

NIPOMO COMMUNITY SERVICES DISTRICT AGENDA

SEPTEMBER 4, 2002

REGULAR MEETING 9:00 A.M.
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

RICHARD MOBRAATEN, PRESIDENT
MICHAEL WINN, VICE PRESIDENT
ROBERT BLAIR, 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** NEXT RESOLUTION 2002-826
- B. ROLL CALL** NEXT ORDINANCE 2002-94
- 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) ANNEXATION NO. 18 –(NEWDOLL)
Resolution approving Annex. No. 18, 2.5 ac/8-lot development @ Cyclone & Grande
- D-2) ANNEXATION NO. 21 – KNOLLWOOD (MARTIN)
Resolution approving Annex. No. 21, 160 ac/55-lot development across from Blacklake Golf Course
- D-3) INTENT-TO-SERVE RENEWAL – CO 00-0170 (BUTLER)
Request to renew an Intent-to-Serve letter for a 4-lot development at 135 Pino Solo St.
- D-4) WATER LINE EASEMENT - LUCIA MAR UNIFIED SCHOOL DISTRICT
Resolution accepting a water line easement across the Dana School property
- E. OTHER BUSINESS**
- E-1) PERSONNEL POLICY AMENDMENTS
Review District personnel Policy, creating an Asst. Util. Sup. position and a one time step adjustment
- E-2) WOODLAND PROJECT (PH PROPERTIES DEVELOPMENT)
SLO County Planning Dept. Public Hearing On 9/26/02 to review:
- THE SUBDIVISION
 - PHASE 1-A
 - THE WATER SUPPLY
 - GOLF COURSE
- F. CONSENT AGENDA** *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*
- F-1) WARRANTS [RECOMMEND APPROVAL]
- F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of August 7, 2002, Regular Board meeting
Minutes of August 9, 2002, Special Board meeting
Minutes of August 14, 2002, Special Board meeting
- F-3) ACCEPT WATER/SEWER IMPROVEMENTS TRACT 1559/2399 (KING) [RECOMMEND APPROVAL]
Resolution accepting improvements for a 59 lot development at Division & Frontage Rds.
- G. MANAGER'S REPORT**
- G-1) LAFCO proposed repeal affecting District latent powers
- G-2) Letter to Nipomo South Property Owners requesting a zone change

H. COMMITTEE REPORTS

I. 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. SAVE THE MESA VS. NCSA CV 020181
- C. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR - DOUG JONES, COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE. POSSIBLE LITIGATION INITIATION GC§549569
- D. PUBLIC EMPLOYEE EVALUATION – GENERAL MANAGER GC§54957

ADJOURN

The next regular Board Meeting will be held on September 18, 2002, at 9:00 a.m.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 4, 2002

**AGENDA ITEM
D-1
SEPTEMBER 4, 2002**

ANNEXATION NO. 18
APPROVAL
NEWDOLL

ITEM

Resolution approving Annexation No. 18, a 2.5 acre/8-lot development at Cyclone and Grande

BACKGROUND

The District has received a request to annex approx. 2.5 acres at Cyclone Street and Grande Ave., consisting of 8 lots as shown on the attached map. The applicant entered into an annexation agreement with the District, which outlines items to be completed prior to service being provided to this development. The applicant has received approval from LAFCO and the County of San Luis Obispo, including but not limited to in compliance with California Environmental Quality Act and the Cortese-Knox Local Government Reorganization Act. The property tax exchange between the District and the County has been completed. The applicant has paid the District's annexation fees.

Since Annexation No. 18 is a single property owner, the District waived the public hearing process allowing LAFCO to be the hearing agent on this annexation.

RECOMMENDATION

Staff recommends that your Honorable Board approved the attached resolution approving Annexation No. 18, Tract 2393 (Newdollar).

RESOLUTION NO. 2002-Annex 18

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING ANNEXATION NO. 18 (NEWDOLL)
[GOVT. CODE SECTION 57075 (b)]**

WHEREAS, the San Luis Obispo County Local Agency Formation Commission has adopted Resolution No. 2000-01 approving the annexation to the Nipomo Community Services District of the Annexation No. 18 (Newdoll) as habited and uninhabited territory, including the negative declaration for said annexation; and

WHEREAS, San Luis Obispo LAFCO held a public hearing on said annexation on January 18, 2001, and making determinations approving Annexation No. 18.

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

1. This Board has read and considered Resolution No. 2000-01 of the San Luis Obispo County Local Agency Formation Commission making determinations and approving Annexation No. 18 (Newdoll) to the District.
2. A complete description and depiction of the property approved for annexation by the Commission is set forth on Exhibit "A" attached hereto.
3. The property owner has signed the District's Annexation Agreement.
4. This Board finds that the annexation will be in the best interests of present and future inhabitants of the District.
5. Pursuant to California Government Code Section 57075(b)(2), this Board hereby approves and orders the annexation to the District of the territory described upon Exhibit "A" attached hereto.
6. Certified copies of this Resolution shall be delivered to the Local Agency Formation Commission and the property owners involved.

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

AYES: Directors _____
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this _____ day of _____ 2002.

Richard Mobraaten, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

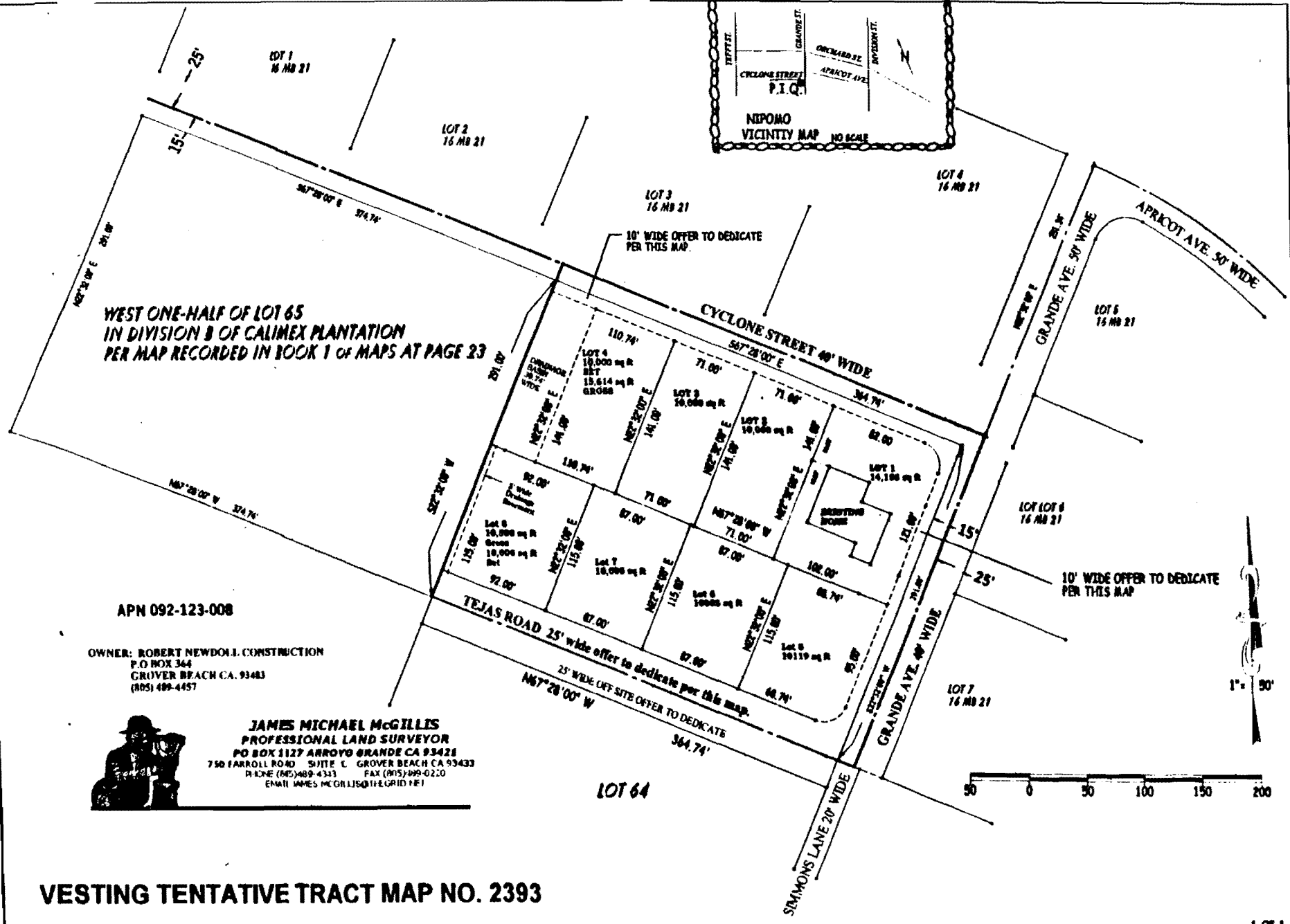
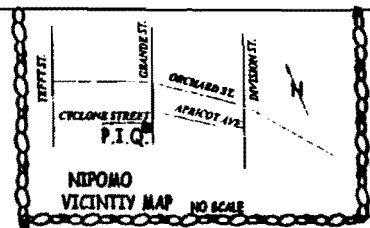
EXHIBIT A

LEGAL DESCRIPTION

Beginning at the northeasterly corner of the West one-half of Lot 65 in Division "B" of the Calimex Plantation as said Lot is shown on the Map recorded in the County Recorder's Office for the County of San Luis Obispo County, California, in Book 1 of Map Books at Page 23, said corner is marked with a 1 ½" Iron pipe with brass tag stamped RCE 11398 as shown on the Record of Survey recorded in the above said County Recorder's Office in Book 14 of Licensed Surveys at Page 21, said point is at the easterly end of course L-1 of Annexation 17 to the Nipomo Community Services District (LAFCo FILE NO. 11-R-97) and being the true point of beginning for this description; and thence,

1. S 67°28'00"E, 364.74', along the line between lots 65 & 66 as shown on the Map in the above said Map Book, said line is also shown on the above said Record of Survey; said line is the southerly line of Cyclone Street, a 40' wide road dedicated for public use on Tract 1586 as said Tract is recorded in Book 16 of Map Books at Page 21 in the above said Recorder's Office, to its intersection with the westerly line of a 20' wide road (now called Simmon's Lane) ; and thence,
2. S 22°32' 00" W, 291.19', along the westerly line of Simmon's Lane (carrying with it the fee to the centerline of the above said Simmon's Lane) said line being the westerly line of Grande Ave., a 40' wide road dedicated for public use on Tract 1586 above, to the southerly corner of above said Lot 65; and thence,
3. N 67° 28'00"W, 364.74', along the southerly line of said Lot 65, to the most southerly corner of the West one-half of above said Lot 65 as said corner is shown on the above said Record of Survey; and thence,
4. N 22°32'00" E, 291.19', along the line dividing the West one-half of Lot 65 from the East one-half of Lot 65, as shown of the above said Record of Survey; to the true point of beginning. Above said East one-half of Lot 65 contains 2.44 acres as shown on the above said Record of Survey Map.

