorder, the said Executive Officer shall notify the County Auditor of the exchange of property tax revenues by transmitting a copy of said resolutions to him and the County Auditor shall thereafter make the appropriated adjustments as required by law; and

WHEREAS, the negotiations have taken place concerning the transfer of property tax revenues and annual tax increment between the County of San Luis Obispo and the Nipomo Community Services District pursuant to Section 99(a)(1) for the jurisdictional change designated as LAFCo File 11-R-01: Annexation No. 21 (Knollwood) to the Nipomo Community Services District; and

WHEREAS, the negotiating parties, to wit: Jim Grant, Assistant Administrative Officer, County of San Luis Obispo and Doug Jones, General Manager of the Nipomo Community Services District have negotiated the exchange of property tax revenue and annual tax increment between such entities as hereinafter set forth; and

WHEREAS, it is in the public interest that such negotiated exchange of property tax revenues and annual tax increment was consummated by the Board of Supervisors on November 6, 2001; and

WHEREAS, revenue and taxation code Section 99(b)(7) provides for a 15-day renegotiation period if a proposal is modified by LAFCO.

RESOLUTION 00-tax ex Knollwood
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE
AND ANNUAL TAX INCREMENT FROM COUNTY OF SAN LUIS OBISPO
TO NIPOMO COMMUNITY SERVICES DISTRICT
FOR ANNEXATION NO. 21 (KNOLLWOOD)

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

1. That the recitals set forth above are true, correct and valid.
2. That the Nipomo Community Services District agrees to accept the following negotiated exchange of property tax revenues and annual tax .
 - a. No base property tax revenue shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District.
 - b. For Annexation No. 21, the annual tax increment in an amount to be determined by the County Auditor, based upon the following percentage agreed to by the negotiating parties, 6.05086 percent, before the ERAF calculations, shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District in the fiscal year 2002-2003 and each fiscal year thereafter.
3. Upon receipt of a certified copy of this resolution and a copy of the recorded certificate of completion, the County Auditor shall make the appropriate adjustments to property tax revenues and annual tax increment as set forth above.
4. That the Secretary to the Board of Directors is authorized and directed to transmit a certified copy of this resolution to the Executive Officer of the San Luis Obispo Local Agency Formation Commission, who shall then distribute copies thereof in the manner prescribed by law.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 7th day of November 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

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

Doug Jones

(1) DEPARTMENT Administrative Office		(2) MEETING DATE October 23, 2001		(3) CONTACT/PHONE Jim Grant, Assistant Administrative Officer (805) 781-5011	
(4) SUBJECT Submittal of a notice to commence negotiations for the exchange of property tax revenue and annual tax increment and resolution accepting the exchange of property tax revenue and annual tax increment for Annexation No. 21 to the Nipomo Community Services District (Knollwood)					
(5) SUMMARY OF REQUEST As a prerequisite to any jurisdictional change, Revenue and Taxation Code Section 99 requires affected jurisdictions to negotiate an exchange of property tax revenues. A 60-day negotiation period will commenced on November 6, 2001. The notice contains information concerning the amount of revenue generated in the annexation area. The County Administrative Office and the Nipomo Community Services District have negotiated on behalf of their respective agencies. A resolution agreeing to the negotiated exchange of property tax revenue is presented for your Board's approval. The resolution is for Annexation No. 21 to the Nipomo Community Services District (Knollwood); LAFCO File No.: 11-R-01.					
(6) RECOMMENDED ACTION Commence negotiations for the exchange of property tax revenue and annual tax increment and approve the resolution accepting the exchange of property tax revenue and annual tax increment for Annexation No. 21 to the Nipomo Community Services District (Knollwood). (Recommend Approval and Instruct Chairperson to Sign.)					
(7) FUNDING SOURCE(S) N/A		(8) CURRENT YEAR COST N/A		(9) ANNUAL COST N/A	
(10) BUDGETED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> N/A <input type="checkbox"/> NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Nipomo Community Services District is the annexing agency.					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(13) SUPERVISOR DISTRICT(S) 1st, 2nd, 3rd, 4th, 5th, All			(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A		
(15) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(16) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(17) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(18) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		

(19) ADMINISTRATIVE OFFICE REVIEW	<p>RECEIVED</p> <p>OCT 23 2001</p> <p>NIPOMO COMMUNITY SERVICES DISTRICT</p>
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County of San Luis Obispo

COUNTY GOVERNMENT CENTER, RM. 370 • SAN LUIS OBISPO, CALIFORNIA 93408 • (805) 781-5011



TO: BOARD OF SUPERVISORS
FROM: JIM GRANT, ASSISTANT ADMINISTRATIVE OFFICER
DATE: NOVEMBER 6, 2001

DAVID EDGE
COUNTY ADMINISTRATOR

SUBJECT: SUBMITTAL OF A NOTICE TO COMMENCE NEGOTIATIONS FOR THE EXCHANGE OF PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT AND RESOLUTION ACCEPTING THE EXCHANGE OF PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT FOR ANNEXATION NO. 21 TO THE NIPOMO COMMUNITY SERVICES DISTRICT (KNOLLWOOD)

Recommendation

Commence negotiations for the exchange of property tax revenue and annual tax increment and approve the resolution accepting the exchange of property tax revenue and annual tax increment for Annexation No. 21 to the Nipomo Community Services District (Knollwood).

Discussion

As a prerequisite to any jurisdictional change, Revenue and Taxation Code Section 99 requires affected jurisdictions to negotiate an exchange of property tax revenues. A 60-day negotiation period will commence on November 6, 2001. The notice contains information concerning the amount of revenue generated in the annexation area. The County Administrative Office and the Nipomo Community Services District have negotiated on behalf of their respective agencies. A resolution agreeing to the negotiated exchange of property tax revenue is presented for your Board's approval.

The resolution is for Annexation No. 21 to the Nipomo Community Services District (Knollwood); LAFCO File No.: 11-R-01.

Other Agency Involvement/Impact

Nipomo Community Services District is the annexing agency.

BOARD OF SUPERVISORS

November 6, 2001

Page 2

Financial Considerations

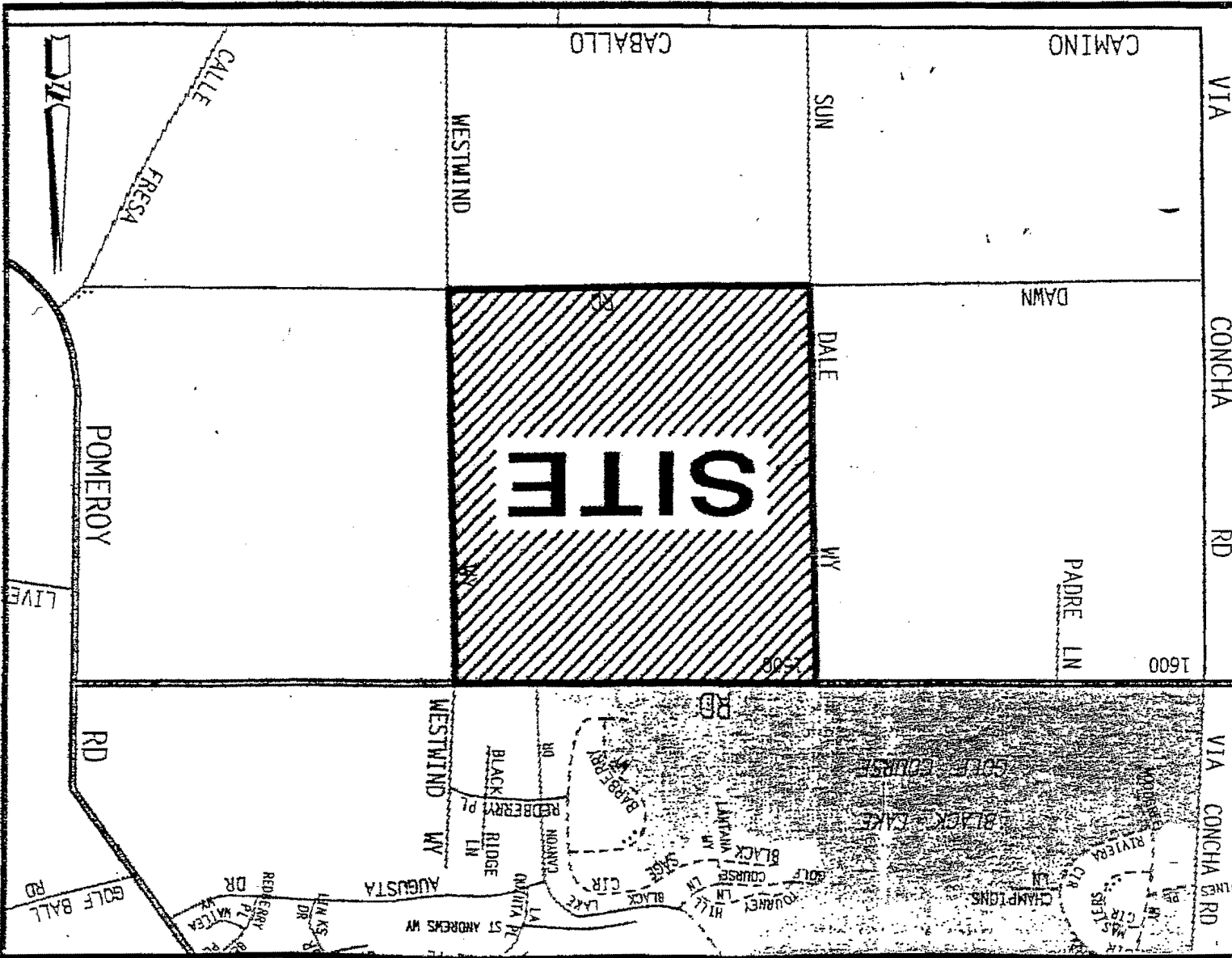
The County will transfer 6.05086 percent of property tax increment, before the Educational Revenue Augmentation Fund (ERAF) calculation. There will not be a transfer of base property taxes.