END DESCRIPTION

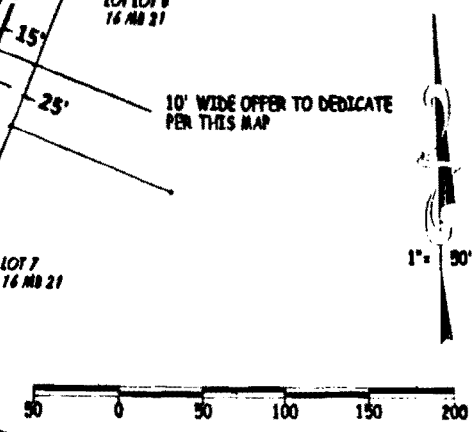


APN 092-123-008

OWNER: ROBERT NEWDON J. CONSTRUCTION
P.O. BOX 364
GROVER BEACH CA. 93483
(805) 489-4457



JAMES MICHAEL MCGILLIS
PROFESSIONAL LAND SURVEYOR
PO BOX 1127 ARROYO GRANDE CA 93421
750 FARROLL ROAD SUITE C GROVER BEACH CA 93483
PHONE (805) 489-4341 FAX (805) 489-0220
EMAIL JAMES.MCGILLIS@THEGRID.NET



VESTING TENTATIVE TRACT MAP NO. 2393

**IN THE LOCAL AGENCY FORMATION COMMISSION
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA**

Thursday, January 18, 2001

PRESENT: Commissioners Bianchi, Engels, Johnson, Moffatt, Roberts and
Chairperson Ryan

ABSENT: None

RESOLUTION NO. 2000-01

**RESOLUTION CERTIFYING THAT THE
NEGATIVE DECLARATION PREPARED
IS ADEQUATE AND COMPLETE AND
MAKING DETERMINATIONS APPROVING ANNEXATION NO. 18
TO THE NIPOMO COMMUNITY SERVICES DISTRICT
(TRACT 2393)**

The following resolution is now offered and read:

WHEREAS, on November 16, 2000, there was filed with this Commission a request to consider annexation of territory to the Nipomo Community Services District (Tract 2393); and

WHEREAS, the Executive Officer has given the notices required by law and forwarded copies of his report to officers, persons and public agencies prescribed by law; and

WHEREAS, the matter was set for public hearing at 9:00 a.m. on January 18, 2001, and the public hearing was duly conducted and determined and decision made on January 18, 2001; and

WHEREAS, at said hearing, this Commission heard and received all oral and written protests, objections and evidence, which were made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said proposal and report; and

WHEREAS, a negative declaration has been duly prepared, noticed, and submitted for this annexation and this Commission finds, based upon the information submitted and received at the public hearing, that this project will not have a significant effect on the environment and that the negative declaration is adequate for the Commission's determinations; and

WHEREAS, the Commission duly considered the proposal and finds that the territory proposed to be annexed Annexation No. 18 to the Nipomo Community Services District (Tract 2393), is located within the sphere of influence and service of the Nipomo Community Services District; and that the proposed annexation should be approved.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Local Agency Formation Commission of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the negative declaration prepared for this project is complete and adequate, having been prepared in accordance with the provisions of the California Environmental Quality Act and is hereby determined to be sufficient for the Commission's actions.
3. That Annexation No. 18 to the Nipomo Community Services District (Tract 2393), being further identified in the files of this Commission as File No. 10-R-00, is hereby approved with boundaries set forth in Exhibit "A" and with the following condition:

(a) The NCS D's approval, by resolution, of compliance with the district's annexation policies regarding water and sewer service including but not limited to supplying

district fees and costs, including annexation fees, and retrofitting at the rate of 2:1 to meet the needs of the proposed development.

4. That the legal description approved by this Commission is attached hereto, marked "Exhibit B", and incorporated by reference herein as though set forth in full.

5. That the Nipomo Community Services District has consented to waive conducting authority hearings and that this action is final pursuant to the provisions of Government Code Section 56663(c).

6. That the Executive Officer of this Commission is authorized and directed to mail copies of this resolution in the manner provided by law.

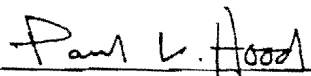
Upon motion of Commissioner Johnson, seconded by Commissioner Engels, and on the following roll call vote:

- AYES: Commissioners Johnson, Engels, Roberts and Chairperson Ryan
- NOES: Commissioners Bianchi and Moffatt
- ABSENT: None
- ABSTAINING: None

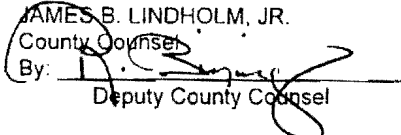
the foregoing resolution is hereby adopted.


 Chairman of said Local Agency
 Formation Commission

ATTEST


 Executive Officer

APPROVED AS TO FORM AND LEGAL EFFECT


JAMES B. LINDHOLM, JR.
 County Counsel
 By: 
 Deputy County Counsel

STATE OF CALIFORNIA)
) ss.
 COUNTY OF SAN LUIS OBISPO)

I, Paul L. Hood, Executive Officer of the Local Agency Formation Commission of County and State, do hereby certify the foregoing to be a full, true and correct copy of the original on file in my office, and that I have carefully compared the same with the original.

WITNESS my hand this _____ day of _____, 20_____.

Paul L. Hood
 Executive Officer

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: SEPTEMBER 4, 2002

**AGENDA ITEM
D-2
SEPTEMBER 4, 2002**

ANNEXATION NO. 21
APPROVAL
KNOLLWOOD (MARTIN)

ITEM

Resolution approving Annexation No. 21, a 160 acre/55-lot development across from Blacklake Golf Course

BACKGROUND

The District has received a request to annex approx. 160 acres across from Blacklake Golf Course, known as the Knollwood development, consisting of 55 lots as shown on the attached map. The applicant entered into an annexation agreement with the District, which outlines items to be completed prior to service being provided to this development. The applicant has received approval from LAFCO and the County of San Luis Obispo, including but not limited to in compliance with California Environmental Quality Act and the Cortese-Knox Local Government Reorganization Act. The property tax exchange between the District and the County has been completed. The applicant has paid the District's annexation fees.

Since Annexation No. 21 is a single property owner, the District waived the public hearing process allowing LAFCO to be the hearing agent on this annexation.

RECOMMENDATION

Staff recommends that your Honorable Board approved the attached resolution approving Annexation No. 21, Tract 2325 (Knollwood).

RESOLUTION NO. 2002-Annex 21

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING ANNEXATION NO. 21 (MARTIN)
[GOVT. CODE SECTION 57075 (b)]

WHEREAS, the San Luis Obispo County Local Agency Formation Commission has adopted Resolution No. 2001-19 approving Annexation No. 21 (Martin) of the uninhabited territory to the Nipomo Community Services District, including the negative declaration for said annexation; and

WHEREAS, San Luis Obispo LAFCO held a public hearing on said annexation on November 15,2001, and making determinations approving Annexation No. 21.

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

1. This Board has read and considered Resolution No. 2001-19 of the San Luis Obispo County Local Agency Formation Commission making determinations and approving Annexation No. 21 (Martin) to the District.
2. A complete description and depiction of the property approved for annexation by the Commission is set forth on Exhibit "A" attached hereto.
3. The property owner has signed the District's Annexation Agreement.
4. This Board finds that the annexation will be in the best interests of present and future inhabitants of the District.
5. Pursuant to California Government Code Section 57075(b)(2), this Board hereby approves and orders the annexation to the District of the territory described upon Exhibit "A" attached hereto.
6. Certified copies of this Resolution shall be delivered to the Local Agency Formation Commission and the property owners involved.

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

AYES: Directors _____

NOES:

ABSENT:

ABSTAIN:

the foregoing resolution is hereby adopted this _____ day of _____ 2002.

Richard Mobraaten, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

EXHIBIT A

**LEGAL DESCRIPTION
ANNEXATION NO. 21 TO
NIPOMO COMMUNITY SERVICES DISTRICT**

Being Lots 54, 55, 66, and 67 along with the adjacent easterly, southerly, and westerly roads of Pomeroy's Resubdivision of the Los Berros Tract in the County of San Luis Obispo as shown on the map filed in Book A of Maps at Page 109 in the Office of the County Recorder of the County of San Luis Obispo, State of California more particularly described as follows:

Beginning at the intersection of the southerly right-of-way of Willow Road (72.00 feet wide) with the westerly right-of-way of Sun Dale Way (60.00 feet wide) being a point on the existing Nipomo Community Services District Annexation Number 7 boundary and thence leaving said boundary and running along said westerly right-of-way of Sun Dale Way;

1. South 0°01'39" West, 2639.87 feet to the intersection of said westerly right-of-way of Sun Dale Way with the southerly right-of-way of Dawn Road (60.00 feet wide); thence along said southerly right-of-way of Dawn Road
2. South 90°00'00" East, 2699.89 feet to the intersection of said southerly right-of-way of Dawn Road with the easterly right-of-way of Westwind Way (60.00 feet wide); thence along said easterly right-of-way of Westwind Way
3. North 0°00'23" East, 2637.30 feet to the southerly right-of-way of Willow Road and the existing Nipomo Community Services District Annexation Number 7 boundary; thence along said boundary
4. North 89°56'41" West, 2698.91 feet to the **Point of Beginning**.

The above-described property contains 163.5 acres more or less

9/6/2001

N:\2000\1800064 Tract 2325 - Knoll Wood at Blacklake\Engineering\Product\Survey\Annexation Legal Description.doc

(BLACK LAKE GOLF COURSE)
APN 041-414

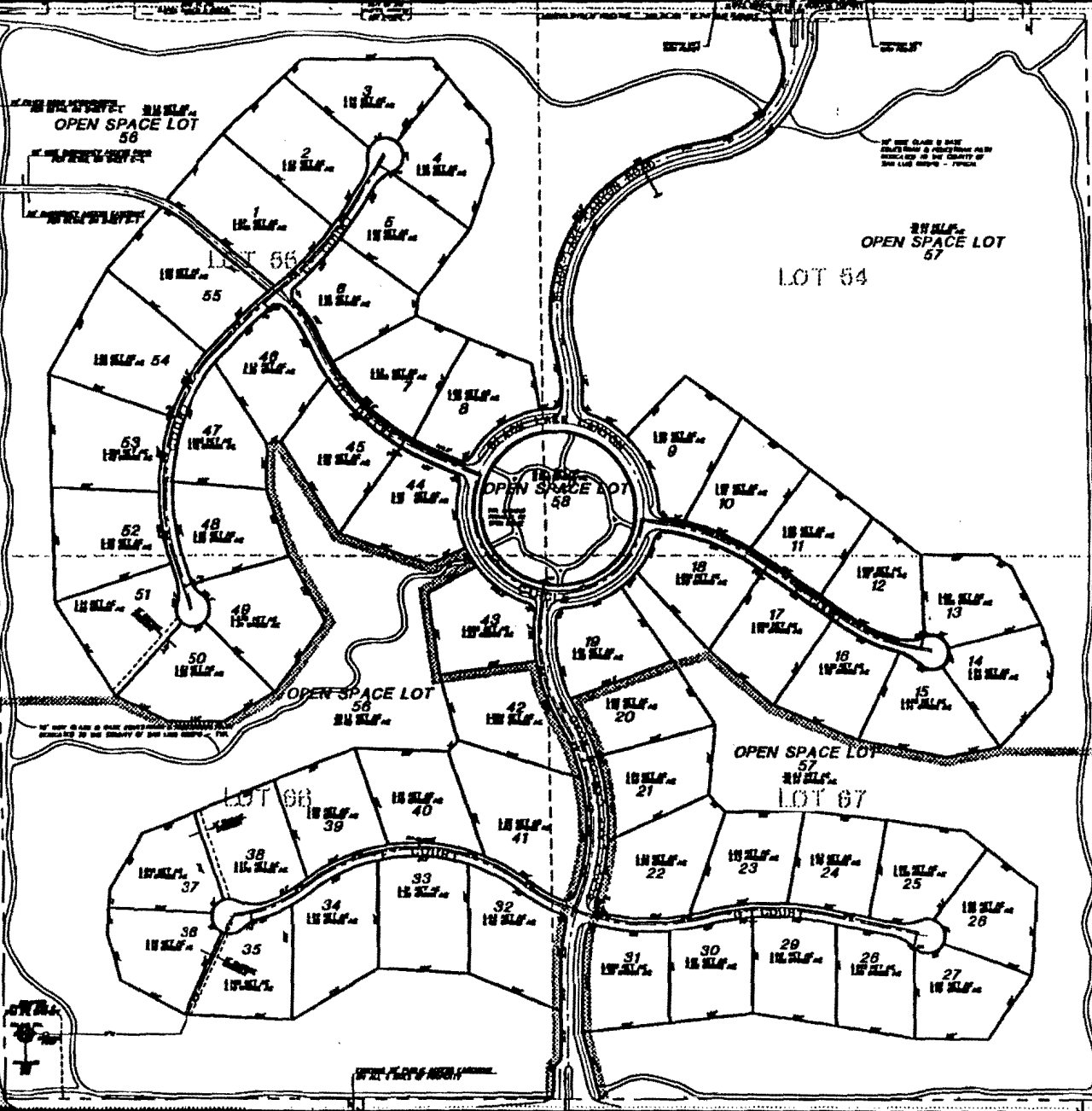
WILLOW ROAD

T. 1256
APN 041-244

APN 041-020-018

SUN DALE WAY

APN 041-020-004



APN 041-040

WESTWIND WAY

APN 041-233-003

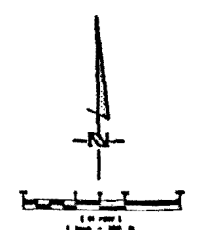
APN 041-233-005

APN 041-233-007

NOTES:

1. ALL LOTS HAVE INDIVIDUAL SEWER SYSTEMS.
2. PHASE 1 WATER SUPPLY TO INCLUDE WELL, TANK, BOOSTER & PUMP STATION TO SERVE PHASE 1 & 2. PHASE 2 WATER SUPPLY TO INCLUDE WELL, TANK, BOOSTER & PUMP STATION TO SERVE PHASE 2. SURFACE IMPROVEMENTS ARE NOT INCLUDED.
3. PHASE 1 - 33 LOTS
PHASE 2 - 30 LOTS

PHASE 1
PHASE 2



REN DESIGN GROUP
Professional Planning, Engineering, Surveying, Architectural, Landscape Architecture
200 First Street, Suite 100, San Francisco, CA 94102
1000 California Street, Suite 1000, San Francisco, CA 94109
Tel: 415.774.1100 Fax: 415.774.1101

APN 041-233-001

APN 041-233-018

DAWN ROAD

APN 041-233-014

www.WipTax.com

APN 041-233-023

TRACT 2325
TENTATIVE FACT MAP
C-2 - 1 T 2 of 3
April 2004

IN THE LOCAL AGENCY FORMATION COMMISSION

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

Thursday, November 15, 2001

PRESENT: Commissioners Ray Johnson, Carolyn Moffatt, Barbara Mann, Richard Roberts, Duane Picanco, and Chairman Mike Ryan

ABSENT: Commissioner Peg Pinard

RESOLUTION NO. 2001-19

**RESOLUTION DETERMINING THAT THE
NEGATIVE DECLARATION PREPARED BY THE LOCAL AGENCY FORMATION
COMMISSION AS LEAD AGENCY IS ADEQUATE AND COMPLETE,
APPROVING THE SPHERE OF INFLUENCE AND SERVICE REVISION, AND
CONDITIONALLY APPROVING ANNEXATION NO. 21 TO THE
NIPOMO COMMUNITY SERVICES DISTRICT (KNOLLWOOD)**

The following resolution is now offered and read:

WHEREAS, pursuant to Government Code Section 56425 et. seq. and the Commission's duly adopted "General Policies and Criteria" for spheres of influence and service, the Commission has previously adopted a sphere of influence and service for the Nipomo Community Services District; and

WHEREAS, on November 8, 2001, a request was filed with this Commission to consider a proposal for Annexation No. 21 to the Nipomo Community Services District (Knollwood); and

WHEREAS, the Executive Officer has given the notices required by law and forwarded copies of his report to officers, persons and public agencies prescribed by law; and

WHEREAS, the matter was set for public hearing at 9:00 a.m. on November 15, 2001, and the public hearing was duly conducted and determined and decision made on November 15, 2001; and

WHEREAS, at said hearing, this Commission heard and received all oral and written protests, objections and evidence, which were made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said proposal and report; and

WHEREAS, a Negative Declaration prepared by the Local Agency Formation Commission has been duly prepared, noticed, and submitted for this Sphere of Influence and Service Revision and Annexation and this Commission finds, based upon the information submitted and received at the public hearing, that this project will not have a significant effect on the environment and that the Negative Declaration is adequate for the Commission's determinations; and

WHEREAS, the Commission has considered all factors required to be considered by Government Code Sections 56668 and pursuant to Government Code Section 56425 (e) and adopts as its written statements of determinations therein, the determinations to amend a sphere of influence as set forth on page A-2-14 of the Executive Officer's report dated November 15, 2001, said determinations being incorporated by reference herein as though set forth in full; and

WHEREAS, the Commission duly considered the proposal and finds that the territory proposed to be annexed to the Nipomo Community Services District, should be located within the sphere of influence and service of the Nipomo Community Services District; and that the proposed annexation should be conditionally approved.

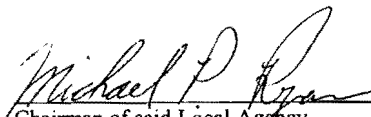
NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Local Agency Formation Commission of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the Negative Declaration prepared by the Local Agency Formation Commission for this proposal is complete and adequate, having been prepared in accordance with the provisions of the California Environmental Quality Act and is hereby determined to be sufficient for the Commission's actions.
3. That the existing sphere of influence and service is revised to include the area as specifically described in LAFCO File Number 11-R-01 as set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.
4. That Annexation No. 21 to the Nipomo Community Services District, being further identified in the files of this Commission as File No. 11-R-01, is hereby conditionally approved, subject to the following conditions:
 1. The NCS D's approval, by resolution, of compliance with Nipomo Community Services District conditions, including but not limited to the payment of all District fees and costs, provision of water to the site by the applicant, independent of the Nipomo Community Services District's water production facilities, the provision of sewer services to the property, and supplying infrastructure to and within the proposed area of annexation.
 2. Prior to the San Luis Obispo Local Agency Formation completing the annexation process, the Nipomo Community Services District shall (A) have completed the final project approval that also includes, but is not limited to, Environmental Review pursuant to the California Environmental Quality Act and (B) provide the San Luis Obispo Local Agency Formation Commission with written confirmation that all parts of Condition Number 1 listed above have been complied with.
5. That the legal description approved by this Commission is attached hereto, marked Exhibit B and incorporated by reference herein as though set forth in full.
6. That the Executive Officer of this Commission is authorized and directed to mail copies of this resolution in the manner provided by law.

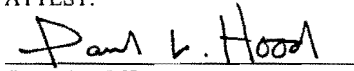
Upon a motion of Commissioner Mann, seconded by Commissioner Moffatt, and on the following roll call vote:

AYES:	Commissioners Mann, Moffatt, Johnson, Roberts, Picanco, and Chairman Ryan
NOES:	None
ABSENT:	Commissioner Pinard
ABSTAINING:	None

The foregoing resolution is hereby adopted.


 Chairman of said Local Agency
 Formation Commission

ATTEST:


 Executive Officer

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 4, 2002

**AGENDA ITEM
D-3
SEPTEMBER 4, 2002**

INTENT TO SERVE RENEWAL
REQUEST FOR SERVICE
PARCEL MAP CO 00-0170 (BUTLER)

ITEM

Request for renewal of an Intent-to-Serve for water & sewer service for a 4-lot development on Pino Solo Court

BACKGROUND

A request for a renewal of an Intent-to-Serve letter for water and sewer service to a 4-lot development on Pino Solo Court was received from Jim McGillis, representing Mr. Butler. The original Intent-to-Serve letter was issued September 20, 2000. The proposed development (CO 00-0170) is shown on the attached map. Your Honorable Board may grant a renewal of the Intent-to-Serve letter with the following conditions:

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

RECOMMENDATION

Staff recommends that your Honorable Board renew the Intent-to-Serve letter for water and sewer service for Parcel Map CO 00-0170, with the above mentioned conditions.



**JAMES MICHAEL MCGILLIS
PROFESSIONAL LAND SURVEYOR**

PO BOX 1446 NIPOMO CA. 93444

231 HAZEL LANE NIPOMO CA. 93444

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

e-mail JAMES_MCGILLIS@yahoo.com

23 Aug. 2002

NIPOMO COMMUNITY SERVICES DISTRICT

148 S. Wilson St.

P.O. Box 326

Nipomo Ca. 93444

Attn: Doug Jones, General Manager

Subject: CO 00-0170

I have enclosed a reduced copy of a proposed 4 way split at 135 Pino Solo Ct.

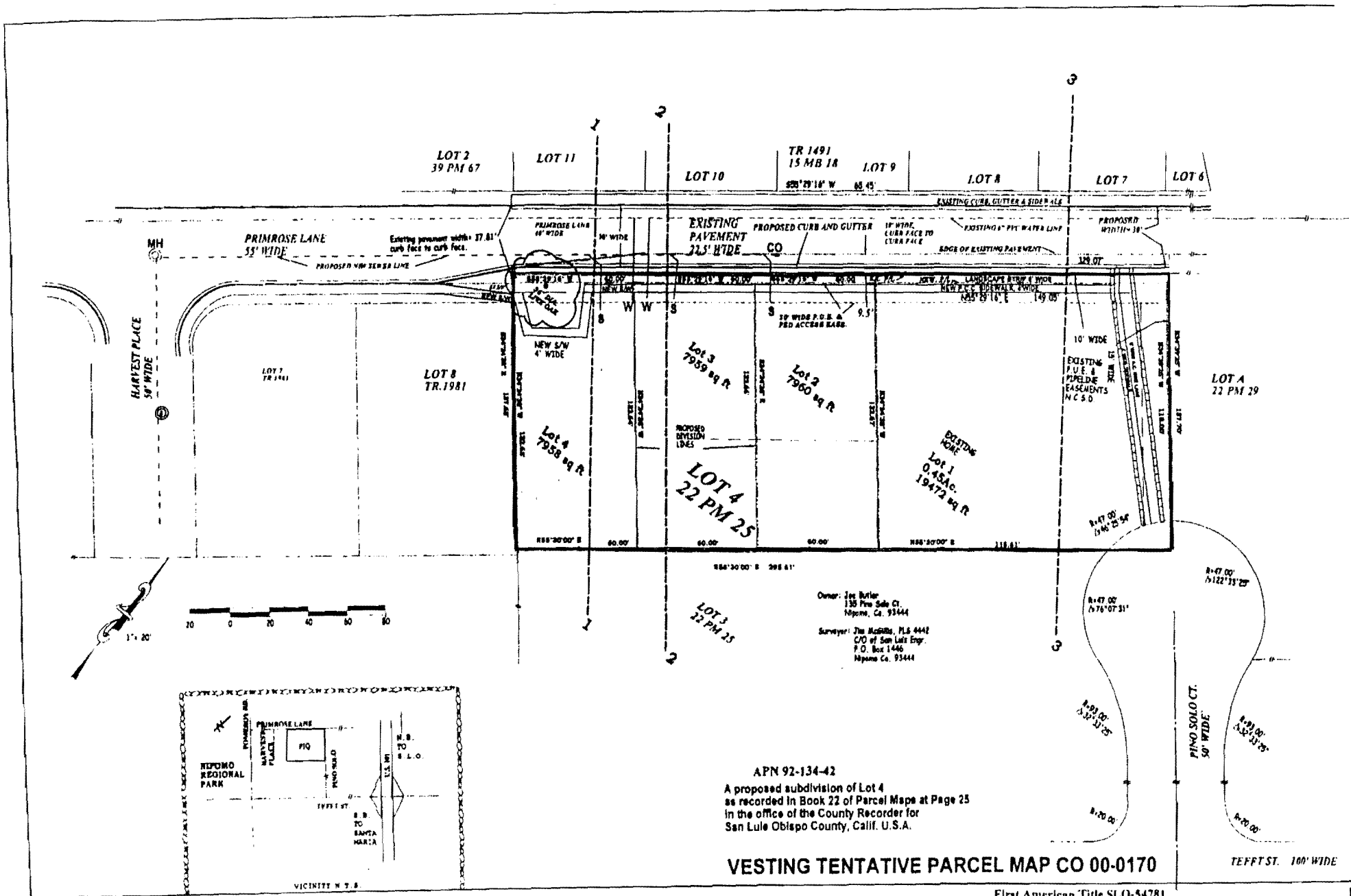
Your District had previously issued an "intent to serve" letter for this project. The existing house is on District water only. We need 3 new water services and 4 sewer services. The previous letter is set to expire on September 20, 2002.

Please cause to be issued another "intent to serve" letter as we are not yet finished with this project. We have had the public hearing and are in the process of plan check for the road improvements and the final parcel map. We anticipate being finished by early spring 2003.

Sincerely,

J. M. McGillis, PLS 4442

YE OLDE TYME SURVEY SHOPPE



TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 4, 2002

**AGENDA ITEM
D-4
SEPTEMBER 4, 2002**

WATER LINE EASEMENT
LUCIA MAR UNIFIED SCHOOL DISTRICT

ITEM

Resolution accepting a water line easement across the Dana Elementary School property.

BACKGROUND

The installation of a twelve-inch water line across the Nipomo Regional Park is recommended in the District's Water and Sewer System Master Plan prepared by Boyle Engineering. An easement, running through Dana School, is on the southerly boundary of the properties. The District and the School District have been working together to acquire an easement to install the water line, which will enhance the movement of water through the District.

The School District is addressing this matter at their School Board meeting on Tuesday, September 3, 2002 (see attached). If approved, your Honorable Board may act to exchange the easement for the annexation fee for the new high school, as discussed by the District's High School Committee (Directors Winn and Mobraaten).

RECOMMENDATION

If the Lucia Mar Unified School District Board approves the easement exchange, staff recommends that your Honorable Board approve the attached resolution accepting the water line easement in exchange for the annexation fees for the new high school.

Board 2002/Waterline easement.DOC

RESOLUTION NO. 2002 - _____

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING A UTILITY EASEMENT IN LIEU
OF ANNEXATION FEES**

WHEREAS, the Lucia Mar Unified School District (“School District”) is the owner of certain real property (“Property”) commonly known as the Dana Elementary School; and

WHEREAS, School District pursuant to Nipomo Community Services District (“District”) Code and Annexation Agreement currently owes District annexation fees associated with Local Agency Formation Commission (“LAFCO”) Annexation No. 19; and

WHEREAS, District desires to acquire certain rights by Easement Agreement (herein “Easement”) along the southwesterly portion of the Property, to construct a water line and other District related utility facilities (herein “District Facilities”) for the benefit of District residents including properties owned by School District; and

WHEREAS, School District on _____, 2002 approved the Easement; and

WHEREAS, based on the staff report, staff presentation and public comment taken at hearing on this matter the District Board of Directors finds:

1. That the District has previously certified a Negative Environmental Declaration for the acquisition of the Easement and the construction of District Facilities.
2. That the avoidance of protracted negotiations, potential litigation and associated attorneys’ fees, the appraised value of a thirty (30) foot Easement reasonably equates to District’s annexation fees associated with LAFCO Annexation No. 19.

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

1. The above Recitals are incorporated herein by reference.
2. That the Board of Directors of the District does hereby approve the Easement Agreement attached hereto as Exhibit "A" and the District President is authorized to sign the Agreement on behalf of the District.
3. School District shall receive a full credit for District's annexation fees associated with LAFCO Annexation No. 19 upon District's receipt of a fully executed Easement Agreement.
4. Upon receipt of a fully executed Easement Agreement from School District, the District General Manager or his designee is authorized to record the Easement Agreement.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this _____ day of _____, 2002.

Richard Mobraaten, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson, Secretary
to the Board of Directors


Jon S. Seitz, District Legal Counsel

LUCIA MAR UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
September 3, 2002

MEMORANDUM

AGENDA M-1

TO: Nancy DePue, Superintendent

FROM: Mike Sears, Deputy Superintendent, Business 

SUBJECT: Public Hearing, To Consider Resolution Authorizing Conveyance of a Water and Utility Easement to Nipomo Community Services District Near the Dana Elementary School Site

At its meeting on August 20, 2002, the Board adopted Resolution A-0203-04 considering a public hearing on the Conveyance of a Water and Utility Easement to Nipomo Community Services District.

Copies of the resolution along with the easement were on display at the district office, Dana Elementary and Nipomo Elementary schools. Also, a public notice appeared in the Telegram Tribune regarding tonight's public hearing.

It is recommended that the Board open the public hearing for comments.

MS:ls

LUCIA MAR UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

September 3, 2002

MEMORANDUM

AGENDA M-2

TO: Nancy DePue, Superintendent

FROM: Mike Sears, Deputy Superintendent, Business *Mike Sears*

SUBJECT: Approval, Resolution A-0203-05 of the Board of Education of the Lucia Mar Unified School District Authorizing Conveyance of a Water and Utility Easement to Nipomo Community Services District

The Nipomo Community Services District has made a request to the school district to convey a water and utility easement on the Dana Elementary School site for the purpose of extending a water line from Osage Street to Tefft Street. In exchange for such an easement, the Community Services District is willing to waive the Nipomo High School annexation fees of \$35,000. NCSD has given us written assurance that the annexation fee will be waived upon approval of the easement. The proposed easement involves an area 30' wide along the western boundary of the Dana School site and is not being used for any purpose by the school district. The easement runs along the western fence line of the school property.

It is recommended that the Board of Education approve Resolution A-0203-05 granting water and utility easement to NCSD as described.

MS:ls

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *D*
DATE: SEPTEMBER 4, 2002

**AGENDA ITEM
E-1
SEPTEMBER 4, 2002**

PERSONNEL POLICY AMENDMENTS

ITEM

Review personnel policy amendments, creating an Assistant Utility Superintendent and a one-time step adjustment

BACKGROUND

The District advertised to fill the Utility Supervisor position. The interview panel (which consisted of a representative of the City of Santa Maria, Oceano Community Services District, and Templeton Community Services District) interviewed six (6) candidates and made their recommendation. The candidate recommended by the interview panel has a Grade IV Water Treatment Plant Operator Certification, Grade III Water Distribution System Operator Certification, and a Grade II Wastewater System Operator Certification (plans to take Grade III wastewater exam). The candidate has requested to start at the Utility Supervisor Step 2 compensation level (which is near his present salary) and within six months to be eligible for the third step of that classification. The Personnel Committee reviewed the request from the candidate and felt that the one-year probation period, including the step increase in the middle, would be appropriate in evaluation of performance.

The Personnel Committee also reviewed the creation of the position of Assistant Utility Superintendent. This would be an in-house promotion from existing staff. A job description and a salary schedule have been prepared for the new position. This would create an operator position opening, which would be filled in a few months.

The Assistant Administrator has reviewed the budget. No budget adjustment is recommended at this time.

RECOMMENDATION

Staff recommends that your Honorable Board approve the following:

- Hiring the candidate at Utility Supervisor Step 2 compensation level
- Candidate would be eligible for a step increase in six months, which will be the new anniversary date
- This classification is not required to be on stand-by but adjust the response time to 45 minutes from 30 minutes
- Create the position of Assistant Utility Supervisor
- Approve the job description of the Assistant Utility Supervisor

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2002-CANDIDATE**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING ITS PERSONNEL POLICIES FOR THE PURPOSES
OF RECRUITING A CANDIDATE FOR THE POSITION
OF UTILITY SUPERVISOR**

WHEREAS, Section 1000 of the Nipomo Community Services District ("District") Personnel Policies provides that the District reserves the right to modify or delete any of these policies when, in the opinion of its management and the Board of Directors, it becomes advisable to do so; and

WHEREAS, Section 3030 (B) of the District's Personnel Policy's provides that "If the General Manager finds that qualified applicants have greater experience or competency than required at the first step of the salary range, he/she may request the Board of Directors to authorize an appointment at an advanced step of the salary range; and

WHEREAS, Section 7040 of the District's Personnel Policy's provides that one of the Physical Characteristics of the position of "Utility Supervisor" is that the employee must be able to arrive at the District facilities within thirty (30) minutes of the time of an initial call back notification; and

WHEREAS, based on the Staff Report, Staff Presentation and public comment the Board of Directors finds that:

- A. The candidate has greater experience or competencies than is reflected at the first step of the salary range for Utility Supervisor.
- B. That Section 7040(K) of the District's Personnel Policy's should be amended to recognize extended travel time to accommodate the candidate's current residence.

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

1. That for the purposes of hiring the candidate as Utility Supervisor District Personnel Policy 7040(K) under Physical Characteristics in amended to read:

"Must be able to arrive at District Facilities within 45 minutes from the time of initial call back notification".
2. The General Manager is hereby granted the following authority:
 - a. To hire the candidate at Step 2 for the position of Utility Supervisor.

- b. That after six (6) months and upon the General Manager's review of the Utility Supervisor's job performance, the General Manager may increase Utility Supervisor's pay to Step 3.
 - c. In the event the General Manager authorizes a step increase after six (6) months employment said Step increase shall be the anniversary date for all further step increases.
3. That this Resolution and the actions taken herein shall not be construed or interpreted to redefine or otherwise limit the terms and conditions of the candidate's position as an introductory employee as defined in Section 1010(9) of the District's Personnel Policies.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this ____ day of August, 2002.

Richard Mobraaten
President, Board of Directors
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM

Donna K. Johnson,
Secretary to the Board

Jon S. Seitz,
District Legal Counsel

Resolution/2002-candidate

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2002-assistant**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
AMENDING ITS PERSONNEL POLICIES TO ESTABLISH
THE POSITION OF ASSISTANT UTILITY SUPERVISOR**

WHEREAS, Section 1000 of the Nipomo Community Services District ("District") Personnel Policies provides that the District reserves the right to modify or delete any of these policies when, in the opinion of its management and the Board of Directors, it becomes advisable to do so, and

WHEREAS, the General Manager recommends that the District establish the position of Assistant Utility Supervisor, and

WHEREAS, based on the Staff Report, Staff Presentation and public comment the Board of Directors finds that it is advisable to establish the position of Assistant Utility Supervisor.

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

1. The position of Assistant Utility Supervisor is incorporated into the District Personnel Policies as Policy 7050.
2. The job description of Assistant Utility Supervisor attached to this Resolution is hereby approved.

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

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this ____ day of August, 2002.

Richard Mobraaten,
President, Board of Directors
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM

Donna K. Johnson,
Secretary to the Board

Jon S. Seitz,
District Legal Counsel

ASSISTANT UTILITY SUPERVISOR

DEFINITION

Under direction of the Utility Supervisor, plans, directs and reviews the work of a crew of systems operators; performs the full range of duties required to operate and maintain water production, treatment and related distribution equipment and facilities and operate and maintain wastewater collection and treatment facilities; acts as the Utility Supervisor in his/her absence; performs related work as assigned.

CLASS CHARACTERISTICS

Assistant shall be fully competent to operate and maintain a variety of equipment and facilities required to produce and distribute potable water and collect, treat and dispose of waste water for District residents. Responsibilities also include performing the full range of systems operations work, including being available for stand-by and off-hours emergency work.

EXAMPLES OF DUTIES (Illustrative Only)

- Assures that District operating and safety procedures are observed; participates in safety meetings and accident reviews.
- Assists in the preparation of and participates in work schedules, including water and wastewater sampling, meter reading and equipment maintenance schedules; prepares daily work assignments based upon operational and customer needs.
- Troubleshoots equipment and process problems; determines materials, parts and contract or in-house staff requirements; assures that work is performed in accordance with District standards.
- Inspects construction and/or repair work performed by outside contractors to assure conformance to standard specifications.
- Reviews records of equipment operation, chemical and biological testing results and process control to make recommendations to the Utility Supervisor on process and procedural modifications and assure compliance with applicable rules and regulations.
- Assists in the preparation of a variety of periodic and special reports for submission to District management and regulatory agencies; represents the District in contacts with other agencies, public and private groups and customers.
- Develops and recommends changes to equipment, policies and procedures to maintain compliance with laws and regulations and effective system performance.
- Performs the full range of systems operations activities, including:
 - ... Inspecting and recording activities of plant operations and remote pumping and storage equipment and facilities on a regularly scheduled basis;
 - ... Reviewing and analyzing automated information and control system data and revising equipment settings as appropriate;
 - ... Taking samples of potable water and wastewater influent and effluent, performing standardized tests and adjusting chemical feed and other equipment accordingly, maintaining a work relationship with the contract commercial laboratory;
 - ... Inspecting, troubleshooting and performing scheduled and unscheduled maintenance and repairs to pumps, valves, underground and above-ground piping systems, chemical feeders and related equipment as required.