Results

To agree to a fair and equitable exchange of property tax revenue as a result of annexations of property.

- c - Doug Jones, General Manager, Nipomo Community Services District
- Marsha Stillman, Auditor-Controller's Office
- Paul Hood, LAFCO

VICINITY MAP
NO SCALE



IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 2001

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION ACCEPTING NEGOTIATED EXCHANGE OF
PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT
BETWEEN THE COUNTY OF SAN LUIS OBISPO AND
THE NIPOMO COMMUNITY SERVICES DISTRICT**

The following resolution is hereby offered and read:

WHEREAS, in the case of a jurisdictional change other than a city incorporation or district formation which will alter the service area or responsibility of a local agency, Revenue and Taxation Code Section 99(a)(1) requires that the amount of property tax revenue to be exchanged, if any, and the amount of annual tax increment to be exchanged among the affected local agencies shall be determined by negotiation; and

WHEREAS, when a city is involved, the negotiations are conducted between the City Council and the Board of Supervisors of the County; and

WHEREAS, when a special district is involved, the negotiations are conducted by the Board of Supervisors of the County on behalf of the district or districts, unless otherwise requested by said district or districts pursuant to Revenue and Taxation Code Section 99(b)(5); and

WHEREAS, Revenue and Taxation Code Section 99(b)(6) requires that each local agency, upon completion of negotiations, adopt resolutions whereby said local agencies agree to accept the negotiated exchange of property tax revenues, if any, and annual tax increment and requires that each local agency transmit a copy of each such resolution to the Executive Officer of the Local Agency Formation Commission; and

WHEREAS, no later than the date on which the certificate of completion of the jurisdictional change is recorded with the County Recorder, the Executive Officer shall notify the County Auditor of the exchange of property tax revenues by transmitting a copy of said resolutions to him and the County Auditor shall thereafter make the appropriate adjustments as required by law; and

WHEREAS, the negotiations have taken place concerning the transfer of property tax revenues and annual tax increments between the County of San Luis Obispo and the Nipomo Community Services District pursuant to Section 99(a)(1) for the jurisdictional change designated as Annexation No. 21 to the Nipomo Community Services District (Knollwood); and

WHEREAS, the negotiating party, to wit: Jim Grant, Assistant Administrative Officer, County of San Luis Obispo, on behalf of the County and Doug Jones, General Manager, on behalf of the Nipomo Community Services District have negotiated the exchange of property tax revenue and annual tax increments between such entities as hereinafter set forth; and

WHEREAS, it is in the public interest that such negotiated exchange of property tax revenues and annual tax increments be consummated.

NOW, THEREFORE BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth above are true, correct and valid.
2. That the County of San Luis Obispo agrees to accept the following negotiated exchange of base property tax revenues and annual tax increments.
 - (a) No base property tax revenue shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District.
 - (b) Annual tax increments shall be transferred from the County of San Luis Obispo to the Nipomo Community Services District in the fiscal year 2002-2003 and each fiscal year thereafter in the amount of 6.05086 percent before ERAF.
3. Upon receipt of a certified copy of this resolution and a copy of the recorded certificate of completion, the County Auditor shall make the appropriate adjustments to property tax revenues and annual tax increments as set forth above.
4. That the County Clerk is authorized and directed to transmit a certified copy of the resolution to the Executive Officer of the San Luis Obispo Local Agency Formation Commission, who shall then distribute copies in the manner prescribed by law.

Upon motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

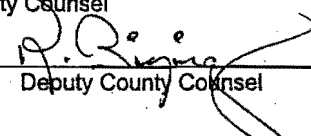
Chairperson of the Board of Supervisors

ATTEST

Clerk of the Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM AND LEGAL EFFECT
JAMES B. LINDHOLM, JR.
County Counsel

By: 
Deputy County Counsel

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *DJ*
DATE: NOVEMBER 7, 2001

NOV 07 2001

ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS
PARCEL MAP CO 99-0115
SAV ON DRUG

ITEM

Acceptance of water and sewer improvements for a commercial development, known as Parcel Map CO 99-0115, Sav-On Drugs.

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (Albertsons) for commercial development, known as Parcel Map CO 99-0115, Sav-On Drugs on Tefft Street, 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-SavOn, accepting the water and sewer improvements for this project.

Board 2001\Accept SavOn.DOC

RESOLUTION NO. 2001-SAV ON

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR PARCEL MAP CO 99-0115 (SAV ON)

WHEREAS, the District approved and signed the construction plans on January 26, 2001 for the water and sewer improvements to be constructed on Tefft Street; and

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

WHEREAS, on September 5, 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 99-0115 (Sav On).

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 99-0115 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 7th day of November 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: NOVEMBER 7, 2001

AGENDA ITEM
NOV 07 2001



MANAGER'S REPORT

G-1) CSDA LEGISLATIVE UPDATE
ERAF revenue shifting

G-2) GENERAL PLAN AMENDMENT-BRAND (Notice of Preparation of Draft EIR)
Attached is a copy of a proposed general plan amendment. Responses are due to SLO County by November 30, 2001. Please have Board comments in office by November 14, 2001. A letter will be prepared and brought to the Nov. 28, 2001 meeting for comment/approval.

Board 2001\mgr 110701.DOC



CSDA LEGISLATIVE UPDATE

Friday, October 26, 2001

Leg Alert!

In the early 1990s, the state was faced with a \$14 billion budget deficit. Governor Wilson and the Legislature agreed to a \$7 billion sales tax increase and to \$7 billion in budget-related program cuts.

In 1991-92, the Legislature also shifted property tax revenues from cities, counties and special districts to schools. The property tax shift reduced by a like amount the state's General Fund support for schools and is known as ERAF, the Educational Revenue Augmentation Fund. In 1992-93, the Legislature again shifted more local property tax revenues to ERAF, which continues to this day.

The state is again facing a fiscal crisis that could approach the levels of the early 1990s; Governor Davis and the legislative leaders continue to meet to explore options to address the problem. While the Legislature is in recess and scheduled to return to Sacramento on January 7, 2002, there is a strong possibility that the Governor will call a Special Session to deal with the growing budget crisis.

Since shifting additional property tax revenues from local governments is a possibility, CSDA is formulating a grassroots action plan, the details of which will be shared with each member district in the very near future.

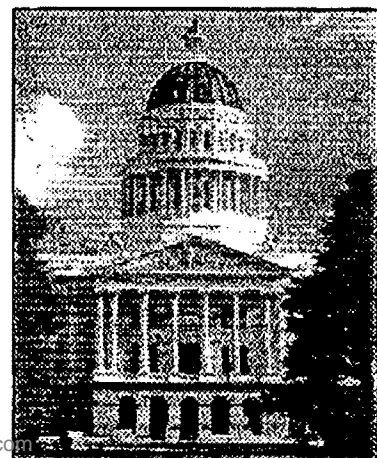
The purpose of this alert is to advise you of the severe nature of the state's budget crisis and the potential of shifting additional property tax revenues from cities, counties and special districts. It will be imperative for you to communicate with your Assemblymember and Senator, urging them not to shift more property tax revenues and educating them on how the loss of additional property taxes would impact your district and the public services you provide your community.

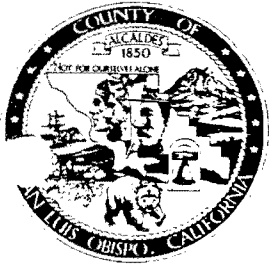
We expect the grassroots action plan to be finalized soon. CSDA will provide you with that action plan and information on how you can assist with your legislators. In the interim, you may want to prepare an updated summary of the impacts the existing property tax shifts have had on your district, which will be vital information to use with your legislators.

If you have any questions about the budget crisis or how your district can help, please contact the CSDA office toll-free at 877.924.CSDA.