- ... Performing semi-skilled maintenance and repair on electrical and electronic equipment.
- ... Operating small and medium sized construction in the course of the work and driving a variety of motor vehicles.
- ... Dealing with difficult customer service problems.
- ... Using a variety of and performing maintenance to a variety of hand and power tools and mobile equipment.
- Is available for stand-by calls; responds to emergencies in off hours as scheduled.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles and practices of employee supervision, including work planning, direction, review and evaluation.
- The operation and maintenance of potable water production, treatment and distribution facilities and equipment.
- The operation and maintenance of wastewater collection and treatment facilities.
- The operation and maintenance of underground piping systems, including pipes, valves and relation appurtenances.
- The operation, servicing and minor maintenance of a variety of vehicles and mobile equipment.
- Tools and equipment required for the work.
- Safety equipment and practices related to the work, including the handling and storage of hazardous chemicals.
- Applicable laws, codes and regulations.
- Standard laboratory tests related to the treatment of water.
- Mechanical, electrical, electronic and hydraulic principles.
- Computer applications related to the work.

Skill in:

- Planning, directing, reviewing and evaluating the work of a small staff.
- Training staff in work procedures.
- Developing and implementing work procedures to meet laws and regulations.
- Maintaining accurate records and preparing accurate reports and clear and concise correspondence.
- Operating, maintaining and repairing a variety of water production, treatment and distribution equipment and facilities and wastewater collection and treatment facilities.
- Using and maintaining the tools and equipment of the work skillfully and safety.
- Performing semi-skilled craft work in the electrical, electronic, carpentry, mechanical and painting trades.
- Performing standardized tests of water and wastewater.
- Handling hazardous chemicals in accordance with appropriate Materials Safety Data Sheets.
- Working independently within established procedural guidelines.
- Identifying customer problems and resolving them in an effective manner.
- Establishing and maintaining effective working relationships with those contacted in the course of the work.

Physical Characteristics:

- Vision to read gauges, meters, computer screens, instruction manuals and to operate a motor vehicle.
- Hearing to interact in person, on the telephone and over a radio.

Strength to lift and move equipment and tools weighing up to 80 pounds with proper equipment.

Stamina to do heavy physical work.

Mobility to inspect various work sites, work in confined spaces and climb ladders.

Ability to wear self-contained breathing equipment.

Working Conditions:

Must work out of doors in all weather conditions.

Must be available for regularly scheduled stand-by, off-hours shifts and emergency call-out.

Must be able to arrive at District facilities within 30 minutes from the time an initial call-back notification.

License:

Must possess a valid California class C driver's license and have a satisfactory driving record. Specified assignments and/or equipment may require possession of a class B driver's license.

Must possess a California Grade D-3 Distribution Operator certificate.

Must possess a California Grade I Wastewater Treatment Plant Operator certificate.

Education and Experience:

Equivalent to graduation from high school or equivalent and four years of experience in the operation and maintenance of water production, treatment and distribution facilities and equipment and wastewater collection and treatment facilities.

NIPOMO COMMUNITY SERVICES DISTRICT
 EMPLOYEE STEP AND RANGE PLAN
 MONTHLY COMPENSATION
 2002-2003

<u>POSITION</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>	<u>2.5% LONGEVITY PAY 15 YRS</u>	<u>2.5% LONGEVITY PAY 20 YRS</u>
Assistant Administrator	3,754	3,942	4,139	4,346	4,563	4,677	4,794
Secretary	2,516	2,642	2,774	2,913	3,059	3,135	3,214
Billing Clerk	2,324	2,440	2,562	2,690	2,825	2,896	2,968
Utility Supervisor	3,733	3,920	4,116	4,322	4,538	4,651	4,767
Utility Operator II	2,742	2,879	3,023	3,174	3,333	3,416	3,502
Utility Operator I	2,088	2,192	2,302	2,417	2,538	2,601	2,666

NIPOMO COMMUNITY SERVICES DISTRICT
 EMPLOYEE STEP AND RANGE PLAN
 MONTHLY COMPENSATION
 2002-2003

PROPOSED MODIFICATIONS

<u>POSITION</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>	<u>2.5% LONGEVITY PAY 15 YRS</u>	<u>2.5% LONGEVITY PAY 20 YRS</u>
Assistant Administrator	3,754	3,942	4,139	4,346	4,563	4,677	4,794
Secretary	2,516	2,642	2,774	2,913	3,059	3,135	3,214
Billing Clerk	2,324	2,440	2,562	2,690	2,825	2,896	2,968
Utility Supervisor	3,733	3,920	4,116	4,322	4,538	4,651	4,767
Assistant Utility Supervisor	3,016	3,167	3,325	3,491	3,666	3,758	3,852
Utility Operator	2,742	2,879	3,023	3,174	3,333	3,416	3,502
Utility Worker	2,088	2,192	2,302	2,417	2,538	2,601	2,666

TO: BOARD OF DIRECTORS
FROM: DOUG JONES
DATE: SEPTEMBER 4, 2002

**AGENDA ITEM
E-2
SEPTEMBER 4, 2002**

**WOODLAND PROJECT
(PH PROPERTIES DEVELOPMENT)**

ITEM

SLO County Planning Dept. Public Hearing On 9/26/02 to review:

- THE SUBDIVISION
- THE WATER SUPPLY
- PHASE 1-A
- GOLF COURSE

BACKGROUND

The District has received a Notice of a Public Hearing from the County Planning and Building Department that PH Properties Development (Woodland) is before the County Planning Department on September 16, 2002. The Public Hearing will address four items.

1. The Subdivision - 957 acre development, 1220 lots, multi-family residential and business park
2. The Water Supply – Determination of adequate water supply
3. Phase 1-A - Development plans for construction of Phase 1A, which consists of 447 single-family residential units and a business park.
4. Golf Course – 18-hole golf course, clubhouse and maintenance building

It is anticipated that the Planning Department's staff report will be available after September 16, 2002.

RECOMMENDATION

General discussion



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

VICTOR HOLANDA, AICP
AUG 30 2002 DIRECTOR

NOTICE OF PUBLIC HEARING

WHO: San Luis Obispo County Planning Commission
WHEN: Thursday, September 26, 2002, at 8:45 a.m. (All items are advertised for 8:45 a.m. To find out the agenda placement call the Planning Department at 781-5600)

NIPOMO COMMUNITY
SERVICES DISTRICT

WHAT: Hearings to consider proposals by **P.H. PROPERTY DEVELOPMENT** for land division and development projects under the provisions of the adopted Woodlands Specific Plan. Four separate hearings will be conducted. 1) A hearing to consider a subdivision of a 957 acre site into 1,220 residential single-family lots ranging in size from 4,200 square feet to 23,000 square feet, 16 business park parcels ranging in size from 1.10 acres to 1.40 acres, a 5.7 acre parcel for multi-family residences, 14 golf course parcels totaling 397 acres, 10 commercial parcels within the village center ranging in size from 0.40 acres to 4.10 acres, two resort parcels of 5.40 acres and 17.40 acres each, an 11.60 acre parcel for the wastewater treatment facility, and 100 various parcels for parks, open space, buffers and habitat preservation. The project is proposed to be recorded in multiple phases and includes off-site road improvements to Mesa Road from the site to Nipomo, and off-site road improvements to both Via Concha and Albert Way from the site to Willow Road. 2) The Planning Commission will make a determination and verification whether an adequate water supply is available for the subdivision pursuant to Government Code section 66473.7. 3) A hearing to consider a Development Plan for the construction of Phase 1A features, including: 447 single-family residential units; infrastructure for a 19 acre business park, a 14 acre village center (including a 1.8 acre park) and a 5.7 acre multi-family parcel; a wastewater treatment plant; a water distribution system; four temporary dwellings for initial construction activities; and the construction of a 2,600 square foot project information center, project entry features, parks and trails. 4) A hearing to consider Development Plan for the development of an 18 hole golf course, 2,880 square foot temporary clubhouse, 4,800 square foot cart barn, 9,600 square foot maintenance building, practice field, and driving range. The project site is within the Recreation, Commercial Service and Commercial Retail Land Use Categories. The property is located in the county on the Nipomo Mesa approximately two miles west of the community of Nipomo, on the east side of Highway One, and approximately 1/2 mile south of Willow Road, APN: 091-211-009 & 010, 091-221-001, 091-261-001, & 091-411-003, in the South County Planning Area. County File Number: **D990194D, D990195D, & S990187U/TRACT 2341**. Date applications accepted: January 12, 2001, Supervisorial District 4.

WHERE: The hearing will be held in the San Luis Obispo County Board of Supervisors Chambers, Room 224, County Government Center, San Luis Obispo, California. At the hearing all interested persons may express their views for or against, or to change the proposal.

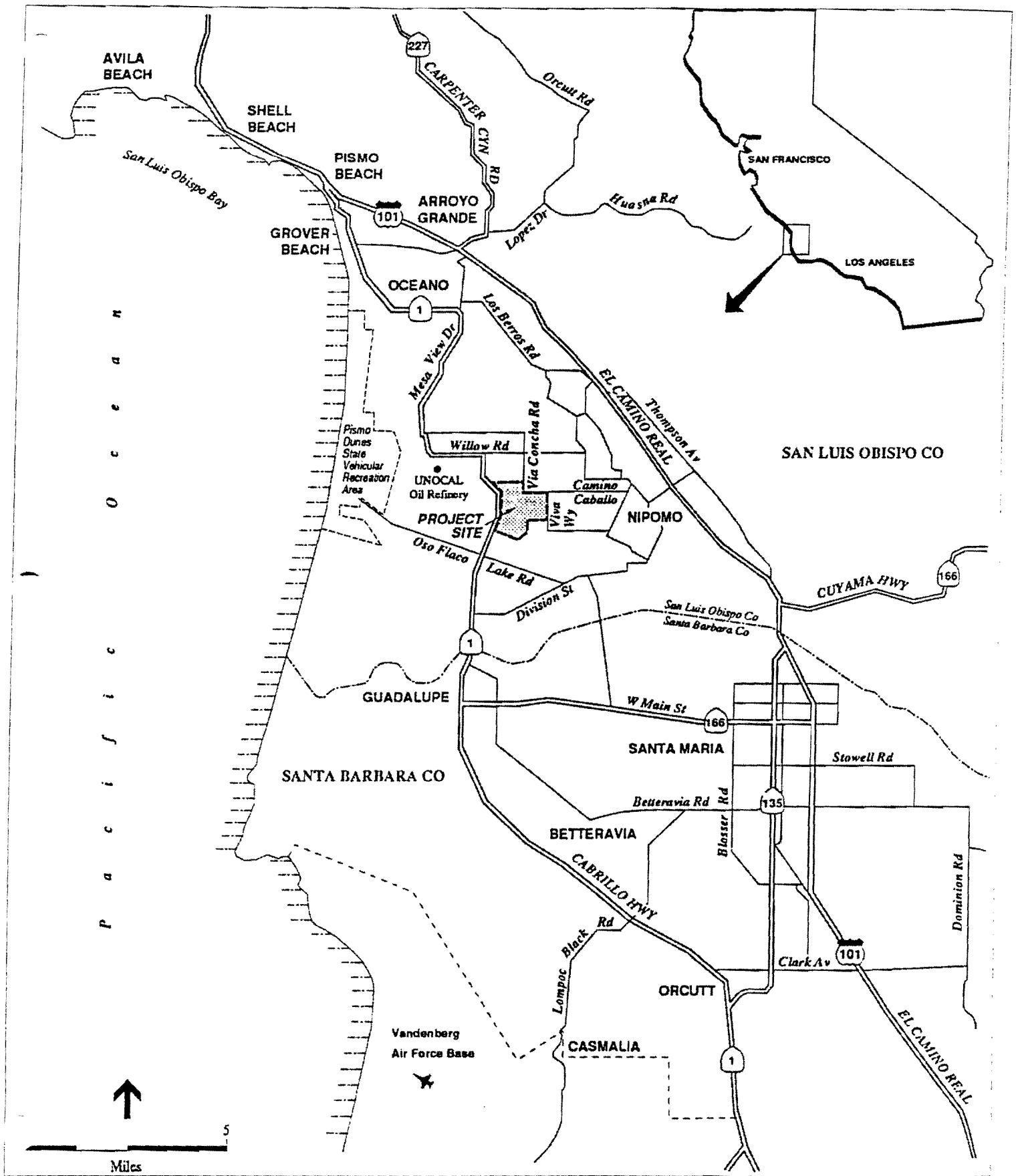
FOR FURTHER INFORMATION: You may contact **Jay Johnson**, Project Manager, in the San Luis Obispo County Department of Planning and Building, County Government Center, San Luis Obispo, California 93408 (805) 781-5600.

ENVIRONMENTAL INFORMATION: Also to be considered at the hearing will be the addendum to the previously certified Final Environmental Impact Report and Final Supplemental Environmental Impact Report in accordance with the applicable provisions of the California Quality Act, Public Resources Code Section 21000 et seq. Environmental Issues include: Water Resources, Traffic, Air Quality, Biological Resources, Noise, Aesthetics, Public Services, Cultural Resources, Agricultural Resources, Hazardous Materials, and Drainage, Erosion and Sedimentation. Anyone interested in commenting or receiving a copy of the proposed addendum to the Final Environmental Impact Report and Final Supplemental Environmental Impact Report should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

****If you challenge this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this public notice or in written correspondence delivered to the appropriate authority at or before the public hearing****

DATED: August 27, 2002

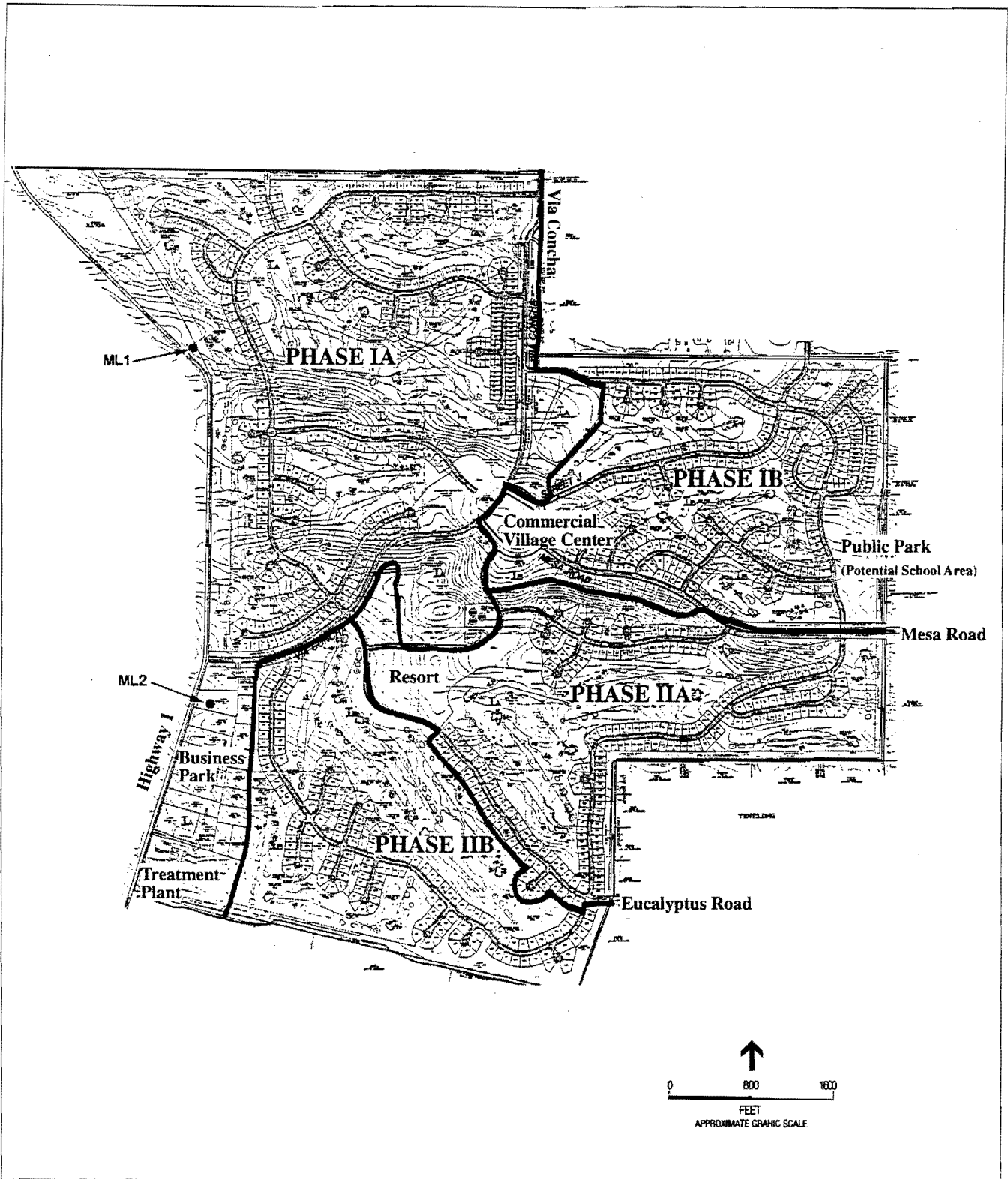
DIANE TINGLE, SECRETARY, COUNTY PLANNING COMMISSION
COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600



SOURCE: Environmental Science Associates

Woodlands Specific Plan / 201245 ■

Figure 1
Regional Location Map



SOURCE: The Woodlands Preliminary Site Plan

Woodlands Specific Plan / 201245 ■

Figure 2
Land Use Concept Plan

TO: BOARD OF DIRECTORS
FROM: DOUG JONES *jd*
DATE: SEPTEMBER 4, 2002

**AGENDA ITEM
F
SEPTEMBER 4, 2002**

CONSENT AGENDA

The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately.

Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.

- F-1) WARRANTS [RECOMMEND APPROVAL]
- F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of August 7, 2002, Regular Board meeting
Minutes of August 9, 2002, Special Board meeting
Minutes of August 14, 2002, Special Board meeting
- F-3) ACCEPT WATER/SEWER IMPROVEMENTS TRACT 1559/2399 (KING) [RECOMMEND APPROVAL]
Resolution accepting improvements for a 59 lot development at Division & Frontage Rds.

WARRANTS SEPTEMBER 4, 2002

**AGENDA ITEM
F-1
SEPTEMBER 4, 2002**

HAND WRITTEN CHECKS

18552	08/13/02	R MOBRAATEN	50.00
18553	08/13/02	MICHAEL WINN	50.00
18554	08/21/02	COUNTY AUDITOR CONTROLLER	15,371.00
18555	08/21/02	CITY NATIONAL BANK	56,552.75
18556	09/04/02	NIPOMO BUSINESS CENTER LLC	13,797.90

7191 VOID

COMPUTER GENERATED CHECKS

7191 VOID

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice # Description
7213	08/16/02	EMP01	EMPLOYMENT DEVELOP DEPT	368.37	.00	368.37	A20812 STATE INCOME TAX
7214	08/16/02	MID01	MIDSTATE BANK-PR TAX DEP	1446.45 348.38	.00 .00	1446.45 348.38	A20812 FEDERAL INCOME TAX 1A20812 MEDICARE (FICA)
			Check Total.....:	1794.83	.00	1794.83	
7215	08/16/02	MID02	MIDSTATE BANK - DIRECT DP	10614.86	.00	10614.86	A20812 NET PAY DEDUCTION
7216	08/16/02	PER01	PERS RETIREMENT	1885.33	.00	1885.33	A20812 PERS PAYROLL REMITTANCE
7217	08/16/02	SIM01	SIMMONS, DEBRA	150.00	.00	150.00	A20812 WAGE ASSIGNMENT
7218	08/16/02	STA01	STATE STREET GLOBAL	735.00	.00	735.00	A20812 DEFERRED COMP
7219	08/30/02	EMP01	EMPLOYMENT DEVELOP DEPT	357.20	.00	357.20	A20826 STATE INCOME TAX
7220	08/30/02	MID01	MIDSTATE BANK-PR TAX DEP	1421.07 347.94	.00 .00	1421.07 347.94	A20826 FEDERAL INCOME TAX 1A20826 MEDICARE (FICA)
			Check Total.....:	1769.01	.00	1769.01	
7221	08/30/02	MID02	MIDSTATE BANK - DIRECT DP	10786.63	.00	10786.63	A20826 NET PAY DEDUCTION
7222	08/30/02	PER01	PERS RETIREMENT	1857.17	.00	1857.17	A20826 PERS PAYROLL REMITTANCE
7223	08/30/02	STA01	STATE STREET GLOBAL	735.00	.00	735.00	A20826 DEFERRED COMP
7224	09/04/02	ADV01	ADVANTAGE ANSWERING PLUS	79.95	.00	79.95	46744 PAGING SERVICE
7225	09/04/02	AIR02	AIR TESTING	1409.50	.00	1409.50	202-174 ANNUAL SOURCE TESTING ENG
7226	09/04/02	BCS01	BASIC CHEMICAL SOLUTIONS	1008.33 302.83	.00 .00	1008.33 302.83	51879 SODIUM HYPOCHLORITE 51882 SODIUM HYPOCHLORITE
			Check Total.....:	1311.16	.00	1311.16	
7227	09/04/02	BLA01	BLAIR, ROBERT L	100.00	.00	100.00	090402 REG BD MEETING
7228	09/04/02	BLU01	BLUEPRINT EXPRESS	278.85	.00	278.85	23882 MONTECITO VERDE II PLANS
7229	09/04/02	CEN01	CENTRAL ELECTRIC	117.19	.00	117.19	74006 CHANGE LIGHT FOR SIGN
7230	09/04/02	CHA02	CHARTER COMMUNICATIONS	54.90	.00	54.90	082302 INTERNET PROVIDER 1720692
7231	09/04/02	COM01	COMPUTER NETWORK SERVICES	749.50	.00	749.50	081502 COMPUTER TROUBLESHOOTING
7232	09/04/02	COR01	CORBIN WILLITS SYSTEMS	545.48	.00	545.48	A208151 COMPUTER SUPPORT SERVICE
7233	09/04/02	CRE01	CREEK ENVIRONMENTAL LABS	30.00 30.00 30.00 30.00 30.00 30.00 30.00	.00 .00 .00 .00 .00 .00 .00	30.00 30.00 30.00 30.00 30.00 30.00 30.00	J2945 BL WWTP LAB J2962 BL WWTP LAB J3023 BL WWTP LAB J3054 BL WWTP LAB J3131 BL WWTP LAB J3152 BL WWTP LAB J3217 BL WWTP LAB
			Check Total.....:	210.00	.00	210.00	