California Special Districts Association

1215 K Street, Suite 930
Sacramento, CA 95814
www.csda.net





SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

BRYCE TINGLE, AICP
ASSISTANT DIRECTOR

ELLEN CARROLL
ENVIRONMENTAL COORDINATOR

FORREST WERMUTH
CHIEF BUILDING OFFICIAL

DATE: October 29, 2001

TO: NIPOMO COMMUNITY SERV DIST
148 SOUTH WILSON
NIPOMO CA 93444

FROM: Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT
REPORT

PROJECT TITLE: BRAND GENERAL PLAN AMENDMENT; G990027M, ED00-120

PROJECT APPLICANT: MICHAEL BRAND

RESPONSES DUE BY: NOVEMBER 30, 2001

The County of San Luis Obispo will be the Lead Agency and will prepare an Environmental Impact Report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the Environmental Impact Report prepared by our agency when considering your permit or other approval for the project.

PLEASE provide us the following information at your earliest convenience, but not later than the 30 day comment period which began with your agency's receipt of the NOP.

1. NAME OF CONTACT PERSON. (Address and telephone number)
2. PERMIT(S) or APPROVAL(S) AUTHORITY. Please provide a summary description of these and send a copy of the relevant sections of legislation, regulatory guidance, etc.
3. ENVIRONMENTAL INFORMATION. What environmental information must be addressed in the Environmental Impact Report to enable your agency to use this documentation as a basis for your permit issuance or approval?
4. PERMIT STIPULATIONS/CONDITIONS. Please provide a list and description of standard stipulations (conditions) which your agency will apply to features of this project. Are there others that have a high likelihood of application to a permit or approval for this project? If so,

**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Brand General Plan Amendment; G990027M, ED00-120

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project. Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

Initial Study Reference and Agency Contacts: The following reference materials are used in the environmental review for each project and are hereby incorporated by reference into the Initial Study.

- Project File for the Subject Application
- County General Plan (Inland & Coastal, including all maps & elements)
- County Land Use Ordinance
- Area of Critical Concerns Map
- Fire Hazard Severity Map
- Natural Species Diversity Database
- Areas of Special Biological Importance Map
- Archaeological Resources Map
- Natural Resources Conservation Service Soil Survey for San Luis Obispo County
- Flood Hazard Maps
- Airport Land Use Plans
- Other special studies, reports and existing EIRs as appropriate

In addition to the above, the County Planning or Environmental Division have contacted responsible and trustee agencies for their comments on the proposed project. With respect to the subject application, the following agencies have been contacted (marked with an "X") or have responded (marked with "XX"):

- | | |
|---|--|
| <u>XX</u> County Public Works Department | <u>X</u> CA Department of Transportation |
| <u>X</u> County Environmental Health Division | <u>XX</u> <u>Nipomo</u> Community Service District |
| <u> </u> County Planning Division | <u>XX</u> Other <u>County of Santa Barbara</u> |
| <u>XX</u> County Agricultural Commissioner's Office | <u>XX</u> <u>Lucia Mar Unified School Dist.</u> |
| <u> </u> County Airport Manager | <u>XX</u> <u>County Parks & Recreation</u> |
| <u> </u> Airport Land Use Commission | <u>XX</u> <u>Nipomo Community Advisory Comm.</u> |
| <u>XX</u> Air Pollution Control District | <u>XX</u> <u>City of Arroyo Grande</u> |
| <u> </u> County Sheriff's Department | <u>XX</u> <u>SB Co. Flood Control District</u> |
| <u>X</u> Regional Water Quality Control Board | <u>XX</u> <u>SLO council of Gov'ts</u> |
| <u> </u> CA Coastal Commission | <u>X</u> <u>City of Santa Maria</u> |
| <u>XX</u> CA Department of Fish and Game | <u>X</u> <u>City of Guadalupe</u> |
| <u>X</u> CA Department of Forestry | |

(PS)-Potentially Significant Impact; (M)-Impact Can & Will be Mitigated; (I)-Insignificant Impact; (NA)-Not Applicable

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

Not Applicable
 Insignificant Impact
 Impact Can & Will be Mitigated
 Potentially Significant Impact

I. BIOLOGICAL RESOURCES

- | | (PS) | (M) | (I) | (NA) |
|--|------|-----|-----|------|
| A. Wildlife | () | (✓) | () | () |
| B. Vegetation | () | (✓) | () | () |
| C. Habitat Area | () | (✓) | () | () |
| D. Rare and/or Endangered Species | () | (✓) | () | () |
| E. Unique or Fragile Biotic Community | () | (✓) | () | () |
| F. State Area of Special Biological Importance | () | () | (✓) | () |
| G. Riparian/Wetland Area | () | () | (✓) | () |
| H. Other: _____ | () | () | () | () |

The property is primarily grassland with windrows of mostly non-native trees (e.g. eucalyptus), as well as portions used for irrigated row crops. The California Department of Fish and Game's (CDFG) Natural Diversity database does not identify any sensitive species on this property. CDFG has also provided a general response that there are certain sensitive plant species on the Nipomo Mesa that need to be protected (sand mesa manzanita, Well's manzanita, Pismo clarkia, marsh sandwort, Gambel's watercress, Kellogg's horkelia, and dune larkspur). Given the existing vegetation, there is low probability that any sensitive plant species identified by CDFG would be found on the subject property. A botanical report should be prepared at the time specific development is proposed to verify this conclusion. *Given that some potential exists for Monarch butterfly activity and nesting raptors, existing trees should be retained until it is shown that no Monarch butterfly roosting or raptor nesting is occurring in these trees.* If any sensitive wildlife or vegetation is found at the time future development is proposed, the following mitigation could be applied at the time of development to reduce the impacts to insignificance: design development or subdivision to avoid the resource, set aside an area within the property boundaries to be replanted with sensitive species or protected in perpetuity, or purchase a comparable habitat area off-site that will be maintained in perpetuity in its natural state.

Finding: It is expected that incorporation and implementation of standard mitigation measures at the time specific development is proposed will reduce potential biological resource impacts to a less than significant level.

II. DRAINAGE, EROSION AND SEDIMENTATION

- | | (PS) | (M) | (I) | (NA) |
|--|------|-----|-----|------|
| A. Increased Storm Water Runoff | () | (✓) | () | () |
| B. Erodible Soils/Erosion | () | (✓) | () | () |
| C. Poorly Drained Soils | () | () | (✓) | () |
| D. Sedimentation | () | (✓) | () | () |
| E. Contributes to Existing Drainage Problem | () | (✓) | () | () |
| F. Alters Existing Drainage Course or Waterway | () | (✓) | () | () |
| G. Other: _____ | () | () | () | () |

(PS)-Potentially Significant Impact; (M)-Impact Can & Will be Mitigated; (I)-Insignificant Impact; (NA)-Not Applicable

Potential Water Usage - This amendment has identified that water for future commercial and residential development would be provided by Cal Cities Water company. The property is also adjacent to the Nipomo Community Service District (NCSD) boundary, who also provides community water and wastewater services. Both of these water purveyors obtain their water from the Santa Maria groundwater basin (Nipomo Mesa subarea). A reasonable “worst case” water usage under the proposed uses would likely be about 195 acre-feet/year (afy) based on:

<u>residential</u> 32 lots (w/ primary & secondary or 0.85 afy + 0.33 afy) X 32 lots =	37.76 afy
<u>commercial</u> based on 523,000 sq. ft. of CS (0.30 afy/1,000 sq. ft.) =	<u>156.9 afy¹</u>
Total	194.66 afy

¹ CITY OF SANTA BARBARA WATER DEMAND FACTOR & CONSERVATION STUDY 'USER GUIDE' (Aug., 1989)

If the traffic report’s commercial square footage of 609,000 is used (vs. 523,000), an additional 25.8 afy should be added to the above total. There would be an additional unknown amount of water used for landscaping.

The applicant has provided an estimate of historic water usage (Cleath; May, 2001) and is summarized as follows. Three existing residences and greenhouses (2 acres) use about 9.2 afy. Over the “5-year study” period, between 30 and 35 acres have been used regularly for irrigated row crops, using about 45 afy. These uses total approximately 54 afy. The report estimates that these activities result in an annual consumptive use of 43 afy.

Without consideration for landscaping, the net increase in non-agricultural water usage is expected to be about 190 AFY. Approximately 90% of landscape water would be lost through evapotranspiration, with about 10 % recharged back into the groundwater table.

A substantial portion of the indoor water could to be recharged back into the water table through the wastewater system. If a community system is used, approximately 80% is typically expected to return to the wastewater treatment plant and then recharged back into the groundwater basin. Concentrated areas of recharge, such as community systems or large detention can increase the amount recharged back into the groundwater basin. Individual on-site septic systems would recharge back to the groundwater basin at a lesser rate.

Groundwater Basin - This project is on the eastern edge of the Nipomo Mesa and within the Santa Maria groundwater basin. Regional water reports (e.g., Department of Water Resources(DWR), Woodlands, Ludhorf & Scalmini) have been prepared and vary in conclusions reached on the status of the Santa Maria groundwater basin. The County’s Resource Management System Annual Resource Summary Report (2000), using the more conservative DWR report, identifies the future outflow of the Nipomo Mesa subarea to exceed inflow by 2,000 acre feet/year by the year 2020. The report indicates that one of the major concerns are the pumping depressions being created by the larger water purveyors for urban uses.