WARRANTS SEPTEMBER 4, 2002

**AGENDA ITEM
F-1**

SEPTEMBER 4, 2002

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information - Description
7234	09/04/02	CUL02	CULLIGAN WATER CONDITION	10.60	.00	10.60	082502	DELIVERY
7235	09/04/02	DEW01	J B DEWAR INC	442.95	.00	442.95	732459	DEEP WELL PUMP OIL
7236	09/04/02	DWI01	DWIGHT'S AUTOMOTIVE	109.05	.00	109.05	13980	SERVICE 1000 CHEVY PU
				37.22	.00	37.22	13986	SERVICE 96 FORD PU
			Check Total.....:	146.27	.00	146.27		
7237	09/04/02	EDA01	EDA	272.50	.00	272.50	53572	MONTECITO VERDE II SEWER
7238	09/04/02	FGL01	FGL ENVIRONMENTAL	6211.80	.00	6211.80	207545	WELL SAMPLES-3 YR CYCLE
				44.80	.00	44.80	207548	BL WWTP LAB
				93.60	.00	93.60	207763	WELL SAMPLES
				44.80	.00	44.80	207764	BL WWTP LAB
				44.80	.00	44.80	207765	TOWN WWTP LAB
				765.00	.00	765.00	207766	WELL SAMPLES-HEXAVALENT C
				44.80	.00	44.80	207978	NIPOMO WWTP LAB
				44.80	.00	44.80	207979	BL WWTP LAB
				44.80	.00	44.80	208246	NIPOMO WWTP LAB
				44.80	.00	44.80	208247	NIPOMO WWTP LAB
			Check Total.....:	7384.00	.00	7384.00		
7239	09/04/02	FIR01	FIRST AMERICAN REAL EST	1352.66	.00	1352.66	10640280	APN MAPS ON CD-ANNUAL FEE
7240	09/04/02	GRO01	GROENIGER & CO	299.33	.00	299.33	183158	SUPPLIES FOR SCHOOL WATER
				1096.29	.00	1096.29	185093B	VALVES & COUPLINGS
			Check Total.....:	1395.62	.00	1395.62		
7241	09/04/02	GWA01	GWA INC	25.00	.00	25.00	082002	SEPT FIRE ALARM SERVICE
7242	09/04/02	IKO01	IKON OFFICE SOLUTIONS	47.20	.00	47.20	16791158	MAINTENANCE AGREEMENT
7243	09/04/02	KIN01	KINKO'S	16.11	.00	16.11	250533	CREATE CD
7244	09/04/02	M&W01	M & W PUMPS, INC.	5726.59	.00	5726.59	3513	BL WELL PUMP
7245	09/04/02	MET01	METRON-FARNIER, LLC	283.15	.00	283.15	5361	SALES TAX 2001 SALE-HIGH
7246	09/04/02	MIS01	MISSION UNIFORM SERVICE	309.23	.00	309.23	79203	UNIFORMS
7247	09/04/02	MOB01	MOBRAATEN, RICHARD	100.00	.00	100.00	090402	REG BD MEETING
7248	09/04/02	PAC01	PACBELL/WORLDCOM	5.93	.00	5.93	T0588132	LONG DISTANCE
7249	09/04/02	PER02	CALIF PUBLIC EMPLOYEES'	3835.94	.00	3835.94	090102	HEALTH INSURANCE INV# H20
7250	09/04/02	PER04	PERRY'S ELECTRIC MOTORS	575.00	.00	575.00	1394	REPAIR CENTURY MOTOR
7251	09/04/02	EGE01	P G & E	59722.14	.00	59722.14	082602	ELEC SERVICE VBV SB 01391
7252	09/04/02	PLA01	PLATINUM PLUS FOR BUSINES	3411.27	.00	3411.27	081202	NEW SERVER AND LICENSES
				57.75	.00	57.75	081402	MISC SUPPLIES
			Check Total.....:	3469.02	.00	3469.02		
7253	09/04/02	PRE01	PRECISION JANITORIAL	275.00	.00	275.00	105	JANITOR
7254	09/04/02	PUL01	FULITZER CENTRAL COAST NP	424.04	.00	424.04	251951701	ADVERTISE UTILITY SUPERVI
7255	09/04/02	QUI01	QUILL CORPORATION	156.31	.00	156.31	4963494	MISC SUPPLIES
7256	09/04/02	REL01	RELIABLE	90.76	.00	90.76	XT179500	MISC SUPPLIES
7257	09/04/02	RIC01	RICHARDS, WATSON, GERSHON	41369.32	.00	41369.32	122539	SMVWCD WATER RIGHTS ADJ
				4902.55	.00	4902.55	122540	SAVE THE MESA LITIGATION
			Check Total.....:	46271.87	.00	46271.87		
7258	09/04/02	THE01	THE GAS COMPANY	12.39	.00	12.39	082102	OFFICE HEAT
7259	09/04/02	THE03	THE PERFORMANCE GROUP	21.52	.00	21.52	17929	MAILING MACHINE TAPE
7260	09/04/02	TRO01	TROTTER, CLIFFORD	100.00	.00	100.00	090402	REG BD MEETING
7261	09/04/02	UND01	UNDERGROUND SERVICE ALERT	177.00	.00	177.00	22080064	UNDERGROUND NOTIFICATION
7262	09/04/02	USA01	USA BLUEBOOK	564.39	.00	564.39	575592	SUPPLIES
				324.51	.00	324.51	579149	SUPPLIES
			Check Total.....:	888.90	.00	888.90		
7263	09/04/02	VER01	VERIZON	28.69	.00	28.69	081902	BL PHONE 3436061
				30.16	.00	30.16	0819022	BL PHONE 3432397
			Check Total.....:	58.85	.00	58.85		
7264	09/04/02	WIN01	WINN, MICHAEL	100.00	.00	100.00	090402	REG BD MEETING
7265	09/04/02	WIR02	WIRSING, JUDY	100.00	.00	100.00	090402	REG BD MEETING

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

AUGUST 7, 2002

REGULAR MEETING 9:00 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

RICHARD MOBRAATEN, PRESIDENT
MICHAEL WINN, VICE PRESIDENT
ROBERT BLAIR, 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 Mobraaten called the meeting to order at 9:00 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.

There was no public comment.

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

D-1) COUNTY SERVICE AREA NO. 1 FEES

Letter from Ms. Seehof concerning sewer connection fees from CSA1 (Galaxy)

Sherry Seehof, resident of Galaxy Park area, presented her concerns to the Board regarding the sewer connection fees and asked if the Board would consider sending a letter to the County expressing sympathy for her situation. Upon motion of Director Trotter and seconded by Director Wirsing, the Board agreed to have staff draft a letter. Vote 5-0
There was no other public comment.

D-2) DISTRICT ANNEXATION FEES

Sub-Committee review of the District's annexation fees

The Board discussed the District's annexation fees.

The following member of the public spoke:

Jon Martin, property owner of proposed annexation spoke in favor of changing the annexation fee to a per parcel amount rather than per acre.

Upon motion of Director Winn and seconded by Director Trotter, the Board unanimously agreed to table this item for the Annexation Committee to consider further. Vote 5-0
There was no other public comment.

D-3) REQUEST FOR SERVICE – TRACT 2494 (WEATHERFORD)

Request for water & sewer service for an 18-lot development on W. Tefft St.

Pamela Jardini, Westland Engineering representing developer of Tract 2494, described layout of proposed project.

Director Wirsing asked that the following be added to the minutes.

I want to make a motion that Items D-3, D-4, & D-5 be tabled until we are able to meet with Attorney Jim Markman on Friday August 9 at the Closed Session which we will be discussing the Santa Maria Water litigation. As a responsible member of this Board, I believe it is of utmost importance to hear an update on this lawsuit, to insure that we are informed and will be making the right decision that protects the interest and needs of the rate payers of this District. Motion failed for lack of second.

Director Wirsing made the motion to table this item, D-3. Director Trotter seconded the motion. Vote 2-3 with Directors Blair, Winn and Mobraaten voting no. No public comment. Upon motion of Director Winn and seconded by Director Blair, the Board agreed to issue an Intent-to-Serve letter for water and sewer service for Tract 2494, with the conditions as outlined in the Board letter. Vote 4-1 with Director Wirsing voting no. No public comment.

- D-4) REQUEST FOR SERVICE – PARCEL MAP CO 02-0249 (STOKES)
Request for water & sewer service from a 4-lot development at Day & Thompson
A request was received from RRM Design Group for a 4-lot development.
Director Wirsing made the motion to table this item, D-4 until information was presented at Friday's Closed Session. Director Trotter seconded the motion. Vote 2-3 with Directors Blair, Winn and Mobraaten voting no. There was no public comment.
Scott Stokes, owner of development, discussed the project with the Board.
Upon motion of Director Winn and seconded by Director Blair, the Board agreed to issue an Intent-to-Serve letter for water and sewer service for Parcel Map CO 02-0249, with the conditions as outlined in the Board letter. Vote 3-2 with Directors Wirsing and Trotter voting no.
- D-5) REQUEST FOR SERVICE – PARCEL MAP CO 01-0351 (CORELLA)
Request for water & sewer service from a 4-lot development at Mary & Tefft

Director Wirsing made the motion to table this item, D-5. Director Trotter seconded the motion. Vote 2-3 with Directors Blair, Winn and Mobraaten voting no. There was no public comment.
Upon motion of Director Winn and seconded by Director Blair, the Board agreed to issue an Intent-to-Serve letter for water and sewer service for Parcel Map CO 01-0351, with the conditions as outlined in the Board letter. Vote 3-2 with Directors Wirsing and Trotter voting no. There was no public comment.
- D-6) WATER AND SEWER RATE STUDY
Acquiring consulting services to update the District water & sewer rates and charges

Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved the contract with Perry Louck, CPA to prepare a water and sewer rate and fee study in the amount of \$17,940 and make a budget adjustment of \$2,000 to cover the cost of the consultant's fees. There was no public comment. Vote 5-0

RESOLUTION 2002-827
A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT
APPROVING PERRY R. LOUCK, CPA TO CONDUCT A WATER AND WASTEWATER RATE AND FEE
- D-7) CONFLICT OF INTEREST CODE
Biennial review of the District's Conflict of Interest Code

Jon Seitz, District Legal Counsel, explained some of the Changes in the District's Conflict of Interest Code. This item was tabled to a future meeting.

President Mobraaten called a short break. Reconvened at 11:07 a.m.

E. OTHER BUSINESS

- E-1) REQUEST FOR BIDS – MONTECITO VERDE II SEWER
Request bids to connect MVII on-site sewers to the District system

The Board discussed the Montecito Verde II project. Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to authorize District staff to go to bid on the Montecito Verde II sewer project. There was no public comment. Vote 5-0

- E-2) REQUEST FOR BIDS – UPGRADE TEFFT STREET LIFT STATION
Request bids to increase the pumping capacity of the Tefft St. sewer lift station

The Board discussed the need to go to bid to upgrade the Tefft Street Lift Station. Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously agreed to authorize the District to request bids for the Tefft Street Lift Station with a request of no chain link fence. There was no public comment. 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 July 3, 2002, Regular Board meeting
Minutes of July 17, 2002, Regular Board meeting
F-3) PUBLIC EMPLOYEES RETIREMENT SYSTEM [RECOMMEND APPROVAL]
Resolution authorizing a correction to the District's Public Employees Retirement System

Upon motion of Director Winn and seconded by Director Blair, the Board unanimously approved the items on the Consent Agenda with the modification on the Minutes of July 17, 2002. There was no public comment. Vote 5-0

**RESOLUTION 2002-828
AUTHORIZING A CORRECTION TO THE AMENDMENT TO CONTRACT BETWEEN THE BOARD OF
ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE BOARD OF
DIRECTORS NIPOMO COMMUNITY SERVICES DISTRICT**

G. **MANAGER'S REPORT**

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

- G-1) WATER & SEWER HISTORICAL DATA

H. **COMMITTEE REPORTS**

None

I. **DIRECTORS COMMENTS**

Director Winn – Lucia Mar Board Meeting, dedicated easement to District Easement for Dana taken off agenda. He requested it be put back on.
Water Forum August 19, 2002, 6:30 – 8:00 p.m.
Candidates Forum, Wednesday, August 28, 7:00 p.m. Dana Elementary

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

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

- A. SMVWCD VS NCS D SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
B. SAVE THE MESA VS. NCS D CV 020181
C. ANTICIPATED LITIGATION, ONE CASE

CONFERENCE WITH NEGOTIATOR GC§54956.8

- D. WATER LINE EASEMENT ACROSS COUNTY PARK - DISTRICT NEGOTIATOR - DOUG JONES,
COUNTY NEGOTIATOR - PETE JENNY, REGARDING TERMS & PRICE. POSSIBLE LITIGATION INITIATION GC§549569
E. PUBLIC EMPLOYEE EVALUATION – GENERAL MANAGER GC§54957

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

OURN

President Mobraaten closed the meeting at 2:15 p.m.

**The regular Board Meeting scheduled for August 21, 2002, has been canceled.
The next regular Board Meeting will be held on September 4, 2002, at 9:00 a.m.**

NIPOMO COMMUNITY SERVICES DISTRICT

SPECIAL MEETING MINUTES

AUGUST 9, 2002 FRIDAY 9:00 A. M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

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

STAFF

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

President Mobraaten called the meeting to order at 9:00 a.m.

ROLL CALL

At Roll Call, all Board members were present.

Public Comment on Agenda Items

The public has the right to comment on any item on the Special Meeting Agenda. Comments are limited to 3 minutes or otherwise at the discretion of the Chair.

There was no public comment.

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

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL GC§54956.9

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

OPEN SESSION

The Board came back into Open Session.

On a 5-0 vote the Board instructed Special Water Counsel, Jim Markman, to support the Northern Cities request to settle out of the groundwater law suit.

ADJOURN

President Mobraaten adjourned the meeting at 11:35 a.m.

***The regular Board Meeting scheduled for August 21, 2002, has been canceled.
The next regular Board Meeting will be held on September 4, 2002, at 9:00 a.m.***

MINUTES SUBJECT TO BOARD APPROVAL

NIPOMO COMMUNITY SERVICES DISTRICT
SPECIAL MEETING
MINUTES

AUGUST 14, 2002 WEDNESDAY 2:00 P. M.
BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

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

STAFF

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

ROLL CALL

President Mobraaten called the meeting to order at 2:04 p.m. and led the flag salute. At Roll Call, the following Board members were present: Directors Trotter, Wirsing, Winn and Mobraaten. Director Blair was absent.

PUBLIC COMMENT ON AGENDA ITEMS

The public has the right to comment on any item on the Special Meeting Agenda. Comments are limited to 3 minutes or otherwise at the discretion of the Chair.

PUBLIC AGENDA

Approval of Warrants [recommend approval]
Upon motion of Director Winn and seconded by Director Wirsing, the Board unanimously approved the Warrants presented.

CLOSED SESSION

Public comment on Closed Session Item.
President Mobraaten asked for Public comment.
Carolyn Miner, Outside District – urged Board to come to an agreement in order that the high school would open September 3, 2002.
Vince McCarthy, Inside District -

ADJOURNED TO CLOSED SESSION

Conference with Legal Counsel GC§54956.9(b)(c)
Anticipated Litigation/Initiation of Litigation - one case
Nipomo Community Services District – Lucia Mar Unified School District - Breach of Contract


- ◆ Nipomo Community Services District Inspection and Public Facility Dedication Agreement
- ◆ First Amended Agreement for Extraterritorial Water and Sewer Service between the Nipomo Community Services District and the Lucia Mar Unified School District

OPEN SESSION

The Board came back into Open Session and announced:
The Board decided not to initiate litigation but to exercise the term provided under Section 3.17 (Termination) of the agreement. Vote 4-0 with Director Blair being absent.

ADJOURNED

***The regular Board Meeting scheduled for August 21, 2002, has been canceled.
The next regular Board Meeting will be held on September 4, 2002, at 9:00 a.m.***

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: SEPTEMBER 4, 2002

AGENDA ITEM
F-3
SEPTEMBER 4, 2002

ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS
TRACT 1599/2399 (KING VENTURES)
NIPOMO VILLAGE

ITEM

Acceptance of water and sewer improvements for Tract 1599/2399 on Division & Frontage Rd.

BACKGROUND

Upon completion of a developer's project, the District accepts improvements of the project when all requirements are met. The developer (King Ventures) for Tract 2399, formerly 1599, a 59-lot development on N. Frontage Road 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 2002-King, accepting the water and sewer improvements for Tract 2399.

Board 2002\Accept 2399 King.DOC

RESOLUTION NO. 2002-King

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR TRACT 1599/2399 (KING VENTURES)**

WHEREAS, the District approved the construction plans on February 12, 1999, for the water and sewer improvements to be constructed; and

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

WHEREAS, on July 10, 2001, the Owner offered the water and sewer improvements to the Nipomo Community Services District; and

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

WHEREAS, all water and sewer fees for service, required in conformance with District ordinances, have been paid in full for Tract 2399, formerly Tract 1599 (King Ventures).

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

That the water and sewer improvements for Tract 2399, formerly Tract 1599, (King Ventures), a 59-lot development 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 4th day of September 2002.

Richard Mobraaten, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

DIVISION STREET

315.43

MEREDITH AVE

TR 607

BASIS OF BEARINGS

The northeast line of Tract 458 bearing N 40°15'45"W per R-1.

TR 458

HWY 101

FRONTAGE

REMAINDER

APN/A

WAY

MURKIE

PLACE

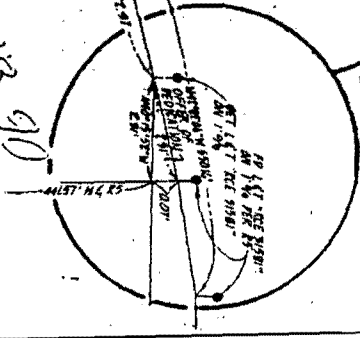
PRIVATE DRIVEWAY EASEMENT

D.O. PUBLIC EASEMENT

D.O. PUBLIC DRIVEWAY EASEMENT

LEGEND

- Found monument as shown.
- Set 1" pipe flagged L58673.
- △ Set street monument L53673.
- R 1 A.M.B. 14.
- R 1 B.L.S. 25.
- R 2 Co. of Hwy 101 map 02-510-101, PM 411, Chet requirement Map.
- R 3 I.M.B. 12.
- TTTTTTTT Accra, Dennis
- CS AS 7/1/12



Scale 1" = 50'


STORY STREET

ROAD

EDA Engineering Developer
1320 N. POMO ST., S.L.A., CALIF.

TRACT 1599

A subdivision of a portion of Lot 7
Reasub of Lot 22 of the Rancho Nip
County of San Luis Obispo, Calif.

TO: BOARD OF DIRECTORS
FROM: DOUG JONES 
DATE: SEPTEMBER 4, 2002

AGENDA ITEM
G
SEPTEMBER 4, 2002

MANAGER'S REPORT

G-1 LAFCO PROPOSED REPEAL AFFECTING DISTRICT LATENT POWERS

The Local Agency Formation Commission (LAFCo), at the next regular meeting, September 19, 2002, will be reviewing the possible return of all latent powers to the community services districts.

In 1990, legislation was passed allowing special districts to be seated on LAFCO with the condition of giving up all inactive latent powers. The new legislation allows LAFCO, upon their initiative, to turn those powers to the District or the Districts by majority vote in each County can require LAFCO to do so. LAFCO has taken it upon themselves to take the initiative to address this item.

G-2) LETTER TO NIPOMO SOUTH PROPERTY OWNERS REQUESTING A ZONE CHANGE

The District has received a letter being circulated requesting the property owners southerly of the Southland Street, along Orchard Rd. requesting a County general plan amendment to create smaller parcels. Since the District has a proposed waterline in Orchard Rd. going to the Maria Vista Development, it is felt appropriate that a letter should be sent to the people to make more aware of the District's position. Attached is a draft letter for the Board's review and consideration.

LAFCO • The Local Agency Formation Commission
Serving the Area of San Luis Obispo County

RECEIVED

TO: ALL INDEPENDENT SPECIAL DISTRICTS

AUG 13 2002

COMMISSIONERS

FROM: PAUL L. HOOD, EXECUTIVE OFFICER

DATE: AUGUST 8, 2002

11.000 COMMUNITY SERVICES DISTRICT

SUBJECT: REPEAL OF REGULATIONS AFFECTING THE FUNCTIONS AND SERVICES OF SPECIAL DISTRICTS WITHIN THE COUNTY

- RICHARD ROBERTS, Chair
Public Member
- CAROLYN MOFFATT, Vice Chair
Special District Member
- RAY JOHNSON
City Member
- BARBARA MANN
Special District Member
- DUANE PICANCO
City Member
- SHIRLEY BIANCHI
County Member
- MICHAEL P. RYAN
County Member

At its July 17, 2002 meeting, the Commission considered a request from the SLO Chapter of the California Special Districts Association to repeal its rules and regulation concerning the exercise of latent powers by special districts. Latent powers are those powers that were authorized when the district was formed, but are not actively used presently. Since 1994, if a district wishes to exercise a latent power, it must first receive LAFCO approval. This requirement was a condition of special district representation on the Commission, but has since been repealed as part of the Cortese-Knox-Hertzberg Act of 2000.

ALTERNATES

Repeal of the rules and regulations affecting latent powers can either be initiated by the Commission or by a majority of the independent special districts within the County. Since having each special district adopt a resolution asking LAFCO to repeal its rules and regulations would be a cumbersome process, the Special Districts Association requested that the Commission initiate the process.

The Commission has agreed to initiate the repeal process, but has requested that the independent special districts be given an opportunity to comment on this action. The Commission will consider repealing these rules and regulations at its September 19, 2002 meeting. Therefore, if any special district has concerns about this action they should contact me before the September hearing date. Scheduling the hearing for September should allow special districts adequate time to place this matter on their board agendas, if necessary.

STAFF

Please feel free to contact me if you have any questions or need further information.

- PAUL L. HOOD
Executive Officer
- RAY BIERING
Legal Counsel
- DAVID CHURCH
LAFCO Analyst
- LEAHA K. MAGEE
Clerk to the Commission

1042 Pacific Street, Suite A • San Luis Obispo, California 93401
Phone: 805.781.5795 Fax: 805.788.2072
www.slolafco.com

NIPOMO COMMUNITY

SERVICES DISTRICT

BOARD MEMBERS

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

STAFF

DOUGLAS JONES, GENERAL MANAGER
JON SEITZ, GENERAL COUNSEL

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

August 28, 2002

Vicente Soto
696 Joshua Road
Nipomo, CA 93444

Victor and Angelica Gutierrez
717 Cherry Blossom Lane
Nipomo, CA 93444

DRAFT

SUBJECT: NIPOMO SOUTH PROPERTY OWNERS
REQUEST FOR GENERAL PLAN AMENDMENT

I am in receipt of a June 27, 2002, letter regarding a proposed General Plan Amendment for property fronting South Orchard Road. To the extent your project contemplates the extension of water service from the Nipomo Community Services District (for example from the proposed water line to be installed in Orchard Avenue to serve the Maria Vista Development, near the Santa Maria Speedway) please be advised as follows:

1. That in addition to the County's approval of the General Plan Amendment you would be required to process an Annexation to the District through the Local Agency Formation Commission (LAFCO).
2. The District would insist on an environmental review by both the County and LAFCO including the potential for growth inducement of any such General Plan Amendment and/or Annexation.
3. The District maintains the discretion to approve or disapprove requests for annexations. Further, the District's Annexation Policy requires Applicant to provide a water source.
4. Lastly, any request of the District to provide water service outside the District boundaries would have to be considered in light of the current adjudication of the Santa Maria Ground Water Basin.

This letter is to put you on notice that there are many hurdles and discretionary approvals required to receive District service and it is unlikely that the District Board of Directors would favorably review annexation proposals until the effects of the Santa Maria Ground Water litigation are finalized and incorporated into the District's water policies.

On the other hand, if your proposed General Plan Amendment does not contemplate District services, then the above comments are not applicable. However, the District would reserve the right to consider environmental determinations associated with the proposed General Plan Amendment.

If you should have questions regarding the contents of this letter, please do not hesitate to contact me.

Very truly yours,

NIPOMO COMMUNITY SERVICES DISTRICT

Doug Jones
General Manager

Parcel maps - 090-27
090-28
090-29
090-321

June 27, 2002

Nipomo South Property Owners

Dear Neighbor,

The intent of this letter is to inform you of our desire to submit a request to the County of San Luis Obispo to make changes to the General Plan.

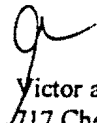
This can be accomplished with you the property owners who neighbor the current rural zoning support. (see attached map of desired zoning changes). This is the opportunity for many of the current property owners to subdivide their properties for their family members and to afford future housing for them.

We have enclosed a copy of the petition for your review. If you are in favor we would like to know as soon as possible and obtain your signature. We would ask for your phone number and name as a contact so we may obtain your signature on the petition in person.

Thank you in advance for your cooperation with this project. If you should have any questions, please do not hesitate to call.

Sincerely,

Vicente Soto
696 Joshua Rd
Nipomo CA 93444
805 929-6243


Victor and Angelica Gutierrez
717 Cherry Blossom Ln
Nipomo CA 93444
805 929-6377

Enclosures

Let < NCAC
↳ farmers: No.

Let < NCSD
↳ farmers: No.