The DWR report identifies a fairly large groundwater depression under the southwest protion of the Nipomo Mesa. This is mainly due to a localized overpumping of one or more larger water purveyors, including NCSD. To date, NCSD has not provided any information to the county to address this problematic condition. At this time, connecting to any existing water company with production wells in this problematic area is considered a potentially significant impact. As proposed, this project could use large quantities of water and could create or contribute towards localized water problems. in addition to adding to the cumulative effects. The applicant has indicated they may want to connect with the NCSD as a part of the commercial phase. Water usage and impacts are considered a potentially significant effect needing additional analysis.

The County of Santa Barbara and SB County Flood Control & Water Conservation District & Water Agency identified the potential for significant cumulative groundwater impacts (see attached letters). The Nipomo

Groundwater Pollution - With continued pumping of groundwater from the Nipomo Mesa, reduced quality of groundwater could also result due to increased concentrations of dissolved solids. This represents a potentially significant cumulative groundwater quality impact.

***Finding:** Based on the water quality information available, the potential exists that the cumulative effects of this project on the groundwater basin, combined with other general plan amendments currently proposed along with development of unbuilt areas under the current zoning, could be significant. Therefore, section 15064 of CEQA requires that an EIR be prepared to evaluate cumulative water impacts.*

Noise - The commercial zoning request has the potential to generate loud stationary noise, as well as attract larger, louder delivery vehicles. The proposed commercial category is both adjacent to existing and proposed residential zoning, which is considered a sensitive noise receptor. Certain uses allowed within the Commercial Service category are also identified as sensitive receptors (e.g., hotels, churches). The County's Land Use Ordinance and Noise Element include a number of provisions to substantially reduce most potential stationary and mobile noise impacts. As future specific development is proposed, it will need to consider and comply with these documents to mitigate for noise impacts. However, there may still be some uses that could exceed the County's noise thresholds, even after all feasible noise mitigation measures are applied. ***A standard should be required that requires future commercial and residential lot configuration will be designed to maximize separation between these uses, as well as make future commercial development aware that it will need to achieve the County's noise threshold of 50 db at the surrounding residential property lines.***

Based on about 523,000 sq. ft. of a mix of commercial development, this portion of the project is likely to generate about 3,500 daily trips or more, with a peak hour demand of 460 trips or more, depending on future commercial uses. Each new residence would generate about 10 daily trips (if primary and secondary considered = 62 residences) or 620 daily trips or at least 62 peak hour trips. This amount of development (4,120 daily trips) could add substantial traffic onto Southland, Orchard and Frontage Roads and have some potential to significantly impact sensitive noise receptors on these roads. ***Additional noise analysis is needed to determine the potential effects of new traffic to residences along these roads and what sensitive noise receptors could be significantly impacted, if any.***

***Finding:** The proposed project could substantially increase potential stationary and mobile noise impacts. The proposed standard, along with existing applicable standards, is expected to reduce stationary noise impacts to less than significant levels. Additional noise analysis is necessary to determine the significance of the additional traffic impacts of this general plan amendment. At this point without the additional noise information, the potential traffic noise impacts are considered significant and unavoidable. Based on comments received by Public Works, the cumulative traffic effects of this project, along with the other South county GPAs, could be significant. Therefore, section 15064 of CEQA requires that an EIR be prepared.*

Air Quality - In 1989, the State Air Resources Board designated San Luis Obispo County a non-attainment area for exceeding the State's air quality standards set for ozone and dust (small particulate matter). The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation.

Dust, or particulate matter less than ten microns (PM10), can be emitted directly from a source, and can also be formed in the atmosphere through chemical transformation of gaseous pollutants. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants sometimes contribute towards this chemical transformation into PM10.

It is likely that much of the subject property will be disturbed to accommodate the proposed density increases. This would result in both short-term vehicle emissions and the creation of dust during construction. Standard

(PS)-Potentially Significant Impact; (M)-Impact Can & Will be Mitigated; (I)-Insignificant Impact; (NA)-Not Applicable

- C. Limited or Unsafe Access () (✓) () ()
- D. Creates Unsafe Conditions on Public Roadways (✓) () () ()
- E. Areawide Traffic Circulation (✓) () () ()
- F. Internal Traffic Circulation () (✓) () ()
- G. Other: _____ () () () ()

Existing conditions - As previously mentioned in the Noise discussion, the commercial portion of the project is likely to generate about 3,500 daily trips (possibly more), with a peak hour demand of 460 trips (possibly more), depending on future commercial uses. Each new residence would generate about 10 daily trips (if primary and secondary considered = 62 residences) or 620 daily trips or at least 62 peak hour trips. This amount of development could add substantial traffic onto Orchard, Southland and So. Frontage Roads. The existing conditions of the main roads to this development are as follows: South Frontage - Level of Service (LOS) A to C; Southland - LOS B; Orchard Road - LOS B to C. Future development at the densities allowed under each category could possibly push all of these roads to unacceptable levels of service. Other nearby roads and intersections may also be impacted to a lesser extent. As a rough approximation, the amount of traffic on Orchard (between Tefft and Division) now is about what can be expected on South Frontage Road (between Southland and Story Street) at project buildout (not including any other new development along South Frontage). South Frontage Road (between Story and Tefft Streets) would be about what is now being experienced on Pomeroy Road north of Tefft St.

The applicant has retained ATE to prepare a preliminary traffic study (July, 2001). Their numbers are slightly higher than the above initial estimates (795 total peak hour trips, 7,523 ADTs). The report indicates that the residential component should not have a significant impact on existing roadways, where the commercial/business park development could generate sufficient traffic to warrant the need for substantial improvements (e.g. construction of the Willow Road extension/Hwy. 101 interchange, develop "slip" ramps at Southland and Highway 101, etc.).

The applicant is proposing deletion of the Specific Plan requirement called out in the Area Plan. One of the intents of the Specific Plan requirement, along with the general Area Plan suggestions of substantial intensification of development in this area was to provide both a mechanism to collect traffic impact fees, as well as allow for sufficient intensification to be able to fund the entire interchange. The proposed level of intensified land use changes is not expected to be able to fund the cost of such an interchange.

Referrals - County Public Works has generally reviewed the proposed project for traffic impacts and had the following concerns: the need to re-run the South County Circulation model with this development included, Southland would need to be widened along property frontage, new roads should align with existing roads, Nelson Way should be analyzed as a parallel connector to Orchard (instead of using Southland), and that horse trail crossing location(s) would need to be revised.

San Luis Obispo Council of Governments has expressed traffic congestion concerns (especially on Tefft between Orchard and So. Frontage Rd) that need to be addressed. The Nipomo Community Advisory Committee expressed concerns over the potential loss of securing a future Southland/Highway 101 interchange.

Highway 101 Interchange - The South County Area Plan envisioned Southland Road to be a future southern interchange with Highway 101. The Nipomo Community Advisory Council strongly support this vision. Currently, Tefft St. (over one mile to the north) is the only direct Highway access to Nipomo. Willow Road to the north, will also eventually be constructed as an interchange. Southland is a good distance and location for a future 3rd interchange. Caltrans has not expressed any interest to retain the right-of-way for such an interchange and has already given up the option to retain right-of-way from development currently under construction or recently completed to the north. Public Works is currently in the process of evaluating the

(PS)-Potentially Significant Impact; (M)-Impact Can & Will be Mitigated; (I)-Insignificant Impact; (NA)-Not Applicable

to deny or condition a project based on inadequate school facilities. The Nipomo Community Advisory Committee expressed concerns of this project generating students and its impacts on the school district.

- **Water Services** - Please refer to the water section discussion for potential water impacts. Any future service will need to be able to meet the CDF-required flows of 1500 gpm flows (for 120 minutes). The Nipomo CSD has prepared water line capacity studies, and, if subarea-wide groundwater is shown to be available long-term, they have indicated that they have the general capacity to serve this development. The water line capacities for CalCities is not known. However, larger lines and booster pumps could be installed, if determined necessary. CalCities water source is the same as the District's and the same groundwater availability concerns would also exist.

Finding: Incorporation and implementation of standard mitigation measures, as described above, at the time specific development is proposed are expected to reduce public service impacts to a less than significant level.

VIII. AESTHETIC/CULTURAL RESOURCES

	(PS)	(M)	(I)	(NA)
A. Visual Impact from Public Roadway	()	(✓)	()	()
B. Increased Light or Glare	()	(✓)	()	()
C. Alters Important Scenic Vista	()	()	(✓)	()
D. Archaeological Resources	()	(✓)	()	()
E. Historic Resources	()	(✓)	()	()
F. Other: _____	()	()	()	()

Visual Resources - The subject property and surrounding area can be characterized as nearly level to gently sloping topography, and with a rural atmosphere to the south and an urban atmosphere to the north. The main existing land uses include: previous chicken ranch, residence with accessory structures, agriculture and undeveloped. Surrounding uses include: wastewater treatment plant and agriculture to the south, residences to the west and north, commercial and residential to the north, and Highway 101 to the east. The Nipomo Community Advisory Committee expressed concerns over the visual impacts associated with this land use change.

The subject property is located at South Frontage Road and Southland Road, and development will be visible when viewed from Highway 101. This amendment would become the southernmost extension of the community of Nipomo. The Area Plan includes several Nipomo Urban "gateway" standards to address the visual impacts of commercial development. These standards should be extended to this property as the urban reserve line is also proposed to be extended. The recently-approved Olde Towne Nipomo Design and Circulation Plan, which does not extend to this part of Nipomo, includes a number of architectural and design components that might be appropriate to consider for future development on this property.

A planning area standard should be added that future commercial development recognize the following portions of the Design Plan to the extent feasible as future development is designed: building siting/orientation, parking lots, building scale, building facades/ articulation/ entries, landscaping, lighting and signage. In addition, this planning area standard should direct future commercial development to adhere to the County's Design Guidelines for urban areas, unless it conflicts with the "Gateway" standards or Nipomo Design Plan.

Future commercial development will be subject to discretionary actions and additional environmental review, where additional visual mitigation measures could be required, if necessary to further reduce potential visual impacts.

(PS)-Potentially Significant Impact; (M)-Impact Can & Will be Mitigated; (I)-Insignificant Impact; (NA)-Not Applicable

Energy - Some of the uses allowed in the proposed Commercial Service land use category could potentially require substantial amounts of energy. The power companies providing electricity to the State of California currently have limited supplies. It is expected that for an interim period until more power sources can be found or built (probably at least two to three years away to adequate power supplies), the state's power supply will be limited with regular rolling blackouts expected this summer during peak usage. The County's Energy Element includes a number energy saving measures that could be applied to specific projects to reduce energy demands, above what is now required by the state. However, without knowing exact uses at this time, the significance of the future project's buildout power consumption is not known.

To minimize energy consumption impacts, *a planning area standard should be added to direct future development to consider and incorporate all applicable and feasible measures discussed in the Energy Element at the time future development is proposed.*

Finding: Incorporation and implementation of standard mitigation measures, and adherence to the proposed standard at the time specific development is proposed will reduce potential energy impacts to a less than significant level.

Resource Capacities - Potentially limited resources relating to this project include: water, air quality, road widths, loss of potential ag use. The project has the potential to significantly reduce the capacity of each of these resources, and is discussed in greater detail in other sections.

Finding: The proposed project, along with other proposed amendments, could substantially impact the long-term capacity or sustainability of certain resources, and could be significant. Therefore, section 15064 of CEQA requires that an EIR be prepared.

X. AGRICULTURAL/MINERAL RESOURCES

	(PS)	(M)	(I)	(NA)
A. Eliminates Valuable Mineral Resources	()	()	()	(✓)
B. Prime Agricultural Soils	()	()	()	(✓)
C. Conflicts with Existing Agricultural Area	(✓)	()	()	()
D. Change from Agriculture to Other Uses	(✓)	()	()	()
E. Other: _____	()	()	()	()

The project does not propose to eliminate or extract any valuable mineral resource.

Agriculture - The project is made up of the Oceano sand soil unit. Oceano sand is given a Class IV soil rating, which is not considered prime. Historically, a portion of the property has been used as a chicken ranch, which structural remnants of this past use still remaining. Currently, several acres are being used for irrigated row crops. To the south of the subject property in this soil unit, the following ag uses can be found: irrigated row crops, dry-land grain, grazing.

The proposed project was referred to the Agricultural Commissioner's Office to determine what potential conflict the proposed project might have on surrounding agricultural operations. The Ag Commissioner's letter did identify the potential for agricultural resources being significantly impacted as follows: much of the area proposed for conversion are well suited for certain orchard (avocado, lemon) and row crops (strawberry, certain vegetables), as well as nursery operations; non-ag use of water potentially will result in a significant reduction in quantity and quality of water for agricultural use; potential ag compatibility issues between agriculture to the south and the proposed residential category. The compatibility issue could likely be mitigated by providing a residential buffer (usually between 100' - 400') and the notification/application of the st current "right to farm" provisions.

(PS)-Potentially Significant Impact; (M)-Impact Can & Will be Mitigated; (I)-Insignificant Impact; (NA)-Not Applicable

Commercial Retail (42 acres; 175,000 sq. ft (@ 10%) of building),
Recreation (136.5 acres; 16 residences; elementary school; 103-unit lodge, allow more commercial uses);
Growth Management (180 exemptions; possibly 600 units from unused allocations for South County use).

When considered together, these changes could be cumulatively significant for the following areas:

Water - As has been identified previously, the state of the groundwater basin in the Nipomo Mesa subarea appears to have changed over the last 20 years. Regional reports have been prepared that vary in conclusion of the basin's current and future state. Additional water analysis is needed to further evaluate these reports and determine if increasing the intensity for development on this property (as well as considering other current amendment requests) has the cumulative potential to significantly impact the underlying water resources. The County of Santa Barbara and the "SB County Flood Control & Water Conservation District & Water Agency" identified the potential for significant cumulative groundwater impacts.

Traffic - Future development under the proposed category change could generate significant amounts of traffic and could substantially impact surrounding roadways. This project, in addition to the other general plan amendments, could also have a cumulatively significant impact on the major roadways in the area above what was considered in the recently updated South County Circulation Study. County Public Works has identified the need for the South County traffic model to be updated further to evaluate these impacts and determine if any region-wide improvements will be necessary as a result of increasing development density.

Air Quality - While the South County Air Quality Mitigation Program will partially mitigate area-wide impacts (for the residential portion only), the Air Pollution Control District (APCD) has identified this request as having potentially significant cumulative air quality impacts and is not consistent with the Clean Air Plan (CAP). An air quality analysis should be performed to better identify potential impacts, and consider and quantify all feasible air quality mitigation measures.

Agriculture - Agriculture is dependent on soil types, climate and adequate water. Continued urbanization of lands with economically viable agricultural capabilities, could on a cumulative basis, significantly reduce lands otherwise available for agricultural uses. Such urbanization also creates potential human/ag conflicts with residences and increases pressures and costs to surrounding agricultural operations.

South County Cumulative Impact EIR - The County is currently in the process of having an EIR prepared to evaluate the cumulative effects to the Nipomo Mesa area from the recently exempted projects (180) from the Growth Management Ordinance. This EIR may address some or all of the cumulative effects of this GPA as well as possibly consider the other seven South County GPAs currently being processed. *If the applicant chooses to proceed forward and not wait for the cumulative issues to be addressed in the county's document, the applicant will need to incorporate their own cumulative impact analysis into an EIR.*

Finding: The proposed project, along with other proposed amendments, could have significant cumulative impacts to water, traffic, air quality and agriculture. Therefore, section 15064 of CEQA requires that an EIR be prepared.

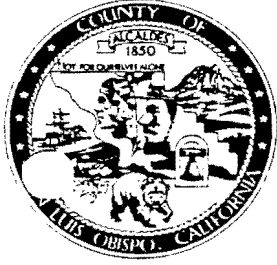
INITIAL STUDY PREPARATION

Prepared by: Name John McKenzie Signature John McKenzie Date 9/26/01

Reviewed by: Name John Nall Signature John Nall Date 9/26/01

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(PS)-Potentially Significant Impact; (M)-Impact Can & Will be Mitigated; (I)-Insignificant Impact; (NA)-Not Applicable



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

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DEPT. BUILDING OFFICIAL

REQUEST FOR PROPOSALS

BRAND GENERAL PLAN AMENDMENT; G990027M, ED00-120 ENVIRONMENTAL IMPACT REPORT

SECTION 1 - GENERAL INFORMATION

1.1 PURPOSE

The purpose of this request for proposals (RFP) is to provide interested individuals and consultant firms with sufficient information concerning the services desired by the County of San Luis Obispo. This information is intended to enable the firms to prepare and submit proposals to prepare an Environmental Impact Report (EIR) for Brand General Plan Amendment: G990027M, ED00-120. This request for proposal is made for informational and planning purposes only. Awards (if made) will not be made solely on the basis of proposals resulting from this request.

1.2 RIGHT OF REJECTION

The County reserves the right to reject any or all proposals received as a result of this request. The County will not pay for any information contained in the proposals obtained from participating firms. The County is not liable for costs incurred by firms prior to issuance of a contract. The County also may negotiate separately with any source in any manner necessary to serve the best interest of the County. This request for proposals is made for information and planning purposes only. Awards (if made) will not be made solely on the basis of proposals resulting from this request.

1.3 HOW TO SUBMIT PROPOSALS

In order for proposals to be examined and evaluated by the Environmental Coordinator, the County is requesting five (5) copies of the proposals and five (5) copies of any supportive materials. **Proposals must be delivered no later than 5:00 pm, October 29, 2001.** Please ship copies so as to insure prompt delivery to:

COUNTY OF SAN LUIS OBISPO
JOHN McKENZIE, ENVIRONMENTAL DIVISION
COUNTY GOVERNMENT CENTER, ROOM 310
SAN LUIS OBISPO, CA 93408

1.9 PROJECT DESCRIPTION

A request to amend the County's general plan by: 1) changing approximately 32 acres from Rural Lands to Residential Suburban (allows up to 32 lots); 2) changing 40 acres from Rural Lands to Commercial Service (applicant is suggesting 16 lots of 2.5 acres; @ 30% single-story footprint coverage this would equal about 523,000 sq. ft. of structures) w/ no limitations on allowed uses; 3) deleting the Specific Plan requirement; 4) adding the site to the Nipomo Urban Reserve Line; and 5) changing the Ag & Open Space Element designation from Large-Lot Rural to Urban Lands. The applicant would like to phase development, where the residential development would precede the commercial development.

SECTION 2 - SCOPE OF WORK

2.1 GENERAL REQUIREMENTS

The EIR shall meet all of the requirements set forth in the CEQA guidelines. In considering the preparation of an EIR, please keep in mind Section 15146 of CEQA, which says "the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity".

If the consultant identifies areas of concern not mentioned in this request, these should be described in the consultant's proposal and included in the cost estimate.

The consultant will need to coordinate its efforts with other agencies, such as the County Planning & Building Department, Public Works Department., Caltrans, SLOCOG, Nipomo Community Services District, Environmental Health Division, CDF/County Fire Department, Air Pollution Control District, Agricultural commissioner's Office, City of Santa Maria, and County of Santa Barbara.

2.2 SPECIFIC REQUIREMENTS

The issues described in the following pages should be addressed in the EIR. Other issues to make the EIR a complete document in compliance with CEQA should also be addressed.

Identified impacts shall be designated as significant or insignificant pursuant to the criteria of CEQA. Indirect or secondary impacts of the project shall also be discussed and mitigation measures recommended.

Mitigation measures should be described in detail and should be specific to the project. Two types of mitigation measures should be recommended: measures addressing impacts related to the primary impacts; and measures addressing impacts related to the secondary impacts associated with the proposed project.

To provide background information and facilitate the EIR, the County Environmental Division has the following documents available. These documents should be reviewed:

- County Land Use Ordinance - Inland Portion

- d. Where applicable, identify feasible mitigation measures to reduce potentially significant impacts.

2. **Traffic and Circulation**

- a. Work with all circulation-oriented agencies (e.g., Caltrans, County Public Works, SLOCOG, SLORTA, County Parks and Recreation Division) of existing and future conditions, and to identify unmet needs for circulation and transit.
- b. Prepare a detailed traffic analysis that includes: the existing conditions, the proposed project's impacts, and how much additional impacts this project will have above planning area buildout on surrounding roadways. The analysis shall include impacts to the existing Tefft St./Hwy 101 interchange. If impacts are potentially significant, the analysis shall include evaluation of: at-grade slip ramps for Southland and Highway 101 and, if needed, installation of full interchange. The analysis will show the impacts associated with the: residential aspect, commercial aspect, and the residential and commercial components combined.
- c. If interchange is warranted, the analysis should explore feasible "fair share" alternatives to fund such an improvement. This may include an estimate of what level of land use intensity and/or acreage (for the subject and surrounding properties) would be needed to feasibly fully absorb the cost of such an interchange.
- d. Analysis shall determine what improvements, if any, would be needed to maintain acceptable service and safety levels (at project completion and area plan buildout). The South County Circulation Study, along with recent traffic counts taken by County Public Works, should provide a basis for existing conditions. Some supplemental counts may be necessary.
- e. **Optional task:** *the County's T-Model will need to be re-run to determine if additional improvements to the County's "backbone" roads and/or fee program are necessary, and would need to include any currently proposed density increases (i.e., authorized GPAs) in the South County planning area.*
- f. Summarize the proposed project design and location relating to what transportation mode alternatives/ demand management strategies could be feasibly incorporated into future development of the subject property.
- g. Determine what mitigation measures would be necessary to substantially reduce future traffic identified as potentially significant or exceeding acceptable LOS thresholds.

3. **Water/Wastewater**

The project is roughly estimated to use about 195 AFY of water. Water will be extracted from the Santa Maria groundwater basin. Analysis will be as follows:

Water

- a. Consult with water agency experts, including but not necessarily limited to: Department of Water Resources, Regional Water Quality Control Board, Environmental Health, County Public Works and the Nipomo Community Services District.
- b. Consider all new water information related to the project since completion of the So County Area Plan update prepared in 1993.

measures needed to reduce impacts to insignificant levels.

5. Noise

Potential short- and long-term impacts from mobile and stationary noise must be identified and evaluated by an individual qualified in acoustical analysis. This section of the EIR should include, but not be limited to, the following:

- a. Summarize the existing noise conditions relating to traffic on the major roads in the vicinity (e.g., Highway 101, So. Frontage Road, Southland, Orchard). The County's Noise Element contains useful noise contour information around some of these roads.
- b. Identify potential or existing sensitive stationary noise receptors (e.g., residences, schools, etc.) for the project and each alternative considered. Each sensitive noise receptor identified shall be discussed in sufficient detail to identify if feasible mitigation is possible and to what extent the impact can be mitigated for each phase of development.
- c. Identify and discuss project's affect on noise levels from existing and buildout traffic levels on affected roads for the project and each alternative.
- d. Short-term construction noise impacts shall be discussed and include any necessary construction-related mitigation measures.
- e. Discuss consistency with County Noise Element.
- f. Consider impacts to sensitive noise receptors beyond the project limits where substantial increases in traffic volumes are projected.
- g. Identify all feasible mitigation measure where acceptable thresholds are exceeded.

6. Air Quality

Potential short- and long-term impacts to air quality must be identified and evaluated by an individual qualified in air quality analysis. This section of the EIR should include, but not be limited to, the following:

- a. Work with the Air Pollution Control District to evaluate their potential concerns and feasibility of recommended mitigation measures.
- b. Summarize the existing pre-project climatic and air quality conditions.
- c. Summarize the regulatory setting.
- d. Prepare air quality model that compares air quality impacts from pre-project to post-project conditions. This model shall include impacts relating to construction and operational emissions.
- e. Determine if any intersections, due to increase in traffic from the proposed project, that will require CO "hotspot" analysis and complete such analysis (*please separate this as an optional cost item*).
- f. Consider impacts to surrounding residential areas.
- g. **Optional:** *Estimate potential cumulative and long term impacts, including an assessment of the other South County general plan amendments currently being processed.*
- h. Identification and discussion of feasible mitigation measures to minimize potentially adverse air quality impacts to a level of insignificance.

standards) provide sufficient mitigation to reduce impacts to less than significant levels.

- c. If significant impacts remain, include additional measures and provide visual simulation examples to show how these impacts will be minimized.

10. ***Remaining Issues***

The Initial Study identified the following issues as either being impacted below significant levels, or that standard mitigation measures or existing ordinances could be used to reduce potential impacts to insignificant levels. The EIR should include a short discussion on each, and as appropriate, include the known measures or programs that are expected to reduce these impacts to less than significant levels:

- a. **Biological Resources** - The property is primarily grassland with windrows of mostly non-native trees (e.g. eucalyptus), as well as portions used for irrigated row crops, with very limited potential for any significant native plant or wildlife species.
- b. **Drainage, Sedimentation, Erosion, Geology** - The project is not in close proximity to any sensitive water course. Nipomo Creek is to the east but separated by Highway 101. Standard control measures should adequately manage the sandy soils on relatively level/ gently sloping topography. No known faults exist in the general area and standard construction measures should adequately address potential seismic concerns.
- c. **Wastewater** - for on-site individual or community wastewater treatment, it is expected there will be adequate separation between leach fields/system and groundwater for the porous sandy soils. The Nipomo CSD would have adequate capacity should the commercial project wish to connect to this facility.
- d. **Public Services** - The project's cumulative impacts to public services (police, fire, schools, solid waste) are expected to be mitigated through the County's Public Facility Fee, or existing School fees. However, the analysis should determine if additional facilities or personnel are warranted above those identified in the Public Facilities program. Other, project specific requirements, such as complying with a fire safety plan from CDF, would be completed when a specific project is proposed and can be adequately addressed at that time. For water services, adequate flows can be provided, but may require some infrastructure improvements, which can be addressed at the specific project stage.
- e. **Archaeological Resources** - A Phase I prehistoric and historic surface survey should be prepared for the subject property. Resources are known to exist nearby. Nipomo Creek is located several hundred feet to the east. Based on nearby resources, sensitive areas are either generally very small (relatively easy to protect) or are of such a low density that typically only monitoring is required. At this time, staff has determined that if resources are found, a number of mitigation measures are likely available to reduce impacts to less than significant levels. Upon completion of the surface survey the consultant shall summarize the report, including any recommendations if resources are encountered.

C. **Alternatives**

Discussion and evaluation of project alternatives shall include, but not necessarily be limited to, the following:

meetings/hearings shall be itemized and are to be considered options to be exercised by the County.

2.6 DELIVERABLES

The format for all text documents, tables, charts, and illustrations shall be 8-1/2 x 11 vertical. If oversized inclusions are necessary, they will be 11 x 17. Document covers for all related documents shall be coordinated so they appear as a "set". Whenever possible, base maps shall be from USGS quad sheets. All administrative drafts, drafts, and final documents shall be two-sided, black ink, on white or light recycled stock paper.

Deliverables shall include:

- A. Five copies of the draft Project Description and EIR Outline.
- B. Five copies of the Administrative Draft EIR with appendices (All copies in "oversized" three ring binders [that can handle Final EIR]).
- C. 100 copies of the Draft EIR with appendices (5 unbound, 3-hole punched; 2 unbound photo-ready copies (one single-sided and one two-sided copy) and one electronic copy (diskettes or CD).
- D. Provide the draft EIR in an HTML, or other similar format, so text and graphics can be easily placed on the county's web site.
- E. Five copies of the Administrative Final EIR with appendices (all copies unbound, three-hole punched).
- F. 50 copies of the Final EIR with appendices. (5 copies unbound (three-hole punched), 2 unbound photo-ready copies (one single-sided and one two-sided copy), 43 bound copies)
- G. One set of diskettes or CDs (or other electronic medium acceptable to the county), in WordPerfect (current version, properly formatted), with the Draft and Final EIR and appendices. Spreadsheets and or databases developed for this EIR shall also be included on these diskettes using the latest County's spreadsheet software. If a GIS program is developed/used, this information shall also be submitted electronically. The County uses ArcInfo and expects the following process to be used for GIS work:

NOTE: Any geographic information that is digitally mapped must be registered to the California state plane coordinate grid system (NAD83). Data based upon the USGS 7.5 min. quad sheet map series (1:24,000) must identify, at a minimum, the locations of the eight (8) lat/long coordinate grid points that represent the four corners and four interior points of the quad map. Data based on all other USGS maps (1:62,500, 1:100,000, 1:250,000) must identify, at a minimum, the locations of the four (4) lat/long coordinate grid points that represent the corners of each individual 7.5 min quad map. The County uses ArcInfo/ArcView GIS software and would prefer the GIS product to be provided in the ArcView "shape" file format.

C. Timetable and costs for completing the project.

4.2 CONSULTANT'S METHODS AND PROCEDURES TO BE USED

A. Consultant's general approach to evaluating the issues.

B. Complete description of the procedures and analytical methods to be utilized.

4.3 MANAGEMENT, PERSONNEL AND EXPERIENCE

A. Qualifications of each participant and overall "skill-mix" for the firm.

B. Experience and performance on projects of a similar nature.

C. Information obtained by contacting references listed by the consultant.

4.4 CONSULTANT'S CONSULTATION AND COORDINATION WITH COUNTY OF SAN LUIS OBISPO

A. Procedures to be used to ensure close contact between consultant and the project coordinator.

B. Demonstrated experience in working with local government.

4.5 COST ESTIMATES

A. Are professionals and nonprofessionals used for the appropriate tasks in the proposal?

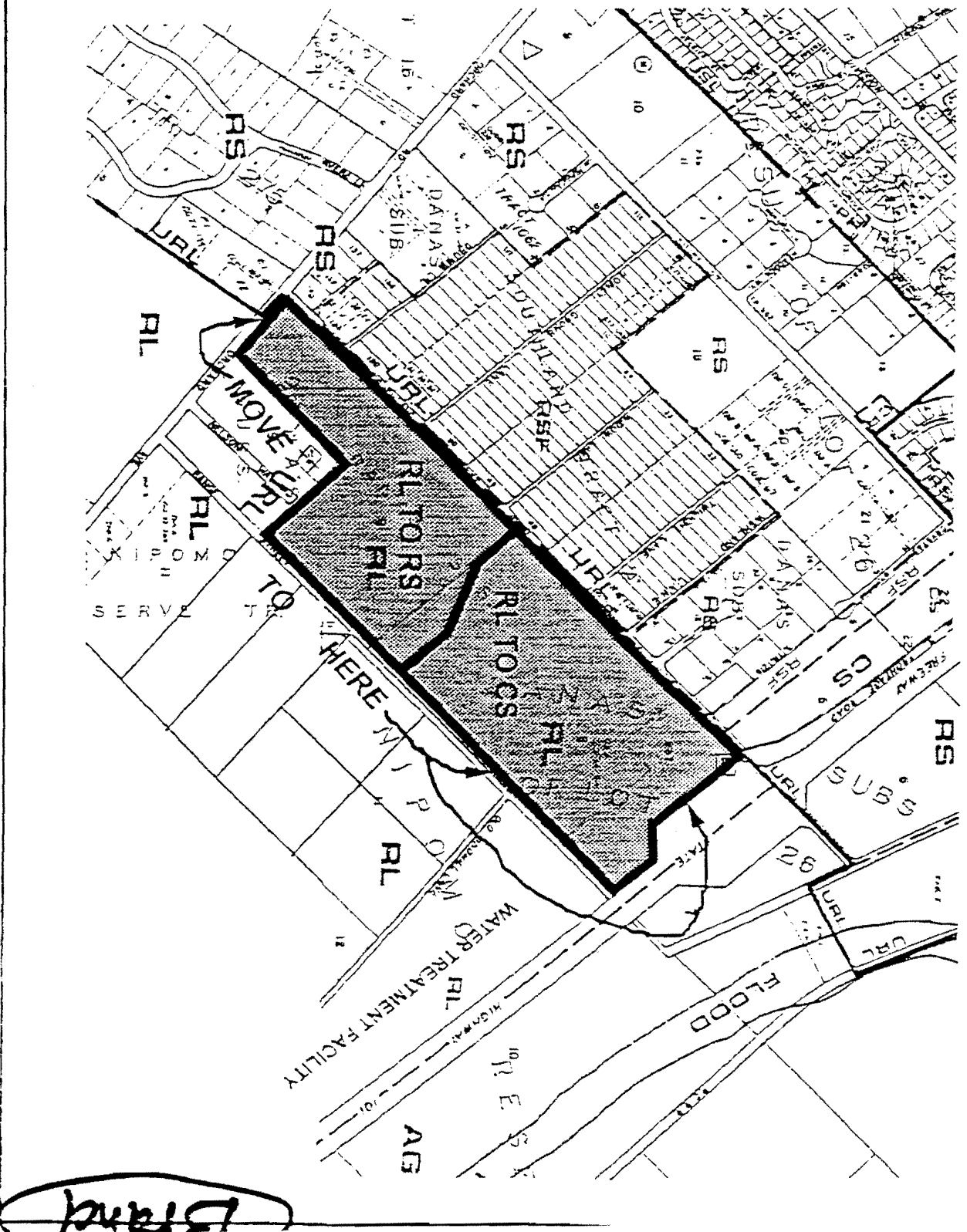
B. What quality of product will be delivered for the consultant's fee?

C. Are the cost estimates reasonable for the work product proposed?

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LAND USE CATEGORY MAP

EXHIBIT A



VOID	NONE								
6356	11/07/01	GWA01	GWA INC	25.00	6330	10/16/01	MID02	MIDSTATE BANK - DIRECT DP	12245.85
6357	11/07/01	IK001	IKON OFFICE SOLUTIONS	166.57	6331	10/16/01	SIM01	DEBRA SIMMONS	150.00
				47.17	6332	10/16/01	STA01	STATE STREET GLOBAL	935.00
			Check Total.....:	213.74	6333	11/01/01	EMP01	EMPLOYMENT DEVELOP DEPT	393.51
6358	11/07/01	JOH01	DONNA JOHNSON	7.94	6334	11/01/01	MID01	MID STATE BANK	1762.17
				117.67					413.32
				50.00				Check Total.....:	2175.49
			Check Total.....:	175.61	6335	11/01/01	MID02	MIDSTATE BANK - DIRECT DP	12327.64
6359	11/07/01	KEN01	KENNEDY/JENKS CONSULTANTS	385.05	6336	11/01/01	SIM01	DEBRA SIMMONS	150.00
6360	11/07/01	MCI01	MCI WORLD COM	41.18	6337	11/01/01	STA01	STATE STREET GLOBAL	935.00
				2.67	6338	11/07/01	ADV01	ADVANTAGE ANSWERING PLUS	105.95
			Check Total.....:	43.85	6339	11/07/01	AGP01	AGP VIDEO	23.00
6361	11/07/01	MID03	MIDSTATE BANK MASTERCARD	505.00	6340	11/07/01	AWW02	AMERICAN WATER WORKS ASSO	54.75
				499.40	6341	11/07/01	BCS01	BASIC CHEMICAL SOLUTIONS	539.31
				1292.43					352.74
				476.09				Check Total.....:	892.05
			Check Total.....:	2772.92	6342	11/07/01	BEL01	KATHY BLETRAN	64.14
6362	11/07/01	MID05	MID STATE BANK PETTY CASH	61.17					50.00
				19.45				Check Total.....:	114.14
				25.00	6343	11/07/01	BLA01	ROBERT L BLAIR	100.00
				42.28	6344	11/07/01	BOG01	LISA BOGNUDA	43.69
			Check Total.....:	147.90	6345	11/07/01	CHA02	CHARTER COMMUNICATIONS	46.35
6363	11/07/01	MOB01	RICHARD MOBRAATEN	100.00	6346	11/07/01	CLA01	CLANIN & ASSOCIATES, INC	347.26
6364	11/07/01	NEX01	NEXTEL COMMUNICATIONS	137.97	6347	11/07/01	COR01	CORBIN WILLITS SYSTEMS	520.00
6365	11/07/01	NIP03	NIPOMO SHELL	1090.03	6348	11/07/01	CRE01	CREEK ENVIRONMENTAL LABS	50.00
6366	11/07/01	NIP06	NIPOMO AUTO PARTS	89.71					25.00
6367	11/07/01	PAC01	PACIFIC BELL	42.33					30.00
				48.60					25.00
				68.03					30.00
			Check Total.....:	158.96					30.00
6368	11/07/01	PER01	PERS RETIREMENT	2060.15					30.00
6369	11/07/01	PER02	PERS HEALTH BENEFITS	3540.28					30.00
6370	11/07/01	PGE01	P G & E	46610.79	6349	11/07/01	DAN01	DANONE WATERS	18.45
6371	11/07/01	PRE01	PRECISION JANITORIAL	275.00	6350	11/07/01	DIA01	A J DIANI	9279.07
6372	11/07/01	QUI03	QUINN RENTAL SERVICES	43.34	6351	11/07/01	EDA01	EDA	1383.48
				6.18	6352	11/07/01	FGL01	FGL ENVIRONMENTAL	44.80
				35.28					44.80
			Check Total.....:	84.80					44.80
6373	11/07/01	RIC01	RICHARDS, WATSON, GERSON	7324.28					44.80
6374	11/07/01	SLO02	DIV OF ENVIRON HEALTH	342.00					29.60
6375	11/07/01	THE01	THE GAS COMPANY	871.78				Check Total.....:	253.60
				21.47	6353	11/07/01	FIR01	FIRST AMERICAN REAL EST	101.07
			Check Total.....:	893.25	6354	11/07/01	GIL01	GLM	90.00
6376	11/07/01	TRO01	TROTTER, CLIFFORD	100.00					217.00
6377	11/07/01	UND01	UNDERGROUND SERVICE ALERT	140.00				Check Total.....:	307.00
6378	11/07/01	USA01	USA BLUEBOOK	247.46	6355	11/07/01	GRO01	GROENIGER & CO	152.96
6379	11/07/01	VER01	VERIZON	29.30					307.92
				28.73	6355	11/07/01	GRO01	GROENIGER & CO	185.38
			Check Total.....:	58.03					330.50
6380	11/07/01	VER02	VERIZON WIRELESS	38.57					62.39
6381	11/07/01	WES02	WEST COAST INDUSTRIAL	24119.60					67.95
6382	11/07/01	WIN01	MICHAEL WINN	100.00					921.59
6383	11/07/01	WIR02	WIRSING, JUDY	100.00				Check Total.....:	2028.69
6384	11/07/01	WOO01	DOUGLAS WOOD & ASSOCIATES	4700.00					
6385	11/07/01	\N001	NAZAROFF CONSTRUCTION,	441.85					
6386	11/07/01	\N002	NEWDOLL CONSTRUCTION,	143.40					



HAND WRITTEN CHECKS

18482	10/26/01	R. MOBRAATEN	50.00
18483	10/26/01	M. WINN	50.00
18484	11/07/01	ACLU	50.00
18485	11/02/01	M WINN	50.00
18486	11/02/01	C TROTTER	50.00

VOID NONE

6356	11/07/01	GWA01	GWA INC	25.00
6357	11/07/01	IKO01	IKON OFFICE SOLUTIONS	166.57 47.17
			Check Total.....	213.74
6358	11/07/01	JOH01	DONNA JOHNSON	7.94 117.67 50.00
			Check Total.....	175.61
6359	11/07/01	KEN01	KENNEDY/JENKS CONSULTANTS	385.05
6360	11/07/01	MCI01	MCI WORLD COM	41.18 2.67
			Check Total.....	43.85
6361	11/07/01	MID03	MIDSTATE BANK MASTERCARD	505.00 499.40 1292.43 476.09
			Check Total.....	2772.92
6362	11/07/01	MID05	MID STATE BANK PETTY CASH	61.17 19.45 25.00 42.28
			Check Total.....	147.90
6363	11/07/01	MOB01	RICHARD MOBRAATEN	100.00
6364	11/07/01	NEX01	NEXTEL COMMUNICATIONS	137.97
6365	11/07/01	NIP03	NIPOMO SHELL	1090.03
6366	11/07/01	NIP06	NIPOMO AUTO PARTS	89.71
6367	11/07/01	PAC01	PACIFIC BELL	42.33 48.60 68.03
			Check Total.....	158.96
6368	11/07/01	PER01	PERS RETIREMENT	2060.15
6369	11/07/01	PER02	PERS HEALTH BENEFITS	3540.28
6370	11/07/01	PGE01	P G & E	46610.79
6371	11/07/01	PRE01	PRECISION JANITORIAL	275.00
6372	11/07/01	QUI03	QUINN RENTAL SERVICES	43.34 6.18 35.28
			Check Total.....	84.80
6373	11/07/01	RIC01	RICHARDS, WATSON, GERSHON	7324.28
4	11/07/01	SLO02	DIV OF ENVIRON HEALTH	342.00
	11/07/01	THE01	THE GAS COMPANY	871.78 21.47
			Check Total.....	893.25
6376	11/07/01	TRO01	TROTTER, CLIFFORD	100.00
6377	11/07/01	UND01	UNDERGROUND SERVICE ALERT	140.00
6378	11/07/01	USA01	USA BLUEBOOK	247.46
6379	11/07/01	VER01	VERIZON	29.30 28.73
			Check Total.....	581.03
6380	11/07/01	VER02	VERIZON WIRELESS	38.57
6381	11/07/01	WES02	WEST COAST INDUSTRIAL	24119.60

COMPUTER GENERATED CHECKS

6328	10/16/01	EMP01	EMPLOYMENT DEVELOP DEPT	411.98
6329	10/16/01	MID01	MID STATE BANK	1794.24 412.40
			Check Total.....	2206.64
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6332	10/16/01	STA01	STATE STREET GLOBAL	935.00
6333	11/01/01	EMP01	EMPLOYMENT DEVELOP DEPT	393.51
6334	11/01/01	MID01	MID STATE BANK	1762.17 413.32
			Check Total.....	2175.49
6335	11/01/01	MID02	MIDSTATE BANK - DIRECT DP	12327.64
6336	11/01/01	SIM01	DEBRA SIMMONS	150.00
6337	11/01/01	STA01	STATE STREET GLOBAL	935.00
6338	11/07/01	ADV01	ADVANTAGE ANSWERING PLUS	105.95
6339	11/07/01	AGP01	AGP VIDEO	23.00
6340	11/07/01	AWW02	AMERICAN WATER WORKS ASSO	54.75
6341	11/07/01	BCS01	BASIC CHEMICAL SOLUTIONS	539.31 352.74
			Check Total.....	892.05
6342	11/07/01	BEL01	KATHY BLETRAN	64.14 50.00
			Check Total.....	114.14
6343	11/07/01	BLA01	ROBERT L BLAIR	100.00
6344	11/07/01	BOG01	LISA BOGNUDA	43.69
6345	11/07/01	CHA02	CHARTER COMMUNICATIONS	46.35
6346	11/07/01	CLA01	CLANIN & ASSOCIATES, INC	347.26
6347	11/07/01	COR01	CORBIN WILLITS SYSTEMS	520.00
6348	11/07/01	CRE01	CREEK ENVIRONMENTAL LABS	50.00 25.00 30.00 25.00 30.00 30.00 30.00 30.00
			Check Total.....	280.00
6349	11/07/01	DAN01	DANONE WATERS	18.45
6350	11/07/01	DIA01	A J DIANI	9279.07
6351	11/07/01	EDA01	EDA	1383.48
6352	11/07/01	FGL01	FGL ENVIRONMENTAL	44.80 44.80 44.80 44.80 29.60
			Check Total.....	253.60
6353	11/07/01	FIR01	FIRST AMERICAN REAL EST	101.07
6354	11/07/01	GIL01	GLM	90.00 217.00
			Check Total.....	307.00
6355	11/07/01	GRO01	GROENIGER & CO	152.96 307.92
6355	11/07/01	GRO01	GROENIGER & CO	185.38 330.50 62.39 67.95 921.59
			Check Total.....	2028.69